

Public Law 106-484
106th Congress

An Act

To provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

Nov. 9, 2000

[S. 484]

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

Bring Them
Home Alive Act
of 2000.
8 USC 1157 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Bring Them Home Alive Act of 2000”.

SEC. 2. AMERICAN VIETNAM WAR POW/MIA ASYLUM PROGRAM.

8 USC 1157 note.

(a) **ASYLUM FOR ELIGIBLE ALIENS.**—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) **ELIGIBILITY.**—Refugee status shall be granted under subsection (a) to—

(1) any alien who—

(A) is a national of Vietnam, Cambodia, Laos, China, or any of the independent states of the former Soviet Union; and

(B) personally delivers into the custody of the United States Government a living American Vietnam War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) **DEFINITIONS.**—In this section:

(1) **AMERICAN VIETNAM WAR POW/MIA.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term “American Vietnam War POW/MIA” means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Vietnam War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Vietnam War.

(B) **EXCLUSION.**—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that

such individual is officially absent from such individual's post of duty without authority.

(2) **MISSING STATUS.**—The term “missing status”, with respect to the Vietnam War, means the status of an individual as a result of the Vietnam War if immediately before that status began the individual—

(A) was performing service in Vietnam; or

(B) was performing service in Southeast Asia in direct support of military operations in Vietnam.

(3) **VIETNAM WAR.**—The term “Vietnam War” means the conflict in Southeast Asia during the period that began on February 28, 1961, and ended on May 7, 1975.

8 USC 1157 note. **SEC. 3. AMERICAN KOREAN WAR POW/MIA ASYLUM PROGRAM.**

(a) **ASYLUM FOR ELIGIBLE ALIENS.**—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) **ELIGIBILITY.**—Refugee status shall be granted under subsection (a) to—

(1) any alien—

(A) who is a national of North Korea, China, or any of the independent states of the former Soviet Union; and

(B) who personally delivers into the custody of the United States Government a living American Korean War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) **DEFINITIONS.**—In this section:

(1) **AMERICAN KOREAN WAR POW/MIA.**—

(A) **IN GENERAL.**—Except as provided in subparagraph

(B), the term “American Korean War POW/MIA” means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Korean War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Korean War.

(B) **EXCLUSION.**—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) **KOREAN WAR.**—The term “Korean War” means the conflict on the Korean peninsula during the period that began on June 27, 1950, and ended January 31, 1955.

(3) **MISSING STATUS.**—The term “missing status”, with respect to the Korean War, means the status of an individual as a result of the Korean War if immediately before that status began the individual—

(A) was performing service in the Korean peninsula;

or

(B) was performing service in Asia in direct support of military operations in the Korean peninsula.

SEC. 4. BROADCASTING INFORMATION ON THE "BRING THEM HOME ALIVE" PROGRAM. 8 USC 1157 note.

(a) **REQUIREMENT.**—

(1) **IN GENERAL.**—The International Broadcasting Bureau shall broadcast, through WORLDNET Television and Film Service and Radio, VOA-TV, VOA Radio, or otherwise, information that promotes the "Bring Them Home Alive" refugee program under this Act to foreign countries covered by paragraph (2).

(2) **COVERED COUNTRIES.**—The foreign countries covered by paragraph (1) are—

(A) Vietnam, Cambodia, Laos, China, and North Korea; and

(B) Russia and the other independent states of the former Soviet Union.

(b) **LEVEL OF PROGRAMMING.**—The International Broadcasting Bureau shall broadcast—

(1) at least 20 hours of the programming described in subsection (a)(1) during the 30-day period that begins 15 days after the date of enactment of this Act; and

(2) at least 10 hours of the programming described in subsection (a)(1) in each calendar quarter during the period beginning with the first calendar quarter that begins after the date of enactment of this Act and ending five years after the date of enactment of this Act.

(c) **AVAILABILITY OF INFORMATION ON THE INTERNET.**—The International Broadcasting Bureau shall ensure that information regarding the "Bring Them Home Alive" refugee program under this Act is readily available on the World Wide Web sites of the Bureau.

(d) **SENSE OF CONGRESS.**—It is the sense of Congress that RFE/RL, Incorporated, Radio Free Asia, and any other recipient of Federal grants that engages in international broadcasting to the countries covered by subsection (a)(2) should broadcast information similar to the information required to be broadcast by subsection (a)(1).

(e) **DEFINITION.**—The term "International Broadcasting Bureau" means the International Broadcasting Bureau of the United States Information Agency or, on and after the effective date of title XIII of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105-277), the International Broadcasting Bureau of the Broadcasting Board of Governors.

8 USC 1157 note. **SEC. 5. INDEPENDENT STATES OF THE FORMER SOVIET UNION
DEFINED.**

In this Act, the term “independent states of the former Soviet Union” has the meaning given the term in section 3 of the FREEDOM Support Act (22 U.S.C. 5801).

Approved November 9, 2000.

LEGISLATIVE HISTORY—S. 484:

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 24, considered and passed Senate.

Oct. 24, considered and passed House.