

DEPARTMENT OF STATE
ADMINISTRATOR
BUREAU OF SECURITY AND CONSULAR AFFAIRS
WASHINGTON

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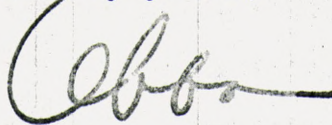
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July 2, 1964

Dear Jack:

I am attaching for your information a copy of the Secretary's statement before the House Immigration and Nationality Subcommittee this morning. As I indicated to you on the telephone, the Secretary was brilliant and made a great impression not only with this statement but in answer to the questions posed him during one and a half hours.

Sincerely yours,



Abba P. Schwartz

Enclosure:

Statement by the
Honorable Dean Rusk.

Mr. Jack Valenti,
The White House,
Washington, D. C.

STATEMENT BY THE HONORABLE DEAN RUSK,
SECRETARY OF STATE,
ON THE ADMINISTRATION'S PROPOSALS FOR AMENDMENT
OF THE IMMIGRATION LAWS (H.R. 7700 AND S. 1932),
BEFORE THE IMMIGRATION AND NATIONALITY SUBCOMMITTEE,
THE COMMITTEE OF THE JUDICIARY,
HOUSE OF REPRESENTATIVES

Mr. Chairman and Members of the Committee -

I appreciate this opportunity to appear before you to discuss a very important problem. I refer to the effect on the operation of our foreign policies of the national origins system which is the basis of our immigration laws.

The Administration has proposed in H.R. 7700 and S. 1932 the progressive elimination of the national origins system from our immigration laws. I should like to discuss with you the foreign policy aspects of our immigration laws and of the Administration's proposals from the point of view of the Department of State. Others will discuss internal or national aspects of the Administration's proposals.

Under the national origins system, the primary objective was to maintain the ethnic balance among the American population as it existed in 1920. This system preserves preferences based on race and place of birth in the admission of quota immigrants to the United States. This results in discrimination in our hospitality to different nationalities in a world situation which is quite different from that which existed at the time the national origins system was originally adopted.

Since the end of World War II, the United States has been placed in the role of critical leadership in a troubled and constantly changing world. We are concerned to see that our immigration laws reflect our real character and objectives.

What

What other peoples think about us plays an important role in the achievement of our foreign policies. We in the United States have learned to judge our fellow Americans on the basis of their ability, industry, intelligence, integrity and all the other factors which truly determine a man's value to society. We do not reflect this judgment of our fellow citizens when we hold to immigration laws which classify men according to national and geographical origin. It is not difficult, therefore, to understand the reaction to this policy of a man from a geographical area or of a national origin, which is not favored by our present quota laws. Irrespective of whether the man desires to come to the United States or not, he gets the impression that our standards of judgment are not based on the merits of the individual--as we proclaim--but rather on an assumption which can be interpreted as bias and prejudice. Inasmuch as our immigration laws are regarded as the basis of how we evaluate others around the world their effect on people abroad and consequently on our influence, can readily be seen.

There have been times in the past when we have been accused of pre-occupation with the peoples of the West to the neglect of Asian peoples in the Far East. Unfortunately, the national origins system gives a measure of support and credence to these observations.

Actually, Mr. Chairman, we are not quite as prejudiced as we sometimes appear. Congress has progressively liberalized our immigration laws to permit the reunion of families. We admit the native-born from our sister Republics in the Western Hemisphere on a nonquota basis without discrimination as to origin or place of birth. Congress has also found it desirable over the years to pass special laws providing for the admission, generally on a nonquota basis, of immigrants of different races and circumstances who have been uprooted and displaced by political upheavals.

In these

In these special laws we have exhibited a generosity of spirit and a complete absence of concern about the origin, race and place of birth of the refugees whom we have admitted to our shores under circumstances of need.

I don't have to remind you, Mr. Chairman, and the Members of the Committee, of the fine record Congress established in passing the Displaced Persons Act of 1948, the Refugee Relief Act in 1953, and the "Fair Share" Refugee-Escapee Act in 1960. These acts, for all practical purposes, exempted refugees from the quota restrictions which would have delayed their entry into this country for many years.

More recent legislation has clearly reflected the intent of the Congress to relieve pressures created by quota restrictions. On five separate occasions since 1957 the Congress granted nonquota status to quota immigrants who had been waiting for visas for an extensive period of time. While I shall not indulge in a statistical presentation, I should like to remind this Committee that, as a result of this liberalizing policy of the Congress, only 34 percent of the 2,599,349 immigrants who came to the United States from 1953 through 1962 were quota immigrants.

What is needed, basically, is to bring our immigration laws into line with the real character and disposition of the American people, who are at heart and in fact hospitable, kindly disposed and interested in all races and cultures. This is so because we know from actual experience that immigrants previously admitted, regardless of race and place of birth, have made their distinctive contribution to what is America today.

President Kennedy, in a special message to the Congress on July 23, 1963, said:

"The most urgent and fundamental reform I am recommending relates to the national origins system of selecting immigrants. Since 1924 it has been used to determine the number

the number of quota immigrants permitted to enter the United States each year. Accordingly, although the legislation I am transmitting deals with many problems which require remedial action, it concentrates attention primarily upon revision of our quota immigration system. The enactment of this legislation will not resolve all of our important problems in the field of immigration law. It will, however, provide a sound basis upon which we can build in developing an immigration law that serves the national interest and reflects in every detail the principles of equality and human dignity to which our nation subscribes." President Johnson in January 1964 said:

"This bill applies new tests and new standards which we believe are reasonable and fair and right. I refer specifically to: What is the training and qualification of the immigrant who seeks admission? What kind of a citizen would he make, if he were admitted? What is his relationship to persons in the United States? And what is the time of his application? These are rules that are full of common sense, common decency, which operate for the common good.

"That is why in my State of the Union message last Wednesday (January 8, 1964), I said that I hoped that in establishing preferences a nation that was really built by immigrants--immigrants from all lands--could ask those who seek to immigrate now: What can you do for our country? But we ought to never ask: In what country were you born?"

The Administration's proposal would eliminate the National Origins System on a gradual basis by reducing all established quotas by 20 percent each year for five years. The present total of quota authorizations would be maintained,

maintained, except initially all minimum quotas and subquotas would be increased from 100 to 200. These minimum quotas would have the 20 percent reduction each year applied to them.

A quota reserve pool is established by Section 2 of the bill before the Committee under which all numbers would be allocated by the fifth year. In each of the five years constituting the period of transition, the pool would consist of (1) the numbers released from national origin quotas each year, under the 20 percent progressive reduction plan and (2) numbers assigned to the old quotas but unused the previous year because insufficient demand for them existed in the assigned quota area.

Experience has shown that we have approximately 50,000 visa numbers annually which are unused and are not available for reallocation to other quota areas. These unused numbers are chiefly from the United Kingdom and Irish quotas.

In the fifth year all quota allocations would be made from the quota reserve pool which would then become a world-wide quota. So that no one country could enjoy a disproportionate amount of numbers from the pool based on registrations or relatively long-standing, the bill provides that no one country could receive more than 10 percent of the total authorized quota numbers.

A strict first-come, first-served basis of allocating visa quotas would create some problems in certain countries of Northern and Western Europe, which under the national origins system enjoyed a situation where quota numbers were readily available to visa applicants.

To apply the new principle rigidly would result, after a few years, in eliminating immigration from these countries almost entirely. Such a result would be undesirable, not only because it frustrates the aim of the bill that immigration from all countries should continue, but also because many of the countries so affected are our closest allies. At a

time

ening of our ties with these countries, it would be anomalous indeed to restrict opportunities for their nationals here. Therefore, the bill allows the President to reserve up to 50 percent of the pool reserve for allocation to qualified immigrants, who could obtain visas under the present system, but not under the terms of the bill before the Committee, and whose admission would further the national security interests in maintaining close ties with their countries.

Also involved in this is the issue of our immigration policy toward Asian persons, to which I now wish to address myself. Perhaps the most discriminatory aspect of the present law is the so-called Asia-Pacific Triangle which requires persons of Asian stock to be attributed to quota areas not of their place of birth but according to their racial ancestry. This feature of the present law is indefensible from a foreign policy point of view. It represents an overt statutory discrimination against more than one-half of the world's population. Here again our request is not that the Congress drastically depart from existing policy, but rather that it pursue to a conclusion a development which began more than twenty years ago. As your Committee is well aware, the Congress, at the request of President Roosevelt, eliminated in 1943 the Chinese Exclusion Laws and established for the first time a quota for the immigration of Chinese persons. This well-considered and cautious beginning of a revision of our policy of excluding Asian persons has been followed by progressively liberal amendments to our laws. In 1952, the drafters of the Immigration and Nationality Act eliminated race as a bar to naturalization and thereby to immigration. Asian spouses and children of American citizens were given the same nonquota status as enjoyed by any person of non-Asian ancestry. The only discriminatory features affecting Asian persons which then remained were the establishment of an upper limit of 2,000 for the
so-called

so-called minimum quotas in the Asian area, and the rule that the quota of an Asian person born outside the Asian sphere be governed by ancestry, rather than by place of birth. The Congress in 1961 removed the 2,000 limit on the number of Asian immigrants from minimum quota areas. The only remaining discriminatory provision of the law now, therefore, is the one requiring that an Asian person be charged to an Asian quota even if he were born outside the Asian area in a quota or nonquota country.

The restrictive effect of this rule has been significantly tempered during the last decade as a result of the special legislation to which I referred earlier. The very liberal policy which found expression in these special measures, as distinct from the letter of the general law, is best illustrated by the volume and composition of immigration from some of the major countries of the Far East. During the ten-year period from 1953 to 1963 a total of 119,677 immigrants came to the United States from China, Japan and the Philippines. 109,654 of these were nonquota immigrants and less than 10 percent were quota immigrants. These facts may startle those who read in our immigration laws that Japan has an annual quota of 185, the Philippines a quota of 100, and that China has a total of 205 quota numbers a year. Any increase in the volume of immigration resulting from the proposed amendments would be rather limited against the actual volume of Asian immigration into the United States between 1953 and 1963. We deprive ourselves of a powerful weapon in our fight against misinformation if we do not reconcile here too the letter of the law with the facts of immigration and thus erase the unfavorable impression made by our old quota limitation for Asian persons.

I urge you most earnestly to eliminate this last vestige of discrimination against Asian persons from our immigration laws. This action would bring to a logical conclusion the progressive policy the Congress has followed since 1943.

Consistent

Consistent with the foregoing, I should like to urge you to accord equal status to all immigrants born in our American sister republics. It has always been the policy of the Congress to recognize the common bond uniting the Americas by exempting from any quota restrictions those immigrants who were born in independent countries of the Western Hemisphere. When the Congress in 1952 formulated the pertinent provisions of the Immigration and Nationality Act it included in the list of nonquota countries all those which were independent at that time. Meanwhile, our neighbors in the Caribbean, Jamaica, and Trinidad and Tobago have become independent. The wording of the law required that we proclaim for each of these areas quotas of 100. We have had serious representations from these countries concerning these quota restrictions which are interpreted as discriminatory measures. Jamaica and Trinidad are among our best friends in this hemisphere and their friendship is of considerable significance to us.

Assistant Secretary Mann will expand upon this in later testimony. Mr. Abba P. Schwartz, Administrator, Bureau of Security and Consular Affairs, will also present a statement on the refugee aspects of the Administration's proposal.

Finally, Mr. Chairman, without going into the economic aspects of the Administration's proposals, on which others will testify, I wish to conclude with a few general considerations.

Present-day immigration is very different in volume and make-up from the older migration on which most of our thinking is still based; and its significance for this country is considerably different. Immigration now comes in limited volume and includes a relatively high proportion of older people, females, and persons of high skill and training.

The significance of immigration for the United States now depends less on the number than on the quality of the immigrants.

The explanation

The explanation for the high professional and technical quality of present immigration lies in part in the nonquota and preference provisions of our immigration laws that favor the admission of highly qualified migrants. But still more it depends on world conditions of postwar economic and social dislocations, discriminations, and insecurities in various parts of the world that have disturbed social and occupational strata not normally disposed to emigrate and has attracted them to the greater political freedom and economic opportunity offered in the United States. Under present circumstances the United States has a rare opportunity to draw migrants of high intelligence and ability from abroad; and immigration, if well administered, can be one of our greatest national resources, a source of manpower and brainpower in a divided world.

It should be emphasized that there has been no relaxing of the qualitative criteria for admissibility to the United States, and that no relaxation of these mental, moral, economic, and ideological criteria is proposed in S. 1932 or H.R. 7700.

I urge you, Mr. Chairman, and members of this Committee that you give most careful consideration to the President's proposals embodied in H.R. 7700 and S. 1932.

Thank you, Mr. Chairman.

* * *

STATEMENT BY ABBA P. SCHWARTZ, ADMINISTRATOR,
BUREAU OF SECURITY AND CONSULAR AFFAIRS, IN
SUPPORT OF REFUGEE PROVISIONS OF H.R. 7700,
BEFORE THE IMMIGRATION AND NATIONALITY SUB-
COMMITTEE, THE COMMITTEE OF THE JUDICIARY,
HOUSE OF REPRESENTATIVES

July 29, 1964

As stated by the Secretary of State, I shall address myself particularly to the refugee provisions of H.R. 7700.

Background of Refugee Problem

Since the end of World War II, there have been countless refugees who have been driven or have fled from their home countries as a result of political upheavals or persecution. The United States has provided a large share of the world's assistance to these refugees through its contributions to the United Nations Relief and Rehabilitation Administration, the International Refugee Organization, the United Nations Korean Reconstruction Agency, the United Nations Relief and Works Administration, the Intergovernmental Committee for European Migration, and the United Nations High Commissioner for Refugees; through United States unilateral programs such as the United States Escapee Program and the Far East Refugee Program; and through the admission of over one million refugees into the United States where they have found new homes and opportunities for a livelihood.

