We must bring our immigration system into line with the realities of Communist tactics.... My bill is designed to sever the international life-line which is feeding the Communist conspiracy in this country.

- Senator Pat McCarran (Democrat, 1 Nevada)

Not since the campaign to discredit Chiang Kai-shek and prepare the way for the Communist conquest of China have leftist forces in the U.S. been so oppressively united as in opposition to this law.

- Representative Francis E. Walter (Democrat, Pennsylvania) (2)

A French ship named 'Liberte' was crossing the Atlantic to enter the United States on Christmas Day in 1952. The sailors who were interrogated even while the ship was crossing the Atlantic were surprised to know that they would not be allowed to go ashore because two of them had admitted previous membership in Communist Party. One of the Frenchmen had a criminal record—he had stolen bread during the


Occupation—and the rest had refused to answer questions put by port authorities on their past and political affiliations. Later on, the "criminal record" issue was removed after frantic calls to Washington and that particular sailor was allowed to go ashore. The rest had to celebrate Christmas in the ship. The French sailors would not have been so surprised or shocked if they had shown the reason for the obduracy of the American authorities at the port. The McCarran-Walter Act—a legislation designed by its authors to keep America free from "subversives"—had come into effect on the Christmas eve of 1952. The incident of the French sailors brought forth criticisms of the Act but McCarran silenced the attacks with this answer: "My answer to all those attacks is A comes first in the alphabet with me, which means that America comes first at all times. The security of the United States means more to me than any of the things I have heard against this bill." McCarran was not alone in taking this stand. Even before the McCarran-Walter Act came into effect, Representative John Rankin (Democrat, Mississippi) said in the House in 1951: "This country is being liberally flooded with un-American elements...trying to wreck this government." Rankin's

exaggerated statement was directed at the admission of a fearful subversive element into the U.S.--a three-year old adopted Japanese boy. The attitude symbolized by Rankin, to which McCarran later on gave a legislative form, was part of the general mood of a substantial segment of the Congress in the fifties.

THE DISPLACED PERSONS ACT OF 1948

The anti-immigration elements in the Congress had earlier been hostile to measures suggested by the Truman Administration providing for the admission into the United States of a limited number of war refugees from Europe. The Displaced Persons Act of 1948 had been passed by Congress after hours of hostile speeches rebutted by solemn invocations to the humanitarian spirit of the American people. The D.P. bill had languished for a long time in the Senate Committee on the Judiciary of which McCarran was the Chairman and many attempts were made to wrest the bill from the Senate Committee. A light-hearted attempt by colleagues to soften McCarran by providing him a delicious cake on his birthday proved futile.6 The Senator remained unmoved. Finally, however, the D.P. Act was passed in 1948. As amended in 1950, it permitted 341,000 D.Ps. and 54,744 German refugees and expellees of German ethnic origin to come to the U.S. despite quota limitations, with the provision that any

excess on the quotas was to be charged against future quotas. A three-member D.P. Commission was set up to manage the administration of the Act. John W. Gibson, who became Assistant Secretary of Labour in 1946 and who called himself a labour "trouble-shooter", Harry N. Rosenfield and Edward O'Connor were the D.P. Commissioners. The D.P. Act was to expire by 1951 but was extended by one more year.

Whatever the sentiments that made the passage of the Act itself possible, a public opinion poll taken at that time showed that the American people themselves were not overwhelmed by compassion for those languishing for years in the refugee camps. A majority of persons polled favoured resettling the Jewish refugees of the war in Palestine rather than bringing them into the United States. Of course, everybody sympathized with the Jewish victims of the war--or other groups of foreign destitutes--but they preferred them to remain in any suitable place outside the borders of the United States.

Some supporters of the D.P. Act hailed it as a great victory for the spirit of humanism among the American people. At the time the Act was passed refugee policy was essentially a humanitarian gesture on the part of the Congress. It was an emergency measure that was to take care of an emergency problem. Electoral conditions too were involved in the matter. The Administration's strong support for the measure was extended

7. Ibid., p. 38.
with one eye on the votes of Jews in New York, Illinois, California and elsewhere. Congressmen and senators from states with a sizeable Jewish vote and those who had received financial support from Jewish agencies were enthusiastic supporters of the measure. Neither the Congress nor the Administration dared to give the impression that the D.P. Act would set the pace for future immigration policy. They trod cautiously in order not to arouse even greater hostility from "nativist" elements in and out of Congress. Generally the administrators of the Act sought to mitigate restrictive and administrative hurdles and make use of loopholes in the law for widening eligibility for admittance, but criticisms of the procedures were not slow in coming. An immigration subcommittee of the House Judiciary Committee was not satisfied with the arrangements made for geographical distribution in the U.S. of the refugees admitted. It was particularly critical of the screening process which admitted many persons as farmers when they did not have any farm experience. W.J. Bryan Dorn (Democrat, South Carolina) complained that some who came as

8. The D.Ps. were first screened by the State Department, then by the Central Intelligence, then by the I.N.S., then by the D.P. Commission, in most instances by the F.B.I. and then there was a complete dossier on every D.P. prepared by the Army. The Administrative hurdles lay mostly in conflicting interpretations of clauses which delayed processing. USA, Congressional Record, vol. 97, 7 May 1951, p. 4985.

farmers did not know a mule from a horse. Grave doubts were expressed on whether the D.P.s. really intended to become good citizens. Ralph Harvey (Republican, Indiana) said that the D.P.s. who came to his district were not interested in becoming good citizens. Dorn felt that they could be politically dangerous; he knew some of them were out preaching various kinds of ideologies. With such opposition, the D.P. Act, even while its term was drawing to a close, had not admitted the stipulated number of D.P.s. The administrators toiled hard, trying desperately to finish up pending cases. Meanwhile, concerned over the prospect of other such piece-meal measures that might bring foreigners into the United States, the Senate Judiciary Committee had already taken up a study of the immigration law with a view to codify it.

In war-weary Europe, thousands dreamt of a chance for a new life in America. The movements of people after the war from one country to another and the flight of thousands from Eastern Europe had created new problems for the already exhausted economy of western Europe. There were some in America who felt that their vast country should find room for the people that Europe could not take care of. It would be a contribution to world peace and a help for the economic future of the European countries. Overcrowded nations represented

10. USA, Congressional Record, n.s. p. 4987.
11. Ibid.
"S-bombs"—a surplus people's bombs—which might explode in civil disturbances or even in war, according to some. David Martin, Director of the International Rescue Committee, urged that America should provide asylum to those who escaped from Communist-dominated countries.13

The US Government had earlier expressed in various international conferences its concern with the problem confronted by Western European countries.14 But since the issue had strong domestic ramifications, the Truman Administration did not evolve a definite policy on the issue. Among the President's staff, however, there were some who felt that a positive and liberal attitude towards immigration "might be a good thing politically."15 They had in mind the elections that were fast approaching and the need to win over the votes of the

