

THE TRUTH

ABOUT

THE IMMIGRATION ACT

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By Representative Francis E. Walter

Few domestic problems more directly involve the future of the United States than immigration. Few hotter issues face Congress and the Administration than the McCarran-Walter Act, which, last December, became our basic immigration law.

Why has this law been so bitterly attacked?

Some of the attack has been political — a result of the mistaken idea of some politicians that a bars-down immigration law is the way to win votes from so-called “minority groups” in this country. Some of the attack — the most vicious and violent part of it — has been led by Communist and left-wing organizations rightly fearful of its more rigid restraints on subversives. Not since the campaign to discredit Chiang

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FRANCIS E. WALTER, Democratic Representative from Pennsylvania, is co-author, with Sen. Pat McCarran of Nevada, of the McCarran-Walter Immigration and Nationality Act. Mr. Walter, says Sen. Paul Douglas of Illinois, is “one of the ablest and most conscientious members of Congress.”

Kai-shek and prepare the way for the Communist conquest of China have leftist forces in the United States been so aggressively united as in opposition to this law.

The campaign of misrepresentation which these forces have loosed is without parallel in recent legislative history. As a result, some newspapers, commentators and numerous organizations have been grossly misled into joining the opposition. Hearing and reading their wholly unjustified attacks on the law, I am sure of one thing: They have never read it.

*What is the background of this law?* Both of its authors are Democrats. The House and Senate subcommittees charged with the bill’s preparation each had five Democrats and four Republicans. In both subcommittees the vote for the bill was unanimous.

For the bipartisan support which the measure finally won, much credit must go to the members of both House and Senate committees and particularly to Senator McCarran,

asked how I remained so calm and composed. "Well," she said, "you know that big rocking chair in my room? Every afternoon, no matter how busy I am, I go up there to rock a while and empty out my brains."

Sometimes, however, we need to empty out more than our brains; we need to pour out our soul. This is the time to rediscover the fact that "strength and beauty are in His sanctuary." You can find them by stopping at your own church before facing the humdrum of a busy day. On a business trip you can find sanctuary by slipping into some shrine like the Meditation Chapel in New York's Biltmore Hotel. You may discover it kneeling in a hospital chapel praying for a dear one, or on the high seas — on a troopship or in the miniature cathedral aboard the *Ile de France*.

There come times to all of us when, in our desperate need, no holy ground in nature, no lonely place apart, no sanctum of man seems to give sanctuary.

Then what?

When disaster strikes on British Navy vessels they instantly blow "The Still." It means: "Prepare to do the wise thing."

When the signal is piped, few men know the wise thing. But in the moments of calm enforced by that signal they find it. Each man calculates his position and checks his resources. By observing "The Still" they rout confusion and frequently avert catastrophe.

So with our personal emergencies. Few of us instantly know the wise thing. "If only I could *know* what to do!" we cry, forgetting that the order of procedure is: *Be still!*

No matter how little you *know*, or even how little you think you have faith to believe, the next time you need sanctuary stop instantly all feverish activity and do what those who have found sanctuary do: "*Be still* and know. . . ."

Countless hard-pressed men and women find in religion their "place of certain shelter" when their hearts cry for spiritual sanctuary. We are again laying hold on the central reality that all religion offers: "God is our refuge and strength, a very present help in trouble."

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### *Fare Enough*

IN PITTSBURGH, a woman pulled alongside a parked taxi and motioned the driver to follow her. He trailed her out one of the boulevards until she turned into a driveway and drove into a garage. Then she came out and got into the cab. "Now, take me to Horne's Department Store," she said.

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who gave valuable leadership in the preparation and passage of the Act.

The House vote on the bill was 206 for, 68 against. The favorable vote in the Senate was unrecorded.

President Truman vetoed the bill. Congress speedily overrode his veto by 278 to 113 in the House, 57 to 26 in the Senate.

*Is it true, as charged, that the McCarran-Walter Act is "hysterical" legislation which was "rushed through Congress"?*

The nearly five years of hearings, investigations and research which went into the preparation of this law are said to be the longest period ever devoted to a single piece of legislation in the history of Congress. Public testimony, for and against, was taken from nearly 1000 persons: experts, Government officials, representatives of all of the groups concerned with the problem.

