Union Calendar No. 154

107TH CONGRESS
1ST SESSION

H. R. 1840

[Report No. 107–254]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2001

Mr. TOM DAVIS of Virginia (for himself, Mr. DELAY, Mr. SMITH of New Jersey, Mr. ROHRABACHER, and Ms. SANCHEZ) introduced the following bill; which was referred to the Committee on the Judiciary

OCTOBER 29, 2001

Additional sponsor: Ms. LOFGREN

OCTOBER 29, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

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,*

SECTION 1. ELIGIBILITY FOR REFUGEE STATUS.

~~Section 255 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 255 of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113, appendix G; 113 Stat. 1501A–460) is amended—~~

~~(1) in subsection (a) by striking "and 2001," and inserting "2001, 2002, and 2003,";~~

~~(2) in subsection (c)(2)(B), by striking "except as provided in subsection (d), on or after April 1, 1995,"; and~~

~~(3) by striking subsection (d).~~

SECTION 1. ELIGIBILITY FOR REFUGEE STATUS.

(a) ELIGIBILITY FOR IN-COUNTRY REFUGEE PROCESSING IN VIETNAM.—For purposes of eligibility for in-country refugee processing for nationals of Vietnam during fiscal years 2002 and 2003, an alien described in subsection (b) shall be considered to be a refugee of special humanitarian concern to the United States (within the meaning of section 207 of the Immigration and Nationality Act (8 U.S.C. 1157)) and shall be admitted to the United States for resettlement if the alien would be admissible as an immigrant under the Immigration and Nationality Act (except as provided in section 207(c)(3) of that Act).

1   *(b) ALIENS COVERED.—An alien described in this sub-*

2 *section is an alien who—*

3   *(1) is the son or daughter of a qualified national;*

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

5   *(3) was unmarried as of the date of acceptance*

6 *of the alien's parent for resettlement under the Or-*

7 *derly Departure Program or through the United*

8 *States Consulate General in Ho Chi Minh City.*

9   *(c) QUALIFIED NATIONAL.—The term "qualified na-*

10 *tional" in subsection (b)(1) means a national of Vietnam*

11 *who—*

12   *(1)(A) was formerly interned in a re-education*

13 *camp in Vietnam by the Government of the Socialist*

14 *Republic of Vietnam; or*

15   *(B) is the widow or widower of an individual*

16 *described in subparagraph (A);*

17   *(2)(A) qualified for refugee processing under the*

18 *Orderly Departure Program re-education subpro-*

19 *gram; and*

20   *(B) is or was accepted under the Orderly Depar-*

21 *ture Program or through the United States Consulate*

22 *General in Ho Chi Minh City—*

23   *(i) for resettlement as a refugee; or*

24   *(ii) for admission to the United States as*

25 *an immediate relative immigrant; and*

1   *(3)(A) is presently maintaining a residence in*

2   *the United States or whose surviving spouse is pres-*

3   *ently maintaining such a residence; or*

4   *(B) was approved for refugee resettlement or im-*

5   *migrant visa processing and is awaiting departure*

6   *formalities from Vietnam or whose surviving spouse is*

7   *awaiting such departure formalities.*

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