13. Ibid.
   (2) Tripartite Conference of experts on migration at Paris in July-August 1950.
   (3) The Conference on migration called by the International Labor Organization at Naples in 1951.
   (4) Brussels Conference in 1951 at which the Provisional Intergovernmental Committee for the Movement of Migrants from Europe was established.
15. David D. Lloyd to Robert Murphy, 20 September 1951, David D. Lloyd Files (hereinafter mentioned as Lloyd Papers), Box 3, Immigration-Letters and Memoranda, Folder 4, Harry S. Truman Library (hereinafter mentioned as Truman Library), Independence.
hyphenated Americans. Views were exchanged on how the subject should be introduced to the President. David D. Lloyd, Presidential Assistant, prepared a draft memorandum to be sent to the President in September 1951. It was a carefully worded document dealing with immigration from Italy. The memorandum pointed out that overpopulation and the resultant unemployment were basic reasons for the strength of Communism in Italy. It spoke of the tight labour market situation in the U.S. and the shortage of certain kinds of labour. Admission of Italians would be to the advantage of the US economy and defence effort. The memo optimistically said that efforts in this direction "would give the U.S. international leadership in working to lower barriers to immigration in other countries." The punch line of the memo was the last line which said that an increase in Italian immigration would undoubtedly have the solid support of Italian-American voters in the country.16 It is not clear whether this particular document reached the President. But it can be assumed that it did, since a joint communique issued on 25 September 1951, when the Prime Minister of Italy visited the U.S., had a paragraph with pertinent reference to the

"overpopulation problem" in Italy. 17

Some Democratic strategists believed that the issue was important due to three factors. The D.P. Commission's term was ending in 1952, the International Refugee Organization (IRO) was winding up in 1952 and the coming elections necessitated the espousal by the party of programmes that would catch the attention of many voters. The White House was on the look-out for such issues. Lloyd met Harry N. Rosenfield, Chairman of the Displaced Persons Commission, who considered the overpopulation problem to be a critical one. Rosenfield felt that a proposal for increasing the quotas allotted to each country for sending immigrants into U.S. would yield political dividends for the President. It would be a good campaign issue. Rosenfield convinced Lloyd that they were on the track of a good issue and that the President must take notice of it. 18

THE QUOTA SYSTEM AND PRESIDENT'S IMMIGRATION PROPOSALS

Increasing the quotas was, however, a sensitive issue with the Congress. The quota issue was in existence from

17. Report of the Interdepartmental Committee on Refugees and Overpopulation in Western Europe, 7 February 1952, Lloyd Papers, Box 2, Immigration (Message to Congress), Truman Library.

18. Lloyd to Murphy, 26 September 1951, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 4, Truman Library.
1921 onwards and any attempt to raise the quotas or attack the quota system had been viewed in the past with hysterical suspicion. It was believed that opening the doors too wide might mean entry of "unwanted elements". The Senate showed reluctance to vote substantial funds even for support of a programme dealing with overpopulation in the various European countries. The House Foreign Affairs Committee had suggested the setting up of an international organization of directly concerned nations to be established and an allocation of $30,000,000 to be made to the body. The Senate reduced the allocation to $10,000,000. There was a vigorous debate over this issue in the Senate and the House. The conditions laid down for a legislative programme with respect to surplus population made it obvious that many members of Congress were obsessed by such considerations as "Americanism", "loyalty" and elimination of any role for such bodies like the International Labour Organization. The conditions, as revealed in a confidential memorandum to Lloyd, were as follows:

1. American candidate to be Director General of this new programme be a red blooded American whose loyalty is unquestioned and who is acceptable to both Senate and House leaders.

2. International Labour Organization should play no part.

3. American initiative and know-how should play a dominant part.

4. Common security measures with respect to Communist infiltration (according to American security standards) should be applied to all immigrants moved to the Western Hemisphere.

5. Assurances be given that David Morse of I.L.O. or Donald Kingsley of I.R.O. will not be considered for Director General to the new organization. 20

Attempts to increase the quotas were made by some Congressmen. Congressman Jacob K. Javits (Republican, New York) introduced a bill for the admission of 500,000 Europeans outside of present quotas and Congressman Emanuel Celler (Democrat, New York) indicated that he would introduce a bill calling for the admission of 10,000 Italians a year for the next 5 years. But these attempts did not make much headway since both the White House and the State Department did not yet have a definite, final opinion on the matter of immigration. As late as 15 October 1951, the Administration had "no established policy with regard to immigration in excess of current quotas." 21 It was still at a stage when it was "open to good suggestions". 22

It was obvious that the problem posed by pressure of population in Europe could not be significantly met by the immigration law that was being revised lock, stock and barrel.


21. Lloyd to Murphy, 15 October 1951, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 4, Truman Library.

22. Ibid.
The quota system was a stone wall against which many heads had banged themselves in vain. Advocates of liberal immigration policies knew this only too well. Even persons dedicated to social service who were concerned about destitutes of any category, were cautious not to upset the apple cart. Monsignor O'Grady, an ordained priest who was an important figure in many Catholic organizations involved in social work and Secretary of National Conference of Catholic Charities, broached the subject of immigration from Italy to Lloyd and Charles S. Murphy, another Presidential Assistant, in the latter half of the month of October 1951. Even though he spoke of overpopulation as leading to an increase in Communist political strength, he was wise enough to add that he would like to avoid, if possible, a head-on attack upon the quota system as a means of enabling a larger intake of Italians into the United States. At the same time, he warned Lloyd and Murphy that not offering an outlet for the Italians "would jeopardize the political situation of Italy in the cold war". 23

O'Grady's visit had the effect of making the Administration sit up and think of a way of getting more Europeans into the United States without at the same time attacking the quota system. It was decided that Robert West of the State Department who was Special Consultant to the Secretary on Migration Affairs, should be consulted for making the first move in

23. Lloyd to Murphy, 16 October 1951, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 4, Truman Library.
developing an Administration policy. In a memo dated 9 November 1951, West made vague suggestions as to how the problem should be dealt with in the State of the Union Message of the President. He recommended that the Executive office give serious consideration to promoting legislation which would follow along the lines of the D.P. Act instead of an effort to make a substantive change in the basic immigration laws. He suggested the use of the techniques employed in the D.P. Act but directed towards the large pools of surplus population in Western Europe. The memo did not make any particular legislative proposals.24 Lloyd was dissatisfied with the West memorandum and wanted West to give him more specific figures and legislative recommendations. In another memorandum, West expressed the opinion that it would be more useful at that stage only to set forth principles and that drafting should be done by highly competent persons acquainted with the technicalities of the existing legislation. He suggested proposing an emergency measure like that of the D.P. Act stretched over a period of five years.

The emergency measure suggested by West in his second memorandum was for a programme of admitting 750,000 immigrants over and above the normal quotas over a five year period. Groups of preference given were as follows:

1. Ethnic Germans 275,000
2. Non-German refugees from Eastern Europe 75,000
3. Italians (including the Free Territory of Trieste) 275,000
4. Greeks 50,000
5. Dutch 75,000
750,000

Among the Italians, Greeks and the Dutch, preference was to be given to D.Ps. or refugees of the given nationality.

The West memorandum also suggested the basic argument on which an appeal for increased immigration could be built up. The basic argument should be that the legislation would strengthen the security of the US and the NATO Community. The surplus population in Europe represented a serious political hazard in that it provided fertile ground for the political influences which were adverse to those that the United States was trying to strengthen. [25] That this argument was the only one that had a chance of swaying the Congress was obvious. Lloyd felt that the West memo outlined "the most important points to be considered in a policy of additional immigration". [26] However, the State of the Union Message did not have any reference to the immigration programme probably because the White House was not in a position to take a clear stand.