Unfortunately, continued political instability in the world results in a steady flow of refugees from Communist and other countries and creates new refugees situations which the United States cannot ignore. American public opinion and United States policy interests require the United States Government to continue an appropriate amount of assistance to new and current groups of refugees. The United States is providing financial and material assistance to refugees overseas under the provisions of Public Law 87-510, the Migration and Refugee Assistance Act of

1963;

1963; by supplying Public Law 480 surplus commodities to refugees; and by continuing to accept refugees into this country as immigrants.

Past Refugee Legislation

The desperate situation of the large masses of refugees and displaced persons resulting from World War II made it imperative that the United States accept a substantial proportion of the refugees as immigrants. However, the normal immigration laws could not accommodate the great numbers of refugees who were seeking admission to this country. A Presidential Directive and special refugee immigration laws were required to provide admission for the refugees to the United States. There is attached as an annex to this statement a list of various programs adopted since 1945 and the numbers admitted under each.

Present Refugee Immigration Legislation

At the present time, small numbers of refugees are being admitted to this country under the quota provisions of the regular immigration law. For example, practically all of the Czechoslovak refugees currently admitted to the United States enter under the Czechoslovak quota. Substantial numbers of Cuban refugees have entered the United States under the provisions which permit persons from the Western Hemisphere who are otherwise admissible to enter as legally admitted immigrants with nonquota visas.

Still another provision of the Immigration and Nationality Act (212(d)(5)) permits the Attorney General to parole refugees into the United States. At the present time, this authority is being exercised in favor of Cuban refugees who escape from Cuba and seek entry into the United States without having previously obtained nonquota visas and to approximately 10,000 Chinese refugees from Hong Kong who are being paroled by the Attorney General under the President's program initiated after the large influx of Chinese refugees into Hong Kong in 1962.

Other

Other legislation currently in effect under which refugees and escapees may enter the United States is the so-called "Fair Share Law" of 1960 (Public Law 86-648). This law provides that the Attorney General might, prior to July 1, 1962, parole into the United States in any six-month period up to one-fourth of the number of refugee-escapees who have been resettled in countries outside the United States in the previous six-month period. These refugee-escapees must have fled because of persecution or fear of persecution on account of race, religion or political opinion (a) from a Communist, Communist-dominated or Communist-occupied area, or (b) from any country from the general area of the Middle East. They must apply for parole while physically present within the limits of a non-Communist country of which they are not nationals and must also be within the mandate of the United Nations High Commissioner for Refugees. The law was to serve as a United States contribution to the World Refugee Year and was directed toward the closing of the last refugee camps in Europe. Because refugees continued to flow into Europe after the passage of the Act, the law was extended indefinitely in 1962 by Section 6 of Public Law 87-510. Up to December 31, 1963, 13,025 refugee-escapees were paroled into the United States under the provisions of Public Law 86-648.

Provisions of the Proposed Legislation

There are two principal provisions of the President's Bill which affect refugees. Section 2 (2)* of the bill provides that the President may reserve not to exceed 20%** of unallocated quota numbers for allocation to persons oppressed or persecuted or threatened with oppression or persecution because of their race, color, religion, national origin, adherence to democratic beliefs, or their opposition to totalitarianism or dictatorship and to persons uprooted by natural calamity or military operations who are unable to return to their usual place of abode. This

*Section 3(2) of H.R. 2580 (89th Congress).

section

**Reduced to 10% in H.R. 2580 and S. 500 based upon up-dated estimates.

section provides that the Secretary of State, after consultation with the Attorney General, shall establish by regulation the requirements for qualification within this class with reference to current world conditions.

Since many refugees are uprooted suddenly or have fled from persecution, they have had little or no opportunity to plan for immigration being forced to leave their homes. Furthermore, the political interest of the United States may require that this country take a substantial share of new groups of refugees. In such cases, prompt action is usually desirable without having to await the passage of special refugee legislation. This provision will give the President an opportunity to determine whether refugees should be admitted without awaiting their turn under the regular procedures and permit him to act promptly in admitting special groups of refugees when he considers that their admission will further the traditional United States policy in offering asylum and refuge.

The definition of refugee provided in this provision is somewhat broader than in earlier refugee legislation and in particular provides for the admission of persons uprooted by natural calamity or military operations who are unable to return to their usual place of abode.

Two other sections of the Act amend the "Fair Share Law" (Public Law 86-648). Section 11 removes the requirement that the refugees eligible for parole into the United States under the Act be within the mandate of the United Nations High Commissioner for Refugees. The removal of this limitation would free the United States to determine which persons should be considered refugees without regard to determination under an instrument external to U.S. legislation. Section 11 also eliminates a special provision of the "Fair Share Law" for the parole of 500 "difficult to resettle" refugees, since this special legislative authority is now no longer considered to be necessary.

Section 12 extends the definition of the "general area of the Middle East" to include Algeria and Morocco. Previously, the western boundary of the Middle East area for the purposes of the law was Libya.

Justification for the New Legislation

Fair Share Law Amendments

The "Fair Share Law" provides a means for the United States to admit up to one-fourth of the current flow of escapees from the Soviet bloc and the Middle East.

There are two principal objectives of the proposed amendments to the Fair Share Law. The first amends the law by eliminating the United Nations High Commissioner criteria. By so doing we re-establish freedom in our United States legislation to determine unilaterally the refugees of interest who may be admitted under the law.

The second amendment to the "Fair Share Law" extends the definition of the "general area of the Middle East" to include Algeria and Morocco. Thus, persons from any of the areas referred to who are now displaced in other countries and are unable to return to their country of former nationality would be potentially eligible to benefit from the provisions of the law.

A minor amendment to the "Fair Share Law" eliminates the provision for the parole of not to exceed 500 refugee-escapees identified by the United Nations High Commissioner for Refugees as difficult to resettle. This deletion follows logically from the elimination of the United Nations High Commissioner for Refugees' eligibility determination. Furthermore, almost all of such refugees have already been admitted and the few remaining can qualify under other provisions of the law.

Presidential Authority to Allocate Reserve Quota Numbers to Refugees

The bill gives the President authority to reserve up to 20% of the unallocated quota numbers for the admission of refugees. This provision

is designed essentially to permit the prompt entry into this country as legally admitted immigrants of special groups of refugees created by an unexpected political calamity, or military operation or natural disaster when such persons do not fall within the provisions of Public Law 86-648 or of the Immigration and Nationality Act.

Flexibility in the authority of the President to admit groups of refugees without delay and with a minimum of discrimination is important to our foreign policy interests. The United States occupies a unique position in the world as a country to which the persecuted and oppressed, regardless of their race, creed or color or political opinion, may turn for haven and the chance for a new life. This traditional image of the United States, stemming from our early colonial days, is tarnished when our laws do not facilitate the prompt admission of refugees. The proposed definition of refugees in H.R. 7700 provides a greater degree of Presidential discretion and authority in meeting unforeseen and unpredictable refugee situations in the future without the delay occasioned by the passage of special legislation. There must, of course, be standards and limitations governing the admission of these refugees. Provision is made in the proposed legislation for the Secretary of State, after consultation with the Attorney General, to set up suitable regulations for this purpose. The presence of a statute in our laws which clearly defines the principles under which the United States admits refugees is effective from a foreign policy standpoint.

DEPARTMENT

DEPARTMENT OF STATE
MIGRATION AND REFUGEE ASSISTANCE

Refugee Admission to the United States

Admitted to the United States
From 1945 to December 31, 1963

<u>Program</u>	<u>Duration</u>	<u>Number</u>
President's Directive of 1945	1945-1948	40,234*
Displaced Persons Act	1948-1952	406,026*
Refugee Relief Act	1953-1956	188,950*
Hungarian Parolee	1956-1958	31,915*
P. L. 85-316	1957-1962	18,311*
P. L. 85-892 (Indonesia & Azores)	1958-1962	22,213*
Other	1946-1962	1,080
P. L. 86-648 (Fair Share Act)	1960-1963	13,025
Chinese Parole	1962-1963	9,299
Cuban Refugee	1959-1963 (approx.)	250,000
Regular Quotas	1945-1963 (approx.)	190,000
	(Approx.) TOTAL	1,171,053

*Terminated programs.

* * *

DEPARTMENT OF STATE
Bureau of Security and Consular Affairs

EFFECT OF PROPOSED LEGISLATION ON SELECTED QUOTAS

<u>Quota Area</u>	<u>Present Quota</u>	<u>Realistic Estimate of Oversubscription as of January 31, 1965</u>	<u>Estimated Issuance in 1st year under Administration Proposal</u>	<u>Estimated Issuance in first 5 years under Administrations Proposal</u>
Italy	5,666	125,000	16,576	82,880
Greece	308	49,000	13,339	76,507
Poland	6,488	50,000	7,524	59,767
Portugal	438	40,000	12,795	36,269
Spain	250	12,500	2,185	9,768
Yugoslavia	942	23,000	2,960	27,635

SCA - 2/1/65

KAS:AW:wwf:rm

Extra

cc: Files
Deputy A.G.
Schlei
Walinsky
Copeland

Out Aug 18, 1964

Honorable Michael A. Feighan
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

I return herewith the corrected copy of my testimony before Subcommittee No. 1 on July 27, 1964. Attached hereto in addition are two inserts to that testimony requested by the Subcommittee. The first deals with the authority of the Attorney General to parole refugees into the United States, and the question whether persons so paroled are to leave the United States when the purposes of the parole have been accomplished. The second sets out the estimated staffing and budget for the Immigration Board proposed by H. R. 7700.

There is also enclosed the Attorney General's answer to the question asked him by the Subcommittee of how the President's authority to reserve numbers in the national security was originally arrived at, and why its application was reduced from fifty percent of the quota pool to thirty percent of the pool.

It has not been possible for this Department to complete the task of formulating detailed regulations on the administration of the first preference procedure proposed by the bill. The Department of Labor has, however, prepared tentative proposals for screening and processing of first preference applications, and it is my understanding that these materials are to be submitted to the Subcommittee by Secretary Wirtz tomorrow. Work on these matters is continuing, and you may be sure that the Subcommittee will be kept fully advised as more detailed proposed regulations are developed in consultation with the Department of Labor and other interested agencies.

XEROX FROM QUICK COPY

Draft regulations for administration of the waiver of inadmissibility for mental disease or defect have, however, been formulated, and are enclosed, together with an explanatory memorandum. The regulations are being reviewed by the Public Health Service and the Immigration and Naturalization Service, and we will forward to the Subcommittee any changes suggested by these agencies.

May I again express my thanks for the opportunity to appear before the Subcommittee, and for the courtesy extended to me on that occasion.

Sincerely,

Herbert A. Schlei
Assistant Attorney General
Office of Legal Counsel

Aug 18, 1964

DRAFT REGULATION TO CARRY OUT
PROVISIONS OF SECTION 15 OF
H.R. 7700

TITLE 8 -- ALIENS AND NATIONALITY

Chapter I--Immigration and Naturalization Service,
Department of Justice

Subchapter B--Immigration Regulations

Part 212 -- Documentary Requirements; Nonimmigrants;
Waivers; Admission of Certain Inadmissible Aliens; Parole.

In section 212.7, paragraph (b) is amended to read as follows:

§ 212.7 Waivers of certain grounds of excludability. * * *

(b) Section 212(g). (1) An alien who is excludable as afflicted with tuberculosis in any form and who seeks a waiver under section 212(g) of the Act, as amended _____, 1964, shall file an application on Form I-601 at the consular office considering the application for a visa. (2) An alien who is excludable under paragraphs (1), (2), (3), or (4) of section 212(a) of the Act and who seeks a waiver under section 212(g) of the Act, as so amended, shall file (or, if the alien is legally incapable of doing so, the relative specified in section 212(g) shall file) an application on Form I-600 at the consular office considering the application for a visa and shall submit, among other things, an agreement on Form I-600 by a hospital or other institution which is engaged in the treatment of mental disorders (including mental retardation) of the type that appears to be involved, and whose suitability has been recognized by the appropriate State agency and by the United States Public Health Service psychiatrist concerned and a sworn statement on Form I-600 by both the alien and the relative specified in section 212(g). The admission of any such alien shall be conditioned upon the full and faithful performance of both the agreement and the sworn statement, and in the event of default in either, the alien so admitted shall be subject to immediate deportation.

Aug 18, 1964

MEMORANDUM

Re: Procedures for Admission of Mentally Afflicted Aliens Under Waiver Authority in Section 15 of H.R. 7700.

The United States agencies responsible in immigration matters have had considerable experience with the conduct of the cases of aliens in whom there was a particular question of an excludable mental condition. However, the present machinery for application and enforcement of the Immigration Act is geared to a determination of whether the excludable condition is present or not. It is not presently set up to determine all of the detailed aspects of every case, the needs for care and control, or the potentialities for response to treatment. The possible complexities of these determinations in psychiatric problems are obvious. Furthermore, the final answers to the questions involved would be especially difficult to arrive at abroad. Much greater dependence would need to be placed on foreign medical facilities greatly variable in capabilities among different countries, on interpretations of language and scientific nomenclature, on assessments from the standpoint of foreign mores and cultures, and on the work and assistance of other than American personnel.

Accordingly, a method of application is proposed which would provide for determinations abroad:

That a competent diagnosis of the excludable condition has been made, and information provided as to severity, prognosis, life expectancy, and type and duration of care that will be necessary.

That costs will be guaranteed by the family and sponsors.

That appropriate safeguards for travel have been arranged.

That a suitable institution approved by the appropriate State agency will receive the alien, and that he will arrive there and remain there or in another approved institution as long as institutional care is deemed necessary.

