

109TH CONGRESS  
1ST SESSION

# H. R. 1067

For the relief of John Castellano.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2005

Mr. ROHRABACHER introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

For the relief of John Castellano.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. GRANTING POSTHUMOUS CITIZENSHIP TO**  
4       **JOHN CASTELLANO.**

5       (a) AUTHORITY OF SECRETARY OF HOMELAND SE-  
6       curity.—Notwithstanding the Immigration and Nation-  
7       ality Act or any other provision of law, the Secretary of  
8       Homeland Security shall grant, in accordance with this  
9       Act, posthumous citizenship at the time of death to John  
10      Castellano, who died July 7, 1937, if the Secretary ap-  
11      proves an application for posthumous citizenship under  
12      subsection (b).

1       (b) REQUEST FOR POSTHUMOUS CITIZENSHIP.—A  
2 request for the granting of posthumous citizenship to the  
3 individual referred to in subsection (a) may be filed on  
4 behalf of the individual only by the next-of-kin (as deter-  
5 mined by the Secretary of Homeland Security) or another  
6 representative (as determined by the Secretary). The Sec-  
7 retary shall approve such a request respecting the indi-  
8 vidual referred to in subsection (a) if the request is filed  
9 not later than 2 years after the date of the enactment of  
10 this Act and the Secretary finds that the individual satis-  
11 fied the requirements of subsection (c).

12       (c) CRITERIA FOR GRANTING OF POSTHUMOUS CITI-  
13 ZENSHIP.—The requirements referred to in subsection (b)  
14 are that the individual referred to in subsection (a) is a  
15 person who, while an alien or a noncitizen national of the  
16 United States served honorably in an active-duty status  
17 in the military, air, or naval forces of the United States  
18 during any period described in the first sentence of section  
19 329(a) of the Immigration and Nationality Act (8 U.S.C.  
20 1440(a)), and satisfied the requirements of clause (1) or  
21 (2) of the first sentence of section 329(a). The executive  
22 department under which the person so served shall deter-  
23 mine whether the individual satisfied the requirements of  
24 paragraphs (1) and (2).

1       (d) DOCUMENTATION OF POSTHUMOUS CITIZEN-  
2 SHIP.—If the Secretary of Homeland Security approves  
3 such a request to grant the individual referred to in sub-  
4 section (a) posthumous citizenship, the Secretary shall  
5 send to the person who filed the request a suitable docu-  
6 ment which states that the United States considers the  
7 person to have been a citizen of the United States at the  
8 time of the individual's death.

9       (e) NO BENEFITS TO SURVIVORS.—Nothing in this  
10 Act shall be construed as providing for any benefits under  
11 this Act for any spouse, son, daughter, or other relative  
12 of a person granted posthumous citizenship under this sec-  
13 tion.

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