26. Lloyd to Murphy, 18 December 1951, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 4, Truman Library.
The President's proposal for an immigration legislation was now to be presented as a special message on overpopulation and refugees from Communism. A proposed draft of this message was sent around to the various departments and also the D.P. Commission. From the views exchanged it was clear that it was necessary to emphasize the temporary nature of the President's proposal so that it did not become "a minor adjunct of a very complicated 300 page bill". There were two points over which there were differences of opinion between the D.P. Commission and the State Department. The first one was an argument over procedure as to how the immigrants should be admitted. The State Department felt that this should be accomplished through the pooling of unused quotas. The D.P. Commission was anxious that the inclusion of the concept of pooling of quotas would inject the special programme into the midst of the controversial general immigration fight.

The second point of difference was the reference in the draft message, to the education and training of the refugees from Communism for leadership. The State Department objected to this since it was apt to be misinterpreted as an anti-Soviet tactic. The D.P. Commission, on the other hand, justified the reference saying that its deletion "would limit the President's program substantially to immigration" and that it would narrow the broad base of the President's message as an anti-Communist measure. Exclusion of this would also lead to the President's
programme being depicted as a subterfuge to raise the immigration quotas. 27

One can surmise that a Presidential recommendation stood a fair chance of being accepted if it was presented (1) as an anti-Communist measure, (2) as an emergency measure that would not affect the basic immigration laws, and (3) as a measure that would not raise the controversial concept of pooling of unused quotas that had constantly failed in the Congress. Precautions were thus taken to keep away from the debate over a general immigration law that was going on. What was more important was to have an emergency measure passed through the Congress. But any such measure might also alert the anti-immigrationists. The cost paid for this emergency measure was to be great. The possible implications of the omnibus McCarran and Walter bills which sought to codify the entire immigration law of the country was not given adequate thought in the anxiety to have the President's programme pushed through.

The President's special message requested the Congress to aid the "victims" of Communism and over-populated countries of Europe by extending assistance at three different levels. One was continued participation in the Provisional Inter-Governmental Committee for the Movement

27. John W. Gibson to Richard E. Neustadt (Special Assistant in the White House), 21 March 1952, Neustadt Files, Box 1, Immigration and Nationality Act of 1952 (1), Truman Library.
of Migrants from Europe; the other was allocation of $4,300,000 under the Mutual Security Act to aid "Iron-Curtain Escapees"; the last one was the emergency measure. The President's proposal on this sought to bring into the United States 300,000 additional persons over a three-year period. On an annual basis, this would mean the coming of (1) 7,000 religious and political refugees from Communism in Eastern Europe; (2) 7,500 Greek nationals from Greece; (3) 7,500 Dutch from the Netherlands; (4) 89,000 Italians from Italy and Trieste; and (5) 39,000 Germans and persons of German ethnic origin. The President also asked for the use of 7,500 visas that had gone unutilized under the D.P. Act.

BILLS TO REVISE IMMIGRATION LAWS AND THE EMERGENCY PROGRAMME

By May 1952 there were three proposals in the field of immigration--two aimed at basic changes and one was an emergency measure. They were McCarran and Walter omnibus bills, both of which, with slight variations advocated an identical policy of restriction, the Humphrey-Lehman bill and the President's programme.

The need did exist for codifying the immigration laws for there were three separate laws that covered immigration matters. One was the 1917 Act that covered everything other

than quotas. The 1921 Act established the quota system. This
restricted the annual immigration to three per cent of the
foreign-born population in 1910. The 1924 Act confirmed the
quota system but the quotas were to be determined on the basis
of the "national origins" of the entire population of the
United States as of 1920. The nationality and naturalization
provisions were incorporated in the 1948 Act. Since all the
three laws had some inequities too many private bills were being
introduced for relief to individuals. The McCarran and Walter
bills after three years of intensive study attempted to bring
the entire immigration matter under one law.

The McCarran omnibus immigration bill (presented as
S. 3455 in the beginning, followed by S. 2055, later as
S. 716 on which the Congressional hearings were held, and in
the final version as S. 2550), was a 300-page document. It
included so many safeguards against possible entry of "subver-
sives" that the final outcome was something that provided ample
material for a bureaucrat's paradise. One of the immigration
officials remarked that the bill contained cross-references to
other laws in every section, subsection, sub-subsection, sub-
sub-sub-section, to such an extent that reading it would involve
at least a week's confinement in a padded cell.29 An earlier

29. Philip Hoskasha, "Behind the McCarran Anti-Immigration
Bill", New Leader (New York), 9 June 1952, p. 2, from
Phileo Nash Papers, Box 41, WH-0 (1952), Truman
Library.
memorandum on McCarran's omnibus immigration bill (S. 2055) sarcastically remarked that the bill would provide many, many years of work to lawyers seeking to interpret the laws since there were so many exceptions that small letters and Arabic and Roman numerals were no longer sufficient to show the relation of one clause to another. 30

The Walter omnibus bill (initially H.R. 2379 and in the final version, H.R. 5678) was more or less the same except that it was a little less bulky. Both the bills retained the spirit of earlier immigration policies. Three features that gave the bills an appearance of liberalization in spite of the national origins quota system, and the rigid deportation and naturalization procedures were: firstly, minimum quotas were proposed to be allotted for the first time to Asian countries; Naturalization procedures were to be eased for Japanese citizens and the Japanese quota was to be 185. Finally, former members of Communist and totalitarian organizations were not to be totally barred from admission, but could be considered if they could prove that five years before applying for the visa they had broken away from these ideologies.

These three liberalizing features had their own secret booby-traps. Even though a minimum quota was allowed to Asian

30. For example, the test of whether admitting an alien is in the public interest appears as sub-clause (b) of clause (ii) of subparagraph 1 of paragraph (28) of subsection (a) of section 212 of Chapter I of Title II of Chapter 6 of Title VIII of the U.S. code dealing with immigration matters. Confidential Memorandum prepared by Felix S. Cohen, 29 October 1951, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 3, Truman Library.
countries, there were ways in which this was nullified. Any child of mixed parentage one of whose parents was Asian would be charged to the Asian quota. Earlier the child automatically came under the father's country's quota. As for allowing ex-members of proscribed organizations, the Attorney General was given the authority to decide whether they had ceased their association at least five years earlier and there were no clear guidelines or procedures. The McCarran and Walter omnibus bills also gave the President the power to stop immigration completely any time. Hence "what the bill gave with one hand it took away with another." 31

Anomalies that existed earlier were sought to be perpetuated. The State Department and the Department of Justice were made jointly responsible for administering the proposed law. It was obvious that this would create a procedural obstacle race. Further, the immigrant had no one to appeal in case he was denied a visa. Senator Hubert Humphrey (Democrat, Minnesota) remarked dryly that if an application was denied to one's dachshund one could get a court review but a human being could not get this privilege. 32 The McCarran and Walter bills for the first time introduced a selective element in the immigration system. It was provided that 50 per cent of each

32. USA, Congressional Record, vol. 98, 14 May 1952, p. 5155.
quota would go to those whose services were determined by the Attorney General to be needed urgently in the United States. Of the rest, 30 per cent of each quota was to be for parents of US citizens and 20 per cent to the spouses and children of aliens admitted for permanent residence.

