

109TH CONGRESS
1ST SESSION

H. R. 3320

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

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2005

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

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,*

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 2006 and 2007, 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

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

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

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

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

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

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

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

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

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

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

7 (i) for resettlement as a refugee; or

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

10 (3)(A) is presently maintaining a residence in
11 the United States or whose surviving spouse is pres-
12 ently maintaining such a residence; or

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

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