

Feighan has sent word to the President that the committee members are in no mood to act on his immigration proposals with Katzenbach refusing to submit to questioning.

The legislators are demanding that Katzenbach spell out how he plans to use the powers in section 13.

They also want to quiz the Attorney General about an Immigration Service report showing that in the past 6 months he has approved the admission of more than 1,746 refugees from behind the Iron Curtain and Middle East nations.

Of special concern to the committee, according to Feighan, are the Immigration Service's figures disclosing that 765 of these refugees came from Rumania and 522 from Yugoslavia.

Since an international Communist passport "shakedown" racket is operating in these countries, Feighan wants to determine from Katzenbach how many of the refugees were forced to "buy" their way out.

At issue is Katzenbach's refusal to investigate the refugee racket, which already has extorted millions of dollars from U.S. relatives of the refugees.

Mr. FEIGHAN. Our next witness is Daniel J. O'Connor, representing the American Legion. The American Legion has maintained a strong interest in legislation for a great many years.

The subcommittee has heard many able spokesmen of the American Legion in past years on much the same issues that we are considering today.

It was my privilege to address a joint meeting of the National Americanism Commission of the American Legion a few months ago. I was very much impressed by the thoughtful and penetrating questions raised by the members of the commissions in the give and take of my remarks.

I should have expected that from those important national commissions but, nevertheless, it was a refreshing experience. A few weeks ago the National Executive Committee of the American Legion re-examined its position on immigration, taken by resolution at the last national convention.

Mr. O'Connor is national chairman of the Americanism Commission. His tireless efforts in the cause of our particular Americanism are known and appreciated by Legionnaires throughout the 50 States.

He has devoted his time and talents to a thoroughgoing study and analysis of the legislation involved and pending before this committee.

We are happy to have you with us and, on behalf of the committee, I extend a cordial welcome to you, Mr. O'Connor.

We also have Mr. Herald E. Stringer, the national legislative director of the American Legion, with us. Will you step forward please and introduce Dr. O'Connor?

**STATEMENT OF DANIEL J. O'CONNOR, CHAIRMAN, NATIONAL AMERICANISM COMMISSION; ACCOMPANIED BY HERALD E. STRINGER, NATIONAL LEGISLATIVE DIRECTOR, THE AMERICAN LEGION**

Mr. CHELF. Mr. Chairman, if I may interject for just a moment?

Mr. FEIGHAN. Yes.

Mr. CHELF. I have an office full of people and I am going to have to go up there and I will try to get back because I want to hear these good people if humanly possible.

Mr. FEIGHAN. All right.

Mr. STRINGER. I am Herald E. Stringer, national legislative director of the American Legion.

As the chairman has stated, our witness today is Mr. Daniel J. O'Connor, the chairman of the National Americanism Commission of the American Legion.

Mr. O'Connor is an attorney from New York City. He has done a lot of work on this very important and complex problem. He is here today to present his testimony at this time.

Mr. FEIGHAN. Thank you, Mr. Stringer.

You may proceed, Dr. O'Connor.

Mr. O'CONNOR. Mr. Chairman and members of the subcommittee, before I read the print of the position of the American Legion I would like to make one observation and that is that there was a very thorough discussion on this subject, and I hope at the conclusion of these remarks I might allude to those considerations which were made by the commission in the national executive committee, which are not always reflected in the bold print of this testimony.

Mr. FEIGHAN. We will be very happy to have you do so, Dr. O'Connor.

Mr. O'CONNOR. Thank you, sir.

Mr. Chairman and members of the subcommittee, once again it is my privilege to appear before this distinguished subcommittee to present the views of the American Legion on the subject of immigration and naturalization.

I am indeed grateful for this opportunity and the many other courtesies extended to me as spokesman for our organization.

It was in August of 1964 when I last appeared before this subcommittee to discuss the problems confronting our Nation with respect to our immigration and naturalization policies. Since that time the American Legion has reexamined its position with painstaking thoroughness.

The culmination of this reappraisal is embodied in the attached Resolution No. 44, approved by the National Executive Committee of the American Legion at its meeting in Indianapolis, Ind., May 5-6, 1965.

The position of the American Legion has not been altered. We are still firmly convinced that before any sweeping changes are made the Joint Committee on Immigration and Nationality Policy should be given an opportunity to conduct a study in depth to ascertain what changes, if any, are needed in the best interests of the United States.