The McCarran and Walter bills, in their procedural clauses, stated that the administrators of the bill were answerable to the Congress. Such a situation could perpetuate the tug of war for power between the Executive and the Congress.

As it became increasingly evident that McCarran and Walter might be able to push their bill through, protagonists of a liberalized immigration system made an effort to offer a counter proposal. The principal sponsors of the measures were Hubert Humphrey and Herbert H. Lehman (Democrat, New York). The Humphrey-Lehman bill was introduced in March and was an equally confusing and longwinding bill. It based the quota system on the 1950 census and not on the 1920 census as the McCarran and Walter bills did. Another important feature of the Humphrey-Lehman bill was its clause on the pooling of unused quotas by which unused quotas of any category could be distributed among other preferential cases, specially refugees. 33

Supporters of Humphrey-Lehman bill asserted that the McCarran and Walter omnibus bills reeked of racial prejudice.

The clause that "the descendants of slave immigrants" should be excluded from any computation of the population of the United States in 1920 in determining quotas, was frequently pointed out as an example. McCarran charged that opponents of his bill were radicals who were against protective immigration. They had simply taken a copy of his bill and had made unacceptable deletions and additions, presenting it as the Humphrey-Lehman bill. 34 McCarran made no bones of the fact that his bill was a "protective" one and he expressed his conviction that the United States needed such a bill. He insinuated that Communist organizations and individuals who parroted the Daily Worker's line were opposed to his bill. He was against pooling of unused quotas because that might open the doors to the Orientals. 35 By that statement he openly admitted racial prejudice but, to him, it was all in the cause of protecting the American system. The supporters of a liberalized policy contended that immigration policy was a part of the foreign policy and that the United States must open its doors wider to strengthen the NATO allies and to make its philosophy thrive in Western European countries and Asia and evolve an effective counter-bloc to Soviet Union in these areas.

34. Factual Resume from the Office of Senator Pat McCarran, Harry S. Truman Papers, Box 560 OF 133, Truman Library.
35. Ibid.
Whereas the McCarran bill turned inwards, the Humphrey-Lehman bill tore itself away from domestic prejudices, discriminations, and fear of "subversives" and set its face towards Europe and Asia. The unfortunate thing was that the Humphrey-Lehman bill was evolved as a counter-move and was not worked out on the basis of a thorough study of immigration as had been done by McCarran with his own slant. As a result, the arguments in the Humphrey-Lehman bill did not carry as much conviction to many members of Congress as the other bill did.

The White House did not have a well-thought-out strategy to meet and counter the McCarran-Walter proposal. Confronted by a massive 300-page bill, the Administration could do no better than cling to its own emergency measure. McCarran and Walter knew that many members of the Congress—far more than those committed to the cause of liberalization—favoured a comprehensive immigration bill and were not happy at the prospect of a series of "emergency" measures. Further, McCarran and Walter shrewdly played on the theme of the danger of infiltration by undesirable aliens, especially Communists. The Administration which itself was hardly free from fear of "security risks" in America itself, and which was vociferous in its denunciation of "international Communism", found it no easy task to mount a frontal attack on McCarran and Walter. It had to show that it was equally anti-Communist and that its own efforts would be to use the emergency measure as an
instrument for promoting American interests in the cold war. Even after the Walter bill was passed by the House, Lloyd took the view that the President's proposal was better than the McCarran-Walter bills or the Humphrey-Lehman bills. It was "clear and intelligible", and had popular appeal because it was shown as an anti-Communist move and "an important part of the cold war". Once the restrictionists and liberalizers in the Senate became deadlocked, the Congress would support the President's recommendations, he wrote. The best strategy, according to Lloyd, was to let the liberal senators fight the McCarran bill as best as they could to attract votes to sustain a veto, and urge quick action on the President's proposal incorporated in the Celler bill in the House. 36 The assessment was, to say the least, unrealistic. The Administration's state of unpreparedness stood nakedly revealed when "a memorandum of objections" prepared in the White House and sent to Celler by Murphy, on certain provisions of the McCarran bill as passed by the Senate, stated that it was based "on our admittedly imperfect and limited knowledge of the subject". 37

VIEWS OF DEPARTMENTS, AGENCIES AND PRESS REACTION

Apart from the White House itself, opposition to the McCarran and Walter bills was neither strongly nor unanimously

36. Memorandum to the President, 3 May 1952, Lloyd Papers, Box 4, Immigration-Letters and Memoranda, Truman Library.

voiced by the Departments and Agencies of the Executive Branch, showing clearly the lack of enthusiasm on their part for substantial liberalization.

The Justice Department, from the beginning, was only anxious about the issue of admission of ex-Communists and the screening difficulties this would create. It was more bothered about its own administrative comfort than the general impact of the bill. Hence its views were not definite and clearly drawn. It felt that the McCarran bill did "contain some provisions that might well be considered as objectionable" but that the objection did not justify a veto.

The State Department, after some initial pondering, decided in favour of the bill. It even argued that the bill was liberal in its provisions and that it removed racial barriers. The State Department wanted to comment only on those provisions that had a "direct and immediate bearing on foreign relations" and arrived at the conclusion that since the choice was between this bill and the existing law, its enactment would be "more beneficial than harmful to the foreign relations of the United States".

38. Memorandum from David D. Bell to Murphy, 12 March 1951, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 4, Truman Library.


40. Department of State Views on H.R. 5678, Immigration and Nationality Bill, n.d., Lloyd Papers, Truman Library. (Here it should be noted that the conference committee removed minor differences in both the bills and made it one bill. The one that was technically approved was H.R. 5678 but the substance of the bill was S. 2550).
The State Department was only trying to be practical and protect its interests. McCarran was the Chairman of the Senate Appropriations Sub-committee and the State Department's money bill could be kept in cold storage if McCarran so willed it. When a senator asked Dean Acheson how he could support the McCarran bill, Acheson replied, "I'm sorry, but we've got to live".41

The Department of Labour suggested that the bill should be vetoed. The Budget Bureau too was vehemently opposed to the McCarran bill. Even earlier, while giving its opinion on both the McCarran and Walter bills, the Budget Bureau had said that both the bills were vicious.42 It urged the President to veto the bill.

The D.P. Commission made no recommendations but was anxious about the effects of the bill on persons admitted into the United States under the D.P. Act. The Federal Security Agency made no particular suggestions but said that certain provisions of the bill gave the impression of suspicion and even hostility towards aliens and that this cast a shadow on the good parts as well as the bad. The CIA merely stated that certain adjustments were made in the McCarran bill to meet its needs.43


42. Budget Director to Truman, 9 May 1952, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 2, Truman Library.

43. Ibid, n. 39.
Organized labour was divided in its opinion of the bill approved by the Congress. The American Federation of Labor (AFL) supported the bill in general and the AFL's normal demands for the protection of American labour did not find a place in the debates over the McCarran Act. Also, AFL did not take up any particular provision and support it. The Congress of Industrial Organization (CIO) on the other hand, found much in the bill that was objectionable. The Director of CIO, in his letter to Truman, remarked that the McCarran bill added new injustices apart from perpetuating old ones. His fear was that an Administration hostile to labour might use the vastly expanded power to punish or intimidate labour union members or labour union leaders of foreign birth even if they were naturalized citizens. Also, the rigid deportation clauses in the wrong hands might be used as a club against sponsors of progressive legislation.  

