levels of understanding and improved standards of living.

Geographical barriers and political boundaries will be rendered meaningless in any technical communications sense. Every item of information that man has accumulated in his endless pursuit of knowledge, every known process for human advancement, can be made instantly available through electronic communications and computation for men everywhere to receive, to store, to retrieve and to use as needed.

This is not a remote hypothetical possibility. Progress in the area of satellite communications technology is far more rapid than was first anticipated. Only 3 years ago, it was assumed that cost and technical complexity would make impractical more than a single satellite global system to serve all countries for the foreseeable future. That assumption has already been invalidated.

Technology, in fact, is moving so rapidly that the establishment of a satellite service has now come within the economic capability of many nations. Through a single transmitting and receiving ground station costing approximately $5 million, any nation can have access to a satellite linked by sight and sound to any other nation similarly equipped. The cost of a satellite itself may be as little as $1 million. Already, the Soviet Union is operating a prototype satellite communications system of its own.

But even developments of this significance are likely to be eclipsed by a new revolution in satellite technology. Within 5 to 10 years, I believe that we will develop high-power broadcasting satellites capable of transmitting television and radio directly into the home.

These would be nuclear-powered synchronous satellites radiating up to 30 kilowatts of power, sufficient to transmit simultaneously on three television and three radio channels to home receivers within an area of 1 million square miles. The present type of home antenna could be modified without difficulty to receive such transmissions in the ultra-high frequency band.

For the North American continent, a direct-broadcast satellite could be positioned in synchronous equatorial orbit over the Pacific just west of South America. To provide continuous service, three satellites would be required. A standby unit would be placed in orbit beside the operating satellite in the event of failure. A third satellite would be kept in readiness for launching should either of the first two fail to operate.

The cost of such a three-satellite system would be far less than the establishment of a conventional communications network covering a large area such as South America or nations such as Argentina or Brazil. It would enable the remotest village to be linked to major industrial and cultural centers. It would give less developed areas access to the same communications technology that the industrial powers enjoy.

Direct broadcast satellites will alter the entire pattern of relationships in international communications, and their operation will obviously involve far more than simple positioning of the satellites in orbit. When many nations possess the capability for transmission through space to any place on earth, they must agree to a new pattern of global regulation. Otherwise, the prospect of social and economic gains will be thwarted by the ensuing chaos in the world's air waves.

Anyone who listens to international short-wave radio is aware of the disorder that lack of effective worldwide regulation produces—the jamming, the censorship, the conflicts of channels, the overlapping and garbled transmissions. These are the outgrowth of an earlier inability among nations to establish a firm pattern of frequency use, and their failure to adopt appropriate international regulations that would permit people everywhere the freedom to listen and look.

However, there is a hopeful precedent for cooperation in the work of the International Telecommunication Union which was founded 100 years ago to bring order to international telegraphy.

Since 1865 the ITU has grown from 20 to more than 120 member states and territories. Its original terms of reference have been expanded to cover certain aspects of doing business in all present forms of international electronic communications, including tariffs, technical standards, and frequency allocations.

But the ITU, or any other international agency, will be powerless to avoid conflict in direct satellite broadcasting without advance agreement on certain fundamentals among the nations owning and operating the space systems.

For example, it will be difficult to avoid confusion both in space and on the ground without greater uniformity in worldwide television standards. Ideally, there should be agreement among all nations to operate on standards that would enable television sets everywhere to receive broadcasts from any part of the world. That ideal is far from realization, but it is within the collective power of the nations of the world to achieve it.

Formidable allocations problems will also require a high level of statesmanship to resolve. No legal basis yet exists for agreements to prevent interference among high-power satellites in the coverage of geographic areas. Nor has an international plan yet been devised to avoid conflicts between satellite and ground broadcasting services that will operate in the same general frequency ranges.

I present these technical problems in terms of broadcasting because I believe that broadcasting on a world scale may prove to be the most important function of these satellites of the future. Yet, complex as these technical problems are, there are others of an even more formidable nature that must be considered from a different perspective.

When, for example, a Russian satellite can broadcast directly to a Kansas farm, or an American satellite can broadcast directly to a Hungarian collective, what will be the reaction in both countries? When we can reach the homes of the world with instantaneous sight and sound, what rules of conduct are to apply, and who is to establish them? This question evades the jurisdiction of any established body, yet it will affect the welfare of all nations and all people.

Today, the proliferation of nuclear armaments has become an ominous threat to world peace. No international agreement has been reached thus far on a practical plan that would solve this problem, but at least its menace to mankind is now universally acknowledged. Many able minds, in many nations, are working hard to neutralize the danger. But surely, had comparable efforts been put forth at the earlier stages of nuclear development, the task would have been far simpler than it is today.

In the development of global satellite communications—especially in the area of future direct broadcasts from outer space to the home—we face an analogous situation. Communications satellites must not be allowed to become propaganda instruments used primarily for heating up the cold war, for stimulating subversion, for promoting conflict and confusion on a worldwide scale. These uses, too, could proliferate if we ignore the lessons of communications history.

If direct satellite broadcasting is to fulfill its destiny, I am convinced that some type of modus vivendi must be established among the many rival national and ideological interests. It would be a travesty on the hopes of humanity if this immense force for enlightenment, understanding, and social advancement were to be subverted to narrow national ends, or become discredited by the failure of nations to agree upon its beneficial uses.

We live in a world in which open and closed societies exist side by side in varying degrees of mistrust. They differ, among other things, on what is to be accessible to the eyes, ears, and minds of their people.

To counter this deeply rooted division, it seems to me that we should begin to concern ourselves initially with an examination of the broad fields of subject matter that might be acceptable to all nations and peoples. I visualize five broad areas in which we might achieve some form of understanding prior to the orbiting of the first direct broadcast satellite.

The first is in the field of culture. In the midst of national rivalries an interchange of art forms continues to grow—in painting, in music, drama, ballet, and the folk arts. All of these are readily transferable to the medium of global television, and all strike a chord of response in civilized man regardless of his nationality or ideological allegiance.

The second area could extend to the presentation of certain types of major news events. Whatever our personal loyalties, there are events and occasions that move us all to wonder and pride. For example, the first astronaut to set foot on the moon will place man on the threshold of a world far vaster than anything discovered in the age of Columbus and Magellan. Happenings such as this transcend all national boundaries and, here too, it should be possible to reach a broad consensus on what could be broadcast to all people everywhere.

A third area of exploration might be the use of global satellite broadcasting as a direct channel of communication between nations. Agreement on this basic concept might ultimately lead to summit conferences in which the principals would confer face to face without leaving their capitols. If closed sessions were desired, the transmissions could be scrambled and decoded by special equipment at each terminal, comparable to today's "hot line" between Washington and Moscow. If no need for secrecy existed, the conferences could be available for all people to see and hear.

The fourth area of examination lies in a realm of political activity where all nations share a common interest. Perhaps an agreement could be achieved that one channel in each space system would be allocated for the deliberations of the United Nations. It might not always be a placid picture that humanity would view, but it would mirror society through the only world forum where all ideas are publicly exchanged and debated. Global television by the U.N. would help at least to create an understanding of the issues involved, and thus further the cause of peace.

The fifth area in the search for a common accord is instructional. The greatest promise of direct satellite television rests on its ability to educate millions simultaneously, to bring people everywhere into instant contact with technological and social progress. The prospects for educational programing by satellites are virtually limitless, and they offer perhaps the greatest hope for advancing the world to a higher plateau of understanding and peace.

If we can achieve broad agreement in these five areas, it should not be beyond our ingenuity to devise arrangements for utilizing all satellite broadcasting facilities on suitable occasions as a world network serving the interests of all nations. Inevitably, as the world continues to grow smaller in distance and time, I believe we will find more things to unite rather than to separate the community of man.

No other generation has ever had so great an opportunity to diminish the discords that divide our world. It demands of all of us—lawyer and jurist, communicator, statesman, and diplomat—that we unite our best efforts in establishing a basis for progress.

During the past week, you have devoted part of your attention to a consideration of world communications. Its position on your agenda indicates the importance you attach to its potential contributions to world peace through law. I earnestly hope that your efforts in this direction will extend beyond this constructive conference, for you have more than your expert knowledge to contribute. Among your own countrymen, you possess the prestige and moral stature to create broader awareness of the revolution in communications and the need for new agreements that will enlist satellite technology in the cause of a world founded on peace through law.

The adjustment of law to technology, and of technology to law, may well be the enduring task of this generation. It is a challenge to our combined wisdom and leadership. We can meet it by joining all mankind in a brotherhood of sight and sound through global communications.

OPPOSITION TO IMMIGRATION LAW CHANGES

Mr. BYRD of West Virginia. Mr. President, on Tuesday, September 14, I stated my opposition to the proposed immigration bill except for specific reservations which I made, particularly with reference to the need for a limitation on Western Hemisphere immigration.

A number of newspapers in my State of West Virginia have seen fit to support my stand on this legislation, now under debate in the Senate.

I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wheeling (W. Va.) Intelligencer, Sept. 18, 1965]

BYRD PULLS NO PUNCHES IN PARTING COMPANY WITH CHIEF ON IMMIGRATION

The purpose of the immigration law now in effect in the United States is both to limit the number of foreigners admitted for residence here and to influence the character of the immigration by favoring those peoples historically proven to be more readily assimilable by our society.

To implement this purpose annual quotas are assigned non-American countries based on the national origins of inhabitants of the United States as reflected in the census of 1920.

This principle was written into the law in 1924 and was retained in the Immigration and Nationality Act of 1952, a codification of various regulations then on the books dealing with separate phases of immigration control.

There now is pending in Congress a bill, originating during the Kennedy administration, which strikes at the foundation of the existing policy by scrapping the national origins quotas. It has strong administration support and appears on the list of must legislation earmarked by the President for action at this session.

In the able speech he delivered on the floor of the Seante the other day in which he announced his intention of voting against the bill because of its abandonment of the national origins principle, West Virginia's ROBERT C. BYRD made several telling points:

That it is "completely unrealistic for us to be considering legislation that is going to permanently increase our immigration to any degree whatever."

That we have no need for more people at a time when we are wrestling with an unemployment problem and facing the consequences of a population explosion, and that other countries need more than we do those possessed of special skills upon whom so much emphasis is placed by advocates of change.

That "our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world."

That it doesn't make sense to "develop a guilt complex concerning immigration policies" when this country is "far more liberal than other countries in this respect," and when every other country "that is attractive to immigrants practices selectivity and without apology."

That those "who would have us believe that our foreign policy will be ineffective and hampered if we retain the national origins quota system" are uttering "pure drivel."

Senator BYRD goes to the heart of the matter, we think, in this passage:

"But, Mr. President, if we scuttle the national origins quota system, we will have many years and many reasons to regret it. I do not claim that the existing national origins system is perfect, but it has provided a reasonably effective means of controlling immigration, and where it has not worked, we have enacted special legislation to alleviate special problems as they have arisen.

"The national interest must come first. Sentimental slogans have been all too adroitly exploited, and the time is at hand when we must resist the pressures for sharply increased immigration of persons with cultures, customs, and concepts of government altogether at variance with those of the basic American stocks. We must not throw open the gates to areas whose peoples would be undeniably more difficult for our population to assimilate and convert into patriotic Americans. The alien inflow to America from potential waiting lists of applicants from Jamaica, Trinidad, Tobago, Indonesia, India, Nigeria, etc., can profoundly affect the character of the American population, and in the long run can critically influence our concepts of government."

In this connection Senator BYRD voices a criticism of the present immigration law that would be met by an amendment—if it is permitted to stand—now attached to the pending bill. That is its failure to limit immigration from the Western Hemisphere. Applying the same reasoning to Latin American immigrants that he does to those from overseas, Senator BYRD fears that the impact on us of population problems in the neighboring countries to the south, while not seriously felt as yet, will become serious in the years ahead.

Because free access to this country by our hemisphere neighbors is an integral part of the broader good neighbor policy, this newspaper has been disposed to agree with it. But it may be, as the Senator says, that the time has come when limitation in this direction also is necessary as a matter of national interest. But a limit on Western Hemisphere immigrations, as we are sure Senator BYRD would agree, would be too much of a price to pay for letting down the bars to the type of immigrants the pending legislation would encourage.

Our own feeling is that the law is sound as it stands and should not be disturbed. But whether or not a new law along the prepared lines is enacted, with or without a limit on Western Hemisphere immigration, Senator BYRD has performed a public service and displayed again the political courage that has characterized his tenure in the Senate of the United States by putting the spotlight on what's afoot.

[From the Huntington (W. Va.) Advertiser, Sept. 17, 1965]

BYRD RAPS IMMIGRATION BILL

Problems resulting from unemployment and the rapidly expanding population would be complicated, Senator ROBERT C. BYRD, Democrat, of West Virginia, has warned, by pending legislation that would open U.S. gates to more immigrants.

As a member of the Senate Appropriations Subcommittee which this year approved appropriations of more than $8 billion for the Departments of Labor and Health, Education, and Welfare. Senator BYRD is thoroughly familiar with the problems of big cities into which immigrants usually flock.

At a time when the Government is spending huge sums to relieve unemployment among native Americans, it seems highly unwise to expand the labor force with unskilled and smiskilled workers.

Senator BYRD expressed particular opposition to the pending measure because it would abolish the national origins quota system on which immigration regulations have been based since 1924 and would swell the flow of immigrants from Asia and the newly emerging countries.

Although the leveling tendency of the times would wipe out distinctions of quality and genius, it is highly unlikely that the new law would increase the probability of the arrival of an Einstein, a Carl Schurz, or another great contributor to the progress of the United States or the world.

The immigration bill seems to be an extreme development in the liberal tendency that has poured more than a hundred billion dollars of American money into aid for less favored nations.

What might eventually happen in the United States as a result of opening the doors to those untrained in the ways of freedom has been demonstrated by the United Nations' loss of prestige, influence, and effectiveness by the admission of representatives from many nations unable to govern themselves.

Besides the political shifts that the newcomers could produce, they could also in future years complicate the problems of health and survival by enlarging the population and thus increasing the pollution of air and streams, the shortage of water and wild life and the demand for expanding welfare programs.

Opening the way to more such difficulties now is like abolishing capital punishment and making the conviction of habitual criminals more difficult at a time when the rate of crime is spiraling alarmingly in every city of the country.

[From the Morgantown (W. Va.) Post, Sept. 18, 1965]

BYRD PUTS IT ON THE LINE

In announcing he has decided to vote against the pending immigration bill, Senator BOB BYRD was forthright enough to confess he believes this is a time when Congress should give its first attention to the American people and their welfare.

We say "forthright enough" because in the present climate of Washington opinion entirely too much emphasis is placed upon what we can do for others instead of what we should do for ourselves.

Senator BYRD was certainly putting it mildly enough when he said he deems it "highly unwise to expand the available work force (in the United States) with skilled or semiskilled workers from abroad." Yet, sensible as this is, little talk of that kind has been heard in the congressional debate of immigration problems.

The Senator made the further point—and this, too, is rarely mentioned—that in considering the welfare of other countries we

should ask ourselves whether we are really helping those countries by attracting their skilled workers to our shores. "It seems to me," he said, "that these countries need the services of their talented and trained people more than we do."

We do not know how other members of West Virginia's congressional delegation feel about lowering the immigration bars, but they might well give heed to what Senator BYRD said. We believe most West Virginians agree with him.

[From the Wheeling (W. Va.) News-Register, Sept. 17, 1965]

HOLD THE LINE ON IMMIGRATION

U.S. Senator ROBERT C. BYRD has taken a very reasonable and sound stand in opposing the administration's proposed new immigration bill which would scrap the basic national origins quota system first drawn in 1924.

Admittedly there are some weaknesses in the present system as it applies no limitations on immigration from South America and other Western Hemisphere countries, yet it has served the interests of the United States well in the past. The proposed legislation now being considered, however, would pose grave problems for our country and in a way could lessen the effectiveness of current U.S. policy to help other countries improve their economic conditions.

Certainly it is difficult to understand why we would want to encourage massive migration to the United States at the very time when our Nation is confronted with critical problems of unemployment, poverty, depressed areas, automation, integration, increasing crime, and a skyrocketing welfare bill.

In many parts of the country, including our own, joblessness remains a nagging problem. As stated by Senator BYRD, sooner or later, we are going to have to recognize the realities of this situation and admit to ourselves, that our first responsibility in matters of immigration is to the people of the United States and not to the entire population of the world.

The advocates of the change, state that under the proposed legislation it will be easier for people of special skills to come into the country and help the U.S. economy. Yet, under the new legislation, there would be an increase in quotas for such countries as Trinidad, Jamaica, Tanzia, Malawai, Yemen, and Nepal, and it would seem that persons with special skills needed in the United States might be very hard to find in those countries. Besides these countries need the services of their talented and trained people more than we do if they hope to build a better economy.

Under the present system, it is true, that relatively larger quotas are assigned to such countries as England, Scotland, Ireland, Germany, France, and Scandinavia, but this is because the basic population of our country is made up largely of stocks which originated from those countries, and the reasoning back of the present system is that additional population from those countries would be more easily and readily assimilated into the American population. As pointed out by the West Virginia Senator there are fine human beings in all parts of the world, but peoples do differ widely in their social habits, their levels of ambition, their mechanical aptitudes, their inherited ability and intelligence, their moral traditions, and their capacities for maintaining stable governments.

The United States need make no apologies for its immigration policies which already are far more liberal than other countries and in view of the fact that other advanced nations are selective in dealing with immigrants.

There time is here when we must begin thinking about our own national interest without being influenced by foreign nationals. We fully support the stand of Senator BYRD on this vital issue.

