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(NOTE.—Fill in all blank lines except those provided for the date, number, and reference of bill.)

IN THE SENATE OF THE UNITED STATES

Tsongas

Mr.

introduced the following bill; which was read twice and referred to the Committee on

A BILL

(Insert title of bill here)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

To amend the Immigration and Nationality Act to provide that aliens who die while serving with the United States armed forces during certain periods of hostilities may be considered to have been citizens of the United States at the time of such aliens' deaths.

1 That the Immigration and Nationality Act (8 U.S.C. 1101 et
2 seq.) is amended by inserting after section 329 the
3 following new section:

4 ''POSTHUMOUS NATURALIZATION THROUGH DEATH WHILE ON ACTIVE-
5 DUTY SERVICE IN THE ARMED FORCES DURING WORLD WAR I, WORLD
6 WAR II, THE KOREAN HOSTILITIES, THE VIETNAM HOSTILITIES, OR
7 IN OTHER PERIODS OF MILITARY HOSTILITIES

8 ''SEC. 329A. (a) Notwithstanding any other provision of
9 this title, any person who, while an alien or a noncitizen
10 national of the United States--

11 ''(1) served honorably in an active-duty status in
12 the military, air, or naval forces of the United
13 States--

14 ''(A) during either World War I or during a
15 period beginning September 1, 1939, and ending
16 December 31, 1946, or during a period beginning June
17 25, 1950, and ending July 1, 1955, or during a
18 period beginning February 28, 1961, and ending on a
19 date designated by the President by Executive order
20 as the date of termination of the Vietnam
21 hostilities; or

22 ''(B) thereafter during any other period which
23 the President by Executive order shall designate as
24 a period in which Armed Forces of the United States
25 are or were engaged in military operations involving

1 armed conflict with a hostile foreign force;
2 ''(2) died as a result of injury or disease incurred
3 in or aggravated by such service; and
4 ''(3) satisfied the requirements of clause (1) or
5 clause (2) of the first sentence of section 329(a);
6 shall, upon the Attorney General's approval of a request
7 under subsection (b)(2), be considered to have been a
8 citizen of the United States at the time of such person's
9 death. The executive department under which such person so
10 served shall determine whether such person satisfied the
11 requirements contained in paragraphs (1) and (2).
12 ''(b)(1) A request for the granting of posthumous
13 citizenship to a person described in subsection (a) may be
14 filed on behalf of such person by any member of such
15 person's family or any other individual designated by the
16 Attorney General as eligible to file such a request.
17 ''(2) Any request so filed shall be approved by the
18 Attorney General if--
19 ''(A) such request is filed--
20 ''(i) not later than five years after the date
21 of the enactment of this section, in the case where
22 such person's death was a result of injury or
23 disease incurred in or aggravated by service during
24 World War I or any other period described in
25 subsection (a)(1)(A); or

1 ''(ii) not later than five years after the date
2 of such person's death, in the case where such death
3 was a result of injury or disease incurred in or
4 aggravated by service during a period described in
5 subsection (a)(1)(B);

6 ''(B) such request is accompanied by a duly
7 authenticated certification from the executive
8 department under which such person served which states
9 that such person satisfied the requirements contained in
10 paragraphs (1) and (2) of subsection (a); and

11 ''(C) the Attorney General finds that such person
12 satisfied the requirement contained in paragraph (3) of
13 subsection (a).

14 ''(c) If the Attorney General approves under subsection
15 (b)(2) a request to grant a person posthumous citizenship,
16 then the Attorney General shall send a suitable document to
17 the member of such person's family, or to any other
18 individual, who filed such request which states that the
19 United States considers such person to have been a citizen
20 of the United States at the time of such person's death.''. .