That he will receive thorough study and subsequent long-range planning for care and continued safeguards at the institution in the United States.

This system is planned on a concept that will result in every one of these mentally disordered aliens being required to go to and remain at a proper place in this country for a definitive study of his condition, planning and implementation of his treatment program, and determination of more specific prognosis. This is a requirement that should be enforced, and not merely voluntary. The alien will not then be permitted to leave the institution until the institutional authority releases him or he transfers to another approved institution.

The mental institution will only be approved as the place to which the particular alien will go if it has for this purpose the prior approval of the appropriate State agency and is suitable to the type of case.

For instance, a severely disturbed alien who met all requirements and was admitted would go only to an institution with provisions for appropriate security and treatment. The moderately mentally retarded case would go to a facility appropriate for this type of mental disorder, such as a training school; with facilities for medical diagnosis and care.

The following requirements would apply to every alien excludable from the United States under paragraph (1), (2), (3), or (4) of section 212(a), who seeks waiver of excludability under section 212(f) of the Act (8 U.S.C. 1182(g), as added by P.L. 87-301):

1. Every case being considered for this waiver of excludability shall be referred for the consultation of a United States Public Health Service commissioned medical officer designated as a specialist in psychiatry. For this consultation the following will be necessary:

a. A complete report of the following concerning the alien:

- (1) Medical history, including details of any hospitalization or institutional care or**

treatment for any physical or mental condition.

- (2) Findings of current physical examination, including reports of chest X-ray examination, of a serologic test for syphilis, and of such other laboratory tests as are found indicated.**

- b. A current report of the findings, conclusions, diagnoses, and prognoses of a locally available psychiatrist and, where there is suspected mental retardation, a locally available psychologist, each of whom is acceptable for this purpose to said United States Public Health Service medical officer. The psychiatrist and the psychologist must certify that they have made full and adequate examinations as necessary to arrive at their conclusions, diagnoses, and prognoses.**

Having this information available, the United States Public Health Service psychiatrist will give the consul or immigration officer his official opinion as to:

- (a) Diagnosis, severity, and indication of which of the paragraphs (1) through (4) of section 212(a) of the Immigration and Nationality Act pertain (or a statement that in his opinion none of these paragraphs pertains);**
- (b) The safeguards necessary for travel of the alien (2b(1) below);**
- (c) The prognosis, the life expectancy, and the length and type of care required in connection with determination of the amount of bond.**

2. The alien shall submit:

- a. A statement from a hospital or other institution which is engaged in the treatment of mental disorders (including mental retardation) of the type that appears to be involved, and where**

suitability has been recognized by the appropriate State agency and by the United States Public Health Service psychiatrist concerned. The statement must include:

- (1) Name and address of the hospital or institution;
- (2) Affirmation that:
 - (a) The alien will be admitted as an inpatient upon arrival at such hospital or institution;
 - (b) During the alien's first 5 years in this country he will be supplied any treatment and observation (as an inpatient or outpatient) required for proper management of his condition, in conformity with accepted local standards of medical practice, and will be kept in such hospital or institution as necessary, or re-admitted thereto as often as necessary, for such treatment and observation, unless responsibility for his care is transferred elsewhere (as provided below);
- (3) Assurance that adequate financial arrangements have been made for the alien's care.
- (4) Agreement to submit to the United States Quarantine Station, Roosevelt, Staten Island 3, New York:
 - (a) An initial report giving a clinical evaluation of the alien's psychiatric status, within 30 days after the alien's arrival at the hospital or other institution; or if, within 30

days after receipt of notice from the United States Public Health Service that the alien has arrived in the United States, he has not reported to the hospital or other institution, a report stating this fact;

(b) Additional reports, at least twice a year during the alien's first 3 years in this country, as to his psychiatric status and whether he is remaining in the institution, is being treated elsewhere and by whom, or is discharged from treatment and receiving only the semiannual examinations, with a statement of the institutional authority's concurrence (or not) as to any change of treatment status authorized by other practitioners. Details of examination methods and findings shall be stated.

(c) Immediate notification if the alien should leave the institution without its authorization, at any time during his first 3 years in this country. (Meanwhile the institution should initiate any local action necessary.)

b. A sworn statement of the alien and his sponsor certifying that:

(1) The alien's travel will conform to any special requirements that may be made applicable;

(2) Upon admission to the United States the alien will go direct to the specified hospital or other institution, and enter

it as an inpatient; he will remain in that institution or in another institution to which he may transfer (as provided below) and if released will re-enter the institution responsible for his care, as required by the administrative authority thereof; will submit to such examinations as may be required at any time; and will remain under such treatment and medical regimen as may be required, as an inpatient or outpatient.

- (3) If within 5 years after entering the United States the alien is released from the specified hospital or other institution, and obtains care for his mental condition from another institution or practitioner, the alien or his sponsor will arrange that the latter institution or practitioner will submit the following to the United States Quarantine Station, Roosevelt, Staten Island 5, New York, through the originally specified hospital or institution:

Reports as to his psychiatric status, at least twice a year during the alien's first 5 years in this country. Details of examination methods and findings shall be stated.

- c. Assurance that adequate financial arrangements have been made to prevent any likelihood of the alien's becoming a public charge.
3. Pursuant to a request of the alien or his sponsor, responsibility for any treatment and observation (as an inpatient or outpatient) necessary during the remainder of the alien's first 5 years in this country, including responsibility for the remaining semiannual examinations and reports during that period, may be transferred to another hospital

or institution which is engaged in the treatment of mental disorders (including mental retardation) and whose suitability for the specific case has been recognized by the appropriate State agency and by the United States Public Health Service, provided:

- a. The alien submits a statement from such other institution appropriately covering basic points included in 1b above;
 - b. The alien promptly enters such other institution as an inpatient or outpatient as determined by the receiving institution for clinical evaluation of his psychiatric condition and any necessary treatment and observation.
4. Similarly, responsibility for treatment, observation, examinations, and reports may be transferred at the request of the alien or his sponsor to a practitioner approved by the last institution having these responsibilities if the institution undertakes to readmit the alien for treatment and observation as often as necessary during the remainder of the five-year period.

tion to take care of our leisure time, and when brother loves brother and neighbor embraces neighbor.

Thank you, goodbye, and God bless you.

NOTE: The President spoke at 12:45 p.m. on the steps of the State Capitol in Sacramento. In his opening words he referred to Governor Edmund G.

Brown of California and Mrs. Brown and their daughter Kathleen, the Reverend Robert R. Ferguson, Chaplain of the California State Assembly, Pierre Salinger, U.S. Senator from California and former Press Secretary to the President, Jesse M. Unruh, Speaker of the California State Assembly, Hugh M. Burns, California State Senator, and John E. Moss, U.S. Representative from California.

580 Statement by the President on Reviewing California's Plans Under the Economic Opportunity Act. *September 17, 1964*

I AM PLEASED that the State of California has been so alert to the benefits of this act.

The people of this State and every State can be certain that the Federal Government will do all in its power to erase all blots of poverty from our land.

NOTE: The President's statement was made public as part of a White House release issued at Sacramento following a meeting in Governor Edmund G. Brown's office at which the President was briefed on actions taken by California since the passage of the Economic Opportunity Act.

The release stated that the Governor told the President that the response to the program had

been overwhelming. "We have received 100 requests for assistance in qualifying for aid, particularly in community action programs," Governor Brown stated. "Each of these represents a firm intention to follow through. We have received over 1,000 letters and telephone calls from people wanting to volunteer to help in one project or another. We already have more applications than the program will be able to support in its first year. This response has gone far beyond what we expected. It is proof that this program was necessary."

The release further stated that Dr. Paul O'Rourke, coordinator of the State antipoverty task force, reported that interest had not been confined to urban centers, and that many small rural communities in remote parts of the State had also started processing applications.

581 Remarks on Immigration Policy to a Group Interested in the Verrazano-Narrows Bridge Commemorative Stamp. *September 18, 1964*

YOUR VISIT today reminds me of one of the most memorable and inspiring experiences of my life.

Two years ago this month I visited the city of Naples. There I was privileged to speak to and meet with several hundred families who were leaving their native land to become citizens of our land.

There is no more difficult decision men can make than to leave their homeland and their family ties to begin life anew in another land. In this office I think always of the more than 40 million men and women who since 1820 have made that choice. A Presi-

dent has no greater duty than to use every strength and talent to keep America as a land to which many will want to come—and none will want to leave.

We must have laws regarding immigration. Personally, I believe our laws should not say that the relatives of any Americans are not welcome to become Americans themselves. We are committed to eliminating discrimination in our society. I believe we should also eliminate discrimination in the laws relating to those who would join our society from abroad.

The strength of our Nation has been built

from many groups from many lands.

No group has contributed more—few have contributed so much—as the sons and daughters of Italy.

History sometimes turns on small things. I often think back to the anxious years immediately after World War II—the year of the Italian elections. The whole history of the postwar world—and the struggle between communism and freedom—might have been different if we had not learned to love and trust the Italian people as friends and neighbors in America.

On the cornerstone of that friendship, trust and closeness, America's policy of strength against Communist aggression and subversion was built. Today we rejoice in the freedom, the success, and the high promise of modern Italy.

I am very proud today that Americans who bear fine Italian names play such an important role in our national life and this administration. A good many "firsts" have been established these last 4 years. There is Secretary Celebrezze in the Cabinet. Senator Pastore was keynoter of the Democratic

National Convention. Here in the White House, always at my side, is Jack Valenti.

I have learned one thing from my association with them and others. My Italian friends are very persuasive.

You have been very persuasive this afternoon. As far as I am concerned, I believe we should have another first—a stamp commemorating this first great project named after an Italian.

If I have any influence with the Post Office Department, and I think that I may, we will issue the stamp.

NOTE: The President spoke at 12:32 p.m. in the Cabinet Room at the White House to a group of Congressmen and prominent Italian-Americans who had asked him to recommend the issuance of a stamp to commemorate the dedication on November 21 of the Verrazano-Narrows Bridge linking Staten Island and Brooklyn, N.Y. In the course of his remarks the President referred to Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, John O. Pastore, Senator from Rhode Island, and Jack Valenti, Special Consultant to the President.

The stamp was first issued in Staten Island, N.Y., in conjunction with the opening of the bridge.

As printed, this item follows the prepared text released by the White House.

582 Remarks to Members of the NATO Parliamentarians Conference. September 18, 1964

IT IS a great pleasure to welcome to the White House this morning the NATO parliamentarians.

They are concerned with a project that is of vital importance to all of the free world in the Atlantic Alliance, and I am pleased that I was able to spend a few moments with them in the Fish Room.

I know, from what Congressman Wayne Hays of Ohio has told me, how much the parliamentarians have done to plan to ensure that this great instrument of the defense of freedom will flourish and continue

to keep the peace.

The parliamentarians not only understand the problems of the alliance but they have the capacity and the ability to translate constructive ideas into effective and practical policies. The alliance owes a great deal to the vigorous and constructive leadership that these parliamentarians have provided.

We are proud of NATO's accomplishments. It has been tested many times, and each test has brought new confidence, new strength, and new stature for this great organization.

This kind of attack contradicts the entire course of America in the postwar period.

If we should follow this course—if we should discard the tested policies of the last 20 years—the peace of the world will be in grave danger.

I will not discard them. I will continue them. I will match firmness to strength. And I will continue, with all the skill at my command, the patient search for lasting peace.

Here, again, the choice is yours.

I will discuss these issues in the next few weeks. They are among the most important questions ever presented to the American people.

It is you who will decide these questions. And you will decide them on November 3 in polling booths across the Nation. No person can afford to sit comfortably at home,

confident that others will take care of the job. You must work, and register, and vote.

For this is a turning point in the history of our Nation. At stake is all that we have so carefully built, and all the hopes that rest upon it.

I will do all I can.

I need your help.

Then we can turn to our work. Together we will build the Great Society—a place where every one of us has the chance to seek happiness and fulfillment to the limit of his abilities.

And we will work together to make the world a place where free men can live in peace.

NOTE: The President's remarks, filmed and taped at the White House on October 6, were telecast nationwide by the Columbia Broadcasting Company at 9:30 p.m. on October 7.

639 Remarks at Washington High School, Lake County, Indiana. October 8, 1964

Governor Welsh, Indiana's two fighting Senators, Vance Hartke and Birch Bayh, the next Governor of this great State, that great American Roger Branigin, Congressman Ray Madden:

I want to thank you for that wonderful introduction. I think it was the best introduction I have ever had in my political life, except one. One time down in Texas the fellow that was supposed to show up didn't get there and I had to introduce myself—Mayor Katz, Mayor Dowling, Mayor John Nicosia, my fellow Americans:

Our business here this morning is politics, so let us get right down to business. I understand that there have been some other political speeches around here recently. Well, this one is going to be different. I am not going to tear down anybody or anything.

I am proud that you have a responsible government in Washington and in Indianapolis. I think the best way to keep it there is to make this a good, responsible campaign.

We are going to be responsible. This goes for your great fighting Senator, the next senior Senator from Indiana, Vance Hartke. This goes for that great statesman on the Rules Committee of the House of Representatives, Ray Madden. This goes for your next Governor, Roger Branigin. This goes for that brilliant, new, young star, Birch Bayh, and you better keep your eyes on him because he is going places in this Nation.

If we are honest with ourselves, and we have to be, political issues affect us all personally. It does not degrade our hopes for

peace in the world that we want most of all to be alive, and to be sure that our sons and our daughters have the right to live. It does not degrade our hopes for prosperity.

I believe in full employment. I believe that every man and woman who is willing to work should have a job and have a chance to work. The recession of 1957-58 hit hard here. Unemployment was above 8 percent.

Six years ago, Vance Hartke ran for United States Senator. This industrial area was in trouble. I came here to work for Vance Hartke and I am mighty proud I did, because he has delivered and has made a good Senator.