[From the Williamson (W. Va.) Daily News, Sept. 18, 1965]

BYRD WARNS OF IMMIGRATION BILL PERILS

Once again U.S. Senator ROBERT C. BYRD has demonstrated a keen sense of perception with regard to potential perils posed by legislation which is being advanced for congressional approval. His latest warning comes on the impending immigration bill which Senator BYRD says "will increase the problems of the expanding American population."

Taking a forthright stand against the proposal, Senator BYRD told his senatorial colleagues that "we are now encountering many hazardous problems in our growing cities, where most new immigrants settle thereby creating the possibility of compounding these dangers to public health by adding to the population."

BYRD further pointed out that "at a time when we are making an all-out effort to reduce unemployment, I believe it to be highly unwise to expand the available labor force with skilled and semiskilled workers from abroad."

In its present form, the bill authorizes an annual increase in immigration. It would also abolish the national origins quota system on which immigration from various countries into the United States has been based since 1924.

BYRD said that "we are now experiencing a number of problems which are directly or indirectly attributable to our increasing population. These include pollution of our rivers and streams and the air we breathe in our great metropolitan areas; the first serious water shortages in the northeastern part of the country; progressive extinction of wild life; ever-increasing welfare costs at the nonproductive segments of our population continues to expand."

The West Virginia Senator said he was convinced that "our own problems of chronic unemployment and underemployment, housing, job retraining needs, crime and juvenile delinquency are so great that we should not be considering any liberalization of the immigration laws.

"Advocates of the proposed legislation say that it will enable us to secure a greater number of skilled aliens. A collateral question that arises is whether we really want or need to permanently attract skilled workers away from other countries. This policy seems at odds with our other efforts to help these countries improve their economic condition. It seems to me that these countries need the services of their talented and trained people more than we do."

One of the big points made in favor of the measure, already approved by the House, is that by abolishing the national quota system it discontinues the discrimination historically practiced in favor of immigrants from such countries as Germany, England, Ireland, and France.

This newspaper's objection to the legislation is not that it will increase immigration, although we see no great merit in this, but that it constitutes an indictment of a perfectly legitimate public policy.

The purpose of any immigration law is to serve the welfare of the American people, not to cater to the wishes of those in other lands who would like to come here to live. In the old laws we favored some countries over others because we believed their people to be more assimilable. We opened our doors to all of the Western Hemisphere because we believed this to be in the interest of inter-American solidarity. Both points of view were and are, we think, sound.

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

CONTRIBUTION TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS—CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 8715) to authorize a contribution by the United States to the International Committee of the Red Cross. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of September 16, 1965, p. 23180, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, the issue between the House of Representatives and the Senate was very simple. The House bill authorized a contribution of not to exceed $75,000 a year and the Senate amendment one of $25,000 a year. The conference agreement is on a contribution of $50,000 a year.

Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. SPARKMAN. Mr. President, I move that the unfinished business now be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER (Mr. ERVIN in the chair). The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate resumed the consideration of the bill.

Mr. EASTLAND. Mr. President, we again are witnessing the assault on our immigration laws by those individuals and groups who feel that they can obtain political mileage by this form of appeal to the organized minority blocs in the great urban areas of this country.

I have witnessed these efforts for many sessions of the Congress, and this 1st session of the 89th Congress is proving to be no exception. In fact, Mr. President, the efforts in this Congress to curry the favor of the minority blocs of votes by destroying our present national origins

quota system through bipartisan political efforts exceeds all efforts in the past. It is an assault which is dangerous and which could have, in fact, most serious consequences on our present form of government if not met with determined resistance. I have opposed these efforts to destroy the McCarran-Walter Act in the past and I shall oppose them now.

Mr. President, it has been my privilege to be a member of the Committee on the Judiciary of this body since February 7, 1944, which was in the 2d session of the 78th Congress. I have had a keen interest in matters relating to our immigration and naturalization system since jurisdiction over such matters was transferred to the Committee on the Judiciary pursuant to the terms of the Legislative Reorganization Act of 1946. As a matter of fact, my interest in these matters antedates the transfer of jurisdiction over them to the Judiciary Committee, for I had the privilege of serving on the Immigration Committee prior to the reorganization of the committees in the Senate. As a member of a special subcommittee which made a complete study of our immigration and naturalization systems, I became intimately acquainted with many and varied groups that are interested in immigration matters and the subtle ways in which pressures are exerted in hopes of obtaining special privileges and preferred treatment. That subcommittee made the recommendations to the Congress which ultimately were incorporated into the Immigration and Nationality Act. Since 1956, I have been chairman of the Immigration and Naturalization Subcommittee, and not only have I observed, but I have had to resist continually, these relentless yearly efforts to scrap our immigration laws or pass special enactments for special groups of aliens in order to gain what is thought to be a political advantage. The fact that such precipitate action might undermine our sound system of immigration laws is lost sight of in the hot pursuit of minority bloc votes.

Over the course of the past several years, there have been a number of special enactments to take care of certain harship situations which arose in the administration of the immigration laws. For example, there was a special enactment to offer relief to certain distressed aliens in the Azores and certain Indonesian refugees in the Netherlands. There were several enactments to facilitate the reunion of families by providing special visas for certain relatives of U.S. citizens and lawful permanent residents. In addition, relief through special enactments was granted to a large number of Hungarian refugees and many other refugees from Communist oppression. In all these cases the result was that more immigrants were permitted to enter the United States. Mr. President, you would think that after such acts of generosity on the part of this Nation perhaps the pressure would be relaxed, but that is never the case. Immediately upon receipt of that bounty, the recipients sent out a cry for more. There is always the cry that unless more aliens are admitted from special groups, families will be separated for years and the hardships will be unbearable. But we have seen that this demand is insatiable. We have also seen that when the politicians prevail and legislate in the anticipation of compensatory votes at the polls, we always find that an even greater pressure is created for the admission of more and more aliens. To continue to follow such a course of political expediency can only lead to disaster.

It has been claimed by some that those who advocate immigration reforms demonstrate great political courage and that there is no political mileage to be gained from attacking our present system, but rather that overt action could be politically damaging. To accept such a line of reasoning one must be really politically naive, and I would most certainly not place the Members of this body in that category. Nor do I for one moment believe that the thoughtful people of this Nation fail to recognize the political implications of the so-called drives for immigration reforms. It is no secret that both national political parties have "nationalities" divisions which actively direct the efforts of pursuing the votes of the hyphenated nationalities groups in our population. Those groups are concentrated in our big urban centers. Is it any wonder then that we are told that we must have immigration reforms which will favor those groups? When the politicians are so busy, how can one say there are no political motivations behind the reform movements?

We now have before us the bill, H.R. 2580, which has been hastily passed by the other body and sent over to this body with the command that the Senate adopt it in equal haste. This bill, Mr. President, in my opinion, is not a good bill and is deficient in many respects. I intend to oppose it. The bill, H.R. 2580, is an original bill which was reported by the Subcommittee on Immigration and Nationality of the House Committee on the Judiciary and has not been the subject of hearings in either the House or the Senate. The bill before the House committee in the hearing stage bore the same number, H.R. 2580, but as stated in the House report—No. 745—the committee reported an original bill to the House, which was promptly adopted with only minor changes. The bill bears little resemblance to the original proposals made by the administration, which were contained in the bill, H.R. 2580, and the companion bill, S. 500, which was before the Committee on the Judiciary of the Senate. Extensive hearings were held by both the House and Senate Committees on the Judiciary on the administration proposals contained in S. 500, and the original H.R. 2580, but the testimony received in those hearings has little relationship to this new bill which is before the Senate today.

As a matter of background, I feel that I should advise the Senate of the immigration matters which have been before the Committee on the Judiciary in this session of the Congress. By doing this, I feel that the Members of the Senate will readily discern the hasty manner in which the present version of an immigration bill has evolved. The divergent views represented by the proposals before the committee, in my opinion, illustrate the confusion which is present in the continuing effort to destroy the present quota system.

There were pending before the Subcommittee on Immigration and Naturalization 11 measures introduced in the Senate which would have modified in some manner our immigration or naturalization laws. Three of these proposals, namely, S. 500—the administration bill, S. 436, and S. 1093, represented the continuing assault upon the national origins quota system as embodied in the Immigration and Nationality Act. Later on, I intend to discuss more fully the implications of H.R. 2580. At this point, since I do not feel it necessary to discuss in detail the three bills mentioned previously, I shall merely point out the general background in the committee of the bill, S. 500, which has been so easily set aside in favor of H.R. 2580.

The bill, S. 500, to amend the Immigration and Nationality Act, commonly referred to as the Kennedy-Johnson bill, since it embraces the recommendations made by the late President John F. Kennedy, as well as those of the present occupant of the White House. Similar recommendations were contained in the predecessor bill, S. 1932, 88th Congress, which was introduced on July 24, 1963, by Senator HART for himself and 26 other Senators. The bill, S. 500, did not embody a comprehensive revision of the Immigration and Nationality Act, but had as its primary purpose the abolishment of the national origins quota system and the substitution of a new system for the allocation of quota numbers. Briefly, over a 5-year period, the present annual quotas would be reduced 20 percent each year with the numbers resulting from the reduction being placed in a "quota reserve." The numbers in the quota reserve would be issued without regard to nationality on a "first-come, first-served" basis. Thus in the fifth year after enactment there would no longer be national quotas as such, but all visas would be issued on the first-come, first-served basis under a system of preferences for certain relatives of United States citizens and aliens lawfully admitted for permanent residence and certain skilled aliens. Prior to the beginning of this abolition through reduction plan, the minimum quotas under the present quota system would be increased to 200 for each minimum quota country, which would result in an increase in the present overall quota of 158,561 to approximately 166,000. In addition, the bill would have substantially enlarged the nonquota classes of aliens and the number of refugees who could enter the country each year. Total immigration under this bill would. therefore, be increased substantially

As a matter of interest to the Members of this body, and as background for our examination of this entire subject, I would like to refer briefly to a bill in the 88th Congress, S. 747, to amend the Immigration and Nationality Act, which was introduced by Senator HART on February 7, 1963, for himself and 34 other Senators. Senator HART had previously

introduced an almost identical bill, S. 3043, in the 87th Congress. Before the advent of the bill, S. 500, and its predecessor, S. 1932, which recently appeared to be the major vehicle of the immigration reformists and the politicians, this measure, S. 747, appeared to have the blessing of those bent upon repeal of the present national origins quota provisions of the Immigration and Nationality Act and replacing it with a new quota formula.

S. 747, or the Hart bill, as it was commonly referred to, also was primarily concerned with reforms in the immigration laws which would change the manner by which quotas are established and which would increase the number of aliens admitted as immigrants. The present quota would have been increased from 158,261, to an overall quota of 250,000 annually. Of that number 50,000 quota immigrant visas would have been made available to certain refugees and the remaining 200,000 immigrant visas would have been distributed under a quota formula based on, first, the relationship of the population of each quota area to world population, and second, the relationship of the number of immigrants who entered the United States from each quota area during the 15 years preceding the effective date of the act to the total number of immigrants who were admitted during such 15-year period. Other provisions of this reform bill would have enlarged the nonquota classes and provided for the complete utilization of quotas through the pooling of unused quotas, all of which would have had the effect of substantially increasing the number of aliens who could be admitted annually.

When Senator HART introduced S. 747 in the 88th Congress he characterized it as a reform bill which "follows closely the counsel and wisdom of America's foremost immigration specialists." It was said to be "in line with the estimates of our leading economists both in government and in the private sector, regarding the number of immigrants this country can absorb." He then paid tribute to the American Immigration and Citizenship Conference and its affiliated organizations for the major role that organization had played in the development of this measure. He pointed out that an ad hoc committee of the American Immigration and Citizenship Conference had given 2 years of intensive study to American immigration policy and that the proposals contained in S. 747, and its predecessor, S. 3043, closely followed the recommendations of that organization. Yet, Mr. President, we find that many of the sponsors of this measure quickly abandoned their position based on the allegedly extensive, thorough, and searching study of American immigration policy by the American Immigration and Citizenship Conference and its many affiliated voluntary service organizations and community, civic, and labor organizations and embraced the proposals for the destruction of the national origins quota system contained in S. 1932 in the 88th Congress, which was introduced only 6 months after the introduction of S. 747. The abandonment so hurriedly of a position that was claimed to be based on the considered opinion of some of the best minds in the immigration field as the proper approach to immigration reforms in order to embrace the hastily conceived proposals contained in S. 1932, and now embodied in S. 500, indicates to me that those in the forefront of the demands for immigration reforms by their vacillations are sure of only two things: First, they want to abolish the national origins quota system and, second, they want to admit more immigrants. Such experimentation as this will never produce good legislation.

Mr. President, the bill, H.R. 2580, has as its purpose not only an increase in the flow of immigrants into the United States, but also the alteration of the pattern of that flow. It seems to me that our national welfare and the security of this country demand that we approach this question of immigration reforms sensibly and sanely lest we, as the nation we know, perish. In my opinion, we must have detailed findings as to how many immigrants we should admit and from what areas we should admit them. These findings must be impartial and unbiased and based on scientific facts rather than political opinion if we are to maintain a sound immigration system which will serve the interests of every part of this Nation. In my opinion, it would be a grave mistake if we proceeded with haste to adopt new concepts unsupported by detailed factual surveys and studies. Certainly, there are opponents of the McCarran-Walter Act but no one can say that that act was enacted in haste and in the political arena. A 5-year investigation of every aspect of the immigration question in the United States, which was both extensive and intensive, preceded the enactment of that law. Its enactment was resisted to the last ditch, and I am firmly convinced that both its enactment and its ability to withstand subsequent assaults is the result of the fact that it had as its foundation a solid basis of findings which were impartial and unbiased. It would be extremely foolhardy for this body to proceed to a consideration of any of the pending measures without similar findings upon which to base its action. Sound legislation has never been the result of hasty and reckless action, and I sincerely hope that each of you will ponder well the disastrous results that could flow from the precipitate course that is being urged upon us.

Let us now take a look at the bill before us to see just what it proposes to accomplish. From a study of the proposal, it is my understanding that H.R. 2580 would make the following basic changes in the Immigration and Nationality Act, and in making such changes would substantially modify the present immigration policy of this Nation:

First. (a) The present system of national origin quotas is to be abolished on June 30, 1968, and a new selective system is established giving priorities to close relatives of citizens and alien residents, members of the arts and professions, needed skilled and unskilled workers, and refugees.

(b) In the interim 3-year period national origin quotas remain in effect, but the unused quota numbers are pooled and allocated under the new system of preferences to intending immigrants from oversubscribed quota areas.

(c) Spouses, children, and parents of U.S. citizens are to be admitted without numerical limitation as immediate relatives.

(d) Natives of independent countries of the Western Hemisphere are to be admitted quota free as special immigrants for an additicnal period of 3 years. On July 1, 1968, a numerical limitation of 120,000 annually would be placed on immigrants from independent countries of the Western Hemisphere unless the Congress enacts legislation providing otherwise prior to that date. A Select Commission on Western Hemisphere Immigration is established to be composed of 15 members—the Chairman and 8 members to be appointed by the President; 3 members to be appointed by the President of the Senate; and 3 members to be appointed by the Speaker of the House. This Commission shall study all aspects of Western Hemisphere immigration and report its findings to the Congress on July 1, 1967, with a final report on January 15, 1968.

Second. An annual numerical limitation of 170,000 is placed on the admission of immigrants from Eastern Hemisphere countries, other than immediate relatives and including 10,200 refugees who may be granted conditional entries. Immigration from any foreign state outside the Western Hemisphere, exclusive of immediate relatives, is limited to 20,000 annually.

Third. After June 30, 1968, the 170,000 immigrant visas will be allocated on a worldwide, first-come, first-served basis under the following system of preferences:

(a) Twenty percent to unmarried sons and daughters of U.S. citizens.

(b) Twenty percent to spouses and unmarried sons and daughters of lawful alien residents.

(c) Ten percent to members of the professions, arts and sciences.

(d) Ten percent to married sons and daughters of U.S. citizens.

(e) Twenty-four percent to brothers and sisters of U.S. citizens.

(f) Ten percent to needed skilled and unskilled workers.

(g) Six percent to refugees from communism, the area of the Middle East and natural calamity.

Any numbers not required for issuance to the preference classes are available to nonpreference applicants.

Fourth. The special Asiatic Triangle provisions of existing law are repealed.

Fifth. The Fair Share Refugee Act is repealed and all refugees henceforth must enter conditionally.

Sixth. In the case of aliens who seek to enter the United States to be employed, the Secretary of Labor must certify, on an individual basis, first, that there are not available American workers to fill the particular jobs, and second, that the admission of the alien workers will not

adversely affect the wages and working conditions of the American worker.

Seventh. Aliens who are mentally retarded may be admitted by the Attorney General under proper safeguards if they are the spouses, children, or parents of citizens or lawful alien residents. Epileptics are removed from the excludable class of aliens.

Eighth. Alien crewmen are made eligible for adjustment of their immigration status under section 244 of the Immigration and Nationality Act.

Ninth. Aliens who have resided in the United States prior to June 28, 1958, are made eligible for adjustment of immigration status under registry proceedings of section 249 of the Immigration and Nationality Act.

Tenth. Natives of Western Hemisphere countries in general are denied the privilege of adjusting their status under section 245 of the Immigration and Nationality Act, but refugees from such countries may adjust.

Since this bill has the blessing of the administration, I believe it would be appropriate at this time to refer to the message of the President of the United States which he sent to the Congress on January 13, 1965, requesting amendment of the Immigration and Nationality Act. In that statement the President said:

> The principal reform called for is the elimination of the national origins quota system.

There could be no doubt in anyone's mind after reading the proposed bill that it would accomplish the purpose desired by the President, for it is crystal clear that the national origins quota system would be abolished. Since that is true, my purpose will be to take a careful look at the act to see what its substitute would be. In doing this, let us bear in mind the words of the President that:

> The fundamental longtime attitude has been to ask not where a person comes from but what are his personal qualities.