As we said last year:

There must be no national change in policy without a foundation of fact.

All of the pertinent questions which we raised last year remain unanswered.

There is no need to restate them again because they are a part of the record. Nevertheless, it is quite apparent that the proponents of drastic changes in our present law are still content to act in the absence of any facts to demonstrate the changes will be beneficial to our Nation.

In this connection I would like to again quote from my statement to this subcommittee last year.

We appreciate the fact that there are those who disagree with us on how to best deal with immigration problems. We respect their right and concede that the vast majority of the proponents of this legislation are motivated solely by humanitarian considerations and what they believe to be best for our Nation.

However, we cannot overlook the possibility that some proponents may base their support on purely personal, political, self-serving reasons, which are real, but seldom conceded to be in that context.

While our basic position has not changed, we have nevertheless included in our recent statement of policy (Res. 44, attached) certain principles which we believe should be retained in any new legislation which this subcommittee might recommend.

In order that we are not misunderstood, I wish to make it clear that we offer these alternative principles, not because of a change of heart, but because the American Legion is not unaware of the strength and direction of the current political winds.

We have also had it dramatically demonstrated to us that over the past decade the national origins quota system has not worked in practice as in theory.

Because of these "facts of life" we determined it imperative to present to you for your consideration certain principles which we consider to be essential to a firm foundation for any new immigration and naturalization structure.

Briefly stated, these essential elements are:

(1) Congress should retain control of immigration and naturalization.

(2) Safeguards should be established to prevent the United States from receiving an imbalance of immigrants from any one country.

(3) An annual worldwide ceiling on immigrants should be established. It is suggested that the annual ceiling not exceed the annual average number of immigrants actually admitted during the past decade.

(4) Retain provisions now contained in the Immigration and Nationality Act pertaining to the naturalization processes for authorized immigrants.

(5) Section 212 of the current act relating to the security of the United States and the exclusion of undesirables be kept intact.

Mr. Chairman, I would like to make a terse observation on the efforts in the proposed legislation to solve the problem of alleged discrimination by abolishing the quota system and concomitantly maintaining the nonquota system.

Instead of solving what is concededly a problem the new approach would simply compound and emphasize a discriminatory pattern in favor of our neighbors on this hemisphere.

While I have already reiterated our position, there is nothing to prevent the Congress from achieving as far as is practicable a non-discriminatory policy.

In conclusion, Mr. Chairman, the American Legion would like to see the Joint Committee on Immigration and Naturalization Policy activated in order that it may conduct the study in depth to which we have alluded before any basic change is made in our policy.

On the other hand, if this subcommittee should decide to recommend any change in the law, it is our belief that as a minimum requirement the principles we have outlined should be solidly incorporated in any new proposal which might be made.

Mr. FEIGHAN. Thank you very much, Mr. O'Connor.

May I ask you to what extent did the careful review of your position on the immigration policy affect your former stand on this subject matter?

Mr. O'CONNOR. Mr. Chairman, before answering that, I might say that our committee met here in the month of March and we inquired into this subject, and I must confess that in orienting some members of the American Legion our process of orientation, like the process of making laws, sometimes is painfully slow.

The immigration naturalization law is a complex subject and it took a great deal of time for us to have our people understand what the problems are.

While basically our position did not change, I am very glad to inform you, for example, that there seemed to be sentiment in favor of amending the national origins quota system. And we had one individual, a representative on our commission, who favored the abolition of the national origins quota system.

However, our people were absolutely unanimous in taking the position that control over immigration and naturalization shall remain with the Congress of the United States.

They were also unanimous in their position that there should be a worldwide ceiling. And they were unanimous in their position concerning the provisions of the present act relating to the security of our country.

And, I might interpose this remark, Mr. Chairman, that the American Legion, which is an organization of war veterans, is concerned primarily with the security of our country and the national origins quota system would be secondary to the security of our Nation. Security is first with the American Legion.

And then, of course, I might point out to you that there were shades of differences of opinion expressed in the national Americanism commission. I might also add that there was concern expressed over the handling of refugees in the United States or I should say parolees, as to whether these individuals remain in the country indefinitely or whether some specific legislation should be drawn in order to ascertain the exact status of these individuals and their position with respect to the United States of America.

