

Calendar No. 288

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

DECEMBER 13, 2001

Reported by Mr. LEAHY, without amendment

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,*

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

4 (a) ELIGIBILITY FOR IN-COUNTRY REFUGEE PROC-
5 ESSING IN VIETNAM.—For purposes of eligibility for in-
6 country refugee processing for nationals of Vietnam dur-
7 ing fiscal years 2002 and 2003, an alien described in sub-
8 section (b) shall be considered to be a refugee of special
9 humanitarian concern to the United States (within the
10 meaning of section 207 of the Immigration and Nation-

1 ality Act (8 U.S.C. 1157)) and shall be admitted to the
2 United States for resettlement if the alien would be admis-
3 sible as an immigrant under the Immigration and Nation-
4 ality Act (except as provided in section 207(c)(3) of that
5 Act).

6 (b) ALIENS COVERED.—An alien described in this
7 subsection is an alien who—

8 (1) is the son or daughter of a qualified na-
9 tional;

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

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

15 (c) QUALIFIED NATIONAL.—The term “qualified na-
16 tional” in subsection (b)(1) means a national of Vietnam
17 who—

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

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

23 (2)(A) qualified for refugee processing under
24 the Orderly Departure Program re-education sub-
25 program; and

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

4 (i) for resettlement as a refugee; or

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

7 (3)(A) is presently maintaining a residence in
8 the United States or whose surviving spouse is pres-
9 ently maintaining such a residence; or

10 (B) was approved for refugee resettlement or
11 immigrant visa processing and is awaiting departure
12 formalities from Vietnam or whose surviving spouse
13 is awaiting such departure formalities.

Passed the House of Representatives October 30,
2001.

Attest:

JEFF TRANDAHL,

Clerk.

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