Many steelworkers at that time were on a 4-day week. Four years ago things were not much better. We were in another recession. We met that challenge. Today East Chicago and Hammond and Gary are boomtowns. Unemployment is down. Profits and production are up.

From the beginning our business system has been developed by wise public policy. For the first time in history more than 70 million good Americans are working. For the first time in history the profits are higher than ever before.

And I say to anyone who thinks that we are going to stop here, even to rest, you better move over or you are going to get run over!

First, I think we must start with our children. They are the future. I believe that every American boy or girl is entitled to all the education that he can master.

Second, we must build an economy in which every man or woman who is willing and able to work will have a job and a fair wage for doing it. Our tax cut was designed to move us in that direction. That tax cut is generating three-quarters of a billion dollars in income for your individuals and for

your businesses.

Third, we must build a society in which the advancing years of life bring rewards for work well done.

There is no limit to what America can do. And that is why, as I come here to this wonderful industrial area this morning, this city where my Press Secretary, George Reedy, one of the best human beings I ever knew, was born—and I want to salute George here this morning—that is why I say that our program must be peace for all of our people, jobs for all of our people, education for all of our children, and prosperity for all families in America.

We must do something about our immigration laws. Two-thirds of the total immigration quota goes under that law, to people who never use all their quota.

President Roosevelt, with a good Dutch name, proposed the immigration law be changed.

President Truman, with a good English name, proposed the law be changed.

President Eisenhower, with a good German name, proposed the law be changed.

President Kennedy, with a good Irish name, proposed that the law be changed. And now a President, Lyndon Johnson, with an English name, and with an Irish name, and with German and Scottish and French forebears, proposes this law be changed.

We want to abolish those discriminatory quotas gradually over a 5-year period and raise the overall limit by 9,000, or 1/80th of 1 percent of our work force. This would permit families to unite which have too long been broken.

We stand for a compassionate nation, not a callous nation. Will you stand up with us and help us in that fight? We stand for uniting our country instead of dividing it. Will you stand up with us in that fight?

We are a nation of lovers instead of

haters, and we are proud of it. Aren't you? We are all Americans. We are one nation—one people. There is room for all of us in this great land, so let's get on with the job. There is just one thing that really amounts in your life that is the most important thing to you, and that is whether we have peace in the world or not.

We have more power than any nation in all the world. But we must not be rash and we must not be reckless and we must not be careless. We must use that power with good judgment and we must use it with restraint.

Not long ago, a dictator, Mr. Castro, cut our water off at our base at Guantanamo, and there were voices in the land that immediately rose up and said, "Let's send in the Marines." Well, we considered it carefully and we decided it would be a lot wiser to send in one admiral to turn the water off than to send a bunch of Marines in to turn the water on.

Now, we are concerned with peace in Washington. We are going to keep our strength. We are going to keep our guard up, but we are going to keep our hand out. We will go anywhere, any time, to talk to anyone, if we can promote peace in the world. We do not want war, we do not believe in rattling our rockets or talking about dropping our bombs. We have been through two World Wars, and we know the price we paid for them. So that is why we are going to keep strong. That is why we are going to keep sensible.

The next thing that is important is to stay prosperous, to try to see that every child has a schoolroom to attend, and a teacher to teach him. Try to see that every father has a job to send that kid to school. Try to see that he is paid decent wages. In this election, all of those things are at stake.

We fought for social security 30 years ago.

Twenty million Americans today draw social security. We don't want it to go down the drain. That is why you better go vote on November 3d if you don't want social security to become voluntary.

We believe in equal rights for all Americans, and special privileges for none. But that is why you better go vote on November 3d, and you better vote Democratic. We believe in strong unions. We believe in collective bargaining. We have fought for that right and we want to preserve it and protect it, and that is why you better go vote on November 3d.

I remember a great labor leader one time said that the working people don't have much and they don't ask much. They are not a selfish group. They get up early in the morning, they wash the kids, they dress them and send them to school, and they are on their way to work. They work hard all day long, and they come home in the evening for that family meal, say their prayers and go to bed reasonably early. That was before the days of television, I guess. But we are still mighty proud of that family unit.

And this great leader of the Steelworkers of America, Phil Murray, said:

"We don't ask for much. We want the right of collective bargaining. We want a shorter workweek. We want better pay for what we produce. We want a share of the profits. But we haven't asked for too much for our labors. We would like to have a home, a roof over our heads, some food for our bodies, some clothes to cover our forms. We would like to have a home with a rug on the floor, with a picture on the wall, and with music in the living room."

All of those things are at stake in this election. You have a choice. You have a privilege. You have a right to exercise. You have an obligation to your family.

I haven't come out here to sling mud and say ugly things. You use your own judgment. But you use it; don't sit by and neglect it. Don't talk about how proud you are to be an American and how you want your boy to avoid war, and then sit home and not vote. You go and vote, and you vote for the man in your judgment, and the ticket in your judgment, that is most likely to protect your job, your prosperity, and your home and your children.

You go vote for the man and the ticket that in your judgment is most likely to preserve peace in the world.

If you do that, if you vote for peace and prosperity for yourselves, according to the dictates of your own conscience, Lyndon Johnson and Hubert Humphrey will be mighty happy.

NOTE: The President spoke at 9:23 a.m. in the athletic field at the George Washington High School in East Chicago, Ind. In his opening remarks he referred to Governor Matthew E. Welsh, Senators Vance Hartke and Birch Bayh, Roger D. Branigin, Democratic candidate for Governor, and Representative Ray J. Madden, all of Indiana, Mayor A. Martin Katz of Gary, Mayor Edward Dowling of Hammond, and Mayor John Nicosia of East Chicago. Later he referred to Philip Murray, president of the United Steelworkers of America, 1942-1952.

640 Remarks in Indianapolis at Soldiers and Sailors Square. October 8, 1964

Governor Welsh, Senator Hartke, distinguished guests on the speaker's rostrum, ladies and gentlemen:

I came out here to beautiful Indiana today to tell you that we need your help in sending two good men to Washington—Vance Hartke and Andy Jacobs. Vance Hartke has served with great distinction in the United States Senate, and Martha has helped him along every step of the way. We need him back. Won't you help us?

And you ought to be represented in a Democratic administration, in a Democratic year, by Democratic Congressman Andy Jacobs.

I want to also tell you what a grand young pair of people you sent us 2 years ago, Birch and Marvella Bayh. They have brought great pride to this State and great pride to my administration. I am so happy they are there, and I am so glad they are my friends.

Indiana on other occasions has voted for another party, but I know that you want to consider this very carefully this time. In the first place, I am not just sure whether there

is a real Republican candidate to vote for this year.

Then, I think probably you will want to think back to when Indiana did vote for a Democratic President. That was back in 1936. The choice that year was something like the choice this year—between the past and the future.

Indiana in 1936 voted for the future, and Indiana in 1964 is going to vote for the future again.

The Bible tells us "Every man's work shall be made manifest." This is true, too, of our Government.

Seldom has an administration's work been made manifest more abundantly than this one. We promised 4 years ago, under the leadership of that beloved, great champion of this country, John Fitzgerald Kennedy, that we would get the country moving again. Well, it is moving.

In the 44th month of unbroken advance, the record of the Kennedy administration speaks not just for itself, but it speaks for all of you—you, the American people.

FOR RELEASE 2:45 P.M., MONDAY
OCTOBER 12, 1964

ADDRESS BY
JOHN A. GRONOWSKI
POSTMASTER GENERAL
AT THE COLUMBUS DAY OBSERVANCE
COURTHOUSE
SYRACUSE, NEW YORK
2:45 P.M., OCTOBER 12, 1964

I am happy to be here in Syracuse today to take part in your most impressive Columbus Day celebration -- and I am proud that so many Americans of Polish descent turned out to mark the occasion. I am sure that I am safe in assuming that Italian Americans did their bit yesterday by helping to commemorate our great hero, Casimir Pulaski.

Columbus and Pulaski had much in common. They were both brave, adventuresome men with strong, personal convictions about the rightness of their individual causes. And both contributed greatly to the history of our great nation: Columbus in discovering it, and Pulaski in helping it win its freedom and independence.

In a sense, Columbus might well be considered our first Italian immigrant, and Pulaski, if not the first immigrant of Polish descent, certainly was one of the first Poles to come to America.

I mention this because it has a very direct bearing on what I am going to say to you today. The unfortunate fact is that these two great men, if they were alive today, would find it very difficult to emigrate to this nation.

(more)

COLUMBUS DAY OBSERV.
10/12/64 - 2:45 PM

A person from England, regardless of his qualifications, would be twelve times more acceptable under our laws than Christopher Columbus. And the same Englishman would be nine times more acceptable than Casimir Pulaski.

Why? Because one was born in Italy and the other in Poland. They simply came from the "wrong" part of Europe. Because, since 1924, our immigration law has been based on a quota system of national origins -- a system which allows 25,000 immigrants from Germany every year, but only 120 from Spain; 60,000 from England, but only 3,000 from Greece. And the stated purpose of this system was to preserve the racial and ethnic composition of the population of the United States as it was at that time.

This is a national disgrace: a humiliating and cruel policy that this Administration intends to correct.

It is humiliating because it discriminates against the individual and treats him as part of a mass. It judges men and women not on the basis of their worth but on their place of birth -- and even, in some cases, the place of birth of their ancestors.

What kind of policy is this for a land which takes its name after Amerigo Vespucci? What kind of fairness does this reflect for generations of Americans who came here from Italy in the spirit expressed by Americans like Philip Mazzèi, in words later adopted by his friend Thomas Jefferson, that "All men are by nature created free and equal to each other in natural rights?"

What kind of humanity does this demonstrate to our millions of citizens of Italian descent, whose continued contribution to our common country is evidenced simply by a roll call of the Medal of Honor winners, or of political or economic or scientific leaders like Senator Pastore, or Enrico Fermi or A. P. Giannini?

(more)

On November 21, the Post Office Department will issue a five-cent postage stamp to commemorate the dedication of the Verrazano-Narrows Bridge connecting Staten Island and Brooklyn. Thus we will be honoring Giovanni Da Verrazano, the 16th Century Italian navigator and discoverer of New York Bay. And now, are we to say to Italians of a later day that they cannot come to the same country because they are Italian?

This is to say nothing of the heartbreak caused by such policies. The sad fact is that the current system separates families coldly and arbitrarily. It keeps parents from children and brothers from sisters for years -- and even decades.

For too long we have perpetrated a discriminatory and senseless policy against immigrants of many nations, and what makes it even worse is the fact that we have been the losers as much as they. By placing the major emphasis on ethnic background, rather than skills, we have been depriving our society and our industrial complex of a fresh source of talent. We have, in effect, been discriminating against ourselves. As President Lyndon B. Johnson said in his State of the Union Message last January, "In establishing preferences, a nation built by the immigrants of all lands can ask those who now seek admission: 'What can you do for our country?' But we should not be asking: 'In what country were you born?'"

Unfortunately, we are asking: "In what country were you born?"

And it takes only a brief look through the files of the Immigration and Naturalization Service to learn how damaging this system is to the United States. Let me cite a few representative cases.

(more)

"It is a source of embarrassment to us around the world. It is a source of anguish to many of our own citizens with relatives abroad. It is a source of loss to the economic and creative strength of our nation as a whole."

And then he summed up the case for the proposed law:

"This measure would make it easier to bring to the United States persons with special skills and attainments that we need and want," he said.

"It would reunite thousands of our citizens with members of their families from whom they are now needlessly separated.

"It would remove from our law a discriminatory system of selecting immigrants that is a standing affront to millions of our citizens and our friends abroad.

"It would provide for the needs of refugees and serve our traditional policy of aiding those made homeless by catastrophe or oppression.

"And finally," Mr. Kennedy concluded, the bill "would accomplish all these necessary goals without damaging the interests of any person or group, either here or abroad."

This is the American way: the way of respect for the dignity of the individual, the way of judging a man for what he is, not where he comes from or what church he worships in or what color his skin happens to be. It is the way that Americans of all ethnic backgrounds believe in because it is the right way.

I was, therefore, terribly disappointed and disturbed only a few weeks ago to read that Congressman Miller who now seeks the second highest elective office in the land, went to Indiana and advocated a continuation of a policy of discrimination in our immigration laws.

(more)

My own grandfather was an immigrant -- the same as your fathers and grandfathers -- and I would not be standing here today if our great nation had not opened its arms to him.

And I was disturbed because until a few weeks ago, immigration had been a bi-partisan issue. President Eisenhower, during his Administration, recognized the inequities of our immigration laws, and he, too, sought to correct them, the same as President Truman had done before him.

But now, it has become a campaign issue. A man who seeks the votes of the American public attempts to frighten many of those citizens by making false insinuations about President Johnson's proposed legislation. He travels about the country telling people that President Johnson seeks to "open the floodgates" to immigrants.

What an incredible distortion!

As Senator Hubert Humphrey said less than a month ago, "What is really at issue is not floodgates at all. What is at issue is 'fair-gates' -- gates which are fair, which do not open only at the knock of an Anglo-Saxon hand."

This nation was built by the hands of people of all nationality groups and we have a sacred commitment to those people.

And today, as we observe Columbus Day, we do more than honor one man. We honor the entire Italian-American community for adding so much to our arts, our sciences and our industry. I can think of no better time to rededicate ourselves to the principles of fairness and equality that allowed them to come to this nation in the first place.

Thank you.

END

picked up his missiles, put them on the decks of his ships, covered them with tarpaulins while our helicopters flew overhead counting them.

That must have been a humiliating experience for him, but it was a great source of pleasure and joy and relief not only for our people but for his people, because millions of lives were saved because of good leadership and good judgment.

