

Public Law 95-549
95th Congress

An Act

To amend the Immigration and Nationality Act to exclude from admission into, and to deport from, the United States all aliens who persecuted any person on the basis of race, religion, national origin, or political opinion, under the direction of the Nazi government of Germany, and for other purposes.

Oct. 30, 1978
[H.R. 12509]

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

Immigration and
Nationality Act,
amendment.

TITLE I

SEC. 101. (a) Section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), relating to general classes of aliens ineligible to receive visas and excluded from admission, is amended—

(1) by striking out the period at the end of paragraph (32) and inserting in lieu thereof a semicolon; and

(2) by adding immediately after paragraph (32) the following new paragraph:

“(33) Any alien who during the period beginning on March 23, 1933, and ending on May 8, 1945, under the direction of, or in association with—

“(A) the Nazi government in Germany,

“(B) any government in any area occupied by the military forces of the Nazi government of Germany,

“(C) any government established with the assistance or cooperation of the Nazi government of Germany, or

“(D) any government which was an ally of the Nazi government of Germany,

ordered, incited, assisted, or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion.”

SEC. 102. Section 212(d)(3) of such Act (8 U.S.C. 1182(d)(3)), relating to waiver of exclusions for certain non-immigrants, is amended by striking out “(27) and (29)” and inserting in lieu thereof “(27), (29), and (33)” each place it appears.

SEC. 103. Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1251(a)), relating to general classes of deportable aliens, is amended—

(1) by striking out “or” at the end of paragraph (17);

(2) by striking out the period at the end of paragraph (18) and inserting in lieu thereof “; or”; and

(3) by adding immediately after paragraph (18) the following new paragraph:

“(19) during the period beginning on March 23, 1933, and ending on May 8, 1945, under the direction of, or in association with—

“(A) the Nazi government of Germany,

“(B) any government in any area occupied by the military forces of the Nazi government of Germany,

“(C) any government established with the assistance or cooperation of the Nazi government of Germany, or

“(D) any government which was an ally of the Nazi government of Germany,

ordered, incited, assisted, or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion.”

SEC. 104. Section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)), relating to withholding of deportation, is amended by inserting “(other than an alien described in section 241(a) (19))” after “The Attorney General is authorized to withhold deportation of any alien”.

SEC. 105. Section 244(e) of the Immigration and Nationality Act (8 U.S.C. 1254(e)), relating to voluntary departure of aliens under deportation proceedings, is amended by striking out “or (18)” and inserting in lieu thereof “(18), or (19)”.

TITLE II

SEC. 201. Section 2(b) of the Indochina Migration and Refugee Assistance Act of 1975 is amended to read as follows:

“None of the funds authorized to be appropriated by subsection (a) may be available for obligation after September 30, 1979.”

SEC. 202. The amendments made by this title shall take effect on October 1, 1978.

Approved October 30, 1978.

22 USC 2601 note.

Effective date. 22 USC 2601 note.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1452 (Comm. on the Judiciary). CONGRESSIONAL RECORD, Vol. 124 (1978):

- Sept. 26, considered and passed House.
- Oct. 10, considered and passed Senate, amended.
- Oct. 13, House concurred in Senate amendment.