As used in the context of his message requesting that all forms of discrimination be removed from the law. We would expect, therefore, that the bill before the Senate would not only abolish the national origins quota system, but would replace it with a law which would make no distinction between the peoples of the earth because of their place of birth in any form whatoever.

In an attempt to carry out the request of the President, we find that section 2 of the bill has amended section 202 of the Immigration and Nationality Act to provide as follows:

> (a) No person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of his race, sex, nationality, place of birth, or place of residence, except as specifically provided in section 101(a)(27), section 201(b), and section 203: *Provided*, That the total number of immigrant visas and the number of conditional entries made available to natives of any single foreign state under paragraphs (1) through (8) of section 203(a) shall not exceed 20,000 in any fiscal year: *Provided further*, That the foregoing proviso shall not operate to reduce the number of immigrants who may be admitted under the quota of any quota area before June 30, 1968.

Mr. President, in all of my experience in the Senate of the United States, I believe that language is the most unique I have ever seen in a statute. Note that it begins "No person shall receive any preference or priority or be discriminated against" and then it lists numerous instances in the act which are discriminations but which are specifically exempted from the antidiscrimination policy. First to be exempted from the bar against discrimination are the natives of Western Hemisphere countries. In the case of these aliens they will be quota free for the next 3 years while all other aliens from other parts of the world, other than immediate relatives, will be subject to a number of limitations. Second, we find that there is a category of aliens designated as immediate relatives who include the children, spouses, and parents of citizens of the United States who will not be subject to the numerical limitations applicable to other aliens. Third, we find that the bill establishes a system of 7 preferences within the numerical limitation of 170,000 with fixed percentage allocations to each preference category which, in effect, establishes priorities among the group as between persons with definite family relationships, persons with definite skills and persons who are in a refugee status. Fourth, a numerical limitation of 20,000 per year is fixed for any foreign state, but that limitation is not applicable for 3 years if it reduces the present quota of any quota area. It is difficult for me to see, Mr. President, how anyone could possibly have written so many discriminatory provisions in one section of a law under the expressed policy of eliminating discrimination in the allocation of quota or visa numbers.

But, Mr. President, if one should feel that perhaps there must be a certain degree of discrimination in any law, let us look further at this particular proposal and you will be amazed at the instances of discrimination that appear throughout it. There is a provision designed to strengthen the protection of the American worker from an influx of skilled or unskilled workers from abroad. Under that proposal the intending immigrant must present a certification from the Secretary of Labor that he will not displace an American worker and that his employment will not adversely affect the wages of American workers. In order for this provision to be nondiscriminatory one would immediately assume that it would be applicable in the case of all immigrants. But such is not the case. The drafters of this proposal well know that such a policy would create many more problems than it would solve. So we find that the bill contains a complicated system of exemptions from the provision. Specifically, the provision only applies to natives of Western Hemisphere countries other than parents; spouses or children of citizens of the United States or lawful resident aliens; to members of the professions, arts, and sciences; skilled or unskilled workers; and most nonpreference immigrants. In other words, it will probably not be applicable in as many cases as it will be applicable. Let us look at the different manner of application to different groups of aliens:

First. Exempted from the requirement in all cases are "immediate relatives" which include spouses, children, and parents of U.S. citizens;

Second. In the case of aliens from the areas outside the Western Hemisphere in addition to the immediate relatives an exemption is made in the case of unmarried sons and daughters of U.S. citizens, married sons and daughters of U.S. citizens, spouses and children of alien residents, and brothers and sisters of U.S. citizens;

Third. In the case of immigrants from the Western Hemisphere the exemption extends only to parents, spouses, and children of U.S. citizens and alien residents. Thus, unmarried sons and daughters, married sons and daughters, and brothers and sisters of U.S. citizens would be subject to the special labor provision.

Fourth. I believe that I should also call to the attention of the Members of this body the manner in which this labor provision would be applied in the case of new seed immigration as compared to the treatment of the preference class of brothers and sisters residing outside the Western Hemisphere. In the case of a nonpreference immigrant who is the head of a healthy family and who has a fervent desire to immigrate to this land of opportunity, the bill would require that he obtain a certification from the Secretary of Labor that he would not displace an American worker or adversely affect the wages of American workers if he came to the United States to engage in the same employment in order support his family. That is the immigrant we hear so much about and whom the supporters of the bill have so frequently described as the immigrant who built this country from the wilderness; and yet it is obvious that under the proposed legislation he would have little chance of gaining entry in view of the continuing unemployment situation here. On the other hand, take the case of a brother of a U.S. citizen who has an equally healthy family consisting of a wife and three or four children whom he must support after he enters the United States. In his case, if he resides outside the Western Hemisphere he is not required to obtain the certification from the Secretary of Labor but may enter upon the assurance of his citizen brother that he will not become a public charge after entry. But obviously such a man must work to support his family and he will be permitted to enter regardless of whether he will displace an American worker. Is this not only discrimination against the two alien families, but also the American worker who may remain unemployed or even lose his job?

Furthermore, it might well be discrimination against the interests of the United States because it is quite likely that the better qualified alien family would not be permitted to enter.

Mr. President, there is another aspect of the bill which has not received much attention in the course of the hearings either in the House or in the Senate.

Much has been said about the fact that the bill does away with the national origins quota system and places the opportunity to immigrate to the United States on a first-come, first-served basis but I ask whether that is really the truth. Immigration during the interim period when quotas are phased out and when the new provisions become effective 3 years hence in their entirety, will be based upon the registration date of immigrants on waiting lists at the consulates around the world. It is well known to those who are familiar with the immigration problem that the heaviest registration for many years has occurred in a limited number of countries where the pressures and encouragement to immigrate have been the greatest. In fact, in many of the low-quota countries, immigrants have been discouraged from registering on the waiting lists. The heavily oversubscribed countries will preempt the available visa numbers under the first-come, first-served basis for many years under the new proposal. In order to remove this discrimination in the treatment of aliens in different areas of the world, if that is what the proponents really want to do, it would be logical and consistent to provide for a reregistration of all intending immigrants on a given date. Then truly the immigrant visas would be made available on a first-come, first-served basis. But nowhere in the testimony received by the committee was such a proposal made by those who advocate the elimination of the national origins formula which provides fixed numerical quotas for every country determined by fixed mathematical formulas equally applicable to all areas of the world.

Mr. President, now let us look at another provision of the proposed legislation which would modify the existing proviisions of section 245 of the Immigration and Nationality Act which, in general, provide an administrative procedure for the adjustment of status of aliens who have entered or who have been paroled into the United States and desire to have their status adjusted to that of permanent residents. At the present time, this method of adjustment is not available to natives of contiguous territory and adjacent islands. Under the bill, H.R. 2580, in section 13 this form of administrative relief is denied to all natives of Western Hemisphere countries. I ask, Mr. President, does it not seem a little odd that a person from Italy who enters the United States as a bona fide visitor and then decides to remain in the United States may have his status adjusted under this administrative procedure when he has come from a country 4,500 miles away while on the other hand a native of Argentina, who has come from a country 6,000 miles away would not be eligible for the adjustment. To me, this is an obvious case of rank discrimination against persons because of their place of birth and yet we were asked and told that the law must be changed to remove all discrimination from our immigration laws which would make distinctions between the peoples of the earth because of their place of birth. This discrimination is made even worse by the fact that under the Immigration and Nationality Act both the native of Italy and the native of Argentina may apply for this adjustment. This is really progress, Mr. President. Elimination of discrimination from the law when we are in fact adding this new form of discrimination. If this is discrimination under section 245, Mr. President, let us take a further look. It will be noted under the language of section 13, which amends section 245 of the Immigration and Nationality Act that refugees from Western Hemisphere countries are eligible for an adjustment under this same section 245. This language, of course, would include Cuban refugees who have been paroled into this country under the program which has been in existence for several years and under which approximately 225,000 Cuban refugees have been permitted to reside in the United States. At the present time, this form of relief is not available to them as native of an adjacent island, but under the bill before us it would become available. The joker, however, is that under this form of relief a record of lawful admission is created for the alien as of the date of the adjustment. Now let us look at another section of the proposed bill. Under section 3 of the bill section 203 of the Immigration and Nationality Act is substantially revised and among the preference classes created is one for refugees. Such refugees are granted conditional entries and under paragraphs 203 (g) and (h), as amended, their status may be regularized after 2 years' residence and a record of lawful admission created as of the date of the original arrival in the United States. Thus in one case, a refugee would be given credit toward naturalization for the time he has resided in the United States while waiting for his adjustment, and in the other case he would not be granted such credit for naturalization purposes. A Cuban refugee, therefore, might have to reside in the United States 7 years before he could obtain naturalization, while a similarly situated Cuban or other refugee who entered under the new provision will have to wait only 5 years. The basis for this discrimination is not apparent.

Mr. President, there is another provision in H.R. 2580 which, in my opinion, has not received enough attention. Section 1 of the bill amends section 201 of the Immigration and Nationality Act and completely revises it. Section 201(c) as revised provides that during the 3-year interim period subquota areas are to be limited to 1 percent of the maximum authorized visa numbers available to the mother country. Under existing law, colonies and other dependent areas which are classified as subquota areas have access to the quotas of the mother countries to the extent of only 100 quota numbers per year, which places them in the same category as the minimum quota countries. Under the language of H.R. 2580, it seems inescapable that during the 3-year interim period the application of the formula for the subquota areas of 1 percent of the maximum numbers available to the mother country will create some rather unusual and unique results. For instance, the present quota of Great Britain is approximately 65,000 per year and therefore that would be the maximum number of visas available to Great Britain during the 3-year period. Applying the 1-percent formula, each subquota area under the quota for Great Britain would have available to its natives for use in each fiscal year a total of 650 visa numbers. It is interesting to note that there are 15 subquotas under the quota for Great Britain and each subquota has access to 650 visa numbers annually. Therefore, a total of 9,750 numbers will be available to the subquota areas annually as compared to the present total of 1,500. I might just name a few of the subquotas involved: Antigua with a subquota of 100 would have a quota of 650; British Guiana with a subquota of 100 would have a quota of 650; British Virgin Islands with a subquota of 100 would have a quota of 650; to name only a few. But now let's take a look at some of the other quota areas. Greece, for instance, during the 3-year period would have an annual quota of only 308. Japan will have an annual quota of only 185. China will have only a quota of 105. Portugal will have a quota of only 438. Spain will have an annual quota of only 250. Turkey will have a quota of only 225. Mr. President, it seems to me a little unusual and a form of discrimination to make such large numbers available to the colonies and dependent areas while the quotas of many of the independent countries which are among this Nation's best friends receive no comparable increase. Mr. President, this is not just my own understanding of the effect of this provision of the new bill, as a similar interpretation has appeared in an official State Department memorandum.

Mr. President, the proponents of H.R. 2580 have placed a great deal of emphasis on the pattern of immigration since the Immigration and Nationality Act became law in 1952 in attempting to demonstrate the necessity for changing the present quota law. As I previously pointed out, 3,108,538 immigrants have entered the United States under the Immigration and Nationality Act. Of that number 1,082,833 entered as quota immigrants and 2,025,705 as nonquota immigrants. It is the large number of nonquota immigrants which gives rise to so much concern by the sponsors. It is alleged that because of the inequities in the national origins system, Congress was forced to enact special legislation during the period since the Immigration and Nationality Act became law to alleviate the hardship cases, and as a result the admission of 2,025,705 aliens in a nonquota status clearly establishes the national origins quota formula to be outdated and out of step with reality. This is not so, because they fail to recognize that only 382,045 of the total of 2,025,705 nonquota immigrants entered under special enactments. The bulk of those nonquota immigrants, or roughly 1,643,660, entered under the permanent nonquota provisions of the Immigration and Nationality Act. Those are the provisions which the framers of the Immigration and Nationality Act recognized as desirable to include in the permanent law,

although it was known that they would increase total immigration. For obvious compassionate reasons, it was accepted as necessary to permit wives, husbands, and children of U.S. citizens to enter without restriction. For reasons of "good neighborliness," it was agreed to permit natives of independent countries of North, South, and Central America to enter free of the quotas. Likewise, quota restrictions were not imposed upon the free movement of ministers of religion and their families. These policies are imbedded in the national origins quota law and it is under them that the bulk of the nonquota immigration has entered the country. There is just no justification for saying that the quota law must be scrapped because a significant number of aliens were admitted outside of the quotas under special enactments of Congress. Those enactments were special acts of generosity in response to appeals to grant relief in particular situations after careful study and I feel that they should only be treated as such.

Now, Mr. President, let us take a look at the new quota formula provided in H.R. 2580. It is said that enactment of this quota scheme will remove "the 1952 act's well-known restrictive provisions against immigrants from eastern and southern Europe," but I defy anyone, from reading the Immigration and Nationality Act, to find any special restrictive provisions against immigration from those areas. Certainly, the law embodies a policy of restriction, but as we have seen, restriction has been the accepted policy of this Government for decades. The quotas of each quota area are established under a formula which is applied in identically the same fashion to all other quota areas in the world without mentioning any country by name, and yet it is said that the law restricts immigration from particular areas. The truth is that it restricts immigration from all areas, under a uniformly applied rule, and that is as close as any law can get to being nondiscriminatory. Quotas for one country may be larger than quotas for another under the national origins formula, but the same will be true under the formula provided in H.R. 2580. Thus, basically, it boils down to the question of whose ox is being gored.

It is said that the new formula would be based on equality and fair play, but would it? In the eyes of the smaller country is it equal and just to give the larger share to the larger country? In the eyes of the newer country is it fair and just to give the larger share of the quota to the older countries because they have had immigration opportunities for many years and have longer waiting lists? It seems to me that the answers to those questions are quite obvious. It is inevitable that the quotas will be different, and as long as they are, some will say they discriminate and, unfortunately, most of these charges originate in our own country. Quite obviously, the only quota law which could possibly treat all Nations equally is one which would provide an identical quota for each country. Such a law would not be subject to a charge of discrimination, but I doubt seriously whether it would receive any support. The test of whether the law is fair or just, Mr. President, is not whether it discriminates, for all quota laws will, but whether the law discriminates unreasonably or unjustly. The national origins quota formula is applied in the same manner to all without qualification, and as long as it is so applied it is certainly not subject to a charge of unreasonable or unjust discrimination. One may disagree with the policy of the law, but I fail to see how any workable quota could provide any more uniformity of treatment of the nations of the world.

There is another interesting aspect of the system provided in H.R. 2580. In allocating visa numbers, this Nation would look first to the desires of the people of other countries to come to the United States, and visas would be allocated on a first-come, first-served basis. Under the national origins quota, we look first at the composition of the population of this country; then we say that each country shall have a quota fixed on the basis of the ratio of the number of persons in the United States in 1920 attributable by nationality to a given country to the population of the United States, or reduced to the mathematical formula of one-sixteenth of 1 percent of the persons of the nationality of that country in the United States in 1920. In other words, we hold up a mirror and look at ourselves and base the quotas of those who wish to join us on what we see.

Mr. President, for the life of me, I cannot see how it can be said that it is discriminatory to base the numerical quota on factors derived from the population of this country. I do not apologize for the fact that, as an American, I feel that we should and must give due recognition to the composition of the population of this country in fixing our quotas. That is what the present quota law does and that is why I believe it to be sound and in the best interests, not only of this country, but also of the rest of the world.

Mr. President, there are many other provisions in H.R. 2580 which, in my opinion, should be brought to the attention of the Members of this body, because I feel that they are a cause of real concern. We are all familiar with the continual attempt that is being made to erode the constitutional powers of the Congress. Whenever authority is delegated to those groups charged with administration of a law, I feel it is my duty to point out the areas of possibility of abuses of such authority.

As I have pointed out before, H.R. 2580 will eliminate the national origin quotas and substitute therefor an overall numerical limitation of 170,000 visa numbers per year for areas outside the Western Hemisphere exclusive of immediate relatives. The allocation of those numbers will be made in accordance with the multitude of preferences set forth in the act. The preferences insofar as they relate to relatives are so designed that if not used by one relative preference group, then they automatically become available to other preference groups. Priority in the issuance is to be determined by the date of the filing of the relative preference petition. It seems to me, Mr. President, that since the total quota of 170,000 will be allocated on a worldwide basis upon the basis of these many preference petitions, a great deal of confusion will result. The bill itself provides that the Secretary of State will be permitted to base the quarterly allocation of visas to the extent necessary upon estimates based upon reports received from the consular officers all over the world. He is then faced with the monumental task of allocating the visa numbers to the various applicants under the numerous limitations provided in the bill. These include not only the limitations on each preference group, but also the numerical limitation applicable to each country. The manner in which the plan will work, therefore, Mr. President, will depend to a very large degree upon the ability of the estimator to estimate. In other words, to put it more simply, there will be much, much discretion vested in the administrators as to how these numbers will be dealt out to the various applicants.

Mr. President, there is another unusual provision in the bill which seems to leave a great deal of discretion in the hands of the administrators. The section of the bill which provides for the allocation of 6 percent of the quota numbers for conditional entries to be granted refugees contains a proviso that in lieu of the total number of conditional entries authorized, immigrant visas in a number not to exceed 50 percent may be made available to refugees in the United States. This language is unique in two respects. The first is that immigrant visas can only be issued by consular officers and consular officers are only present at posts outside the United States; and second, no provision is made for the adjustment of the status of these refugees to whom the visas are made available. In other words, in the absence of specific language, an interpretation would be required by the administrators of the law. The framers of the bill must have had something in mind with reference to the manner of adjustment and if so, why was it not written into the law where it properly belongs? The conclusion is that this is another instance of where the framers desired to retain for the administrators the authority to write their own rules.

