

107TH CONGRESS
1ST SESSION

H. R. 1840

IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2001

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To extend eligibility for refugee status of unmarried sons
and daughters of certain Vietnamese refugees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ELIGIBILITY FOR REFUGEE STATUS.**

2 (a) **ELIGIBILITY FOR IN-COUNTRY REFUGEE PROC-**
3 **ESSING IN VIETNAM.**—For purposes of eligibility for in-
4 country refugee processing for nationals of Vietnam dur-
5 ing fiscal years 2002 and 2003, an alien described in sub-
6 section (b) shall be considered to be a refugee of special
7 humanitarian concern to the United States (within the
8 meaning of section 207 of the Immigration and Nation-
9 ality Act (8 U.S.C. 1157)) and shall be admitted to the
10 United States for resettlement if the alien would be admis-
11 sible as an immigrant under the Immigration and Nation-
12 ality Act (except as provided in section 207(c)(3) of that
13 Act).

14 (b) **ALIENS COVERED.**—An alien described in this
15 subsection is an alien who—

16 (1) is the son or daughter of a qualified na-
17 tional;

18 (2) is 21 years of age or older; and

19 (3) was unmarried as of the date of acceptance
20 of the alien’s parent for resettlement under the Or-
21 derly Departure Program or through the United
22 States Consulate General in Ho Chi Minh City.

23 (c) **QUALIFIED NATIONAL.**—The term “qualified na-
24 tional” in subsection (b)(1) means a national of Vietnam
25 who—

1 (1)(A) was formerly interned in a re-education
2 camp in Vietnam by the Government of the Socialist
3 Republic of Vietnam; or

4 (B) is the widow or widower of an individual
5 described in subparagraph (A);

6 (2)(A) qualified for refugee processing under
7 the Orderly Departure Program re-education sub-
8 program; and

9 (B) is or was accepted under the Orderly De-
10 parture Program or through the United States Con-
11 sulate General in Ho Chi Minh City—

12 (i) for resettlement as a refugee; or

13 (ii) for admission to the United States as
14 an immediate relative immigrant; and

15 (3)(A) is presently maintaining a residence in
16 the United States or whose surviving spouse is pres-
17 ently maintaining such a residence; or

18 (B) was approved for refugee resettlement or
19 immigrant visa processing and is awaiting departure
20 formalities from Vietnam or whose surviving spouse
21 is awaiting such departure formalities.

Passed the House of Representatives October 30,
2001.

Attest:

JEFF TRANDAHL,

Clerk.