I might also add that in connection with one of the bills before this committee there was sentiment expressed in reverse of a presentation made in the bill, and I am referring to preference to be given to skilled workers first and then, secondly, the bringing in of relatives of our U.S. citizens.

Mr. Chairman, the sentiment expressed in our commission was that first preference should be given to the relatives of U.S. citizens. And then in the area of the skilled workers there was a very long discussion as to what is a skilled worker and who determines who a skilled worker is, what safeguards are being taken by the Congress to insure the need of the skilled worker.

And if he is a skilled worker in a foreign country, is the need for that skilled worker greater in that country than it is in the United States and shouldn't there be some process, administrative process, established by law which would certify the need for this particular type of skill in this country?

Now, bear in mind, our people, Mr. Chairman, are laymen. They are in no sense experts. But I thought that you might be interested, and the members of the committee, in the reaction of the rank and file of the commission.

Mr. FEIGHAN. We certainly are, Mr. O'Connor. Thank you very much for a very fine presentation.

Mr. DONOHUE.

Mr. O'CONNOR. Mr. O'Connor, what do you have in mind here? How does the Legion define "security"? What do you mean by "security"?

That is to prevent those that have ideas contrary to our system from coming in here?

Mr. O'CONNOR. Yes; those who do not believe in the American way of life or in the democratic society as we have it.

Mr. DONOHUE. Well, does it go a step further and also include in "security" bringing in a number of immigrants that may cause a serious impact on our employment?

Mr. O'CONNOR. Yes; that would also be true, if we have a situation, such as the President of the United States has certified that we have, a poverty situation in this country.

We had our Chief Executive say that there were people who went to bed hungry. And if we have that kind of a situation in this country it would seem to me that we have a problem to solve here without adding to it.

And I think what the legislation is intended to do is to bring in people of great skill whose loyalty to the United States would not be in question, and I feel that that is a matter of paramount consideration.

Mr. DONOHUE. Now, what do you have in mind here? What does the Legion have in mind for a worldwide ceiling?

Mr. O'CONNOR. Well, Congressman, the American Legion did not set a specific number but I believe in my testimony we said that it is suggested that the annual ceiling not exceed the annual average number of immigrants actually admitted during the past decade.

However, this is a matter, we feel, which rests primarily with the Congress.

Mr. DONOHUE. And in selecting those who come within the ceiling it would be impossible, would it not, for a person who did not have relatives in this country to come in if the preference was based on blood relationship?

Would you not say so?

Mr. O'CONNOR. I am afraid I don't understand the question, sir.

Mr. DONOHUE. Well, what is the Legion's thinking about how a person should be selected who comes within the worldwide ceiling?

Mr. O'CONNOR. Well, the American Legion did not set up any specifics on that. They felt that that was a matter for the Congress.

And, as a matter of fact, it is that type of thing that we had hoped the committee would be able to offer to us because of the study.

Mr. DONOHUE. I probably misunderstood you. I thought you said that preference should first be given to the families of people who were already here.

Mr. O'CONNOR. Yes; I was referring to the administration's bill which puts skill first, and I pointed out that that was an expression of sentiment in the committee. That is true.

Mr. DONOHUE. So that if the thought of the Legion was carried out and blood relationship should come before skill—

Mr. O'CONNOR. Yes.

Mr. DONOHUE (continuing). In order for a person to come to the United States they must first have a blood relative sponsor them who resides here.

Mr. O'CONNOR. Well, that would be up to—that is an expression of sentiment which, I think, the committee would have to review.

Mr. DONOHUE. Wouldn't that naturally follow?

Mr. O'CONNOR. Yes, certainly.

Mr. DONOHUE. No further questions.

Mr. FEIGHAN. Mr. Cahill.

Mr. CAHILL. No questions.

Mr. FEIGHAN. Mr. Gilbert.

Mr. GILBERT. I have no questions.

Mr. FEIGHAN. Mr. MacGregor.

Mr. MACGREGOR. Mr. Chairman, I have just one or two questions.

Mr. O'CONNOR, I am not at all sure that I am clear from your statement, which I commend you for, about a few points. Your statement is clear and its points are well set forth, but I am not at all clear as to the attitude of the American Legion toward the unlimited immigration of Western Hemisphere residents.

In other words, in connection with point 3 of the Legion's recommendations, with respect to the establishment of an overall annual ceiling, would that also apply to and cover the countries of the Western Hemisphere?