We all pray that we will never have to move that thumb toward that button again. We all pray that we will somehow, some way, learn how to live in the world with other people. But we do know that we have a new government in Russia in the last few days, and we do know that Mr. Khrushchev is no longer the leader of that country. We do know that the Chinese have developed a nuclear bomb, and that they have 700 million people to develop more of them.

So we do know that we are going to require leadership and we are going to require experience, and we are going to require

judgment. Well, I am not here to say that I am the only man that has those qualities. I am here to appeal to you and ask you to appeal to your neighbor and your friends and your kinfolks and your uncles and your cousins and your aunts to be patriotic enough next Tuesday to go down there and search your conscience and exercise your judgment and vote for the man that in your heart you know is the leader of this country.

Thank you and goodbye.

NOTE: The President spoke at 11:48 a.m. at a rally at the airport, Detroit, Mich. In his opening words he referred to G. Mennen Williams, Assistant Secretary of State for African Affairs and former Governor of Michigan, Senator Philip A. Hart, Representative Neil Staebler, Democratic candidate for Governor, and Senator Pat McNamara, all of Michigan. Later in his remarks he referred to, among others, John D. Dingell, Mrs. Martha W. Griffiths, and Charles C. Diggs, Jr., U.S. Representatives, and to Lucien N. Nedzi, Weston E. Vivian, Billie S. Farnum, John Conyers, Jr., Frank J. Sierawski, and William D. Ford, Democratic candidates for Representative, all of Michigan.

The text of remarks of Mrs. Johnson, who spoke briefly, was also released.

746 Remarks in Kosciuszko Park, Milwaukee.

October 30, 1964

Governor, Mayor, Senators, members of the delegation, ladies and gentlemen:

I am proud to be here today in the city of Milwaukee, and in your famous 14th Ward. This is good Democratic territory. You gave Franklin D. Roosevelt some of the greatest pluralities in history. You voted resoundingly for Harry Truman. You gave a tremendous vote of confidence to John Fitzgerald Kennedy. So why don't we get together and set some new records next Tuesday?

They say that you can tell a man by the company he keeps, and this is great company that you and I are in today. The American

Mayors Association knew that when they elected as their new president your own outstanding Mayor Henry Maier. The people of Wisconsin knew that when they elected as their Governor a man whose judgment I have come to respect and whose friendship I value greatly, Governor John Reynolds.

Please be sure that we get the chance to keep on working together, and please keep Wisconsin's representation in the Senate just exactly the way it is. Any State is lucky, and the country is lucky, when it has Senators like Bill Proxmire and Gaylord Nelson.

Bill has the independence that Wisconsin

is famous for. So when we agree, I always know I am right, and when we disagree, I always take another look. We were colleagues in the Senate, and you and I both need Bill's help greatly in helping us to pass a program for all the people in the years ahead. I hope you will give him one of the greatest majorities in the Nation come next Tuesday.

I just can't begin to tell you how much I depend in the House of Representatives on your own grand Congressman Clem Zablocki. Clem is my strong right arm. He is always there to be helpful. He is always constructive. He always does what he thinks is best for his country, and that goes, too, for Henry Reuss, a member of the Joint Economic Committee. Clem, you know, is on the House Foreign Affairs Committee, and that is quite some distinction for this city and for this State. I hope, I believe, and I know that the people of Milwaukee will send them back to Washington next Tuesday with a great majority in back of them.

And I hope, too, that you will send Jim Buckley from the Ninth Congressional District. We need his voice, we need his vote, we need his constructive support behind our new Democratic program. We also want you to send Lynn Stalbaum from the First District to sit beside them and to vote beside them in the next Congress. We need new, good, able men like Lynn, and please help us send him there.

The whole country knows about the remarkable resurgence of the Democratic Party in Wisconsin in recent years, so keep it up. Keep it moving. Keep it going, with people like Pat Lucey and Bronson LaFollette.

I know the history of this park and how much it has had to say in this election. It is almost 60 years now since you dedicated it.

Many of the people who lived here 60 years ago had come from the old world, escaping from oppression, looking for freedom and for opportunity. They found it here—and gave in return as much as they got.

What they sought the most was opportunity itself—opportunity for every man to do the best he can for himself and his family; freedom for each; justice for all. We are going to keep open those doors of opportunity and freedom and justice. We are going to keep them open for all people.

We have had 44 months of uninterrupted, steady, healthy prosperity in these United States under the Kennedy-Johnson administration. And we are not going to throw this progress away next Tuesday. We are going to keep moving steadily forward.

This year the annual personal income of Wisconsin citizens—

[At this point there were disturbances in the crowd.]

I appreciate your wanting me, but don't mind what happened because we all live and learn, and you are just getting an example of what kind of government you would get. That doesn't just apply to Democrats.

You remember that those people were—well, I want to be generous—they felt so strongly that they wouldn't even let their Republican Governor Rockefeller speak at the convention. They booed him down. They talk about the Constitution and free speech, and freedom to assemble, and then they come to our meetings and don't want us to talk.

Now, we have a speech in Rockford and then we are due in Chicago at 3:30. We are going to run a little late. But there are some things that are more important than what I have to say.

If you don't mind, let's just silently, quietly, calmly, take a look around there and see what condition they are already in. Look..

Don't get upset and don't get angry, because if they are bruised up that much today, think what is going to happen to them next Tuesday.

Actually, though, I have been in 44 States, and I have watched these boys. Most of them they don't pay but 50 cents an hour. But I did find one the other day in one of the big metropolitan areas that was an adult—and old enough to vote.

This year the annual personal income of Wisconsin citizens reached \$10 billion—\$10 billion. That is a new record high in the United States. The unemployment rate for this city of Milwaukee, and the unemployment rate for the entire State is down to a record of 2.5 percent—only 2.5 percent—97½ men out of every 100 are working. That is less than half what it was when you elected John Fitzgerald Kennedy.

Business has prospered this year. Corporation profits in Wisconsin went over \$1 billion for the first time in history. Prosperity and progress were not just accidental. They are both the rewards of hard work.

They are the rewards of responsible leadership. This year alone, under your great Governor Reynolds' leadership, Wisconsin brought 147 new industries into this great State of Wisconsin. And here in Milwaukee, you and Mayor Maier are changing the skyline of a great city with a great new rebuilding program.

Prosperity and progress are the rewards of a partnership, a partnership between responsible government and responsible business and responsible labor.

We are still going forward, shoulder to shoulder, as friends, as partners; not as haters, not as dividers, but, rather, as uniters.

This year's tax cut alone will, when fully effective, create 42,000 new jobs in Wisconsin. But we aren't satisfied. We still be-

lieve in new opportunity. We believe in men's opportunity to enlarge and enrich their lives as well as their pocketbooks.

We believe in

—The right of every American child that is born under that flag, boy or girl, to have all the education that they can take, and we are going to try to put that program into effect.

—The right of our fathers and mothers, our grandfathers and grandmothers, to social security, to decent medical care.

—The right of every American family to live in a decent house, in a clean, beautiful city.

—The right of every American to enjoy the great outdoors and the countryside that God gave to all of us.

—The right of every American to expect of his Government a strong national defense and a responsible foreign policy, free from waste.

These are some of the things that we mean when we speak of the Great Society that we are going to put on the statute books.

[At this point there was a further demonstration by members of the audience.]

You have some nice, courteous, hospitable people out there, I see.

Governor Reynolds, working with local leaders like Mayor Maier, with your Senators and Congressmen in Washington, has already laid the cornerstones of that Great Society right here in beautiful Wisconsin.

He started the greatest college and university building program in Wisconsin's history. He moved this State forward in aid to local schools, in help for the elderly, in care for the sick, in conservation programs.

I have come here to Milwaukee today to tell you that under a Democratic administration in Washington, we will keep it moving.

The Great Society must be built on individual communities. No massive programs directed from Washington can do this job, nor should any Federal aid program ever be forced upon any State or local community. Local government can act more effectively in partnership with the private community through its responsibilities to overall need.

The Great Society is much more than mortar and bricks. It must be built in the architecture of our ideals.

It is a part, therefore, of the plan of the Great Society that the immigration laws be changed. Two-thirds of the total immigration quota now, under the present law, goes to people who never use all the quota they already have.

We want to abolish those discriminatory quotas gradually over a 5-year period, and we want to raise the overall limit by 2,000, or one-eighth of 1 percent of our work force. This would permit the reuniting of families that have too long been broken up, we are all Americans. We are one nation, one people.

We live in an age of great opportunity and great danger, and rapid change. The other day a crack appeared in the Kremlin wall. It spread to the Iron Curtain. We cannot know what the future will bring, but we do know now that there are vast changes going on in the Communist camp.

Red China has challenged the Soviet Union for leadership of the Communist camp, and the restless stirrings in Europe suggest that Moscow can no longer impose its will on the tragic captive countries of Eastern Europe. Mr. Khrushchev is reputed to have said not long ago that the satellite countries had already grown up—like children, they were too big to spank any more.

So the task for the United States is to keep our policies flexible, to keep them re-

sponsible, and to search for new opportunities to favor freedom in a rapidly changing world.

Above all, we must stay strong, but we must stay responsible. We must stand resolute; we must never be discourteous or reckless. In the nuclear age the stakes are too high to gamble with the pushbutton of destruction.

And so long as I am your President, I will keep that trust.

Twenty years ago Franklin D. Roosevelt told us, "The only limit to our realization of tomorrow will be our doubts of today." You know what the promise of tomorrow means. You are working for that promise right now for yourselves and for your children and for your country. And I want you to vote for that promise at the polls next Tuesday.

It was a little more than 11 months ago when a great tragedy made me your President. When I assumed the oath of office, I said to the American people and to the world that with God's help and with your prayers, I would do the best I could.

It was a little over 2 years ago when we had the Cuban missile crisis. I was a member of the National Security Council as Vice President of the United States. For 38 meetings we sat with all the generals and their stars and the admirals with their braid, and the great Secretary of State, the Rhodes scholar, the Secretary of Defense, the former president of the Ford Motor Co., that made a half-million a year, but came into the Government to help us build a strong defense. And at the head of that table sat the man that you had selected as Commander in Chief.

I never left home a single morning that I was sure that I would see my wife and daughters again that night.

Mr. Khrushchev had his missiles 90 miles

from our shore and they were pointed in our direction. Our Commander in Chief had put our bombers in the air, loaded with their bombs. Our carriers were on the sea in the strategic places. There these two great leaders of these two great world powers stood eyeball to eyeball, taking each other's temperature.

And as I sat in that room and the President went around the table, it was so serious, so critical, so dangerous, and so important that I hoped that he would ask somebody else before he got to me so I would just have a little more time to think. But one thing impressed me. I remembered what Thomas Jefferson had said.

Thomas Jefferson said that the judgment of the many is much to be preferred to the decision of the few, and the great mass of the American people, beginning here in the wonderful, beautiful State of Wisconsin, and throughout the other 49 States later, had selected a leader, had selected our Commander in Chief.

The coolest man that sat in that room during those 38 meetings was our President, your Commander in Chief, John Fitzgerald Kennedy.

On next Tuesday you will have to go and in your own best judgment and in your own conscience select a new President. For 11 months I have picked up where he left off and I have done the best I could. And if I am selected for another 4 years I will give the job all the limited ability and all the talent I have, and I will try to search for peace in the world. I will try to maintain our strength and keep our guard up, but our hand out. I will be willing to go anywhere, to talk to anyone, to try to seek an honorable peace.

We want to bury no one, but we don't intend to be buried, either. We believe in unemployment compensation, and we believe

in social security, and we don't think it ought to be voluntary, either. We believe in medical care. We believe in adequate income for the farmers. We believe in collective bargaining. We believe in the right of every man and woman who wants to work to have a job. We believe in the right of every boy and girl born in this country to have an education.

We remember that it was 100 years ago that Abraham Lincoln abolished slavery. And it is now our lot and our time, and our opportunity, to abolish poverty from the United States of America.

So if you want us to continue, you will have to search your hearts and your conscience, and make that decision.

You are the masters. This will be as important a decision as you have ever been called upon to make, because we have a new leader in the Soviet Union, you have 700 million people in China that have the nuclear bomb, you have a new British labor government, you have a new government in Germany, a new government in Italy. You have all these problems of the world, and we have Viet-Nam, we have Cyprus, we have Laos. We have 120 nations and we are trying our best to lead them in the direction of peace.

So if you want peace and if you want prosperity, then I ask you to lend me your help, lend me your hand, give me your heart, give me your support. And if you do that on Tuesday next, we will have one of the greatest majorities that any President ever had.

And when we do that, there will be such a minority in the other party that the good, moderate men who have built that party, the party of Abraham Lincoln, will go back and stand for the fine principles that it advocated through the years. We will have a bipartisan foreign policy again. We will have Republicans and Democrats sitting

in our Cabinet. We will have men working together. We will have politics stopping at the water's edge.

So I hope that you will seriously consider that this is one of the great decisions you will be called upon to make, and that you will go and vote Democratic next Tuesday.

NOTE: The President spoke at 1:40 p.m. in Kos-

ciusko Park in Milwaukee, Wis. In his opening words he referred to Governor John W. Reynolds, Mayor Henry W. Maier of Milwaukee, Senators William Proxmire and Gaylord Nelson, and Representatives Clement J. Zablocki and Henry S. Reuss. During the course of his remarks he referred to James P. Buckley and Lynn E. Stalbaum, Democratic candidates for Representative, Patrick J. Lucey, Democratic candidate for Lieutenant Governor, and Bronson LaFollette, Democratic candidate for State Attorney General, all of Wisconsin.

747 Remarks at an Airport Rally in Rockford, Illinois. October 30, 1964

Governor Kerner, Governor Shapiro, Senator Douglas, Postmaster General Gronouski, Attorney General Clark, State Auditor Howlett, my old friend Paul Powell, Jim Ronan, Mayor Schleicher, Robert Brinkmeier, Miss Dorothy O'Brien, my fellow Americans:

If my history is correct, this is the first time that a Democratic President has visited the city of Rockford. But I am telling you now that it is not going to be the last time.