The two federal agencies directly responsible for administering immigration and naturalization laws—the Departments of State and Justice—both set up committees of experts which gave continuous aid to the joint committee.

This long process of preparation was due to the determination of Senator McCarran and myself and the members of our committees that our bill, insofar as humanly possible, should be sound and workable and for the best interests of our country. As a result, the Act—a document of 300 pages—was put through six complete revisions. The resulting measure, for the first time in our

history, clarifies and modifies all of our previous hundreds of immigration enactments into a single law.

The Departments of State and Justice both endorsed the bill as finally written. So did the Central Intelligence Agency. The head of the Immigration and Naturalization Service called it "a desirable revision of our immigration and naturalization laws." No Government agency opposed it.

President Truman, in his attempt last fall to deliver the votes of "minority groups," appointed a Special Commission on Immigration. The report of this commission has given new force to the drive to discredit the McCarran-Walter Act. "From beginning to end," the commission concludes, "the act must be rewritten."

*What is the truth about this law? Is it, as charged, "reactionary," "fascist," "racist"?*

The facts are that, in important particulars, it is the most liberal immigration law in U. S. history.

For the first time, all racial bars to immigration are removed. Asiatic countries are given annual immigrant quotas determined by the same formula as quotas for Europe.

For the first time, all racial bars to naturalization are removed. Thus, 85,000 Orientals now living in the United States and Hawaii, heretofore ineligible for citizenship, may become citizens.

"This bill," said Congressman Walter H. Judd, former medical missionary in China, and authority

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stroke, the remaining racial discriminations in our nationality and immigration laws which have so greatly contributed to ill feeling in many parts of the world."

For the first time, provision is made to permit the quota-free entrance of the alien wives, husbands and children of U. S. citizens. The national president of the YWCA testified before the Senate-House Committee: "We are delighted that the proposed revisions of the law are designed to further the preservation of family units."

For the first time, the doctrine "Once a Communist always a Communist" is rejected. A "redemptive" clause in the law makes eligible for entry ex-Communists who have proved a bona fide change of heart.

A spokesman for the American Civil Liberties Union said: "I want to express our agreement with the principle that past membership in either Communist or other totalitarian organizations will not forever be a bar to immigration into the United States."

*Is it true, as charged, that the Immigration Act introduces "new forms of racial discrimination" which make it "an insult to all Asia"?*

On the contrary, Asia, for the first time, is on a basis of equality. Special provision, however, had to be made for Asiatics residing outside Asia. There are 600,000 persons of Asiatic descent living in Central and South America, in countries for which there is no numerical limita-

tion for immigration. It recently entered into an agreement with Japan to admit 50,000 Japanese nationals. To maintain the fairness of the quota system, the law now provides that such persons must enter the United States under the quota of the country of their racial origin.

This restriction was prepared with the active assistance of representatives of organizations of Asiatics in the United States. Every such important organization has gone on record endorsing the McCarran-Walter Act.

*Is it true, as charged, that the new law "reduces the flow of immigrants to a trickle"?*

With more generous provision for certain nonquota groups, and with quotas granted, for the first time, to 11 Asiatic countries, the total annual immigration to the United States is increased by a possible 25 percent — from 155,000 to approximately 200,000.

*Is it true, as charged, that the Immigration Act "narrows the gateway to the United States" by requiring that 50 percent of immigrants "must be persons of high education, specialized experience or exceptional ability"?*

The law ends the old policy of accepting immigrants on the basis of "first come, first served." It establishes a policy of selectivity — similar to that of every other immigrant-receiving nation — aimed to secure those immigrants most likely to fit usefully into our economy and culture. To that end it sets up three categories of immigrants: persons of

skilled or additional training; relatives of American citizens; other immigrants.

