

DISPLACED PERSONS COMMISSION  
WASHINGTON 25, D. C.

June 12, 1952

Memorandum for the President



Recommendation for Veto of H.R. 5678

I recommend and urge that you veto H.R. 5678, the McCarran-Walter Immigration Bill, as being highly prejudicial to the best interests of the United States. It would be a repudiation of all you have accomplished, over Senator McCarran's bitter opposition, on the Displaced Persons program.

My reasons for urging veto of this un-American bill are that it would:

(1) grievously jeopardize the rights and status of displaced persons and others already admitted under the Displaced Persons Act.

It would subject such persons to the very kind of un-American type of police-state controls which made them flee originally.

(2) move at absolute cross-purposes to the proposals in your Message of March 24, 1952, for a liberalized three-year emergency immigration program to admit 300,000 refugees from communism and victims of European overpopulation.

Whatever good-will in Europe your program would bring will be dissipated by this McCarran Bill in the same way McCarran's Internal Security Act shocked all of Europe and lost us friends.

There are many other valid, and even more persuasive, reasons for veto, such as discrimination against Asiatics and West Indians, to name only several. However, I am limiting my observations to the evil effect of H.R. 5678 upon the Displaced Persons program and upon your splendid Message.

H.R. 5678 is an anti-immigration bill. On January 8, 1951, Senator McCarran called for a complete ban on all immigration into the United States. On January 29, 1951, he introduced S. 716 which is the basis for H.R. 5678. It is an indirect attempt, camouflaged by 300 pages of gobbledygook, to accomplish the original purpose to stop all immigration.

After the short-lived Alien and Sedition Acts of 1798, Thomas Jefferson in his First Message to Congress, in 1801, asked:

"Shall we refuse to the unhappy fugitives from distress . . . hospitality? Shall oppressed humanity find no asylum on this globe?"

Un-American immigration bills incorporating several of the milder exclusionary provisions of this bill were vetoed by Presidents Cleveland, Taft and Wilson.

Some seem to think that Senator McCarran is willing to make a "deal", that he will "consider" your special program, without any specific commitment, if there be no veto of his bill. Despite my deep interest in your Message and special program, I still recommend and urge that you veto H.R. 5678. This recommendation is made personally, and not on behalf of the Displaced Persons Commission.

I am attaching a brief list of section citations in proof of my views that H.R. 5678 adds new provisions, not presently in the law, that would seriously endanger persons already admitted under the Displaced Persons Act.

Respectfully submitted,



*Harry N. Rosenfield*  
Harry N. Rosenfield  
Commissioner

Attachment

H.R. 5678 Will Jeopardize the Rights and Status of Displaced Persons  
and Others admitted under the Displaced Persons Act

A. Deportation

1. It creates more than a dozen new grounds of deportation (§ 241), and makes most of them retroactive to cover DPs already admitted, thereby making deportation possible ex post facto for acts legal when done (§ 241(d)).
2. It abolishes statutes of limitations on nearly all grounds of deportation (§ 241(a)(1)), thereby putting DPs in con-  
fear and never-ending uncertainty as to their legal status.
3. It requires deportation of DPs for minor technical errors in their original admission under the DP Act even after living an exemplary life here for 50 years (§ 241(a)(1)).
4. It subjects DPs to deportation merely upon the unappealable subjective opinion of administrative officials (§ 212(a)(15)).
5. It subjects DPs, in some instances, to deportation without even a hearing (§ 242(b)).



B. Denaturalization

1. It subjects DPs who will become citizens to denaturalization for grounds not so applicable when they became citizens (§ 340).
2. It will deny citizenship to DPs for acts which were legal at the time they were done (§ 313(a)(2)(F)), and involves the drastic penalty of denaturalization against naturalized citizens for acts not illegal for a native-born citizen.

C. Repeal

1. It seriously narrows section 3(c) of the Displaced Persons Act, as amended, which continues until June 30, 1954 visa authorization for DPs who fled to countries in Europe other than Germany, Austria, or Italy, because it sets up conflicting preferences (§ 203) and new requirements (§ 212(a)(14)).