I have come here in excellent company. Otto Kerner has been a distinguished Governor of the State of Illinois. He has been one of the great Governors of the United States of America. Governor Kerner knows the problems of this State and he knows how to solve those problems. For 4 years he has worked quietly and capably, patiently and effectively for you down at Springfield. And I hope that next Tuesday you will give him a resounding mandate for his next term.

Bob Brinkmeier, your Democratic candidate for Congress, is a very able man, a teacher from Forreston. I was a teacher myself once, and I think we should use more schoolteachers in government by electing Bob Brinkmeier.

The last time this district sent a Democrat to Congress was in 1852. As a strong sup-

porter of the two-party system, I think it is time for a change!

On this occasion I am grateful for the reception I have received here in a city and in a district with such long and such strong and such loyal devotion to the Republican Party.

I am proud to be a Democrat. I am proud to be a member of the party of Jefferson and Jackson and Cleveland and Wilson, Franklin D. Roosevelt, Harry S. Truman. I am especially proud to be a member of the party of that great and that gallant American, John Fitzgerald Kennedy.

But I am prouder that over a career of more than 30 years in public life, I have always been the kind of Democrat who could and would work together with my fellow Americans of the party of Lincoln and McKinley, Herbert Hoover and Dwight Eisenhower, Robert Taft, Arthur Vandenberg, and Everett Dirksen.

Whatever our traditions, whatever our affiliations, whatever our partisan beliefs, we all know that America will stand strong and secure only when we faithfully put our country ahead of our party in every cause.

On this bright autumn afternoon, I remember—and I know you have not forgotten—another day such as this 11 months and

eral employees lie in the area of judgment, propriety, and good taste. Obviously, these cannot be legislated or prescribed by order or regulation. I am confident, however, that the Executive order will direct the attention of both Federal employees and those who do business with the Federal Government to this sometimes difficult area. In drafting the order, every effort has been made to take into account the rights and privileges of Federal employees and, on the other hand, the right of the public to have confidence in the fairness and integrity of Government personnel.

One of the main purposes of the Executive order is to encourage individuals faced with questions involving subjective judgment to seek counsel and guidance. Thus, the Chairman of the Civil Service Commission has been instructed to work with each department and agency head to establish within his organization designated individuals who can provide the guidance and interpretation necessary to relate general principles to specific situations.

The order requires all officials appointed by the President and reporting directly to him and certain other Federal officials and employees to file statements of their financial interests. It also imposes strict limitations on the acceptance of gifts, entertainment, and favors by executive branch personnel.

The order assigns central responsibility to the Civil Service Commission for issuing

Government-wide regulations implementing the order and for reviewing supplementary agency regulations covering their special situations. This should insure consistency and individual agency flexibility.

The order emphasizes the strong intention of the administration that the affairs of Government be conducted openly, honorably, honestly, and impartially.

Part I states the general Government policy regarding the ethical conduct expected of all officials and employees.

Part II sets forth standards governing the conduct of executive branch personnel with specific attention given to the acceptance of gifts, entertainment, and favors; outside employment, teaching, and writing; and the use of Government information for private personal gain.

Part III provides standards of conduct for temporary, part-time, or intermittent advisers and consultants to the Government.

Part IV spells out the requirement that top officials file statements listing their outside financial interests.

The remaining parts of the order are concerned with certain delegations of authority to the Civil Service Commission and to agency heads under the conflicts-of-interest or other laws and under the order.

NOTE: The President referred to Executive Order 11222 "Prescribing standards of ethical conduct for Government officers and employees," issued May 8, 1965 (30 F.R. 6469; 3 CFR, 1965 Supp.).

242^{*} Remarks Upon Signing Proclamation Adding Ellis Island to the Liberty Island National Monument. May 11, 1965

Members of Congress, ladies and gentlemen:

For nearly three decades Ellis Island was a beacon of opportunity, a symbol of freedom for millions.

Between 1892 and 1920, 16 million immi-

grants entered America through the open doors of Ellis Island. These men, women, and children from many lands enriched the American melting pot. They brought to these shores a rich variety of individual gifts,

a heritage derived from the total experience of all of their many nations. They made us not merely a nation, but nation of nations.

These steerage immigrants entered into the very fiber of American life. Each made contributions to the American cause. Others achieved greatness or rose to positions of national leadership. Among those who passed through Ellis Island were such eminent Americans as Irving Berlin, David Dubinsky, Father Flanagan, Justice Felix Frankfurter, Charles A. Lindbergh, Sr., Philip Murray, Jacob Potofsky, Adm. Hyman Rickover, Knute Rockne, David Sarnoff, Spyros Skouras, Igor Sikorsky. Vice President Humphrey's mother entered the United States through Ellis Island. Fiorello LaGuardia once worked as an interpreter there.

So we profit from the legacy of Ellis Island today in all parts of this great land of ours. Its meaning is symbolized here this morning by the presence of so many of our finest Members of Congress, nineteen of whose parents or grandparents entered the American gate at Ellis Island. Their names are Bayh, Hruska, Javits, Mansfield, Muskie, Pastore, Ribicoff, Cederberg, Daniels, Dent, Farbstein, Helstoski, Joelson, Mackay, Minish, Multer, Rodino, Pucinski, and Vanik. They all belong on a roster of honor that will someday surely be commemorated in this great national shrine.

So I am signing today a proclamation making Ellis Island a part of Liberty Island National Monument. In addition, I am asking Congress to enact legislation authorizing appropriations to make Ellis Island a handsome shrine in the broad harbor of the great port of New York.

It is also my pleasure to announce approval of a Job Corps Conservation Center on the New Jersey shore adjacent to Ellis Island.

Once this center is established, Job Corpsmen will transform and restore Ellis Island and help the State of New Jersey create a new Liberty State Park in a blighted section of the Jersey City waterfront.

This exciting Federal-State project will preserve a bright chapter in American history. It will bring beauty where there is now blight. It will demonstrate at the very doorstep of our largest metropolis the opportunity that is offered us if we are wise enough to cherish our authentic historic places and accept the challenge of the new conservation.

I also hope that this Congress will draw on the lessons of Ellis Island and enact legislation to provide America with a wise immigration policy adapted to the needs of the 1960's.

Earlier this year I sent to the Congress a proposal to replace the outdated national origins quota system. I asked the Congress to replace this worn out system with a new one, a schedule of immigration priorities based on the skills of applicants, skills that this Nation now needs, and on the existence of close family relationships between applicants and United States citizens.

This long overdue change, rooted as it is in national interests and in humanitarianism, should be enacted without further delay.

I know in my heart that the people of this Nation truly believe that every individual ought to be judged on his worth as a human being and by the contribution that he makes to his country. He ought not be judged on the church he attends, or how he spells his name, or the color of his skin. We are committed in this land to that belief and our efforts will never cease until it has really, in actuality, become a permanent fact as well as a guiding principle.

Thank you very much.

NOTE: The President spoke at 11:42 a.m. in the Rose Garden at the White House. He referred to Proclamation 3656 "Adding Ellis Island to the Statue of Liberty National Monument" (30 F.R. 6571, 3 CFR, 1965 Supp.).

A bill (H.J. Res. 454), providing for the development of Ellis Island as a part of the Statue of Liberty

National Monument, was approved by the President on August 17, 1965 (Public Law 89-129, 79 Stat. 543).

An act to amend the Immigration and Nationality Act was approved by the President on October 3, 1965 (see Item 546).

243 Remarks to the National Association of Home Builders.

May 11, 1965

Mr. Willits, ladies and gentlemen:

I thank you very much for your courtesy and your very nice reception.

I appreciate Bernie Boutin's invitation to come over here and see the men that he had rather work with than me. Back last November, Bernie was in my office almost every day, always telling me about these poor little fellows who needed him so badly to help them out. Well, judging by appearances here tonight, Bernie must have done you a lot of good. And I saw Bernie at the elevator and you have not done so badly by Bernie, either.

I wanted to come by for a brief visit tonight, live and in person, for at least two reasons. First, I did not want anybody to complain that I had interrupted the Red Skelton hour on television, so we won't miss a single commercial. And, secondly, and far more importantly, I wanted to say a very few words about you and your great industry and this country that you have helped to build.

You have come to your Capital in a very important month. This month of May 1965 is the 50th month of uninterrupted economic expansion in our country. That is the longest and that is the strongest peacetime prosperity in American history. That is a very proud record, and each of you can be proud of your share in establishing it.

In these first 4 years of our expansion, you built about 6 million new housing units. You, and others in the construction industry,

helped to create more than a half million new jobs. And you and your associates have helped to hold down business costs and building costs.

Today disposable incomes are rising for all of our families, and they are putting more into the homes they buy. In February 1961 the typical new home had a value of \$16,000. Now that sales price is up to \$20,400. But building costs over the past year have gone up only 2½ percent.

This expansion, which is benefiting all sections and all segments, must continue, and it will continue if all elements show restraint and show responsibility, as your organization does.

Yes, tonight we can say that these are good times in America. But, far more, these are very exciting times. All throughout this land, Americans young and old are taking new pride in doing what has too long gone undone—in our classrooms, in our cities, across our countryside.

My wife left a little after daylight this morning, in two big Trailways buses with one hundred people, touring the State of Virginia, pointing out the beautiful places. We are going to expect each of you to go back to your homes and your States and carry a message that we not only want a peaceful America, we not only want a prosperous America, we want a beautiful America.

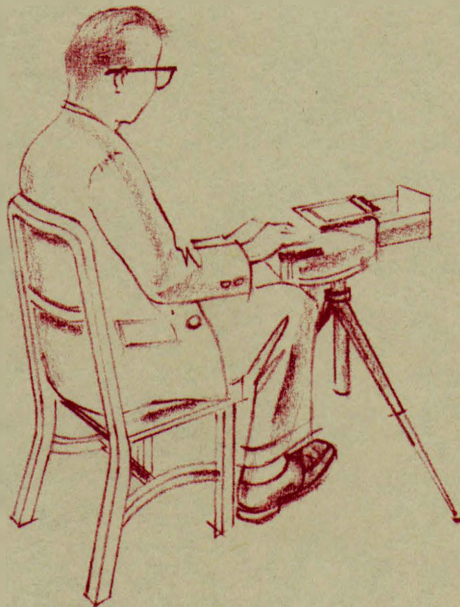
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BACKGROUND BRIEFING

On a Bill to Amend the Immigration Nationality Act

1-12-65

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BACKGROUND BRIEFING

ON A BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

By

NORBERT A. SCHLEI, ASSISTANT ATTORNEY GENERAL
OFFICE OF LEGAL COUNSEL, DEPARTMENT OF JUSTICE

In Room 5131, Department of Justice Building,
at 5:30 p.m., January 12, 1965.

Attendance: 37

Also present:

For the Department of Justice:

Leon Ulman
Jack Rosenthal

For the Department of State:

Abba Schwartz
Charles Mace
James Hines
Chris Camp

For the Department of Labor:

Charles Donahue

For the Immigration and Naturalization Service:

Raymond F. Farrell
James Hennessey

- - - - -

MR. ROSENTHAL: Let me introduce the Assistant
Attorney General in charge of the Office of Legal Counsel,

Norbert A.Schlei, who will introduce the other people with him. Before I do that, I would like to make the attribution clear.

You can say "Administration sources" or something of that kind, but nothing more direct.

MR. SCHLEI: Gentlemen and ladies, we are loaded with talent this afternoon to explain to you about this bill that will be going up tomorrow. We have Leon Ulman and Jack Rosenthal from my office. We have Abba Schwartz, the Administrator of Security and Consular Affairs from the State Department, who has with him Charles Mace, his deputy, and James Hines, his General Counsel, and Chris Camp, his press officer.

We also have Charles Donahue, who is the Solicitor of the Department of Labor.

We have Ray Farrell, the Commissioner of the Immigration and Naturalization Service, and his Deputy, James Hennessey.

Basically, the bill that will go up tomorrow, as you will have gathered, is the bill that was sent up in July of 1963 by President Kennedy, and it was supported repeatedly and strongly by President Johnson in the last session of the Congress.

There have been some technical changes made in the bill that are generally without significance except to a

lawyer, with no real change in intention. There are changes in some of the numbers that appear in the bill. There is a power on the part of the President to reserve numbers in the interest of the national security for the benefit of our allies who are injured in the transition to the new system.

The original bill said the President could reserve up to 50 per cent of the numbers available each year, and in this bill, as the Attorney General announced in his testimony last summer, the percentage is 30 per cent. Studies showed that 30 per cent was the authority that we needed so that we have made that change.

QUESTION: What would you use that for?

MR. SCHLEI: Well, that would really be used for the benefit of the NATO countries who have never had to have a waiting list. You see, as I will explain in a moment, this will be a "first come, first served" system basically. Because of the way the system has operated in the past, it would have been awfully tough immediately if you stayed on a rigorous "first come, first served" system, on the countries that have never had a waiting list. All of the numbers would be soaked up by a few countries that have had very long waiting lists.

So the President, in order to moderate the effect of that, would be able to reserve some numbers and give them primarily to England and Germany, we think, possibly also

the Netherlands, and maybe France.

So in this case that percentage is down. There was a provision in the bill that was up last time permitting the President to reserve up to 20 per cent of the numbers in the pool for the benefit of refugees.

As the Attorney General explained last summer in his testimony, that is Attorney General Kennedy, studies showed that we really only needed 10 per cent, that the 20 per cent gave us too much, and this bill therefore is moved back from 20 per cent to 10 per cent.

The main objective of the bill is to abolish the national origins quota system and put us on a system that makes more sense.