There is another provision in H.R. 2580 which I believe should be viewed with some alarm. Under the Immigration and Nationality Act, as you all know, all immigrant applicants have always received fair treatment because of the specific provisions that their applications must be processed strictly in accordance with the priority of their registration on quota waiting lists. This becomes particularly important to the nonpreference quota applicants where the demand has always exceeded the supply. Under the language of H.R. 2580, the numbers made available to the nonpreference category will be issued strictly in the chronological order in which they qualify. It would seem quite obvious that this is another instance where a great deal of discretion is left in the hands of the administrators

to determine when and whether a particular applicant is qualified and to be granted priority by administrative order rather than by law as at present. I do not believe that this reaction of mine is at all unfounded in view of a statement I have seen by an official of the Department of State concerning the application of this new provision to the effect that new applicants in a particular area or foreign state will have an equal opportunity with all present applicants who are on the waiting lists in the order in which they qualify. In other words, a new applicant may be qualified far ahead of present applicants on the waiting lists.

Mr. President, my concern over this matter of placing too much discretion in the hands of those charged with the responsibility of administering the quota law results from my observations over the years of how the administrators frequently twist and bend the law to suit their purpose. At this point, I ask unanimous consent to insert in the body of the RECORD complete documentation of such a case, which I believe quite clearly will show that my concern in this regard is not unfounded.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Immigration and Nationality Act is quite specific with respect to the manner in which quotas are to be determined and established. Section 201(a) provides that the annual quota for any quota area shall be one-sixth of 1 percent of the number of inhabitants in the continental United States in 1920 attributable by national origin to such quota area with the proviso that the minimum quota for any quota area shall be one hundred. Section 201(b) specifies that the determination of the annual quota of any quota area shall be made jointly by the Secretary of State, the Secretary of Commerce and the Attorney General, and upon the basis of that report the President shall proclaim the quotas. Section 202(a) makes it quite clear that each independent country, self-governing dominion, mandated territory and territory under the international trusteeship system of the United Nations, other than the United States and its outlying posessions shall be treated as a separate quota area when approved by the Secretary of State. Section 202 (e) sets forth the procedure for the revision of quotas whenever required by any change of boundaries, transfer of territory, or any political change. Since that provision is directly controlling in the case I shall discuss, I shall read it in toto:

"(e) After the determination of quotas has been made as provided in section 201, revision of the quotas shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, whenever necessary, to provide for any change of boundaries resulting in transfer of teritrtory from one soverëignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change, requiring a change in the list of quota areas or of the territorial limits thereof. In the case of any change in the territorial limits of quota areas, not requiring a change in the quotas for such areas, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all consular offices concerning the change in the territorial limits of the quota areas involved. Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c)(1), notwithstanding any other provisions of this act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

On January 10, 1964, there appeared in the Federal Register, Presidential Proclamation No. 3569 establishing an annual immigration quota for Malaysia and Presidential Proclamation No. 3570 establishing annual immigration quotas for Algeria and Uganda and a revised annual immigration quota for Indonesia. In response to a request directed to the Secretary of State for information concerning the method used for the determination of the new and revised quotas, I received the following communication from the then Assistant Secretary of State, the Honorable Frederick G. Dutton:

FEBRUARY 17, 1964.

DEAR SENATOR EASTLAND: I want to thank you for your letter of January 23, 1964, to the Secretary of State in which you referred to recently published Proclamations Nos. 3569 and 3570 and requested a detailed report on the method used in determining the immigration quotas for Malaysia and Algeria and the revised quota for Indonesia.

The basic authority for the computations which resulted in the newly proclaimed quotas for Malaysia, Algeria and Indonesia is contained in the last sentence of section 202(e) of the Immigration and Nationality Act, as amended by section 9 of the act of September 26, 1961. This sentence reads as follows:

"Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one or more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(c)(1), notwithstanding any other provisions of this Act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

The new state of Malaysia comprises what was formerly a single quota area (Federation of Malaya) and three subquota areas (North Borneo, Sarawak, and Singapore). Prior to the establishment of Malaysia, each of these component parts of the new quota area was entitled to 100 quota numbers annually and, hence, the new quota of 400 for Malaysia is equal to the total of quota numbers available to that quota area immediately preceding the political change, which took place on September 16, 1963.

The annual quota for Indonesia was increased from 100 to 200 by Proclamation 3570 because of the transfer of Irian Barat (former West New Guinea) from the Netherlands to Indonesia on May 1, 1963. West New Guinea was formerly a subquota area under the Netherlands quota and, as such, was entitled to 100 quota numbers annually as provided in section 202(c) of the Immigration and Nationality Act. Thus the increased quota of 200 for Indonesia is equal to the total of quota numbers available to the components of the new quota area immediately preceding the political change of May 1, 1963.

In the case of the new state of Algeria, which the United States recognized as an independent state on July 3, 1962, the problem of computing a new quota for that quota area presented us with a unique situation. This was so because the territory formerly known as Northern Algeria was one of the very few component areas overseas from the governing country which were treated as an integral part of the quota area of the governing country when the quotas were proclaimed under the Immigration and Nationality Act (Proc. 2980 of June 30, 1952). This being the case, intending immigrants born in Northern Algeria had full access to the French quota of 3,069. Southern Algeria was treated as a subquota area and therefore was limited to 100 quota numbers per year. A strict application of the national-origins formula for computing quotas would have resulted in a minimum quota of 100 for the new state of Algeria. This seemed unrealistic in view of the advantage which Algerians had long enjoyed in relation to the French quota, and not in keeping with the spirit and intent of section 202(e), as amended by section 9 of the act of September 26, 1961. The main purpose of the 1961 amendment, as the Department understands it, was to minimize the impact of political changes affecting national boundaries so that intending immigrants would be placed in a position no less favorable than they enjoyed prior to the political change. The new quota of 574 proclaimed for Algeria bears the same ratio to 3,069 (quota for France) as the estimated population of Algeria bore to the entire population of the French quota area as of July 1, 1962. The number 574, in other words, is roughly one-fifth of the French quota.

If I can be of further assistance, please do not hesitate to let me know.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

It is the next last paragraph of that letter relating to the determination of the annual quota of 574 for the new state of Algeria which illustrates the manner in which those persons charged with the administration of a law are able to thwart the legislative intent by a strained interpretation. The Subcommittee on Immigration and Naturalization was concerned with the manner in which the quota for Algeria was computed and requested further enlightenment in the following communication:

MAY 14, 1964.

Mr. FREDERICK G. DUTTON,
Assistant Secretary,
Department of State,
Washington, D.C.

DEAR MR. DUTTON: This has further reference to my letter of January 23, 1964, to the Secretary of State with reference to Proclamation Nos. 3569 and 3570, and your reply of February 17, 1964; but first I wish to thank you for your detailed report on the method used in determining the immigration quotas for Malaysia and Algeria, and the revised quota for Indonesia.

The Subcommittee on Immigration and Naturalization has expressed some concern with respect to the State Department's rationalization of the method used in the determination of the new quota of 574 annually for Algeria. It is the subcommittee's view that the last sentence of section 202(e) of the Immigration and Nationality Act, as amended by section 9 of the act of September 26, 1961, was added for the sole purpose of assuring to all new political entities an immigration quota at least equal to the total of subquotas or quotas previously available for each of the component parts of such new entity. In other words, in amending section 202(e), Congress was concerned with the quota situation resulting from the combination of minimum quota areas or subquota areas and did not intend that the new provision contained in the last sentence of 202(e) should encompass revisions resulting from the transfer of allegiance of an integral portion of the population of a governing country to that of a new political entity.

It is believed that section 202(e), prior to its amendment, adequately covered that situation. This understanding of the purpose of the last sentence of section 202(e) is supported by the following language contained in House Report No. 1086, 87th Congress, 1st session, which accompanied the amending legislation when it was reported by the Committee on the Judiciary of the House of Representatives on August 30, 1961:

"Similarly, anticipating the forthcoming assumption of an independent status by the West Indies Federation, this section of the bill proposes to assure to this or similar new political entities an immigration quota equal to the total of subquotas or quotas now available for each of the component parts of such a new entity.

"To cite an example, upon the merger of Syria and Egypt into the United Arab Republic, the new entity was allocated only 100 quota numbers annually, while prior to the merger, each of the 2 component parts had a 100 quota for itself. This situation will be corrected under section 9 of this legislation."

In addition, that document refers to the views of the State Department contained in reports on similar legislation which appear to be in accord with the subcommittee's understanding.

In the case of Algeria, it is the subcommittee's understanding that historically northern Algeria has been treated as an integral part of metropolitan France and intending immigrants from northern Algeria had full access to the French quota of 3,069. In view of the provisions of section 201(a) and 202(e) of the Immigration and Nationality Act relating to the establishment and the revision of quotas, it is difficult for the subcommittee to find the justification for establishing for Algeria a quota equal to one-fifth of the quota for France on the basis of the ratio of the population of northern Algeria to France without making any corresponding revision in the quota for France as a result of the population transfer.

I would appreciate receiving any further comments you may have regarding this matter at your earliest convenience.

With kindest regards, I am

Sincerely yours,

———— ————,

Chairman.

In reply to that further inquiry the following letter was received from the then Assistant Secretary of State, the Honorable Frederick G. Dutton, which I read:

DEPARTMENT OF STATE,
Washington, June 9, 1964.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, U.S. Senate.

DEAR MR. CHAIRMAN: I wish to thank you for your letter of May 14, 1964, making further inquiry with regard to the immigration quota for Algeria (Proc. No. 3570 of January 7, 1964; 29 F.R. 249), and expressing the Subcommittee's concern with the method used by the Department in computing that quota.

The Department's letter of February 17, 1964, in reply to your letter of January 23, 1964, explained that the problem of computing a new quota for the independent State of Algeria presented a unique situation. We realized that the 1961 amendment of section 202(e) of the Immigration and Nationality Act (Public Law 87-301) contemplated political changes similar to those involved in the formation of the West Indies Federation and the merger of Egypt and Syria into the United Arab Republic. However, the language of the amended section 202(e), as interpreted by the Department, allows for a broader application. It refers to political changes involving *one or more colonies * * * of one or more quota areas.* (Italics supplied.) The change of boundaries which resulted in the establishment of the State of Algeria actually involved one quota area; i.e., France, and one subquota area; i.e., southern Algeria. If the statutory language had limited its application to political changes involving two or more colonies or two or more quota areas, as in the case of the West Indies Federation or the United Arab Republic, there would be little room for doubt or misunderstanding.

So far as concerns the annual quota of 3,069 established for France, it was not considered necessary to make a proportionate reduction in that quota when the Algerian quota was proclaimed. The 1920 population base on which the French quota was determined under section 11 of the Immigration Act of 1924 did not include inhabitants who attributed their national origin to Algeria. It represented immigration from continental France only.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

It seems to me that it is quite clear in this case that there is no real foundation in the statute for the conclusion which has been reached through administrative interpretation which completely disregards the legislative history of the provision. The language of the sentence which was added to section 202(e) is not complicated and when read in the light of the statement of the House Committee on the Judiciary when the bill was favorably reported its purpose is obvious. That purpose is to insure that when one or more colonies or one or more quota areas merge, that the new political entity will have the same number of quota numbers available to it as previously were available to the component bodies under the Immigration and Nationality Act. Its purpose is not to make quota numbers available where they had not been available before under any provision of that act. Let me read from the House Report No. 1086 of the 1st session of the 81st Congress which makes this purpose abundantly clear:

"Similarly, anticipating the forthcoming assumption of an independent status by the West Indies Federation, this section of the bill proposes to assure to this or similar new political entities an immigration quota equal to the total of subquotas or quotas now available for each of the component parts of such a new entity.

"To cite an example, upon the merger of Syria and Egypt into the United Arab Republic, the new entity was allocated only 100 quota numbers annually, while prior to the merger each of the 2 component parts had a 100 quota for itself. This situation will be corrected under section 9 of this legislation.

"In reporting on July 10, 1961, on a similar provision contained in H.R. 6300, the Department of State, over the signature of Mr. Brooks Hays, Assistant Secretary of Congressional Relations, recommended the enactment of this provision of the amendment stating as follows:

"'Section 6 would amend section 202(e) of the Immigration and Nationality Act in two significant respects:

"'(a) It would eliminate the ceiling of 2,000 now imposed on the aggregate of all minimum quotas within the Asia-Pacific Triangle, and

"'(b) It would assure to new political entities an immigration quota equal to the total of quotas or subquotas presently established for each of the component parts which comprise the new entity.'

"The Department strongly favors the amendment (summarized under (a) above) inasmuch as any reduction in quotas as required by existing law would adversely affect the foreign relations of the United States. The prompt enactment of the other amendment to section 202(e) is of particular concern to the Department in view of the imminent independence of the West Indies Federation, now expected in the early part of 1962. Upon gaining independence, the Federation will be entitled to an immigration quota which, if computed under existing law, would amount to 100 compared with a total of 1,000 quota numbers now available to the component areas of the Federation. This reduction would be highly undesirable from a foreign policy point of view. Consequently, the Department strongly endorses the proposed amendment which would authorize an annual quota of 1,000 for the Federation. In the event that H.R. 6300 should not be enacted during the current session of the Congress, the Department urges that this particular amendment be considered in a separate bill. Otherwise, the United States would be placed in the position of restricting the Federation to a quota of 100 upon its acquisition of an independent status."

Admittedly, the situation in Algeria prior to its independence was unique in that southern Algeria was treated as a subquota area while northern Algeria was treated as an integral part of France and the inhabitants of northern Algeria had full access to the quota of France of 3069. The newly independent Algeria, then, did not result from a merger of one or more colonies or one or more quota areas as contemplated by the new language in section 202(e), of the Immigration and Nationality Act. What occurred was a political change in an area from the Mother country, France, under which Algeria became an independent nation. It is true that quota numbers prior to independence had been authorized for issuance to inhabitants of the area involved under both the French quota and a subquota of that quota for southern Algeria. But does this justify the establishment of a quota of 574 for Algeria on the ground that the new language in section 202(e) guarantees an annual quota for the newly established quota area which shall not be less than the number of visas authorized for the area preceding the political change? There were no specific quota numbers previously authorized for Algeria other than the subquota of 100 for southern Algeria, and so the State Department explains that the new quota of 574 bears the same ratio to the overall quota of 3069 for France as the estimated population of Algeria on July 1, 1962, bore to the total population of France. This new quota is roughly one-fifth of the French quota. The State Department explains that a strict application of the national origin provisions would have resulted in the establishment of a minimum quota of 100, to which it is entitled under the law, but this is considered to be unrealistic. Accordingly, it created a new quota and seeks to justify its action under a provision of the law which is completely inapplicable to the situation with which we are concerned. In other words, the administrators decided what they wanted to do first and then twisted the language of the statute to justify their action calling it a broader application of the provision. Instead of establishing a quota of 100 for Algeria they established a quota of 574, thereby adding 474 unauthorized numbers to the overall quota. If Algeria, as the State Department contends, is entitled to part of the French quota as a result of the political change why was not the French quota reduced to the extent of the numbers transferred as a result of the boundary changes as has been the practice under section 202(e) of the Immigration and Nationality Act? The State Department passes this off lightly by saying that no proportionate reduction was made because the population on which the French quota was based did not include inhabitants who attributed their national origin to Algeria, but was limited to continental France. Then, the question might be asked: Why were the inhabitants of

northern Algeria ever permitted to use the French quota?

This raises the question of why Algeria was accorded special treatment. Does this not constitute administrative discrimination against those countries whose quotas have been established under the national origins provisions? Is Algeria entitled to a special quota of 574 while Greece has a quota of 308; Spain a quota of 250; Australia a quota of 100? I hope that I have made my point that it would be exceedingly unwise if not disastrous to accept any proposal which would vest administrative agencies with broad discretionary control over the allocation of quotas. In the situation to which I have just alluded, we have seen an example of the liberties the bureaucrats will take in interpreting any law in order to justify a desired end result. Just imagine what would happen if they had a statute which actually granted them discretionary authority in the allocation of visas among the peoples of the world.

Mr. EASTLAND. In summary, then, it may be observed that the proposed revisions of the quota provisions of the Immigration and Nationality Act contained in the bill, H.R. 2580, constitute a complete reversal of the policy expressed in the national origins quota provisions. The Immigration and Nationality Act provides for a maximum quota with an empirical formula for the allocation of the quota numbers. That formula does not contemplate the mandatory issuance of all numbers made available, but rather that the flow of immigrants up to the maximum will be in accordance with the formula. Under the provisions of H.R. 2580, however, the overall quota of 170,000 will be a minimum quota as the provisions of the bill are designed to insure full use of all quota numbers each year.

Mr. President, this is the loosely drawn bill which we are asked to hastily enact into law for the avowed purpose of destroying the national origins quotas. Why, we must ask ourselves, is there such a burning desire to destroy the national origins quota? We are told that quotas must be eliminated completely and that determination of the order of admission of admissible aliens should be based only on his relationship to persons in the United States, his training and skills and the time of his application. An examination of the measure clearly shows that the idea of quotas has not been abandoned, but only national origin quotas. By the very words of the statute, 1 country may not use more than 20,000 of the overall visa numbers, so that certainly establishes quotas. Does this mean that all men are to be treated the same until 20,000 visa numbers have been used by any 1 country? When that 20,000 limit has been reached, the next man in line for a number in that country is not going to be treated the same as the man in a country where the limit has not been reached. If there are no quotas, then how is it that in section 2 of the bill we find that the provisions of the Immigration and Nationality Act relating to the use of the "mother country" quota by colonies or other dependent areas is to be amended to provide a specific formula for establishing the number of immigrants in such colonies or dependent areas which may be charged to the governing foreign state.

