

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1340

To provide for the admission to the United States of certain Tibetans.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2009

Mr. GEORGE MILLER of California (for himself and Mr. SENSENBRENNER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for the admission to the United States of certain Tibetans.

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. SHORT TITLE.**

4 This Act may be cited as the “Tibetan Refugee As-

5 sistance Act of 2009”.

6 **SEC. 2. TRANSITION FOR DISPLACED TIBETANS.**

7 (a) IN GENERAL.—Notwithstanding the numerical  
8 limitations specified in sections 201 and 202 of the Immi-  
9 gration and Nationality Act (8 U.S.C. 1151 and 1152),  
10 there shall be made available to qualified displaced Tibet-

1 ans described in subsection (b) of this section 3,000 immi-  
2 grant visas in the 3-fiscal-year period beginning with fiscal  
3 year 2010.

4 (b) QUALIFIED DISPLACED TIBETAN DESCRIBED.—

5 (1) IN GENERAL.—An individual is a qualified  
6 displaced Tibetan if such individual is an individual  
7 who—

8 (A) is a native of Tibet; and

9 (B) since before the date of the enactment  
10 of this Act, has been continuously residing in  
11 India or Nepal.

12 (2) NATIVE OF TIBET DESCRIBED.—For pur-  
13 poses of subparagraph (A) of paragraph (1), an indi-  
14 vidual shall be considered to be a native of Tibet if  
15 such individual was born in Tibet or is the son,  
16 daughter, grandson, or granddaughter of an indi-  
17 vidual born in Tibet.

18 (c) DISTRIBUTION OF VISA NUMBERS.—The Sec-  
19 retary of State shall ensure that immigrant visas provided  
20 under subsection (a) are made available to qualified dis-  
21 placed Tibetans described in subsection (b) (or described  
22 in subsection (d) as the spouse or child of such a qualified  
23 displaced Tibetan) in an equitable manner, giving pref-  
24 erence to those qualified displaced Tibetans who are not

1 resettled in India or Nepal or who are most likely to be  
2 resettled successfully in the United States.

3 (d) DERIVATIVE STATUS FOR SPOUSES AND CHIL-  
4 DREN.—A spouse or child (as defined in subparagraphs  
5 (A), (B), (C), (D), or (E) of section 101(b)(1) of the Im-  
6 migration and Nationality Act (8 U.S.C. 1101(b)(1)))  
7 shall, if not otherwise entitled to an immigrant status and  
8 the immediate issuance of a visa under this section, be  
9 entitled to the same status, and the same order of consid-  
10 eration, provided under this section, if accompanying, or  
11 following to join, the spouse or parent of such spouse or  
12 child.

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