The old system would be abolished over a five-year period. Each 20 per cent of the existing quotas will be abolished and the numbers resulting from that abolition, together with the unused numbers, would go into a pool, distributed on a new basis. At the end of five years, there will be none of the old quotas left, and all of the numbers will be distributed through the pool.

The pool is distributed on a "first come, first served" basis within preference categories. First preference goes to people with special skills that we need. Second, third and fourth preference go primarily to close relatives of American citizens and to residential aliens, people who

are already here with us. There is also a fourth preference for the benefit of people who have no great skill necessarily but who can fill a particular labor shortage that exists in the United States.

The immigration that will come in under this bill will not be unlimited and unregulated. It will be heavily limited and regulated, but it will be done in terms of criteria that make some sense in terms of what we ought to be trying to accomplish with our immigration policy, instead of in terms just of where the man was born and where he came from, and who his ancestors were.

In addition to those things, there are some other things that would be accomplished by the bill. For the most part they are listed here on page 2 of the message that each of you has. It is self-evident from what I have said that you won't have unused numbers anymore. The unused numbers will go into the pool, and they will be distributed.

The Asia-Pacific Triangle provisions will go out. Those are provisions that say that where an individual has 50 per cent or more of his ancestors from the Asia-Pacific Triangle, he must come in from a quota within that Triangle, even if he has never lived there, or even if his parents never lived there. A Chinese born in London, say, would be attributed to the quota of China by the Asia-Pacific Triangle provisions, despite the fact that neither he nor his parents

perhaps ever lived in China. Those obviously should go out. They are obviously inconsistent with everything else in our law, and they would be abolished.

QUESTION: The Asia-Pacific Triangle, is that a delimited area as such?

MR. SCHLEI: Yes.

QUESTION: What is included in that area?

MR. SCHLEI: Well, it includes Japan, and China, and the islands.

QUESTION: The Philippines?

MR. SCHLEI: Yes, the Philippines, I believe.

Abba, can you be precise about that?

MR. HINES: It includes 20-some quota areas in the Triangle, the Philippines, all of Southeast Asia. It does not include Australia. Australia is not included in the Triangle. It is 20 quota areas that have been defined.

MR. SCHWARTZ: It borders on the west and begins at Pakistan.

QUESTION: On the west at Pakistan?

MR. SCHWARTZ: Yes, and all of the way, by excluding Australia, all of the islands of the Pacific, and I can give you that in detail afterwards.

QUESTION: Is this the oriental exclusion provision? Is that why it was put in the law?

MR. SCHLEI: I assume so. It was adopted by the

Republican Congress and Administration back in the 20's.

QUESTION: Is India in that?

MR. SCHLEI: India is in it, yes.

It is absolutely inexcusable, we feel, and we think Congress will want to get rid of it, too.

QUESTION: You mentioned Australia. Is New Zealand in there?

MR. SCHLEI: New Zealand is not in there, no.

By and large, immigrants from the Western Hemisphere are non-quota. However, the wording of the law is such that it includes Caribbean countries, only named Caribbean countries are non-quota, under the law as it was drafted in 1952. So that there are two new independent countries in the Western Hemisphere that are not non-quota. Jamaica is one country, and Trinidad-Tobago is the other.

Those newly independent countries would be made non-quota like all other independent countries in the Western Hemisphere, and the law would be re-worded so that any independent country in the Western Hemisphere would qualify as it became independent.

You may know that non-independent countries in the Western Hemisphere must send immigrants to the United States through the quota of the parent country. They are assigned a sub-quota under the parent country's quota.

For example, British Guiana gets 100 or 200 of

Britain's quota.

QUESTION: These quotas would be phased out anyway under the new section of the new law?

MR. SCHLEI: In due course, yes, they would be phased out, that is right.

QUESTION: Would you explain the first, second, and third and fourth preferences under this?

The first preference is clear, but what about the rest of them?

MR. SCHLEI: The second preference --

QUESTION: What page are you on?

MR. SCHLEI: Page 2 of the section by section analysis.

The first preference gives first call on the first 50 per cent of the authorized numbers to people with exceptional skills. The first call on the next 30 per cent plus any part of the 50 that is not issued for first preference purposes goes to unmarried sons and daughters of U. S. citizens who are over 21 years of age.

First call on the remaining 20 per cent plus any part of the first 80 not taken by the first two preferences, i.e., the third preference, goes to spouses and unmarried sons and daughters of aliens who are permanent residents.

The fourth preference is not described here, but as I recall it is brothers and sisters, married or unmarried.

It is brothers and sisters and spouses and children; they are the fourth preference.

QUESTION: Brothers and sisters and what?

MR. HINES: Spouses and children of brothers and sisters.

QUESTION: Also married sons and daughters of U.S. citizens?

MR. HINES: Yes, married sons and daughters of U.S. citizens.

QUESTION: Could you also explain the fourth paragraph of page 2, of the President's message, about how he will use up that 30 per cent of the quota numbers available to accomplish that under this system?

MR. SCHLEI: Is that the fourth paragraph?

QUESTION: Of the message itself.

MR. SCHLEI: Yes, that is that reservation problem. Let me talk a little more about how the new system will operate.

I said first come, first served within preference categories, and the new system will apply or come into effect over a five-year period. There is another limitation on that. Under this new system no more than 10 per cent of our entire immigration each year can come from any single country, so that there would be a limitation of about 16,400 on the number of people that could come from any one country.

There are two exceptions to that, and they come out in connection with this reservation power that I will explain.

Because of the fact or the way the old system has operated, there are terrific waiting lists in Italy, Greece, Portugal, and Poland, and if we went immediately to a first come, first served system, it would just cut off immigration from all other countries in the world except for these few who have such overwhelming waiting lists.

We need to be concerned about the impact of that, the cutting off of immigration from our allies. So the President is given this authority to reserve numbers and give them to people who would have been admissible under the old system where, in his judgment, based on the recommendation of an Immigration Board that is created by the new statute, where it is necessary in the national security interests of the United States. So he is limited to people who would have been admissible under the old system, and he is limited to the assistance of immigration which is in the national security interests of the United States. He cannot give to any country more numbers than they would have received under the old system, so his authority is one to restore cuts.

Now the bill provides that the 10 per cent limitation is not applicable to exercises of that authority, but there

are only two countries that got more than 10 per cent of our immigration under the old system, actually three. It was Great Britain, Ireland, and Germany. So that the fact that that 10 per cent limitation does not apply to exercises of this authority, means only that he can prevent the cuts in the quotas of Great Britain and Germany from being greater than 20 per cent a year.

QUESTION: Is this only for the transition period?

MR. SCHLEI: No, that authority would continue up to 30 per cent of the numbers annually.

QUESTION: Mr. Schlei, who would determine and publish the list of skills and educational training that is needed?

MR. SCHLEI: The Attorney General would do that with the advice of the Secretary of Labor, and with the advice of the Immigration Board.

QUESTION: Would there be a list in the Post Office, "We need these kinds of people," or would each immigrant have to come in, and then you tell them that they don't apply?

MR. SCHLEI: I am sure there would be regulations. Did we submit draft regulations to Congressman Feighan's committee last time? I believe they are in the process. The reason we didn't is that the draft regulations will have to be gone over first by the Immigration Board, which is not yet in existence; but we have thought about it, and we have a rough draft of regulations that would implement these

first preference provisions.

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QUESTION: Could you give us some idea of the kind of skills you have in mind?

MR. SCHLEI: Well, sure. A scientist of some kind with advanced skills would qualify. By the way, there is somewhat of a change in the first preference. Under the old law we would take men who had to have skills that made it urgently necessary for him to be admitted to the United States.

Under the new law, it would say that his admission has to be especially advantageous.

Now, a professor, perhaps the leading man in the field in the world, would not have been admissible under the old statute because there was nothing urgent about our need for him in time, but he would be admissible under the new system because it would be especially advantageous for this country to have him, even though there was no immediacy about the need, to have him now rather than next week or in six months.

QUESTION: So would a concert violinist?

MR. SCHLEI: A concert violinist would qualify under the new statute.

QUESTION: These standards from time to time would change, I presume.

MR. SCHLEI: They will.

QUESTION: Depending on what we need, is that right?

MR. SCHLEI: The bill sets up a seven-man immigration

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board, of which two members would be appointed by the Speaker of the House, and two members by the President of the Senate, and three by the President of the United States. That board would be a continuing body, and would study these problems and recommend changes as we go along. Its three main jobs -- if you look at the statute, you can see it is an exacting job -- but in round terms its three main jobs will be to recommend to the President what he should do with this national security reservation power, to recommend to the President what he should do with the refugee reservation power, and third, to study these preferences and their operation and make sure that they are serving the national interests from time to time.

QUESTION: Mr. Schlei, I understand you to say that the President would not be able to give to any country more numbers than they had under the old system.

MR. SCHLEI: That is right.

QUESTION: Where is the liberalizing, then, of the law for the Mediterranean countries which have a terrific waiting list, except that you are admitting different types of people.

MR. SCHLEI: Pardon me?

QUESTION: There are different types of people being admitted rather than more persons, is that right?

MR. SCHLEI: Well, a great deal more people will be

3 admitted from the countries that have waiting lists. In fact, Italy will go from something like 5,000 to approximately 16,400 immediately. Greece will go to something like twelve or fifteen thousand.

QUESTION: From what?

MR. SCHLEI: Greece is under 1,000 now. I have it exactly here.

QUESTION: Some of those examples would be very helpful.

MR. SCHLEI: We have a complete table in the hearings held by the subcommittee No. 1 of the House Judiciary Committee last summer. We have estimated the admissions from every country during each year of the next five years, and I have that here, and those of you who want details on how many people we expect to come from particular countries, we will be able to get that as precisely as we can figure it.

QUESTION: Could you give us Italy, Greece, and Poland, say.

MR. SCHWARTZ: Greece has a quota of 308, and the last five years under the quota and special legislation, 6,865 Greeks have come in. So that you have an average of the last five years, annual Greek immigration, of 1573. That is under the present law.

QUESTION: How many are waiting?

MR. SCHWARTZ: Just a moment. Under the new law

4

we project in five years, 63,332, which gives you an average annually of 12,666.

QUESTION: Over five years, you say?

MR. SCHWARTZ: Yes, over five years.

MR. SCHLEI: That is the average per annum.

MR. SCHWARTZ: Yes, 12,666.

MR. SCHLEI: Would that be for every year thereafter?

MR. SCHWARTZ: We projected five years and we have not gone beyond that, and we have taken the last five years and we have contrasted it, as I just did, with the projected five years under the new bill.

QUESTION: This figure you are giving us of 12,000, is that after complete elimination of quotas?

MR. SCHWARTZ: No, that is during the first five years of the new bill, during the transition period. After that, I would guess that Greece would probably be hitting closer to 16,000.

QUESTION: In other words, that 12,000 is built up over the five years, and then it goes up a little bit more?

MR. SCHWARTZ: Yes.

QUESTION: The first year would be possibly as low as 6,000?

MR. SCHWARTZ: No.

MR. SCHLEI: Greece the first year would be up over 12,000. The first year would be 12,152, that is the estimate.

5

QUESTION: Then, they are getting more numbers than they enjoyed under the old system.

MR. SCHLEI: That limitation is only on the President's extraordinary reservation power. You see, he can't by exercise of this discretionary power, give any country more than they had under the old system, but the bill, the system set up by Congress, can obviously result in the countries getting more than they got under the old system. That is the whole objective of the legislation.

QUESTION: This was aimed at the big countries.

MR. SCHLEI: The reservation power to keep the bill from hurting our principal allies is limited and can be exercised only to the extent that it does not increase them over what they have been getting. But certainly, Italy can get more than it has been getting under the Congressional scheme, and Greece, and any country that has a lot of applicants and earns them under the first-come-first-served system.

QUESTION: Would you give us examples on Italy and Poland.

MR. SCHWARTZ: You want the quota of Italy? That is 5,666. In the last five years with our regular immigration and special legislation we have had 61,606 visas issued, Italian visas.

QUESTION: What is the figure again?

6

MR. SCHWARTZ: 61,606.

QUESTION: That is special legislation. That is a private bill for each one?

MR. SCHWARTZ: No, we are talking about special legislation which helps relatives and so forth, which the Congress has passed ever so many years. If you add that to the quota each year, we found it averages out in the last five years at 12,321. Under the new bill for the next five years, 82,000 visas would be issued to Italians, which averages 16,000 a year.

Now, I can give you one more, if anyone wants Poland. It is 6468, that is the quota, and the last five years, 33,611 visas were issued, regular and special legislation. The average is 6722. The next five years, under the new bill, 54,326 will be issued, averaging 10,860 a year.

QUESTION: Is the existing waiting list counted in the first-come-first served?

MR. SCHWARTZ: Yes, that is the basis of it.

MR. SCHLEI: One reason why Poland has less than some other countries, although it has about as many on the waiting list now, is that the Polish Government has only in recent years permitted people to apply, so generally the registrations are more recent in Poland than in some other places.

QUESTION: Can you give us the waiting list for

7

those three countries.

MR. SCHWARTZ: Yes, I can. The published waiting list, I have it here, the figures we publish on Italy, are 250,000. Now, we estimate that the actual waiting list is probably 50 percent of that.

QUESTION: Fifty percent better than that?

MR. SCHWARTZ: No, less than that.

QUESTION: What is the difference?

MR. SCHWARTZ: The difference is the waiting list goes back to the early 40's, and many people have died, and they have immigrated to other countries or changed their minds. They never come in and they never get off the list, and this is one of the reasons why we have the provision authorizing the Secretary of State to require re-registration. That is the provision that Mr. Schlei will mention along the way. The Secretary of State can now require a person under the bill to re-register, so we will get more realistic waiting lists.

QUESTION: Will this be done universally?