There was a substantive reaction in the press to the immigration bills. Newspapers like the New York Times and the Washington Post were against the bill. The New York Times felt that some of the clauses in the bills were so archaic that they went "right back into the Dark Ages". It concluded that "it will help neither our security, our self-respect nor our standing before the world; It should be scrapped."  

44. Nathan E. Cowan to Truman, 13 June 1952, Truman Papers, Box 560, OF 133, Truman Library.  
46. Ibid., 13 June 1952.
Washington Post was of the opinion that the McCarran and Walter bills were fundamentally exclusionary. (sic) They were barriers rather than aids to immigration. 47 The final bill that came out of the Congress, according to the Washington Post, "was animated by xenophobia". 48

A cartoon in Economic Outlook showed various stages in the history of the United States with the sign board "Welcome to the U.S.A.—Chinese Keep Out" in 1952 and various other similar boards excluding and restricting immigration in other years. The biggest sign board depicted the McCarran-Walter Act in the year 1952. The board had attached to it various posters saying "State Your Racial Ancestry" "Brains Don't Count", "Professors Keep out", etc. A by-stander was shown asking "But liberal immigration laws helped to build this country" to which a stern looking American hanging the board quips "Our building days are over". The cartoon also had two innocent Red Indians rowing by looking at the boards and wondering "Why didn't we think of all that?" 49

Liberal journals like the Nation and among the mass circulation journals Collier's criticized the Act. Collier's called it "one of the most inept, insulting, militantly

48. Ibid., 16 June 1952.
49. "Who is Closing America's Open Door", Economic Outlook, November 1952, p. 77.
chauvinistic" bill and Nation condemned the earlier version of S. 2550 as "formidably exclusive, cruelly suspicious and offensively arrogant".

These newspapers and journals, however, did not reflect the dominant opinion in the country at large. On top of widely prevalent nativist sentiments had been superimposed a fear of Communist subversion and infiltration. More Americans were tending to curse the "Commies" and were fearful that a liberal immigration policy would mean letting more subversives in. Papers like the New York World Telegram reflected such opinion when they stressed time and again that America should not be made a dumping ground. In fact, it considered the McCarran bill as a forward step. The Detroit Free Press declared that "by continuing the immigration practices long in effect, the bill undoubtedly reflects the sentiment of the majority of Americans". According to the Saturday Evening Post, the national origins system represented pretty well the views of the average American and there was no reason why a workable rule like that should be thrown away in favour of a series of

50. "If This Be Liberty", Collier's, 28 February 1953, p. 70.
53. Ibid.
dog fights. The Washington Daily News was of the opinion that the quota system had served its purpose and there was in any case no loud public demand to scrap it. And these views were those on which American immigration policy had been based throughout.

The most vociferous minority group against the bill was the Jewish. At the Congressional hearings on S. 716 the Jewish organizations opposed the bill and denounced several provisions. They argued for the use of unused portions of the preference categories. They found the preference given to aliens with special skills or education objectionable on the ground that immigrants should be viewed as persons and not as economic commodities.... D.P. Commissioner Rosenfield called it an "iron curtain" which would erect an "un-American law". He denounced the quota system as smacking of Hitler's policy of Nordic superiority. He called the bill and its procedural clauses "America's Nuremberg trial". In a statement in the New York Times, the President of the American Jewish Congress asserted that the bill placed a seal of

inferiority on all persons other than those of Anglo-Saxon origin. Denying the allegation vigorously, Walter retorted that "the only categories of aliens who, under my bill, will find it difficult to remain in our midst will be the criminals, the narcotic peddlers and the subversives...."60

Church organizations did not launch any concerted opposition to the bill because there was a split in their ranks. The Christian Century said in its editorial that even though it had shortcomings the bill should be passed. It felt that the bill did away with racial discrimination and considered it a step of importance.61 Organizations like the National Conference of Catholic Charities, which had as its Secretary Monsignor John O. Grady, vehemently opposed the bill.

A variety of ethnic organizations opposed the bill. Among these were the Sons of Italy of America, the Jewish War Veterans, the American Jewish Committee, the American Jewish Congress, the Jewish Labor Committee, National Council of Jewish Women, Anti-Defamation League of B'Nai B'rith, the Polish League of American Veterans, and the Czechoslovak National Council. But their efforts were not enough to sway the Congress. Monsignor O'Grady, working for increased Italian immigration, was more actively involved in having an emergency measure passed through the Congress.


IN THE CONGRESS

In the Congress, the discussions over the McCarran and Walter bills took a strange course for in the House Walter belligerently refused to yield to anyone and in the Senate, McCarran, fearing a filibuster, refused to answer questions. Walter reacted angrily whenever anyone questioned the purpose of putting innumerable safeguards in the bill. To the CIO's accusation that his bill would prevent the entry of even desirable aliens, Walter retorted, "Whom do you think they are talking about? Subversives. Do you think we ought to let down barriers and admit subversives? If an alien is a member of a Communist organization within five years of the time he applies for admission in the U.S., he cannot obtain a visa. I am for that". He opposed the effort of Congressman Celler to amend the clause stipulating that if one of the parents was a person from an Oriental country he would have to come under its quota. Representative Clare E. Hoffman (Republican, Michigan) asked Celler whether he would advocate intermarriage with these groups. The question being irrelevant, Celler said that he was advocating nothing. Hoffman triumphantly retorted that Celler himself was practising discrimination since he did not want intermarriage with these groups. When Celler's

amendment was rejected by an overwhelming majority, a Congress-
man with strong nativist leanings, J.A. Rankin, declared
that it was "a real victory for America". 63

Amendments to change the census year to 1940 and to
establish a Visa Review Board introduced by Jacob K. Javits
and to pool unused quotas introduced by Franklin D. Roosevelt
Jr. (Democrat, New York) were rejected decisively. The fight
was lost for the supporters of the Humphrey-Lehman bill and
one of them bitterly commented that the Walter Bill set up a
Cape Town-Washington D.C. Axis and that the bill made the
United States a place only for Anglo-Saxons. 64

The Walter bill was passed on 25 April 1952 by a vote
of 206-68.

In the Senate, the discussions took an almost comical
turn. As an example of the kind of discussions that took place,
the following exchange which took place when McCarran accused
Lehman, Humphrey and John O. Pastore (Democrat, Rhode Island)
of not having read the bill, may be cited:

Pastore: I am asking him to repeat what I have
said that gives that indication.

McCarran: It is in the Record.

Pastore: What Record?

McCarran: The Record made today in the speech of
the Senator from Rhode Island.

63. Ibid., pp. 4316-21.

64. Ibid., 25 April 1952, p. 4439.
Pastore: But the Senator from Nevada has not read my remarks yet, because they have not yet been transcribed.

McCarran: Very well, but I shall probably read the Senator's remarks.

Pastore: However, the Senator from Nevada has said that I have made statements which indicate to him that I have not read the bill.

McCarran: That is correct.

Pastore: However, the fact of the matter is that the Senator from Nevada has not read my statements.

McCarran: That is correct.

Pastore: Certainly the Senator from Nevada has not read my remarks.

