

114TH CONGRESS  
1ST SESSION

# H. R. 3159

To amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2015

Mr. ASHFORD (for himself and Mr. FORTENBERRY) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Kerrie Orozco Act”.

1 **SEC. 2. EXPEDITED NATURALIZATION FOR SPOUSES OF**  
2 **FIRST RESPONDERS.**

3 Section 319 of the Immigration and Nationality Act  
4 (8 U.S.C. 1430) is amended by adding at the end the fol-  
5 lowing:

6 “(f) SPOUSES OF FIRST RESPONDERS.—

7 “(1) IN GENERAL.—Any person who is the sur-  
8 viving spouse, child, or parent of a United States  
9 citizen, whose citizen spouse, parent, or child dies as  
10 a result of injury or disease incurred in or aggra-  
11 vated by employment as a first responder, and who,  
12 in the case of a surviving spouse, was living in mar-  
13 ital union with the citizen spouse at the time of his  
14 death, may be naturalized upon compliance with all  
15 the requirements of this title except that no prior  
16 residence or specified physical presence within the  
17 United States shall be required.

18 “(2) DEFINITION.—For purposes of this sub-  
19 section—

20 “(A) the term ‘first responder’ includes law  
21 enforcement officers, firefighters, and emer-  
22 gency medical personnel; and

23 “(B) the terms ‘United States citizen’ and  
24 ‘citizen spouse’ include a person granted post-  
25 humous citizenship under section 329B.”.

1 **SEC. 3. POSTHUMOUS CITIZENSHIP THROUGH DEATH**  
2 **WHILE SERVING AS A FIRST RESPONDER.**

3 Title III of the Immigration and Nationality Act (8  
4 U.S.C. 1401 et seq.) is amended by inserting after section  
5 329A the following:

6 **“SEC. 329B. POSTHUMOUS CITIZENSHIP THROUGH DEATH**  
7 **WHILE SERVING AS A FIRST RESPONDER.**

8 “(a) PERMITTING GRANTING OF POSTHUMOUS CITI-  
9 ZENSHIP.—Notwithstanding any other provision of this  
10 title, the Secretary of Homeland Security shall provide,  
11 in accordance with this section, for the granting of post-  
12 humous citizenship at the time of death to a person de-  
13 scribed in subsection (b) if the Secretary of Homeland Se-  
14 curity approves an application for that posthumous citi-  
15 zenship under subsection (c).

16 “(b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS  
17 CITIZENSHIP.—A person referred to in subsection (a) is  
18 a person who, while an alien or a noncitizen national of  
19 the United States—

20 “(1) was employed as a first responder (as such  
21 term is defined in section 319(f)); and

22 “(2) died as a result of injury or disease in-  
23 curred in or aggravated by that employment.

24 The chief officer of the entity that employed the person  
25 shall determine whether the person satisfied the require-  
26 ments of paragraphs (1) and (2).

1 “(c) REQUESTS FOR POSTHUMOUS CITIZENSHIP.—

2 “(1) IN GENERAL.—A request for the granting  
3 of posthumous citizenship to a person described in  
4 subsection (b) may be filed on behalf of that per-  
5 son—

6 “(A) upon locating the next-of-kin, and if  
7 so requested by the next-of-kin, by the Director  
8 of United States Citizenship and Immigration  
9 Services immediately upon the death of that  
10 person; or

11 “(B) by the next-of-kin.

12 “(2) APPROVAL.—The Director of United  
13 States Citizenship and Immigration Services shall  
14 approve a request for posthumous citizenship filed  
15 by the next-of-kin in accordance with paragraph  
16 (1)(B) if—

17 “(A) the request is filed not later than 2  
18 years after—

19 “(i) the date of enactment of this sec-  
20 tion; or

21 “(ii) the date of the person’s death;  
22 whichever date is later; and

23 “(B) the request is accompanied by a duly  
24 authenticated certificate from the chief officer  
25 of the entity that employed the person which

1 states that the person satisfied the require-  
2 ments of paragraphs (1) and (2) of subsection  
3 (b).

4 “(d) DOCUMENTATION OF POSTHUMOUS CITIZEN-  
5 SHIP.—If the Director of the Bureau of Citizenship and  
6 Immigration Services approves the request referred to in  
7 subsection (c), the Director shall send to the next-of-kin  
8 of the person who is granted citizenship, a suitable docu-  
9 ment which states that the United States considers the  
10 person to have been a citizen of the United States at the  
11 time of the person’s death.”.

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