

94TH CONGRESS
1ST SESSION

H. R. 5188

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1975

Mr. TSONGAS (for himself, Mr. REES, Mr. RICHMOND, Mr. RIEGLE, Mr. RYAN, Ms. SCHROEDER, Mr. SIMON, Mr. SOLARZ, Mr. STARK, Mr. WHITEHURST, Mr. CHARLES WILSON of Texas, Mr. HARRINGTON, and Mr. MATSUNAGA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To confer United States citizenship on certain Vietnamese children and to provide for the adoption of such children by American families.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, the Congress declares that—

4 (1) during the course of the Vietnam conflict,
5 thousands of children were fathered in Vietnam by
6 United States citizens;

7 (2) current procedures for adoption of and grant-
8 ing citizenship to illegitimate children born in Vietnam
9 make provision of assistance difficult;

1 (3) the French, following their departure from
2 Vietnam in 1954, offered citizenship and educational
3 assistance to the illegitimate children of French soldiers;

4 (4) Americans have expressed the desire to adopt
5 Vietnamese orphans of American extraction, so that
6 they may receive the care and love which the disrup-
7 tions and tragedies of the Indochinese war have denied
8 them;

9 (5) if adoption procedures could be expedited and
10 redtape eliminated, there would be homes for thousands
11 of Vietnamese-American orphans; and

12 (6) the United States has a special responsibility
13 to assist in facilitating the care and adoption of those
14 children in South Vietnam whose parent is a United
15 States citizen no longer providing parental care to the
16 child.

17 SEC. 2. Notwithstanding the Immigration and Nation-
18 ality Act, the children qualifying under section 3 shall be
19 citizens of the United States.

20 SEC. 3. Each child shall be qualified for the purpose
21 of this Act who, to the satisfaction of the State Department
22 under such rules and regulations as the Secretary of State
23 shall prescribe—

24 (1) was born in the Republic of Vietnam prior to
25 January 1, 1974, and orphaned or abandoned;

(2) is of an age such that not more than twelve years have passed from the date of such child's birth to the date of the enactment of this Act;

(3) in all probability has or had ^{ONE} ~~no~~ parent who was at the time of such child's birth a citizen of the United States; and

(4) is placed through an adoption agency in the United States licensed or properly accredited according to pertinent local, State, and Federal law with suitable parent or parents in the United States, with a preference for any natural parent of such child, who is or are willing to adopt the child upon its arrival in the United States.

SEC. 4. (a) The Department of State shall make the arrangements necessary to inform properly accredited adoption agencies in the United States of children potentially eligible for the benefits of this Act, and cooperate in the placement of such children under section 3 (4).

(b) The Department of State shall make the arrangements necessary to transport children who are qualified under this Act to their adoptive parents in the United States at the expense of the United States.

SEC. 5. The President and the Secretary of State are authorized to negotiate and to make such arrangements with the Republic of Vietnam as are necessary to effectuate the

1 purposes of this Act while assuring that citizenship conferred
 2 under this Act is in accordance with the norms of interna-
 3 tional law and the treaty obligations of the United States.
 4 SEC. 6. No person shall acquire any right, privilege, or
 5 status under the Immigration and Nationality Act by rea-
 6 son of such person's relationship to any child granted citizen-
 7 ship under the first section of this Act.

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By Mr. TSONGAS, Mr. REES, Mr. RICHMOND, Mr.
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 HURST, Mr. CHARLES WILSON of Texas, Mr.
 HARRINGTON, and Mr. MATSUNAGA

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