

106TH CONGRESS
1ST SESSION

S. 890

To facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 1999

Mr. WELLSTONE (for himself, Mr. ROBB, and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

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 “Hmong Veterans’ Nat-
5 uralization Act of 1999”.

1 **SEC. 2. EXEMPTION FROM ENGLISH LANGUAGE REQUIRE-**
2 **MENT FOR CERTAIN ALIENS WHO SERVED**
3 **WITH SPECIAL GUERRILLA UNITS OR IRREG-**
4 **ULAR FORCES IN LAOS.**

5 The requirement of paragraph (1) of section 312(a)
6 of the Immigration and Nationality Act (8 U.S.C.
7 1423(a)(1)) shall not apply to the naturalization of any
8 person—

9 (1) who—

10 (A) was admitted into the United States as
11 a refugee from Laos pursuant to section 207 of
12 the Immigration and Nationality Act (8 U.S.C.
13 1157); and

14 (B) served with a special guerrilla unit, or
15 irregular forces, operating from a base in Laos
16 in support of the United States military at any
17 time during the period beginning February 28,
18 1961, and ending September 18, 1978; or

19 (2) who—

20 (A) satisfies the requirement of paragraph
21 (1)(A); and

22 (B) was the spouse of a person described
23 in paragraph (1) on the day on which such de-
24 scribed person applied for admission into the
25 United States as a refugee.

1 **SEC. 3. SPECIAL CONSIDERATION CONCERNING CIVICS RE-**
 2 **QUIREMENT FOR CERTAIN ALIENS WHO**
 3 **SERVED WITH SPECIAL GUERRILLA UNITS OR**
 4 **IRREGULAR FORCES IN LAOS.**

5 The Attorney General shall provide for special consid-
 6 eration, as determined by the Attorney General, con-
 7 cerning the requirement of paragraph (2) of section
 8 312(a) of the Immigration and Nationality Act (8 U.S.C.
 9 1423(a)(2)) with respect to the naturalization of any per-
 10 son described in paragraph (1) or (2) of section 2 of this
 11 Act.

12 **SEC. 4. DOCUMENTATION OF QUALIFYING SERVICE.**

13 A person seeking an exemption under section 2 or
 14 special consideration under section 3 shall submit to the
 15 Attorney General documentation of their, or their
 16 spouse's, service with a special guerrilla unit, or irregular
 17 forces, described in section 2(1)(B), in the form of—

- 18 (1) original documents;
- 19 (2) an affidavit of the serving person's superior
 20 officer;
- 21 (3) two affidavits from other individuals who
 22 also were serving with such a special guerrilla unit,
 23 or irregular forces, and who personally knew of the
 24 person's service; or
- 25 (4) other appropriate proof.

1 **SEC. 5. DETERMINATION OF ELIGIBILITY FOR EXEMPTION**
2 **AND SPECIAL CONSIDERATION.**

3 In determining a person's eligibility for an exemption
4 under section 2 or special consideration under section 3,
5 the Attorney General—

6 (1) shall review the refugee processing docu-
7 mentation for the person, or, in an appropriate case,
8 for the person and the person's spouse, to verify that
9 the requirements of section 2 relating to refugee ap-
10 plications and admissions have been satisfied;

11 (2) shall consider the documentation submitted
12 by the person under section 4;

13 (3) shall request an advisory opinion from the
14 Secretary of Defense regarding the person's, or their
15 spouse's, service in a special guerrilla unit, or irreg-
16 ular forces, described in section 2(1)(B) and shall
17 take into account that opinion; and

18 (4) may consider any certification prepared by
19 the organization known as "Lao Veterans of Amer-
20 ica, Inc.", or any similar organization maintaining
21 records with respect to Hmong veterans or their
22 families.

23 **SEC. 6. DEADLINE FOR APPLICATION AND PAYMENT OF**
24 **FEES.**

25 This Act shall apply to a person only if the person's
26 application for naturalization is filed, as provided in sec-

1 tion 334 of the Immigration and Nationality Act (8 U.S.C.
2 1445), with appropriate fees not later than 18 months
3 after the date of the enactment of this Act.

4 **SEC. 7. LIMITATION ON NUMBER OF BENEFICIARIES.**

5 Notwithstanding any other provision of this Act, the
6 total number of aliens who may be granted an exemption
7 under section 2 or special consideration under section 3,
8 or both, may not exceed 45,000.

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