MR. SCHWARTZ: We will do it in the countries that have heavily oversubscribed areas, such as Italy, Poland, and others, wherever we can do it practically.

QUESTION: Excuse me. It would mean that the last person on the Italian waiting list should wait an average of nine years, about, is that right?

MR. SCHWARTZ: Well, no, instead of 250,000, the

8

real figure is 125,000, and we estimate in the five-year period 82,000 admissions. Isn't that the figure that I gave you?

QUESTION: That would take them two or three more years to do it. It is seven or eight years, I see.

MR. SCHLEI: Actually, we estimate at the end of five years, the only place in the world where there will be a preference waiting list left is in Italy, and there will be a few people still on the fourth preference waiting list, but all relatives at the end of five years with the exception of a few brothers and sisters from Italy, will be in the country, so that our problem of reuniting families, and our problem of getting in especially skilled people that are needed here and wanted here badly, that will be disposed of by this bill. There will just be no more waiting lists in those categories.

QUESTION: Could we have the waiting numbers on Poland and Greece?

MR. SCHLEI: Greece is 98,400.

QUESTION: Is that the valid one?

MR. SCHLEI: No, that is what we publish, and we figure that you can reduce that by about 40 percent. Poland is 80,500, and we have reduced that by 50 percent.

QUESTION: So you reduce two by 50 percent, but one by 40 percent?

MR. SCHLEI: This is based on estimates, and they

9

are all estimates.

QUESTION: Is there such a figure there as all over the world, number of persons who actually are waiting to go into the United States?

MR. SCHLEI: Yes.

QUESTION: When you are talking about the last five years, does that mean through 1964?

MR. SCHWARTZ: You mean previously? That is 1960 through fiscal 1964, a five-year period? I can give it to you later, on that total figure.

QUESTION: You mentioned a 30 percent figure somehow in relation to this, the reservation, in relation to the total. Could you re-explain that?

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1 MR. SCHLEI: The President's reservation power for the benefit of countries disadvantaged by the new system, our allies, is limited to 30 per cent of the numbers authorized each year. Now, the number authorized at the present time is 157,000 per year, and under this bill it would go up to a little under 165,000, because this bill would raise the minimum quotas from 100 to 200, a very small number. But the President could exercise his reservation power up to a maximum of 48,000 or 49,000.

QUESTION: Well, the other reservation for refugees and persons waiting for entry -- for instance, the famous influx of refugees into Hong Kong in 1962 -- if he felt it was necessary, could he use that whole 10 per cent for one refugee group if we had a recurrence of the Hungarian case, as long as you don't go over 10 per cent of the total for any one nationality?

MR. SCHLEI: He could do that.

QUESTION: He could do that if he chose to?

MR. SCHLEI: Yes.

QUESTION: Ten per cent above and beyond there?

MR. SCHLEI: No, it would be 10 per cent within this total, the annual total.

MR. SCHWARTZ: We might point out at this point, the annual total under the bill becomes frozen at the date of enactment, so we would know that the annual total authorized

immigration, if it were enacted tomorrow, would be 166,200.

MR. SCHLEI: It is 164,000, I think.

QUESTION: How do you reach that total?

MR. SCHWARTZ: That is the quotas today, which are established by law, plus the additions of a quota which is established. Each time there is a new country, the Secretary of State has the power to declare a quota for that country, or the Attorney General, and normally they are 100. So you have the minimum quotas of 100 which we know exist today, plus those basic quotas that we spoke of.

QUESTION: Would you still have new numbers for new countries?

MR. SHWARTZ: It would be frozen as of that moment, and then we would have to have a total number.

MR. SCHLEI: It would be a pool, there.

MR. SCHWARTZ: Since these figures were calculated last year, there may have been one or two new countries that have gotten a quota of 100 or 200.

QUESTION: How would adjustments in the total come about over the years, from the 165,000?

MR. SCHLEI: That would be done by the Congress, and the Congress would have to authorize additional immigration or less immigration, and would regulate the total from time to time, however it saw fit.

QUESTION: Is this a guess on the President's part

of the 7,000 increase?

MR. SCHWARTZ: No, that is a doubling of the minimums, and the minimum quotas today. Mr. Hines will know the figure. It is 100 times. We have 79 today, and it is more than 7,000, and it is closer to 8,000 today, the minimum increase, the increase of the quotas by 100, the minimum quotas.

MR. SCHLEI: There will be no country or quota area in the world that has a quota of less than 200, to be chopped down at the rate of 20 per cent a year. At the present time the minimum quota is 100, is that right, Mr. Hines? And there are about 35 or 40 countries that have that kind of a quota.

MR. HINES: There are 79 at the moment, and we have two standing as proclamations.

QUESTION: Is there an actual figure when the President says less than 7,000? What would the actual figure be of an increase?

MR. SCHLEI: We can figure that out for you, but I don't think that we have it, so we will figure it out afterwards if you don't mind. Incidentally, we have with us at the moment the Acting Attorney General of the United States, Mr. Katzenbach, for the benefit of those of you who are here.

QUESTION: Mr. Schlei, how many immigrants actually came in the United States under the regular law and special

legislation?

MR. SCHLEI: I will have to call on Mr. Schwartz for that. How many immigrants came into the United States last year under the regular law and under special legislation?

MR. SCHWARTZ: Is that quota immigrants?

MR. SCHLEI: I can tell you this, that the average over the last five years, of quota immigrants, has been approximately 97,500, so that out of the 156,700 that have been authorized, almost 60,000 of those numbers have been un-used. They have been assigned to England, say, to Ireland, and to countries that don't want them, and to sub-Sahara and African countries which never use their quotas.

In addition, you have to add 20,000 to 25,000 which is the average number admitted through special legislation over the last ten or fifteen years. That is legislation, for example, that would say, "All third preference immigrants from Italy and Greece who applied prior to July 1, 1955, shall be admitted forthwith."

It is that kind of special category legislation that has accounted for an average of 20,000 additional immigrants. So that we have had on the order of 120,000 other than non-quota immigration over the last five years.

QUESTION: Is that special legislation remaining in effect, as a possibility for this?

MR. SCHLEI: Well, I assume it is to be hoped that

now that we have got a fair system, it will not be necessary to call the fire department every other year to solve some particularly tough problem that has been created by the system.

Congress really has recognized that our old system doesn't work by enacting this special legislation periodically. Hopefully, this system will work more equitably and fairly and we won't need special legislation, certainly not in the same quantity.

QUESTION: Do you know how much non-quota immigration there has been?

MR. SCHWARTZ: If you want this figure on quota, 157,544 was the authorized quota immigration in fiscal 1964. Under that, 99,727 visas were issued. It leaves a balance of, I think this is correct, 51,163 of un-issued. That is Great Britain and Ireland, principally.

Then on non-quota, we issued 167,435. Under special legislation, which is beginning to expire now, it is the tail end of it, we issued 3,868 visas. So the total immigrant and total quota and non-quota for fiscal 1964 is 171,303.

MR. SCHLEI: I think the average for the last ten years has been 300,000, on the order of 300,000 immigrants per year from all sources -- quota, non-quota, and special legislation.

QUESTION: What would this bill do immediately?

MR. SCHLEI: Under this bill, the immigration would probably be increased to about 350,000 from all sources. That would be almost entirely the increase from the fact that quotas would be transferable and they would not be wasted.

QUESTION: It would be the released numbers, in other words?

MR. SCHLEI: Un-used numbers is primarily where the increase will come from.

QUESTION: Can we get over to the Labor people here for a moment?

It says on page 2 of the President's message, subparagraph 5, that, "eliminate the requirement that skilled first preference immigrants needed in our economy must actually find an employer here before they can come to the United States," and then on the next page, it says, "No immigrants admitted under this bill could contribute to unemployment in the United States."

I don't know that those two are mutually agreeable. If somebody is admitted who doesn't have an employer here --

MR. SCHLEI: Let me tie into that preliminarily, if I may. This paragraph eliminates the requirement that first preference immigrants actually find an employer here.

The first preference we now have requires a

petition by an American employer. He petitions for first preference for this fellow that he has found abroad that he wants to bring here.

It is amazing how many people have highly skilled nephews. It really turns out to be a measure that helps people who have family and friends in this country, who can find an employer for them who is willing to petition and dredge them through. If there is somebody who is highly qualified and is abroad and has no connections here, it might be very advantageous to have him here, but it is very difficult for him to find an employer without being here to be interviewed.

Most companies and institutions don't have people abroad to interview him. So that the objective of the first preference is just not accomplished so long as we have the present system of petitions by employers only, so that is being altered.

An individual who can demonstrate his qualifications abroad can himself petition for first preference under our law, and get preferential admissions.

Now the Secretary of Labor testified last summer that the net effect of the immigration resulting from this bill overall, and not just first preference, overall, would be to increase rather than decrease the employment opportunities available to people in the United States. He cited a

number of reasons why.

In the first place, he said, you get about three consumers for every person that enters the labor market in the immigration, because you get a lot of children and you get old people, and especially we are giving non-preference to parents and so on. The way it actually works out we get three consumers for every person that enters the labor market and it takes somewhat less than three consumers to create a job.

Secondly, we get primarily educated, skilled people. Even if they are not qualified for first preference, we just don't get illiterate people. They can't afford to come to the United States, and they can't make the arrangements to come here on any basis, by and large. So that the immigrants that come here don't compete with our unemployed for unskilled jobs.

Basically, what they do is to get jobs in labor shortage areas which enable expansions of industry, and expansion of job opportunities for unskilled people who are looking for jobs here.

The Secretary of Labor said he didn't have any hesitation about saying that the kind of immigration that will come in under this bill will contribute to employment opportunities here, rather than the contrary.

I might also add that our Immigration Law now

prohibits anybody from coming to the United States who cannot demonstrate that he or she is not going to become a public charge. So non-quota immigrants who come in from this hemisphere, with relatives and so on, must demonstrate before they can get a visa that they are not going to become public charges when they arrive. So that that prevents large numbers of unskilled people from coming into the United States.

QUESTION: How long is that good for, and what does that cover? You say "when they arrive."

MR. SCHLEI: They can't be deported if they become public charges, but unless a person has a skill or he has a job, or he has relatives who are willing to support him, he just doesn't get a visa in the first place. That is why no more people come in from the Western Hemisphere, for example. We don't have unlimited immigration from the Western Hemisphere, although it would be theoretically possible under the law. It is just that a fairly limited number of people can demonstrate when they arrive they will not become public charges. The Secretary of Labor has authority to regulate that to some degree, and he uses it.

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QUESTION: Could we discuss the Congressional realities for a minute. Are there any agreements or whatever with Congressman Feighan or Congressman Celler, as to how quickly this is going to be heard, progress, and whatever, as compared to previous years?

MR. SCHLEI: I cannot tell you anything about that because I don't know. I don't know anything about that.

QUESTION: You say you don't know of any, and does this mean that there could be some that you don't know about, or if there had been any understanding you think you would know about it?

MR. SCHLEI: There could be some that I would not know about. I know of none.

QUESTION: You know of no assurances that this is going to go any faster through the Immigration Subcommittee of the House than it has in the past?

MR. SCHLEI: I have no assurances. I know that Mr. Celler is a supporter of this bill, and he introduced it in fact, a similar bill in the last Congress, and he will introduce it in this Congress. I know that he will support it to whatever extent he can.

QUESTION: Do you think Mr. Feighan will introduce this bill, too?

MR. SCHLEI: I don't know.

MR. SCHWARTZ: I should point out that there were

2

extensive hearings last year on a bill which is substantially the same. Our hearings last year on the House side were very extensive.

QUESTION: Will you have to go through those same hearings again with Congressman Feighan?

MR. SCHLEI: I assume not, no.

QUESTION: Do you know how closely they came as far as acting or not acting as far as the full committee was concerned last year?

MR. SCHLEI: No.

MR. KATZENBACH: There are five democratic vacancies on the Judiciary Committee.

QUESTION: What about on the Immigration Subcommittee?

MR. KATZENBACH: It is difficult to say what five unknown people will do. They have not been selected.

QUESTION: What countries are primarily in mind, or do you think will primarily be added to with that 30 percent reserve?

MR. SCHLEI: Primarily the NATO countries.

QUESTION: Although this says that quota immigration, authorized quota immigration will increase by less than 7,000, one practical effect will be to increase actual immigration by 50,000 persons per year.

MR. SCHLEI: That is true.

QUESTION: You are saying that at the end of five

3

years, you would expect that except for Italy, there will be no waiting list anywhere, is that correct?

MR. SCHLEI: There will be no waiting list in the preference categories.

QUESTION: What sort of waiting list will there be?

MR. SCHLEI: There will be waiting lists of people who have no particular claim on the United States of any kind. It is people who would like to come, and they have no particular skills, and are not related to anybody here.

QUESTION: This will be on a "first come, first served" basis?

MR. SCHLEI: Yes, that is correct.

QUESTION: Can you give us a figure of what the size of the pool will be, or does that depend upon the day of enactment?

MR. SCHLEI: I can give you figures on the pool here.

QUESTION: On the pool people, under the bill, the total?

MR. SCHLEI: You mean how many people will come in as quota immigration under this bill?

QUESTION: That is right.

MR. SCHLEI: Well, give or take a few thousand, because there may be some more quota areas established --

QUESTION: What is the limit. He mentioned the 358,000 will not be increased by more than 7,000.

4

MR. SCHWARTZ: We estimate if this passes within the near future, that the total authorized would be 166,000.

MR. SCHLEI: Is that 166,000?

MR. SCHWARTZ: Isn't that right?

MR. HINES: That is right, because the total today is going to be 158,000, and you have 80 minimum quotas, and you double the 80, and you get 8,000 additional numbers, and so the overall ceiling ultimately will be 166,000 quota numbers.

END

Adjourned 6:15 p.m.