

111TH CONGRESS  
1ST 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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