

## Practice Areas

### BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries:

- Australia
- Chile / SingaporeE-1

E-1 Visas

E-2 Visas

PERM Labor Certification

### HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

### FAMILY

Spouse / Fiancée Visas

Permanent Residence for Family  
within U.S.

Naturalization /Citizenship

### AMNESTY

## Legal Relief for Widows of Citizenship Sponsors

September 22nd, 2011 by [admin](#)

Many widows and other relatives of recently deceased sponsors of U.S. citizenship applications may not realize that their sponsor's death can no longer invalidate their applications.

Prior to 2009, longstanding regulations invalidated such applications when the sponsoring citizen-spouse died prior to the beneficiary acquiring permanent residency if the marriage was less than two years old.

But when President Obama signed into law amendments to the Immigration and Nationality Act (the "INA") in the autumn of 2009, the door to citizenship was opened for widows and certain other relatives of deceased sponsors who would otherwise be left in the cold.

A U.S. Citizenship and Immigration Services memo dated Dec. 2, 2009 clearly states that spousal petitions are deemed to be reinstated if the marriage meets the requirements of applicable law.

Furthermore, the provisions of the 2009 amendments to the INA suggest that an adjustment and inadmissibility waiver application for a "qualifying relative" may be permitted when the USCIS has denied a petition only due to the death of the original petitioner.

Section 204(l) of the INA confers the benefits of its amendments upon not only widowed spouses, but:

- Unmarried children under the age of 21 years;
- Certain derivative family members of an employee sponsored by an employment-sponsored petition;
- Asylees, refugees and their family members; and

# The Shapiro Law Group

Illinois Business Immigration Lawyer

450 Skokie Boulevard, Suite 502  
Northbrook, IL 60062, United States  
Phone: 847.564.0712  
Fax: 847.564.0871  
Email: [consult@ronaldshapiro.com](mailto:consult@ronaldshapiro.com)  
Website: <http://www.ronaldshapiro.com/>  
Blog: <http://www.business-immigration-lawyer.com/>

## Practice Areas

### BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries:

- Australia
- Chile / Singapore E-1

E-1 Visas

E-2 Visas

PERM Labor Certification

### HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

### FAMILY

Spouse / Fiancée Visas

Permanent Residence for Family  
within U.S.

Naturalization /Citizenship

### AMNESTY

- Certain other holders of non-immigrant status, such as those serving in the military.

For further clarification on this or other issues related to family immigration, do not hesitate to call our offices for an appointment at (847) 564-0712 and/or check out [our Website](#) for additional information.