Fifty percent of each quota is reserved for the first — the skilled — category. The choice, here, is made as a result of specific requests by U. S. employers to the Attorney General. If, for example, dyemakers are in short supply, companies needing such skilled labor appeal to the Department of Justice, which, through the U. S. Employment Service, verifies the need and instructs our overseas representatives to give preferred status to such workers.

The law, however, does not prescribe that 50 percent *must* be from that first category. If there are fewer than 50 percent of such persons on the list, then the quota is filled, as far as possible, from the second category. After those categories have been cleared, the remaining number are automatically assigned to the third category.

*Is it true, as charged, that the new law "blunts one of our most important psychological weapons in the cold war" by preventing most of the people who escape from behind the Iron Curtain from reaching their hoped-for refuge in the United States?*

Of the more than 1,000,000 European refugees resettled by the International Refugee Organization, one out of three has been taken by the United States. Yet today, in West Germany alone, there are 10,000,000 refugees from Communism. In other free areas of Europe there are probably that many more.

It is demagoguery to contend," says the *Washington News*, "that this country can become a sanctuary for 'most' of these people. To lower our immigration bars will not solve this problem but only create a problem of our own."

Should our immigration policy, as proposed by the Truman commission, be "flexible enough to relieve overpopulation" and "permit the United States to engage fully in such migration efforts as may be important to the security of the free world"?

In Europe alone overpopulation has been estimated as high as 79,000,000. Yet every year Europe's population increases by another 3,000,000. A present proposal aims to move out 5,000,000 people in the next ten years — not noticeably affecting the problem.

"The United States," says the *New York World-Telegram*, "should do all it can to assist these people in finding new homes in areas of opportunity. But this country has long since passed the point where it can operate under a policy of unrestricted immigration, which is virtually what some people are seeking."

Last year I was a U. S. delegate to the meeting in Brussels which set up a 26-nation Organization for the Movement of Refugees from Europe. Our Government, I am proud to say, is taking the lead in attacking that problem. We must continue and increase our support for that work.

We must also, if the need arises,

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gency legislation — as we have done during and since the war. But such special and emergency provisions should not be a part of our basic immigration law.

*Is it true, as charged, that the new law "makes easy the deportation of thousands of worthy people"; that "it makes denaturalization a daily possibility for naturalized citizens"?*

The Immigration Act excludes from the United States any alien whose presence would endanger the public safety. It provides for the deportation of any alien who engages in activities endangering the public safety.

Back of these provisions is a problem of serious proportions. At present there are from 3,000,000 to 5,000,000 aliens illegally in the United States. Deportation orders had already been issued for thousands of these persons. But, because of loopholes in the old law, these orders were unenforceable. As a result, thousands of criminals and subversive aliens are roaming our streets, a continuing threat to the safety of our country.

Another equally startling fact: The then U. S. Attorney General presented to our committee an analysis of approximately 5000 "of the more militant members of the Communist Party." This analysis showed that 91.5 percent of them were either of foreign birth, married to persons of foreign birth or born of foreign parents, and that over half of them traced their origins either to

With these and other facts before us, we wrote a law which makes it tougher for aliens to get into this country illegally. It makes it a crime for them to conceal their illegal status. It sets up better machinery for deporting them. It provides that naturalized citizens can be denaturalized and deported if, within five years of their naturalization, they join in subversive activity.

But the new law also provides that in every deportation case a hearing is mandatory and appeal to the courts is permitted. It also provides that in every case involving the revocation of citizenship the courts — and only the courts — can make the decision. In addition to this procedure the writ of habeas corpus is available.

Frank L. Auerbach, immigration expert in the Department of State says: "The procedural safeguards afforded by the new act to an alien subject to deportation are greater than those enjoyed under the old law."

Aiming for a laxer law, the enemies of the Immigration Act center their heaviest attack on the national-origins quota system — the basis of our present policy. That system, said Mr. Truman, "breathes prejudice against the foreign-born." To the Truman commission it is "racial and religious discrimination."

The national-origins quota system has been basic to our immigration policy since 1924. Under it the United States has admitted, since 1929, nearly 5,000,000 immigrants.