Certainly, the measure recognizes that there will be quotas or limits and that they are bound to be different. Being different, will not the quotas or numerical limitations be subject to a charge of being discriminatory? Will the fact that a different formula is used placate all immigrant peoples when the inevitable result will be to permit more persons to enter from one country than another? Why must we offend our friends by the adoption of a formula under which it is highly probable that occasions will arise when their natives will no longer be able to obtain visas freely as formerly. Will this promote good relations with our friends? This measure does not even provide a minimum quota for all countries, and yet its sponsors say the quota system under the Immigration and Nationality Act is discriminatory and unjust.

This attack against the national origins quota system is not new, for it had been subjected to constant sniping in the decades following its enactment in 1924 and the same charges of discrimination were constantly leveled at it; but yet a two-thirds majority of the Congress approved its reenactment in 1952 when Congress overrode a Presidential veto of the Immigration and Nationality Act. Why then is there this continuing attack which grows more vociferous in election years? Is it really a basic concern of theory or is it in reality a desire for more immigration? I believe it to be the latter.

The national origins quota system allocates to each country of the world, and I emphasize each, an immigration quota of one-sixth of 1 percent of the number of our people who attribute their national origin to that country. Thus we have an invariable exact mathematical formula equally applicable to all countries of the world, with one exception and that is that no country shall be left out, but shall have at least a quota of 100 annually. It has been described as a mirror held up before the American people and as the various proportions of our national origins groups are reflected in the mirror, computations of the quotas are made in accordance with that reflection. Is this discrimination which we find unjust? I think not. Certainly it is discriminate action, but it is action which recognizes the differences among the ethnic groups in our population, and it is not the practice of discrimination in its abhorrent sense.

This formula which treats persons differently, because they are basically different, was not hastily arrived at. There was a special departmental committee which undertook the task in 1924 of determining the ethnic composition of the population of the United States. It did not complete its work until 1929 when it made its report to the President. That committee analyzed the population of the United States and through most careful research and study calculated as exactly as humanly possible how many of the members of our population at that time descended from the English, the Dutch, the Italian, the Polish, the German, the Spanish, the Irish, the Portuguese, the Greek, and so on. The formula placed in effect is the recognition by the Congress that it is in the best interests of this country to maintain as nearly as possible that basic composition. This was the purpose of the numerical limitations imposed under the national origins formula, and such numerical limitation based on an invariable formula is not unjust discrimination. Those provisions which denied quotas to persons because of race have been removed from our law, and to charge that the present formula is based on a policy of deliberate discrimination is just not based on fact.

Our immigration policy as embodied in our quota law recognizes that people are different and that nations are different and that all have made a contribution to the growth and development of this country, but because of their very differences their contribution has varied. The fact that we recognize that different peoples made different contributions to the great American amalgamation does not mean that we are saying that one is superior to the other. We are saying that we believe that our legal, political and social systems derived from a population composed of persons of those great differences, and that we further believe that the preservation of this new American culture and the fundamental institutions of this Nation can most likely be preserved and strengthened by the preservation of the relative proportions of those different people in our society. Again, this does not mean that we say that one group is superior or another group is inferior, but simply that various groups of people are different. The Immigration and Nationality Act does not set forth any theory of racial or ethnic superiority, nor is there valid ground for saying there is an implication of racial or ethnic inferiority, though some persons for purely self-serving purposes seek to draw such an inference.

Mr. President, I believe that it would be interesting to read a commentary on the national origins quota system which appeared in an editorial in the New York Times on March 1, 1924, when Congress was considering legislation which it ultimately enacted as the 1924 Quota Act embodying national origins quotas:

> In formulating a permanent policy two considerations are of prime importance. The first is that the country has a right to say who shall and who shall not come in. It is not for any foreign country to determine our immigration policy. The second is that the basis for restriction must be chosen with a view not to the interest of any group or groups in this country, whether racial or religious, but rather with a view to the country's best interests as a whole. The great test is assimilability. Will the newcomers fit into the American life readily? Is their culture sufficiently akin to our own to make it possible for them easily to take their place among us? There is no question of "superior" or "inferior" races, or of "Nordics," or of prejudice, or racial egotism. Certain groups not only do not fuse easily, but consistently endeavor to keep alive their racial distinctions when they settle among us.

They perpetuate the "hyphen" which is but another way of saying that they seek to create foreign blocs in our midst.

The editorial policy of that newspaper has changed considerably in the passing years but its reasoning then is still valid.

I hope, Mr. President, that it has become quite obvious that the critics of our present immigration policy will find themselves stuck with this spurious label of discrimination which they have been hurling at the national origins quota law ever since its enactment. They shout "discrimination" and then over the years what have they done? They have offered plan after plan to break down the law: unified quota plans; family reunification quota plans; quota pooling plans; population-immigration plans; and ad infinitum. But what has been the result? In all cases the substitutes contained quantitative variations in the selection of immigrants, but those who cried loudest did not advocate unrestricted immigration. This is the dilemma of those who cast these unfounded charges against a formula which is based soundly on the true proportions of the national origins groups in our population. They do not advocate establishment of numerically equal quotas for all countries. They offer a substitute without a sound formula with built in mechanisms for the allocation of quota numbers by administrative discrimination.

Mr. President, we hear the clamor of the immigration reformists that we must remove the national origin quotas because it offends other nations and damages our foreign relations. It has been stated officially that it would better our foreign relations if we followed a different immigration policy. Do these critics ever attempt to explain the national origins quotas from a position of strength? Do they ever attempt to tell the truth rather than malign this law of ours which many of them are constitutionally bound to uphold and support? No, that is not the way they proceed as Americans.

They engage in continuing campaigns of self-condemnation and unceasingly shout discrimination from the housetops. We have always honored our obligations to the rest of the world and it is time that we started defending our policy rather than apologizing for it. Our domestic strength is our concern and it must not be governed by demands from abroad. If there are claims from abroad that our immigration policy discriminates against the peoples of a particular country, it would occur to me that that country is saying that it does not like the composition of our population and would like to see it changed.

Is this a valid position to respect? There are many policies of this country which will not please all nations and it is a mistake to try to win the approval and love of the outside world through the enactment of such an immigration policy. The pursuit of such a policy would inevitably lead to the weakening of the institutions of this country, and if we do not remain strong, then immigration policy will become a moot question in any event.

Mr. President, the advocates of the proposed revisions of the quota system contained in the bill, H.R. 2580 place much emphasis on the assertion that it will facilitate the admission into this country of aliens with special skills which are needed here. They would lead one to believe that this is a new policy and that it is imperative that we change our quota system in order to grant preferential treatment to those prospective immigrants with much needed skills. I feel that it is my duty to set the record straight in this regard.

Since December 24, 1952, when the McCarran-Walter Act became effective, 50 percent of all the quota numbers have been available for issuance to intending immigrants with special knowledge or skills whose services are needed in this country. This first preference class of immigrants, as they are called, are entitled to use 79,280 quota numbers each year out of the total overall quota of 158,561. The visas for the first preference immigrants are issued on the basis of petitions filed by the prospective employer which establish the aliens qualifications and the need for his services. This selective feature of the quota system permits those who establish the need because of the nonavailability of skilled persons in this country to obtain a preference in the issuance of visas under each quota for qualified specialists or skilled workers from abroad. The concept of asking the aliens what they can do for this country, then, is not new and has formed the basis for the selectivity under the first preference quota for the past decade.

It was after lengthy consideration that the Congress decided that the interests of this country required that at least 50 percent of each quota be reserved for persons needed in the United States because of their special skills of training. The remaining 50 percent of the quotas was made available to close relatives of U.S. citizens and resident aliens.

It is significant, Mr. President, that out of the total of 132 principal quota areas and subquota areas under which visas are available to aliens, 110 of those quotas or subquotas are current at the present time. In other words, if an industry, or a hospital, or a university, or a Government agency needs the services of an alien specialist or skilled worker, no difficulty would be encountered in obtaining a visa under the first preference portion of the quota for 108 countries. It is true that there would be a delay in issuance in the remaining countries, but not for an indefinite length of time. Perhaps it would not be possible to obtain the immediate entry from the Union of South Africa of a physicist to do research in the structure of metal, but it is quite likely that the need could be met under one of the other quotas. The law is not intended to discriminate in favor of skilled persons from particular areas of the world, and I am satisfied that if a need is established a qualified alien can be found under the present quota system.

The present system for according preferential treatment is not so inflexible as it is sometimes alleged. It may not be generally known, but under present procedures if an alien who is temporarily in the country acquires first preference status upon the basis of a petition filed by an employer who needs his services, he will be permitted to remain here so long as he maintains that status even though the first preference portion of the quota to which he is chargeable is oversubscribed. He will be permitted to carry on his essential work while he awaits the availability of a quota number. In order to accommodate the need, his spouse and children may be paroled into the United States to be with him while he waits. Furthermore, if it is determined that national defense interests warrant such action, a highly skilled technician and his family may be paroled into the United States by the Attorney General if the first preference portion of the quota to which he is chargeable is not immediately available. It seems quite clear to me, Mr. President, that when there is a real need for the specialized or skilled services of aliens in this country, that need can be met reasonably well under existing law while at the same time the interests of our own labor market are protected.

Concurrent with all the publicity for immigration reforms to facilitate the admission of skilled workers there is the demand for reforms to permit the reunifications of families. One might get the impression that the national origins quota system results in the separation of families, but this is far from the truth. The truth is that after 50 percent of each quota is made available to the first preference skilled group the remaining 50 percent is made available to close relatives of U.S. citizens and resident aliens, plus any numbers not used by the first preference. The relatives entitled to the preferences include parents of U.S. citizens, unmarried children of U.S. citizens, and spouses and children of resident aliens. The Immigration and Nationality Act goes even further and provides that if any numbers remain after the specific preference groups have been served, 50 percent of any such numbers shall be available to the brothers, sisters, and married children of U.S. citizens. This latter group is commonly referred to as the fourth preference under the quota.

In view of the fact that much of the criticism of the McCarran-Walter Act stems from the heavy oversubscription of this fourth preference class, I feel that a little clarification should be offered at this time. In the first place, this compassionate feature was added to the law for the first time in 1952 by the Immigration and Nationality Act. The attention of Congress was brought to certain isolated cases where elderly brothers and sisters of U.S. citizens were alone in the Old World and without any preference faced the bleak prospect of never seeing their relatives in the United States again. They were single and in many cases supported by the brother or sister here. They were not given a true preference, but it was felt that if any numbers remained in the quotas after the

preferences had first call, then these older brothers and sisters should have a priority in the use of the nonpreference portion of the quotas to the extent of 25 percent which was subsequently raised to 50 percent. Since they were old and alone it was considered reasonable to include them within the concept of a "family unit" which should be maintained. Similarly, the extension of this small priority to married children of citizens seemed justified. In other words, if any numbers were left over, these relatives of U.S. citizens should have a preference over "new seed" immigrants. It was never contemplated that this class of immigrant applicants would assume the proportions it has today, and create such pressures for measures to permit their entry.

As of July 1, 1964, there were 163,805 aliens who had registered on quota waiting lists under this fourth preference category. This heavy demand was never contemplated and may be attributed to the act of September 22, 1959, which hastily enlarged the fourth preference group to include the spouse and children of the principal applicant. Unfortunately by that action, which was taken in the best of faith in answer to appeals for relief in hardship cases, Congress departed from the time-honored concept of preserving the immediate family unit of the immigrant or the citizen, and extended it to include another family unit.

Thus, Congress through its act of charity, multiplied many times the persons eligible for fourth preference. The class by its nature will continue to increase, and this points out quite clearly the dangers involved in further extensions of the relative preference groups. It is an interesting fact, too, that out of the total fourth preference registrations of 163,805, nearly 114,717 of that number are registered on the quota of one country.

It is true, Mr. President, that some of the quotas are oversubscribed and that certain relatives in those countries face a delay in obtaining visas, but to me those circumstances do not justify scrapping the quota system. In 90 of the 114 principal quota areas, there is no waiting period at all for immediate family groups. In 54 of the countries there is no waiting period for anyone. It is only when you get beyond the "immediate" family groups, such as the fourth preference applicants that any serious difficulty is encountered and, as indicated above, even then only in a few quota areas.

There is one aspect of the preference quotas for each country which I believe is of particular importance and which is glossed over. While 50 percent of each quota is made available for skilled persons, that portion can only be used if the persons are urgently needed in this country. If such persons are not needed, the unused part of the first preference becomes available to the close relative preference cases in each country. In other words, just because a person has skills does not entitle him to displace a relative of a citizen unless a need for his services is firmly established. I believe that this is as it should be and as long as we live in a family of nations each nation should have its quota with a system of preferences which serves American industry by providing highly skilled workers; which preserves the immediate family unit of immigrants from that nation; and which protects the American worker in the skilled, semiskilled and unskilled classes. All these things the Immigration and Nationality Act has done and is continuing to do.

We have no cause to be ashamed of our immigration policy. Since the enactment of the Immigration and Nationality Act in 1952 through June 1964 a total of 3,108,538 immigrants have entered the United States under the provisions of that act and special enactments. Of that number 1,082,833 were quota immigrants and 2,025,705 were nonquota immigrants. That is a larger share of immigrants than any other nation has received. The number of admissions as nonquota immigrants, most of whom entered under the regular provisions of the Immigration and Nationality Act, is of particular significance. Over 55,000 natives of Japan entered as immigrants while the quota for that country is 185 annually. Over 27,000 have entered from the Philippines and the quota of that country is 100 annually. Italy has an annual quota of 5,666, but over the 11-year period over 243,000 immigrants entered from that country. From Greece with a quota of 308, there came over 53,000. Portugal has a quota of 438, but over 31,000 have entered from that country in the 11-year period. China has a quota of 105, but over the 11-year period 46,000 immigrants entered from that country. That is a good record and yet it is said that we are making enemies abroad through our immigration policy.

It is claimed that the increase in the number of aliens who would enter under H.R. 2580 would be more modest than under some of the previous proposals, but they would still be substantial. The quota would rise from 158,561 to 170,000. By extending nonquota status to adjacent islands which have recently acquired independence, it is estimated that approximately 15,000 nonquota immigrants would enter. We could expect approximately 7,300 parents of citizens under the new nonquota status. To these increases we would add 55,000 immigrants which represents the average quota numbers which have been unused in past years and would now be used. Thus, in the first year of the operation of H.R. 2580, should it be enacted, we could expect an increase in immigration of approximately 77,300, plus a substantial number of Asiatics who are natives of Western Hemisphere countries and who would enjoy nonquota status for the first time. From this latter group we could expect over 5,000 in the first year alone. Last year immigration totaled 292,248, and when we add almost 85,000 more a year, immigration will certainly approach 375,000. And mark my word, should this effort prevail, it will follow as surely as the night must the day, that in the next Congress the effort will be to increase the overall number.

Before seriously considering any measure which would increase the number of immigrants to be added to our population, we should ask ourselves some very searching questions.

In view of the level of unemployment, should we increase the rate of immigration?

In view of the threat of increases in unemployment in the future as the result of automation should we at this time increase immigration?

In view of the population explosion that is taking place in this country, should we accelerate it artificially by increased immigration?

In view of the shortage of classrooms in schools and institutions of higher learning, should we increase immigration?

In view of declining natural resources, do we need increased immigration?

In view of the growing threat of a water shortage through increased consumption and contamination, do we need increased immigration?

Mr. President, I believe this country has certainly taken its share of the oppressed and others desiring to join our community of peoples and it has done so gladly. However, no single country can solve the population ills of the world and to attempt to do so can only end in disaster.

In conclusion, Mr. President, I urge the Senate to reject the bill, H.R. 2580, and thereby maintain a sound immigration and naturalization system for our country.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 450. An act for the relief of William John Campbell McCaughey;

S. 1111. An act for the relief of Pola Bodenstein; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 9877) to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I have listened with very deep interest to the address of the distinguished Senator from Mississippi who preceded me. I commend him for his very thorough and penetrating analysis of the pending measure.

It is difficult for me to understand how, after duly considering the salient aspects of this bill, one could feel that it would be in the interest of our country to enact the measure into law.

Mr. President, I am opposed to the pending immigration bill—the people of Arkansas are opposed to it—and, according to a recent national poll—the American people are opposed to it.

After several years of intensive study, the Congress enacted less than 15 years ago, the Walter-McCarran Act, which sought to define and express this Nation's immigration policy. That act was an attempt to blend national interest with the traditional American concept of the brotherhood of man. It was a reasonable act in that it attempted to build our immigraion policy on the premise that we should admit to our shores those aliens who stood the best chance of becoming Americanized. The Act was based on the national origins system which has become a symbol it seems of dread and discrimination if we are to heed the emotional cries of those who seek to change and liberalize that act by the emasculating language of the pending bill.

National origins means, quite simply, that system devised by this country following World War I whereby preferential immigration status was accorded to those countries which contributed the most to the formation of our country. In effect, the system sought to reflect the makeup of our people by allowing immigration on a fractional basis of America's population. This is today baldly labeled as a discriminatory system and it is said that it has to go. I would ask, discriminatory to whom? And I would also ask, since when has it become discriminatory to found immigration on a reasonable and rational system designed to accomplish the desired end of immigration?

The decade of the 1960's promises to go down in this country's history as the decade of discrimination. The erroneous connotation of the word "discrimination" has become so evil that I doubt that there is an American alive today who would want to be described as having discriminating taste whether in food or clothing. How ridiculous we have become. Each of us in our everyday life discriminates with every choice, be it with friends, commodities, or facilities. And regardless of some of the inane laws passed by the Congress or twisted by the Supreme Court, such discrimination will persist, for it is a natural compulsion of the human mind.

If so many people are opposed to changing our immigration policy as expressed in the Walter-McCarran Act, then why the big rush to enact the new law? Well, this concerned me, too, and I reviewed again the testimony of administration witnesses before the Senate Judiciary Committee. The Secretary of State said that he has often been approached by foreign ministers who believe that the national origins principle discriminates against their countries. This, according to the Secretary, creates difficulties in establishing good relations required by our national interest. Following this perverted logic to its end conclusion would have the national Congress taking a poll of foreign ministers or getting a concensus from foreign countries before acting on legislation in many fields.

