



FACT SHEET

December 18, 2001

Changes to the Hmong Veterans' Naturalization Act of 2000

On November 28, 2001, the filing deadline was extended by 18 months for individuals eligible for benefits under the Hmong Veterans Naturalization Act of 2000 as part (P.L. 107-77). The new filing deadline for qualified veterans and their spouses is **May 26, 2003**. The new filing deadline for qualified widows of such veterans is **November 1, 2003**.

Background

The Hmong Veterans' Naturalization Act of 2000, which became law on May 26, 2000, provides an exemption from the English language requirement and special consideration for civics testing for certain refugees from Laos applying for naturalization. This benefit is limited to no more than 45,000 eligible refugees from Laos who were admitted to the United States as refugees from Laos pursuant to Section 207 of the INS.

Who is Eligible?

The law, Public Law 106-207, applies to refugees from Laos who served with a special guerrilla unit, or irregular forces, operating from a base in Laos in support of the United States military at any time during February 28, 1961 through September 18, 1978 and who entered the United States as refugees from Laos according to Section 207 of the INA. The law extends this benefit to the veteran's spouse only if the spouse was married to the veteran on the day the veteran applied for admission into the United States as a refugee from Laos according to Section 207 of the INA. These benefits were extended to the widows of veterans who died in Laos, Thailand, or Vietnam and were admitted as a refugee from Laos according to Section 207 of the INA by P.L. 106-415.

How Can Applicants Apply for this Benefit?

Eligible applicants—including those who currently have pending naturalization applications—can request this benefit at the time of their naturalization interview. There are no additional forms to be completed and no additional fee.

How Can Applicants Establish Eligibility?

At the time of their naturalization interview, applicants must establish with INS that they served with a special guerrilla unit or irregular forces or that they were the spouse of a veteran on the day the veteran applied for admission to the United States or that they

qualify as a surviving spouse of a qualifying veteran who died while in, Laos, Thailand or Vietnam. If an applicant testified to this military service at the time of refugee processing, the required documentation should already be in the applicants immigration file. If not, applicants can bring to their INS interview either:

- Original documents;
- An affidavit of the serving person's superior officer;
- Two affidavits from other individuals who also were serving with such a special guerrilla unit, or irregular forces, and who personally knew of the person's service; or
- Other appropriate proof.

Although not required, it is helpful if applicants bring with them to their INS interview the family's copy of the Voluntary Agency family history that was prepared during refugee processing.

What Is the Exemption from the English Language Requirement?

Eligible applicants will not need to demonstrate that they read, write and speak English. They will not be tested on their English language ability.

What is the "Special Consideration" for Civics Testing?

Eligible applicants will be given the modified civics test that is currently provided to elderly applicants who are over 65 years of age and have been living in the United States as permanent residents for periods totaling at least 20 years. They can take the test in the language of their choice and may bring a qualified interpreter to translate for them. *[The list of 25 sample questions for elderly applicants is available in INS' "Guide to Naturalization" (Form M-476) and on the INS website www.ins.gov.]*