McCarran: That is correct.

Pastore: And the Senator from Nevada has not heard all my remarks, because he has not been present all during the time when I have been speaking.

McCarran: That is correct.

Pastore: Then how does the Senator from Nevada know?

McCarran: I know.  

A great deal of time was spent on whether the opposition Senators had read the bill, whether the supporters of the bill had read their comments, and who prepared the speeches of Senators. Both the sides quoted from the statements of the same organizations as supporting them and blamed each other

for taking the statements of the organizations out of context. McCarran accused every organization that did not support his bill as being a Communist organization. About an amendment seeking the right of review, McCarran flatly said: "The grant of review implies that there is a basic justifiable, underlying right to be litigated. But, Mr. President, no alien has ever had a right to enter the United States." All the amendments that were introduced were rejected.

On 22 May 1952 the Senate passed H.R. 5678 substituting it with the text of S. 2550. The bill was passed by a voice vote with only 12 Senators present. The bill was referred to the Conference Committee, one of the chief conferees being McCarran. On 10 and 11 June the conference report was accepted by the House and the Senate. The conference report removed minor differences between the two omnibus bills. A clause from the Walter bill establishing a Joint Committee on Immigration and Nationality Policy to supervise the administration of the immigration laws and study all matters bearing on immigration policy was added to the text of McCarran bill.

The issue before the President was whether he should sign the bill and seek changes later or whether he should veto it. Numerous letters from citizens poured into the White House advocating a veto or demanding its approval. In a personal communication to the President, W.A. Harriman, Director for

66. Ibid., 21 May 1952, p. 5789.
Mutual Security, called the bill "another manifestation of that ugly trend among certain elements in our national life, which I can only characterize as mean, short-sighted, and bigoted." He advised the President to "reject it in the most vigorous terms". William S. Bennet, a lawyer, viewed the Asiatic provision to be a "pious, sanctimonious, hypocritical provision" and urged a veto.

The President took the position that the bill did not provide the United States "with an immigration policy adequate for the present world situation" and regretted that in no other field was United States "so hampered and stultified by the dead hand of the past as in the field of immigration". The "price was too high" and "in good conscience" he could not agree to pay it. He vetoed the bill. The veto was overridden in the Senate on 27 June 1952.

REASONS FOR TRIUMPH OF MCCRARN-WALTER MEASURE

The dominant feeling in the country was one of suspicion and dislike of aliens. A letter that was sent to the President after the veto accused him of defeating the bill to gain votes and fill the country with "morons and other


68. William S. Bennet to Truman, 23 May 1952, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 2, Truman Library.

unworthies" who brought nothing but "filth and self-interest."\(^\text{70}\) Another writer advised the President to "go back to Independence and give America back to Americans before your term expires". "I for one have enough of you and all your crackpot policies", he added.\(^\text{71}\)

The McCarran-Walter immigration bill emerged triumphant through the Congress due to several factors--the confusion and unpreparedness in the White House; the absence of any determined opposition from the Justice, State and Labour Departments; skill and capacity of McCarran and Walter to counteract and crush the opposition; the ineffective role played by the "liberals"; and, above all, the general atmosphere of distrust and fear of aliens specially from East Europe then existing which McCarran and Walter could capitalize on.

The White House could not decide till the very end what its stand was to be. In fact, Presidential Assistant Lloyd had even an acceptance message prepared on 18 June 1952 in case the President were to decide to sign the bill. A White House official admitted subsequently that the McCarran Act was an instance in which something got away from the Administration before it knew what was going on. He said that the Administration allowed things to get out of hand; and it was an

\(^\text{70}\) Phyllis Craig to Truman, 26 June 1952, Truman Papers, Box 506, OF 133, Truman Library.

\(^\text{71}\) R. Schneider to Truman, 28 June 1952, Truman Papers, Box 506, OF 133, Truman Library.
illustration of "how you can get a monster on your hands without half trying sometimes". So McCarran got away with his Act because he knew the temper of the country, realized the unpreparedness of his opponents, and planned the attack for three years.

Truman was an aggressive, sharp and clever person, but in working out a strategy on the immigration issue he trusted his White House staff too much—he relied heavily on his White House aides. Fiercely loyal to them, he spent considerable time defending them and trying to prove their efficiency. The White House aides did not do their homework properly on the McCarran bill. Almost every covering letter that went with a memorandum pleaded incomplete knowledge of the bill. The writer was only sure that it had something to do with the minority votes and the reformed Communists. Some letters referred to the cold war vaguely but did not relate it effectively to any clear White House strategy. In effect the White House was playing blind man's buff. When it became clear that the McCarran bill would undoubtedly sweep the Congress, the White House turned completely to its little emergency measure as a face-saving device. It clung to its arguments on relieving overpopulation in Western Europe and helping refugees from Communist countries.

The more one reflects on the legislative history of the McCarran Act the more one is led to acknowledge the skill of McCarran and Walter because any well-planned and well-enacted attack, military or otherwise, excites the viewer. McCarran and Walter attacked the opposition at times with the slyness of a fox and at times with the ferocity of a wolf. The attacks were meticulously planned, with McCarran leaving his sick bed to mastermind the offensive. Skillfully McCarran and Walter made use of the general fear of "subversives"; they themselves believed that the danger was real. They reiterated that they were not against individual immigrants nor were they against any racial groups or nationality. They pointed to their own record of support for many individual bills. They proclaimed their opposition to opening the door too wide and carelessly. Why should America alone be expected to act in a fashion that no other country was willing to do? The basic immigration laws had served the country well over the years and the comprehensive bills that they offered were only continuing the tradition of the basic immigration laws.

The President established the President's Commission on Immigration and Naturalization on 4 September 1952 and requested it to make a final report not later than 1 January 1953. He directed the Commission "to study and evaluate the immigration and naturalization policies of the United States" and to make recommendations "for such legislative, administrative, or other action as in its opinion may be desirable in the
interest of the economy, security and responsibilities" of the
country. The Commission held a schedule of Hearings in eleven
major cities and obtained statements on the Immigration and
Nationality Act of 1952 which was yet to take effect, and the
President's proposal. The Commission in its report, said that
in the light of testimony given, the Act should be "reconsid-
dered and revised from beginning to end". Regarding the
problem of escapees from the Communist countries, the Commission
felt that it was a "most vital aspect of the cold war", and that
the American immigration law lay "directly athwart our foreign
policy". 73 McCarran reacted in characteristic fashion--"It is
a tragic fact that the out and out Reds have already colleagues
in the fight....I shall fight them with the last ounce of my
energy," he declared. 74 Walter asked a seemingly simple
question: "Are we to have an immigration policy--impossible
of fulfilment--based primarily on the desires of Europe? Or are
we to have a policy which is based primarily on what is good for
America?" 75

The chief interests of McCarran's constituency were
silver, sheep-raising and irrigation. He was described as
"silver-haired, silver tongued and silver-minded". 76 Why this

73. Whom We Shall Welcome: Report of the President's Commission
   on Immigration and Naturalization (Washington, D.C., 1953),
   p. 263 and p. 61.


