

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS
APPROPRIATIONS, 2001

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*Public Law 106-429
106th Congress

An Act

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes. <<NOTE: Nov. 6, 2000 - [H.R. 4811]>>

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
[...]

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Sec. 586. (a) The status of certain aliens from Vietnam, Cambodia, and Laos described in subsection (b) of this section may be adjusted by the Attorney General, under such regulations as she may prescribe, to that of an alien lawfully admitted permanent residence if--

- (1) within 3 years after the date of promulgation by the Attorney General of regulations in connection with this title the alien makes an application for such adjustment and pays the appropriate fee;
- (2) the alien is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence except as described in subsection (c); and
- (3) the alien had been physically present in the United States prior to October 1, 1997.

(b) The benefits provided by subsection (a) shall apply to any alien who is a native or citizen of Vietnam, Laos, or Cambodia and who was inspected and paroled into the United States before October 1, 1997 and was physically present in the United States on October 1, 1997; and

- (1) was paroled into the United States from Vietnam under the auspices of the Orderly Departure Program; or
- (2) was paroled into the United States from a refugee camp in East Asia; or
- (3) was paroled into the United States from a displaced person camp administered by the United Nations High Commissioner

for Refugees in Thailand.

(c) Waiver of Certain Grounds for Inadmissibility.--The provisions of paragraphs (4), (5), and (7)(A) and (9) of section 212(a) of the Immigration and Nationality Act shall not be applicable to any alien seeking admission to the United States under this subsection, and notwithstanding any other provision of law, the Attorney General may waive 212(a)(1); 212(a)(6)(B), (C), and (F); 212(8)(A); 212(a)(10)(B) and (D) with respect to such an alien in order to prevent extreme hardship to the alien or the alien's spouse, parent, son or daughter, who is a citizen of the United States or an alien lawfully admitted for permanent residence. Any such waiver by the Attorney General shall be in writing and shall be granted only on an individual basis following an investigation.

(d) Ceiling.--The number of aliens who may be provided adjustment of status under this provision shall not exceed 5,000.

(e) Date of Approval.--Upon the approval of such an application for adjustment of status, the Attorney General shall create a record of the alien's admission as a lawful permanent resident as of the date of the alien's inspection and parole described in subsection (b)(1), (b)(2) and (b)(3).

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(f) No Offset in Number of Visas Available.--When an alien is granted the status of having been lawfully admitted for permanent residence under this section the Secretary of State shall not be required to reduce the number of immigrant visas authorized to be issued under the Immigration and Nationality Act.