

CQ COMMITTEE COVERAGE
House Judiciary Subcommittee Markup
July 10, 2008

Judiciary Panel Approves Immigration Bills

By Seth Stern and Joanna Anderson, CQ Staff

A House Judiciary subcommittee approved legislation Thursday designed to help foreign nationals obtain permanent legal residency when their U.S. citizen spouse or parent dies before their applications are approved.

The measure ([HR 6034](#)) was approved by voice vote by the Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law.

The bill, sponsored by Jim McGovern, D-Mass., is designed to address situations in which the death of a citizen makes it impossible for family members who entered the country legally to obtain permanent legal status and instead face deportation.

If the death occurs within the first two years of marriage and an application filed by the citizen is already pending, the bill would allow the survivor to petition for permanent residency. Survivors also would be allowed to self-petition in cases where the process had not begun at the time of death.

That scenario is one of the top immigration-related circumstances that leads to private relief bills in Congress, according to a Congressional Research Service report cited by Zoe Lofgren, D-Calif., chairwoman of the subcommittee.

Lofgren described several such pending cases, including the widows of a Border Patrol agent who died while on duty and a San Francisco good samaritan who died while trying to rescue two drowning teenagers.

Steve King of Iowa, the subcommittee's ranking Republican, said he was concerned about writing "blanket legislation" based on a few sympathetic cases.

"I don't think we've properly looked at this legislation deeply enough to understand all of its possible implications," King said, but added he would not "aggressively oppose" the legislation.