75. Walter, n. 2, p. 132.

Senator with an Irish background chose to champion the restrictionist cause has puzzled many students of American immigration. Immigration was not the chief problem of his constituency. Oscar Handlin, a student of immigration problems, called McCarran "the symbol of a fossilized radicalism inadequate in its own day and mischievously incongruous in ours." Handlin goes back to McCarran's early manhood spent in an era when all immigrants, specially Catholics, were called often to prove their loyalty. The hatred for foreigners in this era had probably rubbed off on McCarran. This sentiment joined with the fear of the "international Communist conspiracy" was the reason for his abhorrence of all foreigners entering United States, according to Handlin.

An Irish immigrant's eagerness to prove his loyalty to "hundred per cent Americanism"—that is one explanation of McCarran. But what is not so easily explained is the lack of the fighting spirit in the opposition. Granting the fact that the McCarran-Walter bill exposed the division among the Democrats thereby weakening the forces of opposition, why did the "liberals" show themselves so wobbly and confused? According to one writer, whose identity has not been revealed, "bureaucrats, bigots and liberals combined in the lobbies of the Capital to produce a strange piece of legislation". Liberals

like Frank Auerbach of the Common Council of American Unity, and Mike Masoka, lobbyist for the Japanese-American Citizen's League, supported a restrictive bill. Mike Masoka was satisfied with the removal of absolute barriers to Japanese immigration and naturalization. The author says that Frank Auerbach was offered an attractive job to draw him away from being a leading critic of the bill. "It was of such liberals", he bemoans, "that Kant once observed: God preserve me from my friends. I can take care of my enemies." 78 One feels that his disillusionment is justified in respect of some liberals who, despite their professions, failed to muster as much commitment to their cause as the "professional restrictionists". 79

Many who generally considered themselves as "liberals" apparently were not free from some of the fears of the conservatives in regard to "opening the gate". Their liberalism was only a relative term. Elimination of racial considerations was, for such persons, "fine in the context of Europe" but they did not want it extended in respect of Asians. They were willing to brush it aside as only "a matter of phrasing". 80

78. Hoskasha, n. 29, p. 5.

79. The term "professional restrictionists" has been used by Judge Samuel Dickstein. The Reminiscences of Samuel Dickstein, Oral History Project of Columbia University, Category 1A, p. 65.

80. Lloyd to Julius Edelstein, 25 September 1952, Lloyd Papers, Box 3, Immigration-Letters and Memoranda, Folder 4, Truman Library.
Among the general public there was no great enthusiasm for the lowering of racial barriers to immigration. John T. Wood (Republican, Idaho) expressed the sentiments of the average American when he said that "the question of racial origins--though I am not a follower of Hitler--there is something to it. We cannot tie a stone around its neck and drop it into the middle of the Atlantic just because it worked to the contrary in Germany. The fact still remains that the peoples of Western Europe have made good American citizens."

In general there was no widespread sentiment among Americans to upset the proportion of ethnic groups in the population.

Further, the general atmosphere of an atavistic fear of "subversives" was not without its impact on the liberals. Fear and hostility meant that violence was in the air. The Philadelphia Convention on Human Relations conducted investigations of acts of vandalism and terror in Philadelphia and reported that there was a "pattern of resort to violence and intimidation" in the country. The Convention was concerned about private groups resorting to violence "to intimidate those who were the object of their prejudices and hatreds."

Criticism from outside evoked angry response from McCarran's supporters. Referring to British and French criticism of the McCarran-Walter Act, an article in Sign asserted:

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81. USA, Congressional Record, vol. 98, 23 April 1952, p. 4314.

"We will listen to Britain and France about the McCarran Act when they have done as much about security as we, and have done it better. We don't mind buying hair-restorer. But not from a couple of fellows who are flagrantly bald under the pseudo-radiance of ill-fitting toupees".83

Congressman William Jennings Bryan Dorn said in one of his speeches that the McCarran-Walter Act was the "will of the American people".84 The American will was probably operated by the anxieties, fears, bigotry, prejudices, hatreds and blindness peculiar to that era.

THE ELECTIONS AND THE PASSAGE OF THE REFUGEE RELIEF ACT

It was not surprising that immigration figured as an important issue in the elections that followed. Dwight D. Eisenhower, the Republican candidate, after being accused of not taking a stand on immigration, made promises to remove the bigotry from immigration legislation. He said that he favoured the writing of a new immigration law but added that a good law should be sought through right leadership instead of vetoes.85 Following his victory, however, Eisenhower did


84. Ibid., 20 May 1953, p. A2792.

85. Immigration Matters, Box No. 575, OF 116E, Eisenhower Library.
not show any eagerness to mount a direct attack on the quota system. Again the search was on for some ad hoc measure that would yield political dividends and the White House sought recourse to an emergency measure. Senator Arthur Watkins (Republican, Utah) introduced a bill to admit to the United States some 240,000 people from Europe over and above the regular quotas of 1952 Immigration Act, for a temporary period of two years. Efforts were made to build support for the measure and to create a favourable image of the President. Three leading religious figures representing the Catholics, the Protestants and especially the Lutherans, who had sought to meet the President to discuss immigration policies, were invited to the White House. Eisenhower's aides felt that the meeting might give just that favourable publicity to secure the passage of the emergency legislation. Even McCarran was willing to do more for Eisenhower than he would have for Truman. He too probably wanted to rebut the criticism that he was harsh and oblivious to the plight of those in dire distress. The law bearing his name was there to safeguard the security of the nation. He was now willing to vote for a refugee bill and he voiced confidence that the President "will not personally spearhead a movement to alter or change the McCarran-Walter Immigration Act".

86. Max Raab to Thomas Stephens, 25 April 1953, Box 577, OF 116 E, Eisenhower Library.

While exchanging views with the Administration in regard to an emergency legislation, McCarran suggested a measure that would admit 120,000 refugees (114,000 from Europe and 6,000 from Asia) over a three-year period. Gerald D. Morgan, Presidential Assistant, in a memo to the President, suggested that since the definition of the term 'refugee' was fairly broad in McCarran's proposal, this definition might be broadened to admit Italian, Dutch and Greek nationals to relieve overpopulation in these areas. If this were done, the memo said, McCarran could say that he was "voting for a refugee bill and at the same time the Administration could help relieve the overpopulation in Holland, Italy and Greece". Morgan suggested a "compromise bill" to admit 240,000 rather than 120,000 as suggested by McCarran. 88

In the Congress Senator Watkins assured McCarran time and again that the emergency measure was "within the framework of the immigration law". Watkins tried to sell his bill as an "instrument of foreign policy". 89 Adequate safeguards in the form of security provision were built into the bill.

On 23 July 1953 the refugee bill was passed by the House by a vote of 221-185. Twenty five persons did not vote. The Senate passed the bill with a revised title on 29 July 1953. The revised title read: "A bill to authorize the issuance

88. Gerald D. Morgan to the President, 6 July 1953, Box 577, OF 116-G, Eisenhower Library.

of special visas and other relief to certain refugees, escapees, expellees and orphans and for other purposes." The bill authorized the admission of 214,000 refugees over a three-year period.

The passage of the Refugee Relief Act, however, did not kindle much hope in any one. The *New Republic* wrote a very pessimistic article with the title "Special Visas, for Whom?". The pessimism was due to the fact that the Refugee Relief Act had more stringent measures of security than even the McCarran-Walter Act. It asked for a documented history of the immigrant along with assurance of readmission from the country from where he was seeking admission. He had to have his own individual sponsor. The article in the *New Republic* expressed the opinion that since the quota system itself remained untouched the exception was hardly adequate to the need.