Mr. O'CONNOR. Yes, it would have to. That is the very point I made. If you are going to abolish the national origins quota system on the ground that it is discriminatory what you are doing is compounding discrimination in the hemisphere.

In other words, we are talking about humanitarian reasons and treating everybody alike. So to our way of thinking, if I may be forgiven, that would be hypocrisy to the highest extent.

Mr. MACGREGOR. Did you, on the Americanism commission, consider any percentage limit from any one country within the overall ceiling?

Mr. O'CONNOR. No, sir, we did not. We felt that that was within the province of the committee.

Mr. MACGREGOR. And, as you indicate on the addendum to your statement taken from the May 5-6, 1965, executive meeting, and I refer to point 3 concerning this overall ceiling, you would base the first admissions on the annual average admitted during the last decade?

Mr. O'CONNOR. Ten years, yes, sir.

Mr. MACGREGOR. And then whatever Congress might establish as a total on a first-come, first-serve basis?

Mr. O'CONNOR. Yes, sir, that is correct.

Mr. MACGREGOR. Thank you. With that additional information I am sure I fully understand your statement. And I thank you for your appearance.

Mr. O'CONNOR. Thank you, sir.

Mr. FEIGHAN. On behalf of the subcommittee, Mr. O'CONNOR, I wish to express our appreciation for your very excellent and informative presentation.

I also wish to extend our appreciation to Mr. Stringer, the national legislative director.

Mr. O'CONNOR. Before I leave, Mr. Chairman, I would like to make one correction. I believe the research director whom I met on one

occasion, Dr. O'Connor, has a degree which gives him a right to that title.

I am a lawyer and a member of the bar, but I do not possess a doctorate.

Mr. FEIGHAN. Well, you do in my book.

Mr. O'CONNOR. Thank you.

Mr. FEIGHAN. Thank you very much, Dr. O'Connor.

(The following was supplied for the record:)

NATIONAL EXECUTIVE COMMITTEE MEETING, INDIANAPOLIS, IND., MAY 5-6, 1965

RESOLUTION NO. 44

Commission: Americanism.

Subject: Immigration.

Whereas the American Legion has always supported the philosophies and principles of the McCarran-Walter Immigration and Nationality Act; and

Whereas there is great pressure upon the Congress of the United States to eliminate the national origins quota system; and

Whereas we urge the continuance of a selective immigration system with safeguards which would protect the United States from receiving unbalanced portions of immigrants from any country; and

Whereas a numerical limit which is unequivocal, embracing all quota and nonquota countries, is in the best interest of the United States; and

Whereas the American Legion feels that the total number of immigrants allowed into the United States should not exceed the yearly numerical average of immigrants admitted during the past 10 years; and

Whereas the American Legion strongly supports the provisions of section 212 of the Immigration and Nationality Act pertaining to the security of the United States and the mandatory exclusion of undesirables, it therefore urges the retention of the mandatory exclusion of all classes therein defined so that the strength and security of the United States of America shall not be weakened in the years ahead;

*Resolved by the National Executive Committee of the American Legion in regular meeting assembled in Indianapolis, Ind., on May 5-6, 1965, That we hereby go on record emphasizing the importance of the following principles in considering the amendment of any legislation involving immigration:*

1. The American Legion strongly supports the principle that the control of immigration should remain with the Congress of the United States.

2. We strongly emphasize the need for the continuing of safeguards which would protect the United States from receiving an imbalance of immigrants from any country.

3. The American Legion recommends that the total number of immigrants admitted annually should not exceed the average number per year during the past 10 years, basing first of said admissions upon the annual 10-year average admitted under the quota system plus allocating the balance to the first-come, first-served basis of all immigrants regardless of origin or country.

4. The American Legion supports the provision now contained in the Immigration and Nationality Act as amended pertaining to the naturalization processes for authorized immigrants and strongly supports the retention of this provision in any subsequent legislation.

5. The American Legion strongly supports the provision of section 212 of the Immigration and Nationality Act pertaining to the security of the United States and the exclusion of undesirables so that the strength and security of these United States of America shall not be weakened in the years ahead.

Mr. O'CONNOR. Our next witness will be Mrs. V. J. Alessandroni, representing the Greenwich Women's Republican Club.

On behalf of the subcommittee, Mrs. Alessandroni, I wish to express to you a cordial welcome.