

Public Law 86-648

JOINT RESOLUTION

To enable the United States to participate in the resettlement of certain refugees, and for other purposes.

July 14, 1960
[H. J. Res. 397]

Refugees.
Resettlement.
66 Stat. 188.
8 USC 1182.

Secretary of
State.
Advisory report.

Report to Con-
gress.

Limitation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That under the terms of section 212(d)(5) of the Immigration and Nationality Act the Attorney General may parole into the United States, pursuant to such regulations as he may prescribe, an alien refugee-escapee defined in section 15(c)(1) of the Act of September 11, 1957 (71 Stat. 643) if such alien (1) applies for parole while physically present within the limits of any country which is not Communist, Communist-dominated, or Communist-occupied, (2) is not a national of the area in which the application is made, and (3) is within the mandate of the United Nations High Commissioner for Refugees.

SEC. 2. (a) The Secretary of State is hereby directed to submit to the Attorney General, as soon as practicable following the date of the enactment of this Act, an advisory report indicating the number of refugee-escapees, as specified in section 1 of this Act, who within the period beginning July 1, 1959, and ending June 30, 1960, have availed themselves of resettlement opportunities offered by nations other than the United States; and, thereafter, prior to January 1, and July 1 of each year to submit such an advisory report to the Attorney General indicating the number of such refugee-escapees who within the preceding six months period have availed themselves of such resettlement opportunities. The Attorney General shall not parole into the United States pursuant to section 1 of this Act, in any six months period immediately following the submission of the Secretary of State's advisory report, a number of refugee-escapees exceeding twenty-five per centum of the number of such refugee-escapees indicated in such advisory report as having been resettled outside of the United States. The Attorney General shall submit to the Congress a report containing complete and detailed statement of facts in the case of each alien paroled into the United States pursuant to section 1 of this Act. Such reports shall be submitted on or before January 15 and June 15 of each year. If within ninety days immediately following the submission of such report, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the continuation of the authority vested in the Attorney General under section 1 of this Act, the Attorney General shall, not later than at the expiration of sixty days immediately following the adoption of such resolution by either the Senate or the House of Representatives, discontinue the paroling into the United States of such refugee-escapees. The Attorney General shall discontinue paroling refugee-escapees pursuant to section 1 of this Act on July 1, 1962.

(b) The Attorney General may, within the numerical limitation prescribed by subsection (a) of this section, parole into the United States pursuant to section 1 of this Act not to exceed five hundred refugee-escapees listed by the United Nations High Commissioner for Refugees as "difficult to resettle": *Provided*, That no refugee-escapee may be paroled into the United States pursuant to this subsection if he suffers from conditions requiring institutionalization: *Provided further*, That in the case of each such refugee-escapee, the Attorney General receives and approves a finding by a voluntary relief or welfare organization recognized for this purpose by the Attorney General, that such refugee-escapee can, with some assistance, become self-

supporting, or is a member of a family unit capable of becoming self-supporting.

SEC. 3. Any alien who was paroled into the United States as a refugee-escapee, pursuant to section 1 of this Act, whose parole has not theretofore been terminated by the Attorney General pursuant to such regulations as he may prescribe under the authority of section 212(d) (5) of the Immigration and Nationality Act; and who has been in the United States for at least two years, and who has not acquired permanent residence, shall forthwith return or be returned to the custody of the Immigration and Naturalization Service and shall thereupon be inspected and examined for admission into the United States, and his case dealt with in accordance with the provisions of section 235, 236, and 237 of the Immigration and Nationality Act.

8 USC 1182.

8 USC 1225-1227.

SEC. 4. Any alien who, pursuant to section 3 of this Act, is found, upon inspection by the immigration officer or after hearing before a special inquiry officer, to be admissible as an immigrant under the Immigration and Nationality Act at the time of his inspection and examination, except for the fact that he was not and is not in possession of the documents required by section 212(a) (20) of the said Act, shall be regarded as lawfully admitted to the United States for permanent residence as of the date of his arrival.

66 Stat. 163.
8 USC 1101 note.
8 USC 1182.

SEC. 5. Section 1 of the Act of September 2, 1958 (72 Stat. 1712), is hereby amended by substituting the words "two thousand" for the words "fifteen hundred" and by substituting the words "total of the annual quota for two years" for the words "annual quota."

SEC. 6. Section 7 of the Act of September 2, 1958 (72 Stat. 1713), is hereby amended by substituting "June 30, 1962" for "June 30, 1960."

SEC. 7. Section 4(a) of the Act of September 11, 1957 (71 Stat. 639-640), as amended by section 2 of the Act of September 9, 1959 (73 Stat. 490), is hereby amended by substituting "June 30, 1961" for "June 30, 1960".

8 USC 1205.

SEC. 8. Section 212(a) (23) of the Immigration and Nationality Act, as amended (66 Stat. 184; 70 Stat. 575; 8 U.S.C. 1182(a) (23)), is further amended by changing the language "narcotic drugs," to read "narcotic drugs or marihuana,".

SEC. 9. Section 241(a) (11) of the Immigration and Nationality Act, as amended (66 Stat. 206, 70 Stat. 575; 8 U.S.C. 1251(a) (11)), is further amended by changing the language "narcotic drugs," to read "narcotic drugs or marihuana,".

SEC. 10. Section 245(a) of the Immigration and Nationality Act, as amended (66 Stat. 217, 72 Stat. 699, 8 U.S.C. 1255(a)), is further amended to read as follows:

"(a) The status of an alien, other than an alien crewman, who was inspected and admitted or paroled into the United States may be adjusted by the Attorney General, in his discretion and under such regulations as he may prescribe, to that of an alien lawfully admitted for permanent residence if (1) the alien makes an application for such adjustment, (2) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence, and (3) an immigrant visa is immediately available to him at the time his application is approved."

SEC. 11. Nothing contained in this Act shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of the Immigration and Nationality Act or any other law relating to immigration, nationality, or naturalization.

66 Stat. 163.
8 USC 1101 note.

Approved July 14, 1960.