The White House, having proved its concern for the overpopulated areas, did not pay any more heed to the matter of immigration that came up from time to time in the Senate committees. Senator Harley M. Kilgore (Democrat, W. Virginia) complained that the Administration had not made it clear exactly what changes in the basic immigration law it would support. There was confusion over the precise immigration

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position of the Administration was. Dulles had written, a day back, a non-committal letter to Kilgore saying that the Administration's position was being developed and that he would not be able to testify regarding the changes to be proposed in the basic immigration law until the position of the Administration was coordinated. The Administration was probably keeping its stand of avoiding any attack on the McCarran Act.

The emergency measure, born under such circumstances, however, did not achieve anything till 1955. Scott McLeod, a former FBI official who had been regarded as close to Senator Joseph McCarthy, was now the Administrator of the Bureau of Security and Consular Affairs. He was responsible for the administration of the Act. In a committee hearing held to investigate why the Refugee Relief Act was not functioning, he said that the security checks provided for in the Act were beyond anything that had been required under previous legislation. Hence an investigative staff had to be specially trained.

Senator Thomas C. Hennings (Democrat, Missouri) stated two reasons for the delay in the issuance of visas. One was that the questionnaire that was given to the refugees was

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something that took an average intelligent man four days to answer and the other was difficulty in finding sponsors. McLeod agreed that the questionnaire was intended to be a strict one and all the Departments had sent in their own set of questions. In fact, the original questionnaire that came in for being edited and modified had a question from the Public Health Department that asked -- "Did you ever have falling hair?"

McLeod himself agreed that the security provisions were much stricter than any other country. But he was not apologetic about it and the Committee appreciated him for his concern for the safety of the country.

An amendment was made to the Act that allowed as preferential cases those whose normal quotas were oversubscribed. In the Hearings it became clear that 73,000 of the number allotted to the refugees were to be preferential cases. This was an effort to somehow fill up the quota of 84,000 allotted to the refugees. Two interesting discoveries were made--that the title of the bill was a misnomer and that there were no more refugees willing to apply. The Administration had only wanted the admission of "nationals" who applied under normal circumstances and not "refugees" who might seek admission during crises. He said that the members of the Committee then

94. Ibid., pp. 6-7.
in operation had nailed it down as a refugee bill. The refugees were, according to him, "in a diminishing state of necessity".95

In the middle of 1953 bonafide refugees fleeing from Communist countries into Western Europe and Turkey monthly were 436, and the number of escapees was 19,711. By 1954 only seven persons had come in under the Refugee Relief Act. If they were in a diminishing state of necessity, conditions in Western Europe must have changed significantly in which case the Refugee Relief Act apparently no longer had a purpose—if it had a purpose to start with. Some European governments did not show much enthusiasm for emigration by their citizens to the United States. West Germany needed man-power and was willing to let only certain types it did not need to go to the United States. Austria wanted that only non-German speaking refugees should apply for visas to go to the United States. Several between-the-lines interpretations of the provisions of the Act had to be made to suit different needs of different Governments. Directives regarding interpretation of certain

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| 436     | 23,310  |

USA, Congressional Record, vol. 98, 19 May 1952, p. 5425.
definitions given in the Act to certain categories, were slow in coming. 97

It was a vicious circle. The Act professed to relieve the burden of Western Europe. Western Europe wanted only a selected burden to be removed and that burden was either unacceptable to the United States or got mishandled by authorities who made the interpretations of the Act. It is difficult to see any logic in the passage of the Act itself.

McLeod was not perturbed that the Act was slow in working. He compared the Refugee Relief Act to the functioning of an automobile in assembly line. He said that it probably took General Motors two years to get ready to produce the current Chevrolet model and that they started in November and then they completed their production cycle. The Refugee Relief Act, according to him, was in the February of the Chevrolet production cycle. 98 But would the model ever roll out in substantial numbers? McCarran and his supporters, of course, were not displeased at the manner in which the Act had functioned.

In 1953 Edward Corsi was appointed as special assistant to Secretary Dulles and to Scott McLeod. Corsi showed, in McLeod's view, undue enthusiasm for getting refugees in under the Act. He was "warm-hearted, generous, well-intentioned and


98. Ibid., p. 17.
likeable." But while trying to make the Refugee Relief Act work he also had an axe to grind. His excitement for the Act and his personal ambition made him a thorn in the flesh of the State Department. Corsi gave too many "moving speeches" on refugees in Europe and in March was warned not to give any more speeches or issue statements. Corsi, it was alleged, wanted to run for the US Senate from New York in 1956 and he probably thought that the refugee job might fetch him a handsome foreign-born vote. Whatever his motivation was, he did try to expedite procedures. He was removed from his office charged with pro-Communist activities by Walter. His services were terminated within ninety days of his appointment. Corsi's complaint was that all that he had done was to make the Refugee Relief Act work. McLeod had advised him not to get excited about it because six out of seven people in America did not want foreigners coming in. Corsi was the wrong person to be appointed if only a gesture of making the Act work had to be shown.

The net result was that the Refugee Relief Act did not work. McLeod has been mainly accused for this drawback. Corsi in his testimony said that in the part of the world where

101. Investigations on the Administration of the Refugee Relief Act, n. 93, p. 57.
he came from, McLeod's name was used to scare babies. 102
Congressman Celler accused McLeod of engineering Corsi's 
ducter. He called McLeod a glorified cop and a stooge of
Senator Joseph R. McCarthy (Republican, Wisconsin) and said
that having him run the programme was like "putting a joke on
a tomstone". 103

The Refugee Relief Act, however, had inherent weak
points and McLeod, while personally being obsessed with
"security" was also voicing the opinion of a restrictive
Congress. Why the Refugee Relief Act did not work has several
other answers.

Eisenhower was not the type of President who could
swing around and lead the way--especially if it meant moving
away from traditional procedures. People around him did not
credit him with leadership qualities. 104 Added to this was
the fact that he had not taken a very clear stand on immigra-
tion. The Middle East figured more prominently in the foreign
policy considerations of the country and immigration seemed a
minor matter.

The 'fifties were fear-filled years dominated by
Joe McCarthy. The "Red Hunt" that went on was similar to

102. Ibid.
103. Clippings, Emanuel Celler Papers, Box 4, File Edward
Corsi; Correspondence January to April 1955, Library
of Congress.
104. Interviews with Jacob K. Javits and George Aiken in 1968
and 1967 respectively. Oral History Collection of
Columbia University.
the witch-hunts of Salem. In this atmosphere of suspicion and distrust it was not surprising that the strictest security measures were written into the Refugee Relief Act. The Act itself was merely a gesture in the wind. It was intended as an emergency palliative that soothed no ailment and a face-saving device that saved nobody's face. No emergency measure that could not kill the rooted prejudices on which the McCarran-Walter Act was erected, could ever work. A reporter once remarked that the Refugee Relief Act was "a compound of the kind of red tape that strangle men's hopes". In the end of 1956 many hopeful Hungarians decided to knock at the doors of the United States and Walter prepared himself for a renewed attack on the McCarran-Walter Act.