How utterly silly it is to base our immigration policy on the complaint of a few foreign ministers who feel that our policy is discriminatory. The cry to amend the present law for the sake of the tin god of discrimination does not move me either by logic or emotion. Nor, apparently did it move the drafters of the original bill, who proposed the retention of the discriminatory unlimited provisions of the present law in regard to foreigners in the Western Hemisphere. The Senate Judiciary Committee did amend the bill to impose a 120,000 limitation on Western Hemisphere immigration beginning in 1968, but since a similar provision was defeated in the House, the final version of the bill may well continue this discriminatory aspect of the original bill.

Another witness before the committee, Attorney General Katzenbach, also relied heavily on the discriminatory features of the national origins system in making his plea for enactment of the pending bill. He complained that the system creates an image of hypocrisy which can be exploited by those who seek to discredit us abroad because we profess that all are equal yet we use the "discriminatory national origins system."

Mr. President, if we exclude anybody by law from immigrating to our country, to that extent we discriminate. The only way to have absolutely no discrimination in an immigration policy is to repeal all immigration law, and let them all stand equal. We might as well be honest about it. We are discriminating with this law. We shall discriminate with the next one, and the next one, until we remove every barrier.

So the argument about some country feeling it is discriminated against loses its appeal, loses its force and persuasion. After all, whose country is this? Who has a right?

No alien has a right to admittance. We grant him a privilege, and we are under no compulsion to do that, if the granting of the privilege is against or does not serve the national interest.

Woe betide us if we ever go down the road in an effort to wipe out all the things that our enemies might use in their propaganda programs against us, for this would result eventually in the elimination of the free enterprise system.

I do not understand the attitude of trembling in the presence of foreign potentates, kings, dictators, or any other heads of government, merely because we have a little pride in our own country, in our achievements, in our preeminent position in world affairs. Why should we not have?

Because we have, because we have reached these attainments, are we now required by wisdom, by logic, by humanitarian causes, or any other persuasion to say, "All we have achieved is yours"? Say it to the rest of the world: Come. Partake. Enjoy the privilege.

Mr. President, with that idea I do not agree. America cannot survive as the great Nation she is today if we ever so modify and change our immigration policy so as not to protect that which we have developed, produced, and now possess.

The Attorney General also pointed out that under the present act we deprive ourselves of skills that we could use in this country, that is, we will be deprived of the services of a brilliant surgeon from India for several years because of that country's limited quota of 100. I am sure that this Indian surgeon is brilliant, but if he is, could he not serve mankind far better by remaining in his country and ministering to the needs of the masses of his own country whose population is nearly triple that of ours?

Mr. President, I am sure that there is just as urgent need—more, possibly—in India for the skill of this brilliant physician than in America. Yet, the argument is made in support of the bill to siphon him off, to take him away from his native land, where he is needed most, because we would be embarrassed if someone should state that we were discriminating.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield at that point?

Mr. McCLELLAN. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. When it comes to the charge of discrimination, is that not mostly confined to some of our own liberals? I have not noticed that there is any undersubscription of quota allowances for the people of other nations who wish to come to America other than those which are already heavily represented in this country. Every time a matter is taken up with my office by citizens of other countries, or their relatives, and I check it with the State Department, I find that there is a long list of oversubscriptions. Does that look as though anyone is desirous of going somewhere else except to the United States, that they feel they do not wish to come to this country because we are discriminating? Is it not true that our quotas are generally oversubscribed in many parts of the world at this time?

Mr. McCLELLAN. That is certainly true. I believe it can be said without successful contradiction or challenge that we have the most liberal immigration policy in the world. I am not an expert in this field, but I do not know of any country which is more generous and liberal than the United States.

Mr. HOLLAND. Not many days ago, I had the privilege of reading a long article on immigration policy in Australia, which is vastly more restrictive than ours. Australia picks not only the countries from which it is willing to invite migrants, but also picks the individuals in those countries. The article mentioned that oversubscription in Australia was very great, that they had almost an indefinite right of selection between numerous individuals and numerous families. Does that indicate that there is any world disapproval of a people who wish to protect their own civilization and to bring to themselves, for their benefit, those whom they believe will be attuned to what their country is trying to do?

Mr. McCLELLAN. Certainly not. there is much reason or more for Australia to throw down the floodgates and open up its country to unrestricted immigration because from the point of view of its geography, Australia has a much vaster area unpopulated and undeveloped than has the United States.

The point is that if a good image of this country is related to its immigration policy, the United States should already have the greatest image of any country on earth because of its generosity and liberal attitude toward inviting people to its shores.

I do not understand why we must take the attitude that, in order to please someone else, we must now further liberalize our immigration policy.

Mr. HOLLAND. I agree with the Senator from Arkansas completely. I merely wish the RECORD to show that in the case of Australia, whose policy is restrictive and highly selective, they are being overwhelmed with applications to come in from good people who wish to emigrate to Australia and settle there and claim a part of the future of that relatively new continent as pioneers and settlers.

I am completely out of accord, however, with the theory that we must change our policy merely to suit someone else. I do not believe that people in the world, generally, will approve or disapprove of America merely because of its immigration policy. It does not make any sense. We have the right to be as restrictive as we feel our own interests require, and I am very glad that the Senator from Arkansas is bringing out that point so clearly.

Mr. McCLELLAN. I thank the Senator from Florida for his valuable comments. There is not a country on earth which will not continue to have greater respect for us because we are discriminatory in our taste and in our selection than if we were no longer to have any pride in ourselves in what we are.

Secretary of Labor Wirtz testified before the committee that the pending bill would increase the opportunities for workers with needed abilities to come into this country. The Secretary pointed out—this is under our present law, Mr. President, and I emphasize how generous it is—that during the 1952–61 period, some 14,000 immigrant physicians and surgeons and about 28,000 nurses helped alleviate the shortage of trained personnel in the critical medical field.

I do not know of any countries which have less need for skilled doctors and nurses than we have. They can do as great a service for humanity—probably greater, and with greater opportunities to serve humanity—in their own countries, where the need is greater.

Are we proud, are we boasting of the fact that we can offer inducements to take them away from where they are needed to most and bring them to this country? Is that our policy?

Some 4,900 chemists and nearly 1,100 physicists, more than 12,000 technicians, and about 9,000 machinists and 7,000 tool and die makers entered during the same period. With these facts in mind, it is little wonder that we now find ourselves continuing to spend billions abroad in economic and technical aid, or that we are sending hordes of Peace Corps workers abroad. Do not these figures and arguments clearly indicate that this country has been siphoning away the very people needed most by the underdeveloped countries of the world which we are professing to help with our foreign aid, our economic aid, our dollars?

But then, perhaps this is bureaucracy at its best—taking away with the left hand and giving away with the right hand. We could eliminate the middle man in this process—our Government—by letting these highly trained people remain in their own countries where they could contribute much to their development, local economy, and culture.

It is a poor excuse for amending and liberalizing our existing law to say that we are going to do it so we can drain off more talent and more skills from other countries.

Two categories of the pending bill aroused my attention. On page 22 of the report, commenting on section 3 of the bill, it is pointed out that 20 percent each of the 170,000 will be used to take care of unmarried sons or daughters of U.S. citizens, and husbands, wives, and unmarried sons or daughters of alien residents.

A little further on in the subsection, it is stated that 10 percent of the 170,000 are to be made up of skilled or unskilled persons capable of filling labor shortages in the United States—that is, 17,000 in the category of the professions, scientists, and artists that we are proposing to drain off each year from other countries and bring them to this country.

It is proposed to let into this country 17,000 skilled or unskilled persons capable of filling labor shortages in the United States.

Where is the labor shortage that we are undertaking to accommodate? My understanding is that we have unemployment in certain areas. My recollection is that we passed a $1 billion Appalachia bill to take a sweep across a great portion of the country and try to rehabilitate that section. My recollection is that we passed another bill proposing a study of other regional developments where there are supposed to be depressed conditions.

Where is the demand for foreign labor in this country—except on some farms, by some fruit producers and others in the southern part of the Nation or in the western or Pacific Coast areas where fruits and citrus are grown?

When there was a demand for workers in Florida, we had to fight for bills on the floor over and over again to try to get a little temporary help during the season when the labor was needed most.

Mr. President, it seems to me that our country, now streaking toward unprecedented expenditures to combat poverty, to increase welfare programs, to provide more job retraining, to provide rent subsidies with wage subsidies lurking around the corner—has absolutely no business liberalizing its immigration laws.

Why should we bring to this country persons from other countries, when their skills and training are needed in those countries? We appropriate money and give it to other countries on the pretext that we are trying to develop underdeveloped areas. At the same time we propose to take away from those countries the very brains that are necessary, that those countries already possess, which can help those countries get out of a state of underdevelopment and into a state of a developed economy and society. It does not make sense.

We are told that millions of Americans today are existing on poverty wages and we are spending more and more money to raise their standard of living. Why, in the face of this national problem, should we deliberately add to it? Why should we compound the problem by letting down the floodgates and admitting thousands and thousands of additional immigrants? Do we have an obligation to the world to do this? The answer is no, and we will be unwise and imprudent to do it.

America has—and has had for years—the most liberal and compassionate immigration policy of any nation in the world. According to testimony given before the Senate Judiciary Committee, other countries of the world are not only highly discriminatory in their immigration policy—indeed, some even preclude immigration of any sort. This latter policy is probably the ultimate in discrimination as used by the proponents of this bill. But I am not aware of any great rush on the part of such countries to alter their national policy simply because someone says it is discriminatory. I think it is high time we practice more discrimination—discrimination in favor of America's self-interest. It saddens me to see that it has become completely out of vogue for an American to embrace nationalism. For some time there has been a trend in this country toward conformity, toward the norm with the resultant lowering of standards of the whole society. The immigration policy provided for in the pending bill would seek to extend that lowering of standards. This despite the cries for excellence that rang so eloquently across the land just a few brief years ago.

For example, Australia bars all except the white race; Canada bars practically all Asiatic people; Israel excludes all but those of Jewish origin. Switzerland ac-

cepts no immigrants. Russia admits only by special arrangement; and England has further tightened her immigration laws even as they relate to members of its Commonwealth. So if there is to be world criticism of immigration policy—if that is in order—let it be directed to those countries and not against the one country of the world which has consistently taken the most humanitarian attitude toward foreigners.

As I stated a few moment ago, immigration is not a right, but a privilege, and it should be treated as such. If it is in our own self-interest to restrict immigration—as every great nation of the world does—then let us frankly do so without apologies, and not enact this ill-advised piece of legislation.

Many proponents of this bill base their plea for support on humanitarian grounds. I say to them that the greatest service that this Nation can perform for the world is to remain strong, economically and militarily. The greatness of America just did not happen. This Nation achieved its greatness by dedication to the principles of self-government, to hard work and a strong sense of nationalism. And I say that liberalizing our present immigration policy will only tend to dilute rather than to augment our strength.

What high purpose do we serve by letting down the bars? Certainly we cannot hope to relieve the overpopulated areas of the world by easing immigration restrictions. The very idea is sheer folly. It is equally a disservice in my mind to establish an expanded immigration policy that seeks to drain the professional and the skilled workers from other nations who need them far more desperately than we do. By promoting this so-called brain-drain on underdeveloped countries, whose purpose do we serve? Is that not a selfish attitude on our part? And if we are to be selfish at all, then let us be so at the threshold and set realistic immigration figures. Certainly I contend that no useful purpose is served by setting a completely arbitrary figure.

One of the crying issues of the day is the problem of birth control, and how to check the population explosion. America is currently faced with the problems of the burgeoning cities, the need for more and more schoolrooms, better housing, more hospitals and highways. Local governments are stretching dollars to meet the need for more and more services. The tax dollars are split as finely as possible. Yet we in the Congress are presented with an immigration bill that would admit more and more people to further sap, if not burden, our resources.

We have had an influx of immigrants at the rate of some 300,000 per year for the past decade. It has been estimated that this bill will increase that figure by at least another 50,000 and perhaps more. Personally, I would think that another 100,000 per year would be a much more realistic figure, bearing in mind the current unlimited immigration from Latin American countries and the tremendous population increases currently being experienced in those countries. It has been estimated that the present population of 163 million in South America will mushroom up to 600 million by the year 2000. This can only portend more and more immigrants from that area of the world.

In addition to the 4 or 5 million immigrants admitted to this country since World War II, we have given asylum to more than 700,000 refugees and displaced persons. This action is a positive manifestation of this country's humanitarian concern for the oppressed people of the world. I wonder, however, how we can afford to remove the restrictions in our present immigration law and still maintain sufficient flexibility to offer asylum to any future refugees and displaced persons. And the tumultuous events of today's world would certainly indicate that the need for our accommodating refugees or displaced persons has not ended, and there is the strong possibility that it may be tremendously increased.

As further evidence of the fact that our present law is not too restrictive—or sufficiently policed—as the case may be, consider an estimate by the Senate Internal Security Subcommittee that some one-half million aliens enter this country illegally every year. With the population explosion echoing around the world, attempts to enter this country illegally will undoubtedly increase, as will efforts to further liberalize and dilute any immigration law we might enact, including the bill now before us.

The enactment of the pending bill would encourage and invite further efforts to greater liberalization until ultimately, for all practical purposes, we shall have no immigration law.

With our millions of unemployed—with our millions of poverty stricken—with our housing shortage—classroom shortage—hospital and nursing requirements—and burgeoning cities—how can we hope to alleviate conditions here at home by letting down the floodgates for the streams of ever more immigrants seeking entry—legally and illegally—into this country? Have we not already reached a reasonable limit?

This Congress recently created another Cabinet post designed to take care of the problems of the urban areas. Yet under the proposed immigration bill we will be letting in enough people in 1 year to populate a larger metropolitan area. Where is the rationale in such a practice?

By easing the restrictions on immigration we therefore make it easier for those elements who hold beliefs inimical to our own best interests to gain admission. The internal security of this Nation is already threatened to some degree from members of the Communist Party within our borders. More adherents to that ideology will be admitted through the instrument of the pending bill.

Will the addition of still more minority groups from all parts of the world lessen or contribute to the increasing racial tensions and violence we are currently witnessing on the streets of our major cities? Will our crime problems be lessened or heightened by the influx of the new hordes from the far reaches of the world? Under the national origins system, an effort was made to bring into this country those people who demonstrated the ability to assimilate readily into our culture and civilization. Will the new people to be admitted under the terms of this bill so assimilate, or will they end to gather into ghettoes? We are told repeatedly that our society is to blame for allowing ghettoes to exist now, and attempts are made to rationalize away riots and acts of violence on the ghetto environment. If that is so, will not the new bill contribute to the creation of still more ghettoes and thus more and more acts of violence and riots?

Remember that under this bill, immigration will shift from those European countries that contributed most to the formation of this Nation to the countries of Asia and Africa.

We are told that we need this bill, but, Mr. President, I have searched the record in vain to find out why. Certainly it cannot seriously be founded on the premise that the present law embarrasses our diplomats.

The nations to which our diplomats are accredited, and with whose representatives they come in contact, have more restrictive immigration laws than we have. So why should we be embarrassed?

It is not apparent to me that we are in such desperate need of "skilled technicians from abroad that we must pass this bill. In fact, I can tell Senators that not one single employer of the State of Arkansas has asked me to find him a skilled foreigner to work in his factory. Perhaps the situation is a little different in other areas of the country, but it would be interesting to know how many Members of Congress have received requests from the major employers in their States seeking skilled immigrants.

I might also note that I am a bit puzzled by the professed support of this measure by our labor leaders. How, in the face of unemployment, can they justify support for increased immigration? If I were a union member, a worker who belonged to a union, I would want some explanation of that detrimental policy.

Aside from the immigrant, I still have not found out to whom the alleged benefits of this bill will flow—to pressure groups, to foreign governments, to immigration lawyers, to embarrassed American diplomats? It seems that this administration—which is noted for its proclivity for survey and is often termed "consensus-conscious"—is a way off base by offering the bill now before the Senate bill to liberalize our immigration program in the face of majority opposition of the American people. I am aware of no clamoring for this legislation; indeed, as indicated, widespread public opinion runs counter to this bill, if we can believe a Harris survey conducted May 31, 1965. I quote from that survey, entitled: "U.S. Public Is Strongly Opposed To Easing of Immigration Laws":

> The American public, although largely descended from people who came to a new land to escape the persecution, famine, and chaos of other lands, today by better than 2-to-1 opposes changing immigration laws to allow more people to enter this country. What is more, President Johnson's proposal that immigrants be admitted on the basis of skills rather than by country quotas meets with tepid response.
>
> In fact, a survey of public opinion reveals that Americans prefer people from Canada

and Northern and Western Europe as immigrants and tend to oppose immigrants from Latin America, Southern and Eastern Europe, Russia, the Middle East, and Asia.

The American people have a right to know just whose interests we seek to serve by passing this legislation. Are we, by passing this bill, acting in the national interest? Do we really need added hordes of new immigrants to further multiply the many acute domestic problems we face today? Or are we just being magnanimous in slavish addiction to some strained concept of altruism?

I am well aware that all Americans—aside from the native Indians—are descended from immigrants and that it can be truly said that we are a Nation of immigrants. But there comes a time—as with most things—when a saturation point is reached and moderation should be practiced. I think we have long since reached the point in this field where moderation is needed. America, the world's great melting pot, already runneth over. We need no increase in immigration.

We need no change in our immigration law, and we should tell those who criticize our policies to direct their complaints at the other countries of the world whose immigration programs are far more restrictive than our liberal laws and practices.