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Through the use of an established, uniform formula or rule of law, that system is designed to do four things:

To limit the annual number of quota immigrants who can come to the United States;

To determine the nationality of those who come so as to maintain the historic population pattern of the United States;

To put all quota nations on an equal footing;

To keep the immigration problem beyond the reach of politics and pressure groups.

By the national-origins formula, the number of quota immigrants from each country is limited to one sixth of one percent of the inhabitants of the United States who in 1920 traced their origins to that particular country. That works out to an annual total, from 85 countries, of 154,657 immigrants — exclusive of nonquota immigrants.

By this system the number from each country is determined by mathematicians, not politicians.

Since the 1920 population of the United States was predominantly of West and North European origin, the countries in those areas have the largest quotas. The countries of Southern and Eastern Europe have smaller quotas. Thus the annual total for Ireland (Eire) is 17,756, whereas that for Poland is 6488; for Belgium, 1297, but for Greece, 308. The largest quotas are 65,361 for Great Britain and Northern Ireland; 25,814 for Germany.

been well put by *The Christian Science Monitor*:

"We believe it is a mistake to condemn any quota system based on national origins as inherently illiberal and an expression of religious or racial prejudice. It is no reflection on the many fine American citizens of all races, creeds and national origins to recognize realistically that some nations are far closer to the United States in culture, custom and standard of living, respect for law and experience in self-government."

*What is the alternative proposed by the Truman commission?*

Instead of a national-origins quota system it proposes "a unified quota system."

That system would provide no uniform, nonpolitical means for determining the source of immigration. It would vest in "an administrative agency" appointed by the President the vast power of choosing among nationalities.

Thus, this highly explosive problem would be brought within easy reach of politics and special-interest pressures. Instead of the present system under which "quotas are definite and automatically resist the pressure of special groups," says the *New York Herald Tribune*, we would have a system where "quotas are indefinite and automatically invite such pressures."

*Is it not true that some countries, most notably Great Britain, do not use up their annual quotas and would it not be a good policy to distribute those unused quota numbers at the end of*

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every year, to nations where more people desire to come than, on their quotas, are permitted?

Our joint committee of seven Senators and seven Representatives gave this problem serious study over many months. The question before us was simply this: By what means, free from political pressures, could these unused quotas be distributed?

To this question we were given two answers. The first was: Give the numbers to the nation where there was the greatest pressure to come. That country, we found, was China. The second answer was: Distribute the unused quotas on a basis of first come, first served. That proposal, we concluded, was administratively impossible to carry out and, even worse, it opened the door wide to the exercise of all kinds of political and group pressures and consequent ill will, both here and abroad.

The present law will undoubtedly

undergo minor revision — experience with its operation dictates. There have been some cases of individual hardship in its early application. Some of these cases have aroused what I believe will prove to be unjustified apprehensions among some of our friends abroad. I regret this and I am sure that, as the administration of the law improves, these incidents will not recur.

The aim of the opponents of this law is not to better its execution or revise its provisions but to destroy it. The issue thereby raised is clear. Are we to have an immigration policy — impossible of fulfillment — based primarily on the desires of Europe? Or are we to have a policy which is based primarily on what is good for America?

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*All Clear?* A woman tourist visiting the Holy Land went to a tourist office for information on roads. Told that it was now possible to go by car all the way from Dan to Beersheba, she confessed, "Do you know, I never knew that Dan and Beersheba were places. I always thought they were husband and wife, like Sodom and Gomorrah." (Paul Steiner, *Israel Laughs*, Bloch) . . . At a convention in San Francisco, two delegates from Arizona listened as an orator praised the indomitable spirit of San Francisco "rising phoenix-like from the ashes." Then one turned to the other and remarked in surprise, "John, that just goes to show how much a man can learn from traveling — even about his own home town. When was it that Phoenix had such a whale of a big fire?" (*The Christian Science Monitor*)

"Western Aid for Red Armament" (see page 117) will serve as springboard for a discussion by Sen. Leverett Saltonstall, Chairman of the Senate Armed Services Committee, on Theodore Granik's program "Youth Wants to Know," televised and broadcast by NBC at 1 p.m. EDT on May 3.

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