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HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY
WASHINGTON, D. C.

STAFF MEMO

9/17/65

To Cong. Moore.

Congr. McCulloch requested
this memo. for use
in talking to
Sen. Dirken.

Don B.

September 17, 1965

TO: Honorable William M. McCulloch, M. C.
FROM: Donald Benn, Counsel
RE: House position on Senate amendments to H. R. 2580 --
the Immigration Bill.

Reference is made to my memorandum of September 13, 1965, to Congressman Moore (copy attached) which lists the Senate committee amendments.

Particular attention is invited to the following proposed amendments involving matters which were rejected by the House Subcommittee, including the minority members Moore, Cahill, and MacGregor. Mr. Poff has reported to me that these matters have been discussed with other members of the minority and that Ford, Laird, Rhodes, Poff, and Cramer have indicated their opposition also.

1. Section 12(b) -- to permit the suspension of deportation for crewmen.
2. Section 13(c) -- to permit adjustment of status for Cuban refugees.
3. Section 19 -- advancing the registration date for clearance of status of persons illegally in the United States from June 28, 1940, to June 28, 1958. This provision is particularly objectionable since it will permit adjustment of status for unknown thousands of persons possibly including subversives who have illegally entered since World War II. This provision to provide a status clearance for a person who had been here only seven years would also be inconsistent with Section 244(a) and 245, concerning suspension of deportation and adjustment of status. *Somewhat*

4. Section 21 -- The provision for the President to appoint nine of a fifteen-member commission to study the Western Hemisphere problem is inconsistent with the legislative responsibility for immigration. The Congress should appoint at least the majority of the membership; but I would suggest that consideration of this matter should not be permitted to endanger adoption of the rest of the amendment involving application of a numerical ceiling to the Western Hemisphere.

MEMORANDUM

September 13, 1965

TO: Honorable Arch A. Moore, Jr., M.C.

FROM: Don Benn, Minority Counsel

SUBJECT: Senate amendments to H.R. 2580 - the immigration bill

p. 35
Sec. 3. The definition of refugees has been broadened to cover persons uprooted by catastrophic natural calamity. (Your bill, H.R. 9136, included this provision plus those uprooted by military operations).

p. 49
Sec. 11 (d). Provision for a presidential report to the Congress if the immigration from the Western Hemisphere increases by more than 10% is deleted. (This deletion is consistent with the section 21 provision for a commission on the Western Hemisphere).

p. 50
Sec. 12 (b). Adds a provision to permit suspension of deportation for crewmen. (This proposal was rejected by the House Subcommittee).

p. 50-51
Sec. 13 (c). Adds a provision to permit adjustment of status without leaving the country for Western Hemisphere refugees. (This provision, primarily for Cubans, is inconsistent with the policy treating the Cubans as likely to return to Cuba).

p. 52
Sec. 15 (c). The House Fogarty amendment to permit waiver of the bar to the admission of mentally retarded relatives or those with a history of insanity attacks has been amended to eliminate the restriction on the admission of mentally retarded to children under age 14.

p. 53
Sec. 17. The bonding provision for the admission of temporary visitors and students has been modified to require evidence of enrollment of students prior to their admittance. (Unnecessary--since this requirement already exists).

p. 54
Sec. 19. Advances the date for adjustment of status of persons illegally in the United States from June 28, 1940 to June 28, 1958. (The House Subcommittee rejected a proposal to advance the date to 1952).

p. 55-58
Sec. 21. Provides for a commission to study the Western Hemisphere problem with nine appointed by the President and three from each House. If no inconsistent legislation results from its recommendations by June 30, 1968, a ceiling of 120,000 per year on the Western Hemisphere's immigration will become effective.