This measure should be defeated, and I shall vote against it.

Mr. President, I ask unanimous consent, as I conclude my remarks, to have printed at this point in the RECORD an editorial entitled "Why Do We Want To Bring More People to the United States?" published in the North Little Rock Times of September 16, 1965.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY DO WE WANT TO BRING MORE PEOPLE TO THE UNITED STATES?

Now before the Senate is President Johnson's immigration bill, which has as its major purpose the repeal of the national origins quota system. What this means is that if the bill passes, the United States would favor no nation over another one in accepting new residents. We have been showing favoritism since 1924—admitting immigrants in proportion to the makeup of our population. For instance, since there were many more descendants of Englishmen living in this country than Italians the quota for Great Britain was set at 65,361 and for Italy, 5,666. This looked like raw prejudice when viewed in the light of the Great Society. So it had to go, even though most other nations see nothing wrong in being arbitrary and highly selective about whom they let into their country. Australia, for example, takes no Negroes, Liberia accepts no white people, Israel will take only Jews, and Japan and Switzerland allow no immigrants at all.

Of more concern to us than the origins of immigrants, however, is the number of them who come in each year. We hope the Senate, unlike the House, will be able to do more to limit immigration. Why should we be looking for ways to bring in more people? There are 7,200 persons born every day in this country, a rate that will give us a population of 240 million people in 1980. Seventy percent of our residents live in the cities—the exact spot that all immigrants seem to head for. Right now we are passing all kinds of social legislation to eliminate poverty and reduce unemployment, which, among Negroes, was at an alltime high last month. More and more of our unskilled and underprivileged Americans are going to find it harder to support themselves as machines replace men. Many immigrants will join these ranks of the unemployed, no matter how carefully they are screened. A Brazilian off a coffee plantation can live a thousand times better on relief in Chicago or New York than he can on his country's average per capita income of $129 a year.

Now the bill has a ceiling of 170,000 for the Eastern Hemisphere. The very least that the Senate ought to do before it passes this bill is to put some kind of a ceiling on the nations in this hemisphere, too—especially Latin America, where the population is going to double in 20 years. Congressmen MILLS and GATHINGS did their best to get a quota of 115,000 for the Western Hemisphere put into the bill, but the amendment was defeated mainly because the State Department said that it would embarrass the United States to limit immigration from our neighbor countries. Why should it embarrass us? Great Britain was not embarrassed when it reduced immigration from its own colonies in the Caribbean from 20,000 to 8,500. Plainly, the English are disturbed about unemployment and the population explosion and are trying to do something about it. Why should we be ashamed to do likewise?

Mr. McCLELLAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. RUSSELL of Georgia. I object.

The PRESIDING OFFICER. The clerk will resume the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE SITUATION IN THE DOMINICAN REPUBLIC—TRIBUTE TO AMBASSADOR W. TAPLEY BENNETT, JR.

Mr. RUSSELL of Georgia. Mr. President, during the past several days there has been a great deal of discussion and debate on the floor of the Senate, and, indeed, in the press and throughout the country, concerning the President's decision last April to intervene in the bloody civil strife that then gripped Santo Domingo.

The President was compelled to send U.S. Armed Forces to that riot-torn and chaotic island in order to prevent the loss of American lives and property and to prevent the possibility of a Communist takeover.

Now, 5 months later, the President's prudent, patriotic, and forthright action has come under heavy criticism by the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], and others who apparently feel that there was no real danger to American citizens on the island and that the threat of a Communist takeover was exaggerated.

Mr. President, a great deal of the criticism of our actions in Santo Domingo is apparently not directed directly at the President personally, but the charge has been made by certain critics that the President was a gullible victim of faulty advice given, among others, by our Ambassador in Santo Domingo, Tapley Bennett, Jr.

I wish to emphasize that I vigorously and categorically disagree with this criticism of American policy in Santo Domingo. It was not my privilege to be in the city of Washington when the decision to intervene was taken. I was not at the conference at the White House at which some of our hindsighters were apprised of the action that would be taken, but I did discuss the matter with the President over the telephone from my home in Georgia.

The President was kind enough to ask me what I thought of the situation. I asked him if there were any indications of a definite Communist influence in the so-called rebel forces. He stated that there was little doubt that there was a definite Communist influence there, and I told him that, in my opinion, he had no alternative other than to proceed to send the Armed Forces to San Domingo to avoid another Cuba.

No one, of course, can know definitely what would have happened had the President not intervened when he did. But we do know that, subsequent to the landing of U.S. troops, the fighting was brought to a halt and we do not have today another Castroite dictatorship in the Caribbean.

I do not know, Mr. President, how it would be possible to measure in exact numbers how many Communists must be involved in an operation of this kind before it becomes dangerous to a republican form of government, or to any other form of government. We do know that a mere handful of Communists took over in Cuba, and many of the most valorous soldiers who assisted Castro in the revolution have been compelled to flee from that island, their homeland, because they are not Communists.

We also know that in the case of Czechoslovakia, a very small percentage of the people of that country were actually Communists; those who were Communists but were smart enough, tough enough, and mean enough to take to the streets with weapons while the peace-loving people took to their homes. As a consequence, Czechoslovakia wound up behind the Iron Curtain.

Mr. President, I do not intend at this time to go into any extensive discussion of what has happened over the world, and recount the instances in which small numbers of Communists have succeeded in taking over the government of countries where the majority of people were anti-Communist. Nor do I wish to go into an extensive discussion of our Dominican policy at this time. I will say, in passing, that I do not have the confidence of some that we will be able to establish a permanent republican form of government in Santo Domingo under the procedures we are now following.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. RUSSELL of Georgia. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I do not wish to draw the Senator into a discussion of the illustrations he used a moment ago, but it runs in my mind that there never have been 20 percent of the Russian people who are Communists, or even 10 percent. In my judgment, less than 10 percent of the people in Russia are Communists.

Mr. RUSSELL of Georgia. Have never been members of the Bolshevik organization; the Senator is absolutely correct in that.

Mr. HICKENLOOPER. Yes, the disciplined members of the Communist Party.

Mr. RUSSELL of Georgia. That is right. It only requires a very small percentage of dedicated Communists who are absolutely indifferent to human life, human suffering, human liberties, and the rights of others, when a country is in a chaotic condition, to seize the power of government and impose their will on the vast majority. It has happened time and again.

Mr. HICKENLOOPER. The Senator is entirely correct.

Mr. RUSSELL of Georgia. I thank the distinguished Senator from Iowa.

Mr. President, aside from this discussion, what concerns me today has been the attempt to make a whipping boy of Ambassador Tap Bennett by those who happen to disagree with the policy and the action of our National Government.

Ambassador Bennett is an experienced and distinguished career diplomat. It happens that he is a native of my State. I have known him since he was a small boy. I have known his father and his mother for many years. I also knew both of his grandfathers, and had the honor to serve in the legislature in my State, when I was the youngest member of that body, with one of them. Only last year, I enjoyed a midday meal, which we still call dinner where I come from, with Ambassador Bennett's father and mother on their Franklin County farm in the rolling red clay hills of northeast Georgia.

I can assure the Senate that Ambassador Bennett does not come of a stock that panics and frightens very easily; he is a man of sound commonsense with both feet on the ground. It is a grievous disservice to this dedicated and patriotic public servant to suggest that when the chips were down and danger was impending, he gave the President faulty information and panicky advice.

I have known Ambassador Bennett in other posts. I visited him in Greece, when he was serving in the Embassy there. I have never known a career diplomat who endeavors more strenuously to keep in touch with the little people in the country where he is stationed than does Ambassador Bennett. He had visited virtually every community in the Dominican Republic prior to the crisis, though he had not been in that nation for any great length of time.

Last Friday, Ambassador Bennett was guest speaker at a dinner given by the professional communications media groups in Atlanta. Characteristically, he did not reply to his critics, but the Ambassador did relate, from his rather unique vantage point of having been on the scene, some of the events that took place in Santo Domingo during the bloody fighting which initiated the revolution. He also summarized three salient consequences that resulted from our intervention in that fighting. They are brief, and I should like to read them to the Senate.

This is his own summary:

1. No American civilians lost their lives, although one remembers with sadness that 24 gallant men of our Armed Forces gave their lives in the stern tasks that fell their lot. Close to 5,000 persons from 46 nations were evacuated safely from the country. These evacuees, almost 5,000 of them, went voluntarily, the departure of each testifying to his individual estimate of the dangers in the situation.

I interpolate here, Mr. President, to say that that is a point that I have not yet heard made, that almost 5,000 citizens of 46 nations, who were in Santo Domingo and saw what was taking place, thought it was an extremely dangerous and precarious situation, and voluntarily left the country. Many of them left behind substantial business interests. I have talked to two or three citizens of my State who were engaged in agriculture in there, who left, and there was no doubt in their minds but that it was a very dangerous situation—one that they considered to be critical insofar as preventing a Communist takeover in that unfortunate state was concerned.

I resume the reading of the summary by Ambassador Bennett:

2. The Communists were prevented from taking over in a chaotic situation and pushing aside democratic elements involved in the revolt. Communist tactics contributed to the long delay in reaching a settlement, but at the same time made their presence more publicly apparent than had been the case at the beginning. Their leadership has not changed.

3. Another development which thankfully did not occur was that the fighting did not spread throughout the country, as seemed decidedly possible on more than one occasion. Disorders were confined to one or two areas in the capital city, and a major civil war with much wider consequences and untold loss of life was prevented.

Mr. President, I believe Ambassador Bennett's remarks in Atlanta were extremely timely and pertinent to the current debate and discussion of our Dominican policy, and I ask unanimous consent that his address be published in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RUSSELL of Georgia. Mr. President, I also wish to call to the Senate's attention a telegram warmly praising Ambassador Bennett sent by President Johnson on the occasion of the Ambassador's appearance in Atlanta. I ask unanimous consent to have this telegram and an editorial appearing in the Atlanta Journal of September 17 concerning the Dominican discussion printed in the RECORD following Ambassador Bennett's speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2 and 3.)

EXHIBIT 1

COMMUNICATIONS AS A KEY TO UNDERSTANDING

(Address by Hon. W. Tapley Bennett, U.S. Ambassador to the Dominican Republic on receipt of the Big Beef Award at banquet sponsored by Atlanta Chapters of American Women in Radio and Television, Public Relations Society of America Sigma Delta Chi Fraternity, Theda Sigma Phi Sorority, Atlanta, Ga., Sept. 17, 1965)

Only this morning I flew away from an island in the Caribbean which in recent months has known the tragedy of civil strife and the horrors of violence out of control. Decisive action by your Government and other governments of this hemisphere brought an end to the major bloodletting. After arduous and often frustrating negotiations by a committee of the Organization of the American States which lasted more than 3 months, a path for rehabilitation and reconstruction has now been marked out.

We have known violent rioting in our own country in these past month, and the death toll in the recent events in Los Angeles came, I believe, to some 35. By way of perhaps inapt comparison estimates of the deaths in Santo Domingo in the chaos of late April and early May run up to 3,000. I personally think that figure is too high, that a more correct toll of that fraticidal strife would be somewhere between 1,500 and 2,000. But no one will ever know for certainty.

I recall the worst nights in April and May, when up to 70 people were using my house to catch a few hours of sleep. During that period nine snipers were despatched from their positions around the Embassy property, on which my residence also stands. Conditions were obviously not such as to permit people to go to their homes, and they groped their way up through the garden from office to residence in the pitch black night—and there is nothing darker than a tropical night without a moon—in conditions resembling a London blackout. Most of them stretched out on the floor, after the first 15 to arrive had got the available beds. By way of personal footnote—during the 6-week period from April 25 to June 2, my kitchen served up 1,963 meals, feeding everyone from the American President's Special Assistant for National Security Affairs to the Dominican gardener's granddaughter.

I think back to the bravery of young American girls, some of them in their first tour of duty as secretaries abroad, sitting calmly and typing away at 3 in the morning on telegrams to Washington while guns popped outside. Then there was the young civilian officer who day after day drove a highly flammable fuel truck through the fighting downtown because the powerplant had to be kept going—and then indignantly refused an honor award offered him from Washington with the comment that he was only doing his duty. And there was the petite woman officer who shouldered her way time and again through an undisciplined mob in one of the dock areas because she had things to do in the customs warehouse. And the Army lieutenant colonel on my staff who interposed himself calmly between two groups of men armed with submachineguns when they were about to open fire on each other, acting to protect several hundred Americans awaiting evacuation who were directly in the line of fire behind one group. Somehow these simple acts of heroism didn't seem often to get into the press accounts of the crisis. And so here I pay tribute to those who did their duty—and more—at an anxious time.

Certainly none of us there will forget the lift we got one night when President Johnson with great thoughtfulness, called up at

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tary is authorized to publish recommended standards.

If a State fails to establish standards consistent with the purposes of the act within 6 months after promulgation of the Standards—unless the Governor of an affected State requests a public hearing within that period—the Secretary is authorized to promulgate his proposed standards. The Governor of an affected State would be permitted to petition for a public hearing within the 6-month period after publication of the proposed standards and up to 30 days following promulgation of the Secretary's standards. The Secretary is required to call such a hearing and to appoint five or more members to the board. The Secretary of Commerce and the heads of other affected Federal departments and agencies are to be given an opportunity to select one member of the board. The same right is accorded the Governor of each affected State. It is the intent of the conferees that the hearing board represent a balance of Federal and State interests.

The hearing board may recommend either: First, establishment of the Secretary's standards; or second, modification of those standards. The Secretary must adopt the board's recommendations. If the board recommends adoption of the Secretary's standards they become effective immediately on the Secretary's receipt of the board's recommendations. If the board recommends modifications in the standards the Secretary must modify them in accordance with the board's recommendations and promulgate them. The revised standards become effective on promulgation. Revisions in established standards can be considered and proposed by the Secretary on his own motion or on request by the Governor of an affected State in accordance with the foregoing procedures.

Violations of standards under the provisions of this act are subject to Federal abatement action. If the Secretary finds such violation he must notify the violators and interested parties, giving the violators 6 months within which to comply with the standards. If, at the end of that period, the violator has not complied, the Secretary is authorized to bring suit through a State's attorney general in the case of intrastate pollution or through the U.S. Attorney General in the cast of interstate pollution, under section 10(b) (1) or (2) of the amended Water Pollution Control Act.

This enforcement procedure differs from the procedure followed under the present act by omitting the conference and hearing board stages. Because there is a conference and hearing board under the standard-setting procedure the managers for the House and Senate did not consider a repetition of these proceedings necessary in cases of violations of standards. The conference and hearing board stages remain in enforcement proceedings arising out of endangerment of health or welfare where water quality standards have not been established, as under existing law.

In court proceedings resulting from a suit for violation of water quality standards established under this act, the court is directed to accept in evidence the transcripts of proceedings before the conference and hearing board and to accept other evidence relevant to the alleged violations and the standards. The court is to give due consideration to the "practicability and physical and economic feasibility" of complying with the standards in making judgments in such cases.

There was one final set of compromises in the conference. The House managers agreed to recede on the House "subpena section" and insisted that the Senate recede on the Senate "patents section."

Measures contained in both versions were: a 10-percent bonus in sewage treatment plant grants for those projects carried out in accordance with an area-wide plan; a 4-year, $20 million per year research and development program for new and improved methods of controlling the discharge of combined storm and sanitary sewage; authorization for the Secretary to initiate enforcement proceedings in cases where he finds substantial economic injury results from the inability to market shellfish or shellfish products as a result of water pollution, recordkeeping and audit provisions, authority for the Secretary of Labor to set labor standards on projects financed through this act under Reorganization Plan No. 14 of 1950; and an additional Assistant Secretary of Labor in the Department of Health, Education, and Welfare.

Mr. President, I believe this act, as amended, will give strong impetus to our efforts to control and abate water pollution and to improve the quality of our water supplies.

The conference report is signed by all the conferees on the part of the Senate and by all of the conferees on the part of the House.

Congressional staff members have an important role in any legislation. In the development of S. 4 and in the achievement of the conference report the Senate and House staffs made an invaluable contribution to our success. I am particularly indebted to Ron M. Linton, chief clerk and staff director of the Senate Committee on Public Works, William Hildenbrand, legislative assistant to Senator Boggs, and my administrative assistant, Donald E. Nicoll, for their imagination, patience, and skill in making suggestions and drafting successive versions of the bill. A similar contribution was made by the able and cooperative House staff members: Richard J. Sullivan, chief counsel of the House Committee on Public Works; Maurice Tobin, assistant to Congressman BLATNIK; Clifford W. Enfield, minority counsel of the House Committee on Public Works; and Robert L. Mowson, assistant legislative counsel for the House. Without their assistance we could not have this report.

Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JAVITS. Mr. President, I am most pleased that the conferees on S. 4 have reached an agreement. The bill was passed by the Senate last January, and by the House in April, and I know that great differences had to be resolved before a final measure could be presented to the Congress.

The measure is of particular importance to the drought-stricken Northeast which must begin extensive water pollution control programs immediately, and is particularly vital to the State of New York, which will begin a $1.7 billion program with the aid of these funds.

I would also like to call attention to two changes in the final version of the bill which I sought to have adopted here in the Senate. The first raises the dollar limitation on any single project from $600,000 to $1,200,000. The second provides $50 million a year to the grants program, such additional money to be distributed on the basis of population alone.

The conferees and the distinguished chairman of the subcommittee, the Senator from Maine [Mr. MUSKIE] are to be commended for their fine work on this measure. On behalf of the people of the Empire State, I express my most sincere thanks for their efforts in securing final passage during this session.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

The Senate resumed the consideration of the bill (H.R. 2580) to amend the Immigration and Nationality Act, and for other purposes.

Mr. PASTORE. Mr. President, I rise to support H.R. 2580, a bill to amend the Immigration and Nationality Act.

