



Private Bills - A Last Resort for Citizenship

By, Michael Scott, Legal Intern

While the United States [accepts more immigrants](#) than any other country in the world, many foreign nationals still have no feasible path to citizenship. When all standard immigration pathways fail, one last (and rarely successful) option exists to gain citizenship – a private bill.

Congress has the power to propose two types of bills that can ultimately become laws. Public bills, pertaining to the general public, are most common. Private bills are bills that pertain to one certain individual, area, or group and do not affect the general public. When it comes to immigration, getting a private bill to pass can be the last beacon of hope for individuals who have exhausted their administrative and judicial tactics in fighting for citizenship. However, the chances of a private immigration relief bill being enacted in an individual's favor is very low. Of the 518 private bills that were introduced by Congress from 2007 to 2023, [only 6 have been enacted into law](#). Even though the chances of a private immigration bill becoming law are slim, it can happen, and the few that have passed are inspiring.

One of the private bills that ended up becoming law was for [Shigeru Yamada](#), an incredible student who came to the U.S. from Japan. When Shigeru was 10, he arrived in the United States with his mother on a student visa. His mother became engaged to a United States resident, which would have secured citizenship for her and Shigeru. Unfortunately, however, Shigeru's mother tragically passed away in a car accident. He was able to live with his aunt in California, but the aunt was not able to legally adopt him before he turned 16. After a foreign national turns 16, they cannot be adopted by a US citizen, and therefore Shigeru could not gain US citizenship through his aunt. Despite these hardships, Shigeru was able to graduate with honors from Eastlake High School all while participating in student government, football, wrestling, as well as numerous community service activities. With this story, he got the ball rolling for S. 4010, a private bill that would give him U.S. citizenship. Lucky for him, the bill became law on December 22, 2010, and he finally got his citizenship.

Another foreign national who fought for their citizenship via a private bill is [Hotaru Nakama Ferschke](#). Mrs. Ferschke is a Japanese woman who lived in Okinawa. At a mutual friend's party, she met Sergeant Michael Ferschke, who was stationed in Okinawa at the time for the U.S. Marine Corps. After meeting at the party, they dated for over a year and Hotaru even became pregnant. Unfortunately, Sergeant Ferschke was not able to stay long after they found out about the pregnancy, as he was deployed to Iraq. The couple was later married over the phone via a military chaplain, and friends and family members attested to the fact that they were set to raise their future family in the United States. Unfortunately, that would never come to fruition as Sargeant Ferschke tragically died while in combat. While their marriage was recognized to be legally valid by the military, it was not sufficient for immigration purposes. For U.S. immigration to consider the marriage valid, it would have to be consummated, which was

impossible given their geographic separation. There was nothing that Hotaru could do to enter the United States as a citizen, all because of a tragic stroke of bad luck. The only hope that Hotaru had was S. 1774, a private bill that would make her a U.S. citizen. Understanding her situation, Congress passed the bill, granting her citizenship and relief from her unfortunate situation.

[Sopuruchi Victor Chukwueke](#) is another foreign national who got his permanent residence in the United States through a private bill. His story starts in Nigeria, where he was born in 1986. Unfortunately, Sopuruchi suffered from a medical condition known as neurofibromatosis, a condition similar to “elephant man disease.” It basically causes you to form tumors on your nerve tissue, such as your brain and spinal cord. Due to this condition, Sopuruchi’s mother was not able to take proper care of him and he was put in the care of The Daughters of Mary Mother of Mercy. They looked for medical facility in Nigeria that was skilled enough to treat Sopuruchi, but to no avail. They eventually brought him to the United States where he could finally get the right treatment for his condition. Those treatments included seven major surgeries to remove tumors, one of which took away the sight in one of his eyes. He also had to go through additional plastic surgeries in order to reconstruct his face. This was all done on a tourist visa, of which subsequent applications for extension of stay were denied. Based on the hardships that Sopuruchi endured, in addition to his fantastic academic performance from his time at Wayne State University, bill S. 285 became law on December 28th, 2012, and Sopuruchi was granted citizenship.

The last story of an immigration private bill passing involves not just one person, but an entire family. [Arpita Kurdekar](#) came to the United States from India in hopes of pursuing a master’s degree in civil engineering. Her parents, Girish and Vandana Kurdekar, also came into the United States multiple times on B-2 visitor visas. However, tragedy struck the Kurdekar family in September of 2016, as Arpita was struck by a tree limb, paralyzing her from the neck down. Her parents then came to the United States in order to care for their daughter full time. However, because of their temporary visitor status, both Girish and Vandana were not able to be employed. And the entire family lacked any viable options to gain permanent residency in the United States. That is why H.R. 680 was proposed to Congress and subsequently passed into law on January 5th, 2023, granting the entire Kurdekar family citizenship status.

Private bills regarding immigration generally are a double-edged sword. We hear these tragic stories and appreciate that a private bill allowed some relief. It was the last resort and it worked. However, this summary excludes the more than 500 other cases that Congress attempted to pass and failed (as well as thousands of other cases that may be equally compelling but were never introduced as private bills). Some of those cases might have been less compelling than those described above, but some certainly were on par, and a private bill was likely also the last option for those individuals. For those in need of “Hail Mary,” the private bill could be worth a shot, but best not to bet on success.