We are about to write one of the finest pages in the human history of America, this land where only the red man is native, this land of immigrants since Columbus first set foot on this sacred soil.

This soil is sacred in the sincere faith of every American in whose youth, or the youth of his parent, this land of liberty was just beyond the horizon of hope as he viewed it from his native soil.

Then came the day of welcome, of opportunity, of responsibility, of obligation. The record shows their obligation has been discharged by 40 million immigrants and their offspring; discharged in faithful service and sacrifice supreme.

This is an honest hour in which we are about to remedy one of the faults of 40 years, the national origins quota system. This was a device for discriminating against races and places. It was illogical, ill conceived, un-American. It opened our doors wide to people who did not wish to come, and did not come. It closed our doors to the willing and the worthy. It refused those ready to share our prospects and our perils. It mocked our Founding Fathers; those who set our standards of decency and dignity, those who saw all men equal as created by their God.

This inequity of 40 years ago was compounded by the Immigration and Nationality Act of 1952. This codified the restrictions of the twenties—and confirmed the quota system.

Today, we are correcting that misconception of America's purpose.

I have worked for it throughout the 15 years I have been a Senator.

I worked for it not only because the quota system was an injustice to the worthy, would-be immigrant—and I am the son of immigrants.

I worked for it because I am a Senator of the United States—and it is an injustice to my country to turn away the clean of heart, the sound of mind, the strong of body, the soul stirred by the adventure and opportunity that America means.

I have worked constantly, continuously, consistently, to make our immigration laws speak the true spirit of America without inviting to our shores more people than we know we can afford to welcome.

Mine was no lonely stand. I have served under five Presidents of these United States. Each of them; with a responsibility higher than mine, an understanding deeper than mine, and an authority greater than mine, has pressed for this triumph of justice.

This is a great hour for President Harry Truman. He called the quota system "at variance with American ideals—out of date—invidious discrimination" and in June 1952 he vetoed the act of 1952. It was passed over his veto.

It is an hour of satisfaction for President Eisenhower.

In 1952, in his state of the Union message, he said of our immigration laws:

> Existing legislation contains injustices. It does, in fact, discriminate. I am therefore requesting Congress to review this legislation and to enact a statute which will at one and the same time guard our legitimate national interest and be faithful to our basic ideas of freedom and fairness to all.

Again in 1956, President Eisenhower addressed the Congress on immigration, saying:

> The national origins method needs to be reexamined and a new system adopted which will admit aliens within allowable numbers according to new guidelines and standards.

We did not have to wait for John F. Kennedy to be elevated to the White House to know his mind in this matter, and President Lyndon B. Johnson has been faithful to his memory and to his trust in his earnest advocacy of equity in these laws.

I will not stress the convictions and dedication of these two leaders. We knew these men—Lyndon B. Johnson and John F. Kennedy—on this Senate floor. We knew these men and we knew their minds and their hearts.

I will borrow a few lines from a newspaper editorial back home. It says:

> Immigration reform is essential. A few moments before his death, President Kennedy launched a renewed effort to wipe out patent inequities of U.S. immigration policy. President Johnson has continued it.

The very simplicity of those sentences make them eloquent.

Through the years I was honored to be associated with Senator John F. Kennedy—as I joined with him and he joined with me in immigration measures beyond count.

John F. Kennedy, who owed his American day to his immigrant forbears, felt deeply, spoke honestly, and acted earnestly in wanting America to keep faith with the world. It is a world that looks to us for standards of decency and dignity—of equity and fair play.

John Kennedy's immortal test—Ask not what America can do for you—ask only what you can do for America—would still be his test.

He would remember what the immigrant had done for America—and the need that still exists that our character and courage and culture continue to be stimulated by the qualities and equities that made our history. These are the qualities and equities that gave our country growth to greatness in a world that has become too small to permit us to be too smug—too self-centered.

The act of 1952 was far from satisfying many of us—and it did not silence us. In these 13 years we have not merely marked time. By dint of dedication and determined effort, we have made more than a score of corrections, exceptions, alterations, improvements, and advancements in our immigration laws.

And now we make the major reform in the iniquitous—and I say that advisedly—quota system.

Two years ago, President John F. Kennedy asked us to eliminate this discrimination. His message might be summarized in these excerpts:

> The use of the national origins system is without basis in logic or reason. It neither satisfies a national need nor accomplishes an international purpose * * * in an age of interdependence among nations.

After 2 years, we are making our response with this remedy. It seems historic justice that the response—in large part—is being made for us by another Senator from Massachusetts—a Senator bearing the name of Kennedy.

It might seem too emotional to call this measure a memorial to anyone. So I will just say it is an American milestone—another measurement which finds its principle in equality of opportunity—and finds its proof in the record of responsibility of those to whom the opportunity was given. That record is written on every page of American history—and no page is more American than the one we are writing today.

Mr. President, it is my fervent hope that this measure will pass by an overwhelming majority.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. As a member of the committee, and Senator in charge of the bill, let me express my great appreciation for the statement of the Senator from Rhode Island. He has been a Member of this body for many more years than I have, and I know that this is a subject in which he has been greatly interested. His statement this afternoon has summarized and captured the fundamental theme which is basic to this legislation before the Senate. The Senator from Rhode Island has once again addressed himself to, provided enlightenment on, and brought to bear a dedication and interest on this problem, which I know all Senators fully appreciate. Therefore, I commend the Senator from Rhode Island for his support of the bill, and I ask all Senators to read his remarks.

Mr. PASTORE. I thank the Senator from Massachusetts.

If I have said it once I have said it a hundred times—we do not wish one more person to come to this land than can be comfortably absorbed into our way of life. We do not wish one more person to come to this country who will take a job away from an American—and I have heard that accusation made.

"How many" is not so important as "how." The number is not so important as the method.

Today America is the beacon light of mankind. America is the hope and envy of the world. America wears the mantle of leadership. How we act and how we speak has repercussions all over the world. Let us do away with discrimination, because discrimination is invidious to our way of life. What we want is equality and fairness. We want only good people to come to America, who will contribute to the welfare and grandeur of America.

I am not disturbed about numbers. I do not care how big or small the number is made, but once that number is arrived at, it should be meted out with equality and justice to all. We should say equally to an individual, "You can come here for what you can do for America." That is the only just way.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KENNEDY of Massachusetts. The Senator from Rhode Island has touched on the most basic point of this legislation. We have often heard in speeches in opposition to the legislation that because other countries throughout the world have discriminatory and restrictive immigration policies, it is reasonable to argue that our immigration policy, in the year 1965, should be discriminatory. The Senator from Rhode Island, however, has underscored the fundamental point that, as the leader of the free world, and as a country that tries to demonstrate leadership in the whole cause of democracy and freedom, it is essential that our immigration law reflect our fundamental belief in the dignity and worth of the individual. That is the theme of the remarks of the Senator from Rhode Island. It is basic to this legislation. It is something that all Senators should reflect upon. When they do, I believe they will find that this immigration legislation is fundamentally based on the dignity of the individual. It is in keeping with the growth of a stronger national policy as regards individual rights that has been reflected in many other measures enacted by the Congress in recent years.

Mr. PASTORE. I give the Senator from Massachusetts a more dramatic and classic example of why the free world is secure today. Why is it secure? Because the United States has primacy in nuclear and thermonuclear weapons. This country is the bastion of freedom and liberty in an imperiled world today because of its primacy in that field.

In 1939 Niels Bohr, a Nobel Prize winner, and a great Danish scientist, came to the United States to meet Enrico Fermi, here as a refugee from Italy. His wife was a Jewess. He refused to return to Mussolini's Italy after receiving the Nobel Prize in 1938 because she was subject to persecution in Mussolino's Italy. Fermi smuggled her across the frontier, and fled to America.

When Neils Bohr landed in New York, the man who met him there was Enrico Fermi. Neils Bohr told Fermi about two scientists in Germany, Strassmann and Hahn, who were ready to break the atom and who were on the verge of a significant nuclear discovery. Enrico Fermi, an Italian, and Neils Bohr, a Dane, went to see Professor Szilard, a Jewish refugee from the persecution of Europe. So we are talking about America as a haven. The exiled scientists talked it over. They were deeply concerned over the possibility that Hitler might achieve the bomb. They went to see another scientist by the name of Albert Einstein, another Jew, another refugee from persecution. Those four men aroused America to its peril. Albert Einstein wrote the famous letter to President Roosevelt. Roosevelt had the courage to give the "go-ahead." The best-kept secret of the war was launched. This country then invested the money and began our research for the atomic bomb. How prophetic is the date of December 2, 1942. 1942–1492. Transform those dates. Columbus in 1492, Enrico Fermi in 1942. It was Enrico Fermi in 1942 who, at Stagg Stadium in Chicago, first achieved an atomic chain reaction. He gave America the atomic bomb.

If we had followed the logic of those who are opposed to this legislation, we would have handcuffed America. We would not have had an Enrico Fermi. We would not have had a Professor Szilard. We would not have had an Albert Einstein. We would not have had Niels Bohr. And we would not have primacy in the development of a weapon that has protected the cause of freedom in the free world for these 20 years.

I am urging that it makes no difference what the race is, it makes no difference what the nationality is, it makes no difference what the place of birth is. What counts is the contribution that a person can make to this great America of ours. Let us open our doors and open our hearts to such people. Let us remove a stigma which would be a blot on American history. I am glad we are meeting today. I am hopeful we shall meet the House of Representatives and have this legislation enacted.

I raise my hat today to the memory of John Fitzgerald Kennedy and to the leadership of President Lyndon Johnson. By their efforts America takes a prouder place in the galaxy of nations in a world that seeks fairness and freedom.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I have heard the Senator from Rhode Island speak eloquently before. I have always enjoyed his speeches. Today I compliment the Senator on the deep feeling he has expressed in the matter to which he has just addressed himself. I have heard the Senator speak on immigration bills before, the so-called pistol point bills that the Senate has passed from time to time because we could not get anything else. This is one issue that absorbs the humanitarian and patriotic feelings of the Senator from Rhode Island. I congratulate him for his outstanding speech.

Mr. DODD. Mr. President, I vigorously support the immigration reform bill of 1965.

Our present immigration law has split families, forced us to forgo talents needed for American science, education, and industry, and has discriminated between peoples on the basis of the country of their birth, without regard to the hardship thus caused them, their families, and the United States.

The basis for our immigration laws for the last 41 years has been a discriminatory system called the national origins system, designed to freeze the ethnic balance of our country in the form it had in 1920.

Instead of asking an immigrant what he can do for America, the national origins system has asked only, "Where were you born?"

Instead of setting a limit on immigration and admitting persons under that limit on the basis of their ability and desire to immigrate the national origins system has rejected many of those who have wanted to immigrate and offered permission to immigrate to people who have no such desire.

The unfairness and discriminatory nature of the national origins quota system is nowhere more clearly demonstrated than by the fact that in the last 20 years Congress has acted 10 times to alleviate its hardships, and in the last decade alone has passed hundreds of pieces of special legislation to allow 373,000 individuals into the country who were ineligible for admission under our present immigration laws.

For as long as I have been in the Congress, I have worked for a reasonable reform in the immigration laws.

I have introduced numerous bills dealing with immigration reform and have cosponsored others.

My efforts and those of my colleagues to bring rationality and compassion into our immigration laws have been met with some success.

Four times since 1957 we have made special provision for relatives of American citizens and for orphans.

Six times since 1948 we have enacted laws to allow immigration by refugees.

And every year many private immigration bills are passed, each of them intended to help people who are caught up unjustly in the rigidities of the national origins quota system.

But systematic and thoroughgoing revision of the unfair and discriminatory aspects of our immigration laws has yet to be accomplished.

This year I am cosponsor of S. 500, the Senate version of the bill now pending before the Senate, to make the changes in our immigration law which our economy needs, which our citizens want, and which American tradition demands.

This immigration reform bill is not designed to increase immigration.

In fact, it will not authorize a significant increase over the number of immigrants now allowed to enter the United States annually.

There will be some increase in immigration to the United States, but not more than three ten-thousandths of 1 percent a year of our present population.

The reason for this increase is not primarily that the bill authorizes more immigrants, but rather because the bill provides for more efficient and fairer administration of the whole immigration system.

And most of this increase is devoted to a special category to admit up to 10,200 refugees, a change which I have long wanted to see made.

The immigration reform bill will authorize the immigration of 170,000 persons from outside the Western Hemisphere each year.

Immigration from within the Western Hemisphere will be limited to 120,000 a year. Previously it has been unrestricted.

If these quotas are filled every year, our total annual immigration will amount to litle more than 1½ percent of our total population this year. By 1980, it will be barely more than 1 percent of what our population will be in that year.

Within these overall limits, permission to immigrate will be allocated on a first-come, first-served basis, with first preference to the families of immigrants already here and a 20,000-person annual limitation on any one country.

The bill also gives preference to people whose professional, scientific, or artistic ability will substantially benefit the United States.

The bill contains a new feature designed to protect U.S. workers from unemployment. It requires each immigrant to obtain a certificate from the Secretary of Labor that his presence in the United States will not affect U.S. employment, wages, or working conditions.

In short, Mr. President, the immigration reform bill replaces outmoded prejudice with rationality.

It provides compassion for separated families and protection for the United States worker.

It replaces distinctions based on nationality with distinctions based on individual worth and qualification.

The immigration reform bill will replace the existing law which makes a man's ability to be reunited with his family depend on the country in which he was born.

It will replace the law which has kept from our shores people whose skills we need to make our Nation stronger.

It will replace the law which has kept us from helping refugees from natural and manmade horrors to make a useful life for themselves and for our society in America.

It will replace a law which has contradicted the American heritage.

All of us in this country who do not descend from Indians are immigrants.

Our Nation's greatest is as much due to our diversity and our ability to live together as to any other factor in American life.

On our Statute of Liberty in New York Harbor we have written:

Give me your tired, your poor, Your huddled masses yearning to breathe free. Send these, the homeless, tempest-tossed to me. I lift my lamp beside the golden door.

For 41 years a discriminatory immigration law has barred and tarnished our Golden Door. It is time to strike down those bars and restore its splendor.

It is time to pass the Immigration Reform Act of 1965.

Mr. SMATHERS. Mr. President, I support the pending legislation which amends the Immigration and Nationality Act of 1952 because I sincerely believe that it makes necessary and needed changes in existing law. These changes, in my opinion, protect the national security, as well as the economic well-being of this Nation.

The very able and distinguished Senator from Massachusetts [Mr. KENNEDY], the very able and distinguished Senator from Michigan [Mr. HART], as well as the very able and distinguished Senator from North Carolina [Mr. ERVIN], have previously pointed out in detail the provisions of the pending measure. Therefore, I will not take the time of the Senate to repeat what has already been adequately and fully explained.

I would, however, like to briefly comment upon the change made in the adjustment provisions contained in section 245 of existing law. The change made in this section does not repeal its provisions. Frankly I do not think there is any member of the Judiciary Committee who felt that this section should be repealed. However, the committee felt and rightly so that some leeway should be made when normal procedures cannot be followed by virtue of circumstances such as those which brought about the entry into this country of some 250,000 Cuban refugees since 1959.

Under section 13 of the bill, qualified Cuban refugees will be afforded an opportunity for adjustment of status from parolee to permanent residence upon application made to the Attorney General of the United States without departing therefrom. I would like to point out that the provision is permissive rather than mandatory and does not blanket all Cuban refugees with an adjustment of status. The usual screening process will apply in all cases.

Many of us are familiar with the Federal program of assistance administered by the Department of Health, Education, and Welfare designed to render effective asylum to Cuban refugees with opportunities for self-support, chiefly through resettlement. The program is carried out in cooperation with volunteer agencies, religious bodies, and civic organizations.

Unfortunately, many of the Cuban refugees who are skilled in the practice of law, medicine, and teaching have found it very difficult to apply their skills not only to the detriment of themselves, but to the detriment of our Nation as well. This is chiefly due to the fact that most States require individuals to have either permanent status or citizenship in order to practice their skills or professions.

I feel that the action taken by the Senate Judiciary Committee in amending section 245 of existing law is commendable indeed, and certainly will assist greatly in phasing out the Cuban refugee program.

By and large the Cuban refugees are a highly skilled group. It is estimated that at least 50 percent of them are in the professional, technical, and managerial fields. This change in section 245 will speed up the resettlement of these refugees and relieve their present dependency on public and private assistance programs. Such action is in our own national interest.

As a whole the pending bill will greatly improve existing law. As reported out of the Senate Judiciary Committee, I sincerely trust that my colleagues in the Senate will give the measure their wholehearted support.

The PRESIDING OFFICER. The committee amendment is open to amendment.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I ask unanimous consent that the pending measure be temporarily set aside, so that the conference report on the Defense Department appropriation bill may be called up.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9221) making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of September 15, 1965, p. 23071, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, a yea-and-nay vote will not be asked for on this conference report. So far as we are planning, we shall not ask for such a vote. Some items need to be explained, so that a history may be made. I propose to speak for approximately 15 or 20 minutes. This conference report, if agreed to, will be succeeded immediately by the conference report on the military construction appropriation bill, and in that case, too, there will be no request for a yea-and-nay vote, but a short explanation will be made.

Mr. President, H.R. 9221, the Defense Department appropriation bill for fiscal year 1966, as agreed to unanimously by the committee of conference of both Houses contains a total of $46,766,419,000 in new obligational authority for the Army, Navy, Marine Corps, and Air Force. This is $10.1 million over the amount provided by the Senate and $1,698,919,000 over the amount provided by the House. It is a reduction from the revised budget estimate of $85,681,000.

I ask unanimous consent to have printed at this point in the RECORD a tabulation by appropriation titles, giving the appropriation for fiscal year 1965, the budget estimates for fiscal year 1966, the House and Senate allowances, and the conference action.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows: