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# THE REFUGEE AND UNITED STATES LEGISLATION

VERY REVEREND MONSIGNOR ALOYSIUS J. WYCISLO\*

OUR GENERATION HAS witnessed a displacement of people that is unparalleled in modern history, first, because of the magnitude of the displacement in such a brief span of time, and, second, because of its compulsory character which was due to the conflict of political ideologies. It has been estimated that there were over 78,000,000 homeless and displaced people scattered throughout various quarters of the globe as a result of the Second World War. Never before were so many countries involved as sources of refugee movements and as places of refuge. Because of our country's inescapable involvement in world affairs, the post-war years saw the movement of over 850,000 refugees to the United States despite the restrictionism inherent in our basic immigration laws. It is probably no exaggeration to state that nothing has so dramatized the complexity and weakness of our laws than the efforts which were made these past twelve years to bring about some relief to that world-wide refugee problem. We are confining ourselves to these efforts and their legislative history.

Many important steps were taken by the United States Government in helping bring about some solution to the refugee problem. Long before Russia began challenging the Western nations on the question of the forced repatriation of the millions of uprooted persons in Europe right after the Second World War, the United States emphasized through many acts that the refugee must be free to not only choose his future, but would be assisted to find a new home and a new life in a new country.

## *The War Refugee Board*

One important step in helping refugees from Nazism was the establishment by Executive Order of the President, on January 22, 1944, of the War Refugee Board and soon thereafter of the Office of Adviser on Refugees and Displaced Persons in the Department of State. The creation of this Board enabled a number of voluntary agencies, among them Catholic Relief Services-National Catholic Welfare Conference, and the Catholic Committee for Refugees-NCWC, who were engaged

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\*Assistant Executive Director, Catholic Relief Services-National Catholic Welfare Conference.

in relief to refugees, to deal with a single United States Government agency, in the matter of assisting these refugees to find shelter and safety through immigration. The War Refugee Board had representatives in neutral countries and from these countries, as well as from the Vatican, was able to negotiate the rescue and bring relief to the victims of Nazi persecution. During the one year and eight months of its existence, thousands of persons were helped to escape the German Secret Police.

Aside from several thousand political refugees who entered the United States during the Second World War, the first official and mass movement involved 982 refugees who entered this country outside of the regular immigration procedure and were placed under the authority of the War Refugee Board in an emergency shelter in Oswego, New York. Made up of persons of 18 different nationalities, the group consisted in the main of Yugoslavs and Austrians who had fled Nazi persecution to Italy. They remained at Oswego until 1946 as guests of the United States Government. When it became apparent that most of these refugees could not return home, President Truman ordered on December 22, 1945, that their immigration status be adjusted and that they be permitted to enter the United States legally under provisions of our immigration laws.

### ***Presidential Directive of December 22, 1945***

The Directive of President Truman on December 22, 1945, prompted, as we indicated, by the pressure of the refugees at Oswego was, in its wider application, the first emergency measure taken by the United States Government for the admission of refugees to this country en masse,

through what was known as a "corporate affidavit" of support. As is generally known, our immigration laws require that an American citizen desiring to sponsor an immigrant must submit an affidavit of support, showing that he has financial or other assets sufficient to guarantee that the alien would not become a public charge upon the federal or local government. In the case of the Presidential Directive, it was possible for a recognized voluntary agency to submit a "corporate affidavit" covering many individual aliens.

Admissible persons under the Presidential Directive included those taken to Germany for forced labor, those who had lost their homes through military occupation, those who fled in fear of persecution or who could not return home for fear of possible religious or political persecution, and finally, the relatives of persons in the above categories who were part of a family unit. On June 30, 1948, when the Presidential Directive was terminated, 41,379 refugees and displaced persons had been admitted to the United States. It is generally agreed that the reason more refugees were unable to take advantage of the Directive was due to the fact that its provisions were firmly locked within the framework of existing immigration laws which had no provision to meet emergencies such as those involving the victims of the Second World War. The inflexible quotas set up by the Immigration Act of 1924 prevented the great majority of refugees and displaced people from benefitting under the Directive because they came from such small quota countries as Poland, Latvia, Lithuania, Estonia, the Ukraine, Czechoslovakia, Hungary, Rumania and Yugoslavia. The fact was that the President had ordered the State Department, the Department of Justice and

other agencies of government to utilize the central European quotas, largely suspended during the war for refugees, and did not therefore help those most in need of help. These quotas were estimated to be about 39,000. The plan failed because it neglected to take cognizance of the fact that the unused German quota made up 26,000 numbers of the total available — and few of the refugees were born in Germany and therefore eligible.

### *The Problem of Displaced Persons*

When the Second World War was concluded in 1945, there were 1,650,000 refugees and displaced persons who could not nor would not return to their homelands despite Soviet pressure in the United Nations to force their repatriation. If there was to be any stability or any progress toward peace in the post-war world, something more concrete had to be done and more practical measures had to be taken by the Western Powers to resettle the unre-patriable displaced persons. On February 12, 1946, the United Nations, because of America's concern for displaced persons and through American leadership, adopted a policy against forced repatriation<sup>1</sup> and the obligation of the free world and the United States particularly, to find homes for displaced persons became paramount.

In the two and a half years that the Presidential Directive was in effect, 41,379 displaced persons and refugees had entered the United States. This was not the kind of example the West needed to bring about real effort to resettle the victims of World War II. All through 1946 and 1947, feeble and unsuccessful efforts were made in Congress to bring about some change, no matter how small, in the restrictive statutes

of our immigration laws which precluded the admission of displaced persons and refugees because of the limitations of our quota system. American newspapers and magazines decried the situation and were generally sympathetic to plans for permitting the entrance of displaced persons into the United States.

### *Catholic Activity for Special Legislation*

On November 17, 1946, the Catholic Bishops of the United States supported the idea of a United States haven for displaced persons and refugees. Following their annual meeting in Washington, D. C., the Administrative Board of Bishops of National Catholic Welfare Conference, representing the Catholic Hierarchy of the United States, issued a statement entitled "Man and Peace." In that statement they made the following reference to the humane treatment of displaced persons:

A serious problem which challenges the nations is finding a way rightly to provide for the hundreds of thousands of refugees from persecution and dire danger now in camps in Central Europe. These victims of injustice have the right of refuge — a right that is sacrosanct in our history and culture. To provide for them and to give them an opportunity to begin life anew in useful pursuits without fear is the inescapable responsibility of the nations.

With justice to all these unfortunate men, women and children, and without discrimination in favor of any group of them, the nations must find a way to resettle them in countries where opportunities to begin life anew await them.

It is heartening that the President of the United States has pledged himself publicly to ask our Congress to enact a law which will permit the entry of considerable numbers of them into the United States. If this is done the generosity of our country will

<sup>1</sup> U.N. Doc. No. A/64, Res. 10 (1946).

stir other nations to give these unfortunate people a haven and a chance to live in the enjoyment of their God-given rights.<sup>2</sup>

In January 1947, the National Council of Catholic Women, representing over 40,000 members, urged the entrance of at least 435,000 displaced persons and refugees into the United States:

The interest of the National Council of Catholic Women in the tragic plight of the Displaced Persons was manifested at the national convention in Kansas City, when the following resolution was unanimously passed:

"We urge the entrance into the United States of a generous proportion of Displaced Persons at present in Displaced Persons camps. . . . We urge that the United States take the lead in the entire resettlement program as a practical example to the world of the reality of the ideals we advocated during the conduct of the war."<sup>3</sup>

On January 6, 1947, in his State of the Union Message, President Truman urged Congress to authorize the admission of displaced persons. The President made this point:

The fact is that the executive agencies are doing all that is reasonably possible under the limitation of existing law and established quotas. Congressional assistance in the form of new legislation is needed. I urge Congress to turn its attention to this world problem in an effort to find ways whereby we can fulfill our responsibilities to those thousands of homeless and suffering refugees of all faiths.<sup>4</sup>

#### *Attitude of Congress*

The action which Congress might take in the area of enabling legislation depended, in the main, on the opinion of the citizens of the country, their viewpoint regarding

this whole situation of the displaced persons and refugees, and their possible entry into the United States. Numerous individuals and numerous organizations, the Protestant Federal Council of Churches of Christ, for instance, Jewish agencies and various nationality groups advocated the admission of displaced persons and refugees into the United States. Labor organizations adopted resolutions urging Congress to pass special legislation. The American Legion and the Veterans of Foreign Wars, who first presented a solid front of opposition to the immigration of refugees, reversed their stand after some of their delegates visited displaced persons camps in Europe. Newspapers all over the country published editorials and special articles on the issue of displaced persons and special legislation, and not a few emphasized the moral obligation which the United States had in the arena of world politics to show that its protests against repatriation and its good intentions in providing billions of dollars for relief, have practical application for the homeless displaced persons and refugees who desired to have an opportunity to pursue their lives in freedom.

Public opinion in the United States overwhelmingly indicated a favorable attitude toward special legislation for displaced persons and refugees and despite a climate against such legislation created in Congress by a few powerful Senators and Congressmen, a series of bills were introduced in the first weeks of the 80th Congress in January 1947. Many of these bills never got out of Committee. One measure, introduced by Congressman William G. Stratton of Illinois, did receive Committee consideration but never reached the floor of Congress for debate. The Stratton Bill would have authorized the admission of

<sup>2</sup> National Catholic Welfare Conference, Press Release, Jan. 15, 1947.

<sup>3</sup> NATIONAL COUNCIL OF CATHOLIC WOMAN, CATHOLIC ACTION (Jan. 1947).

<sup>4</sup> 93 CONG. REC. 138 (1947).

100,000 displaced persons a year over a four-year period.

### ***Further Catholic Efforts on Behalf of Special Legislation***

The testimony of His Excellency, the Most Reverend William T. Mulloy of Covington, Kentucky, reflected the feeling of many American Catholics in regard to legislation for displaced persons. Bishop Mulloy had this to say before the House Judiciary Committee holding hearings on the Stratton Bill:

The testimony which I submit bespeaks the mind of the National Catholic Rural Life Conference, an organization now well established in some eighty-three of the 108 dioceses in the United States. It represents eighty-three Bishops, 24,570 priests, 91,706 religious, and 13,372,647 lay people in the matter of displaced persons. To substantiate this claim, I submit a select number of excerpts from letters received by me from the Bishops of a cross-section of the dioceses of this country. Their sentiments reveal their interest, and their statements testify to their willingness to cooperate in settling the displaced persons.

It is our Christian duty and moral obligation to remove the displaced persons from their present plight. The ultimate basis of all human rights is the natural moral law which is imposed upon all individuals as creatures of God.

Among the rights of the human person is the "right of access to means of livelihood by migration when necessary."

The rights of the state likewise flow from the natural moral law. Among the rights of the states in the international community is the right to grant asylum to refugees from injustice.<sup>5</sup>

<sup>5</sup> Statement of the President of the National Catholic Rural Life Conference, Subcommittee on Immigration of the House Judiciary Committee (June 13, 1947).

The Most Reverend James A. Griffin, Bishop of Springfield, Illinois, in a special article that appeared in a brochure printed at the request of Catholic Relief Services-NCWC to bring together Catholic opinion regarding legislation for displaced persons, made public an excerpt from a letter he received from a high ranking Congressman:

I have a letter on my desk from a high-ranking member of Congress with reference to HR 2910, the measure introduced by Congressman William G. Stratton of Illinois authorizing the admittance of 400,000 displaced persons to this country. The letter concludes with these words: "There exists in the Congress among many members a determination not to tamper with the present immigration laws." I cannot see how that "determination" is based either on Christian or on American principles.<sup>6</sup>

His Eminence, Francis Cardinal Spellman, Archbishop of New York, made this plea in a statement to the Citizens Committee on Displaced Persons:

The true purpose of democracy is man's freedom. Yet, two years after V-E Day, there are still nearly one million people of many faiths and from many lands living in exile amidst the desolation of European camps and barracks. These displaced persons are without homes or homelands. A million lives are at the mercy of the United Nations. . . . I pray that, loyal to these God-inspired principles upon which our own government was founded, we open our hearts and our doors to these starving, suffering peoples and lead the way for all the United Nations to follow.<sup>7</sup>

Meanwhile, in Washington, Senator Ferguson of Michigan, acting for himself and eight other Senators, introduced a bill authorizing for a limited time the admission

<sup>6</sup> NATIONAL CATHOLIC WELFARE CONFERENCE, WAR RELIEF SERVICE, DISPLACED PERSONS — WHOSE RESPONSIBILITY? 5 (March 1948).

<sup>7</sup> *Id.* at 4.

of displaced persons into the United States. The bill was never reported out of Committee. Again President Truman, on July 7, 1947, sent a message to Congress re-emphasizing the need for legislation directed toward helping displaced persons enter the United States, but Congress chose to ignore this plea also, and Catholic Americans, together with their compatriots of other faiths, continued their efforts to bring about informed opinion that would move an adamant Congress to act.

Catholic Action Magazine, official organ of the National Catholic Welfare Conference, had this to say in September 1947:

American Catholics should be particularly interested in fostering legislation to permit the entry into the United States of a substantial portion of the Displaced Persons now in Europe.

America, whether it relishes its newly-acquired position or not, is looked upon by all the smaller nations to assume a world leadership in diplomatic, political, and economic affairs. Our country must set a definite example for those who still cherish freedom. If we are to provide this example, we must willingly admit a sizeable number of Displaced Persons to our country. It is America's Christian duty.<sup>8</sup>

But it was not until May 1948 that leadership in the Senate and House of Representatives was at long last convinced that some form of legislation for displaced persons would have to be passed before Congress adjourned. America, a leading Catholic magazine, summarized the situation in an editorial:

Senator Taft has, in fact, made it clear that legislation authorizing admission of bona-fide displaced persons holds a high priority on the agenda in the weeks ahead. The Senators and members of the House who have thus far backed this far-sighted

resettlement program are to be commended for their vision. Right now the world looks to the United States for understanding of concrete problems involving human rights.

In the legislation finally passed there will not be, we hope, any more restrictive provisions than are absolutely necessary. Obviously, the country must be protected against possible subversive elements. But that taken care of, there seems no reason why the European displaced persons should be considered more of a burden than regular quota immigrants. Actually, displaced persons thus far admitted have an excellent record for adaptation and initiative in settling down.<sup>9</sup>

In the same issue of *America*, another editorial commended the stand taken by His Excellency, Archbishop Patrick A. O'Boyle of Washington, D. C., and former Executive Director of Catholic Relief Services-NCWC, against the Daughters of the American Revolution, who opposed the entrance of displaced persons into the United States:

The era of blind isolationism and narrow nationalism has passed away, we hope. But every once in a while something happens which makes us have doubts. Hence, we cannot but wholeheartedly endorse the stand taken by Archbishop O'Boyle of Washington, D. C., against a certain type of narrow-mindedness and short-sightedness that still seems rampant in the country. Decrying the negative position taken by the Daughters of the American Revolution in regard to displaced persons, the newly elevated prelate declared:

"I am confident that all enlightened Americans attuned to the great history and tradition of our democracy and intelligently informed on the trend of world affairs, see in the plight of the displaced persons a challenge which we must accept."<sup>10</sup>

<sup>8</sup> NATIONAL CATHOLIC WELFARE CONFERENCE, CATHOLIC ACTION (Sept. 1947).

<sup>9</sup> *America*, May 8, 1948.

<sup>10</sup> *Ibid.*

On February 25, 1948, the Most Reverend Raymond A. Kearney of Brooklyn, New York, speaking at the Consecration of Bishop Nold in Dallas, Texas, made this strong plea for emergency legislation:

The problem of 800,000 displaced persons who stand at this country's door and knock, is the most challenging problem of our day. I should like to hope [Bishop Kearney added] that from the celebrated heart of Texas there might go forth such sentiments that will ring true and deep in the heart of our country so that posterity will forever recognize that in our day this generation kept our country the refuge and asylum of all the oppressed.<sup>11</sup>

Since the Stratton Bill had failed in Committee, other interested members in Congress took new action. On April 7, 1948, Congressman Frank Fellows of Maine introduced a bill authorizing the admission of displaced persons into the United States for a limited period. The original Fellows Bill never came out of Committee, but undaunted, the Congressman from Maine introduced another bill on April 29, 1948, HR 6396, which differed only in minor details from his original version of legislation for displaced persons. The House Judiciary Committee, in reporting HR 6396 out of Committee, emphasized that legislation for displaced persons was paramount and that the subject of special legislation for displaced persons should be divorced from discussion on changes in our basic immigration laws. Then followed debate on the floor of the House of Representatives. Two amendments to HR 6396 were added and its provisions were substituted for S. 2242, a companion bill in the Senate, introduced by Senators McGrath, Revercomb, Donnell

and others following an inspection trip these gentlemen made to the displaced persons camps in Europe.

The subcommittee's bill (S.2242) immediately faced the opposition of church organizations, nationality groups, and others interested in the refugee and displaced persons problem, who labeled it discriminatory and inadequate . . . The elements in controversy in the bill were similar to those over which there had been debate in previous attempts at legislation on this matter. The basis of eligibility, the critical date-line, the total number to be covered by the bill, preferences and priorities in visaing, the requirements for assurances of employment, housing and public charge provisions, the administration of the program — all were factors over which there was comment and frequent acrimonious debate.<sup>12</sup>

### *The Displaced Persons Act of 1948*

Despite the opposition just referred to, the Senate Committee's Bill won out and the New York Times commented:

The DP bill just approved by the Senate is a sorry job, throwing wide the high humanitarian principles of the original Stratton Bill, and all the powerful arguments advanced by the military government, Federal government, civic, labor and religious leaders in the past 18 months. The Senate took one step to rectify the injustices of the Wiley-Revercomb Bill by increasing the number of DP admissions to 200,000 for the next two years. The Senate bill in its present form ought not be put on the statute books.<sup>13</sup>

Leadership in the House succeeded in passing a companion bill, HR 6396, on June 11 and the Displaced Persons Act of 1948 emerged on June 19. President Truman signed the bill which became Public Law 774 on June 25, 1948 with deep re-

<sup>11</sup> The Tablet, Feb. 28, 1948.

<sup>12</sup> FINAL REPORT, UNITED STATES DISPLACED PERSONS COMMISSION, THE DP STORY 21 (1952).

<sup>13</sup> N. Y. Times, June 3, 1948.



gret, stating that the bill as passed combined the worst features of both the Senate and House bills and "form a pattern of discrimination and intolerance wholly inconsistent with the American sense of justice."

In keeping with provisions of PL 774, the President nominated Ugo Carusi, Edward M. O'Connor (former Executive Assistant of Catholic Relief Services — NCWC) and Harry N. Rosenfield to the Displaced Persons Commission to supervise the admission of 205,000 persons into the United States up to June 30, 1950. Such persons would be admitted who were defined as refugees or displaced persons by the Constitution of the International Refugee Organization, and for whom assurances would be given that they would have employment and housing without displacing an American from such housing or employment. The Displaced Persons Commission immediately embarked upon the tremendous task of accepting hundreds of thousands of such assurances that poured into Washington from American voluntary agencies. It examined and certified them and arranged for their transmission to Consulates overseas. It had not only to coordinate the work of various departments of government that were involved in implementing the new law, but also to devise and carry out the process of selecting and transporting visaed refugees to the United States.

So far as the Displaced Persons Commission was left any discretion by the Act of June 25, 1948, and so far as that Act was clear in its provisions, it must be emphasized that the Commission performed its task with credit and great benefit to the United States. By the middle of 1949, over 50,000 displaced persons were admitted to

the United States and the transportation in Army transports, contracted and paid for by the International Refugee Organization, had been so well worked out that as many as 15,000 displaced persons a month entered various ports in the United States. As an indication of American interest in displaced persons, it should be brought out that by the middle of that same year, over 200,000 guarantees of sponsorships, or assurances of homes and jobs, were submitted to the Commission, and at an average of 2.5 persons per assurance, there were guarantees to cover more than twice the number of 205,000 allowed entry by PL 774.

As for the sources of assurances, the Displaced Persons Commission reporting on first residence of displaced persons, indicated that:

Ten states included 78.2 percent of the immigrants, who came to the U. S. under the Act. These States are, in order of rank: New York, Illinois, Pennsylvania, New Jersey, Michigan, Ohio, California, Massachusetts, Connecticut and Wisconsin. Forty-three and two tenths percent of all immigrants, according to the Commission's report had first residence in the following ten of our largest cities.<sup>14</sup>

New York City	24.3
Chicago	7.8
Philadelphia	2.9
Detroit	2.7
Cleveland	2.1
Los Angeles	1.1
Baltimore	.8
Pittsburgh	.7
Washington, D. C.	.4
St. Louis	.4

It is not hard to understand the reason for this concentration of displaced persons in the larger cities. After all they were the

<sup>14</sup> FINAL REPORT, *op. cit. supra* note 12, at 243-44.

centers of largest concentration of the nationality groups interested in the displaced persons. The larger states were the first to set up State Commissions under the aegis of the federal government, and it was in these states that the private and voluntary agencies had, for the most part, their most active counterpart groups.

### ***Catholic Organization for Resettlement***

The Catholic Bishops of the United States had anticipated the passage of the Displaced Persons Act by many months. At their annual meeting in Washington, D. C., in November 1947, the Administrative Board of the National Catholic Welfare Conference authorized the organization of a National Catholic Resettlement Council. The Administrative Board of the NCWC not only appointed the Executive Director of Catholic Relief Services — NCWC to direct the National Catholic Resettlement Council, but authorized the Chairman of the Board to suggest to all the Bishops in the United States the appointment of a Diocesan Resettlement Director, and within the structure of the National Catholic Resettlement Council, the promotion of an educational campaign looking to the resettlement of several hundred thousand displaced persons in the United States.

The representatives of the National Catholic Resettlement Council were invited to participate in the formulation of legislation to admit displaced persons into the United States during the regular sessions of the 80th Congress in 1948. Upon the structure of the National Catholic Resettlement Council, it was not only possible to keep the Diocesan Resettlement Directors and their supporting committees informed of legislative trends but also to interpret the

limitations that were being written into special bills before Congressional Committees in that year.

In the promotion of legislation for displaced persons and the operational aspects of a Catholic resettlement program, the National Catholic Resettlement Council, in cooperation with Diocesan Resettlement Directors and various nationality groups, found homes and jobs for 140,765 displaced persons under the Displaced Persons Act of 1948.

After the first ship with displaced persons arrived in New York on October 30, 1948, just four months after the Displaced Persons Act became law, American voluntary agencies were busy adjusting their operational programs to this new experience in moving immigrants en masse to the United States. But as American interest in these victims of the Second World War heightened and the inadequacies of the Displaced Persons Act became more and more apparent, and as these inadequacies began to affect interested sponsors in communities throughout America, the task of seeking extension and amendments to that Act was much easier than bringing about initial passage of PL 774.

### ***Congressional Action 1949-1950***

Thus, throughout 1949 and into the first half of 1950, there was incessant agitation for a revision and extension of the Act of 1948. The composition of the respective Judiciary Committees of both Houses, which handle such matters, was considerably modified through elections in November 1948. Advocates for revision of the Displaced Persons Act gained control of the situation in the House of Representatives. New bills were introduced with the opening of the 81st Congress and by March

hearings were held on several bills. HR 1344, introduced by Congressman Emanuel Celler of New York, was not reported out of Committee, but a new bill, HR 4567, again introduced by Mr. Celler, passed the House on June 3, 1949. This bill provided for an increase in numbers of displaced persons who might enter the United States from 205,000 persons to 339,000, and included new categories of refugees — 18,000 Polish army veterans in England, 500 recent political refugees from behind the Iron Curtain, 4,000 refugees in Shanghai and 5,000 orphans. The date line for eligibility was changed from December 22, 1945 to January 1, 1949, and a loan fund was authorized to assist voluntary agencies in helping sponsors meet the costs of transporting displaced persons from the ports of entry to their destination. In addition, the number of ethnic Germans, or expellees, authorized for admission was raised to 54,744 persons.

Again the National Catholic Resettlement Council went into action and at the invitation of the House Sub-Committee on Immigration and Naturalization, submitted its views on HR 1344.

Action in the Senate hinged on the views of Senator Pat McCarran of Nevada, Chairman of the Senate Judiciary Committee, and others who were consistently opposed to special immigration. The Senate refused to take any action on the House Bill (HR 4567) until the Chairman of its Judiciary Committee had completed a personal survey of the Displaced Persons Program in Europe. Despite bitter debate, HR 4567, which had been referred to the Senate Committee, was recommitted to Committee, with instructions that a new bill be reported to the Senate by January 1950.

While Senator McCarran was conduct-

ing his study of the Displaced Persons Program in Europe, a special Sub-Committee of the House had also engaged in a study beginning September 7, 1949. It must be said, with credit to the House group, that they returned an excellent report<sup>15</sup> and emphasized their convictions by following through with recommendations for extension and enlargement of the Displaced Persons Act of 1948. It is significant that their report included this personal message delivered to them by Pope Pius XII at Castelgandolfo on October 2, 1949:

The subcommittee deems it proper to insert at this point of its report the text of a message which it was honored to receive, personally delivered by His Holiness, Pope Pius XII, during the private audience granted to the subcommittee at Castelgandolfo, near Rome, Italy, on Sunday, October 2, 1949. The Pope's message reads as follows:

"Your visit, Gentlemen of the House of Representatives, revives many a pleasant memory, and kindles to new brightness a hope that has long lain close to Our heart.

"Our repeated public expression of anxious concern for the liquidation of what has come to be called all too unfeelingly the refugee problem will attest that to fact-finding investigations such as yours We are ready to attach the importance of a critical professional errand and the dignity of an urgent mission of mercy. . . .

". . . An immense treasure of good will and enlightened, if at times faltering, social effort has already been dedicated to the provision of decent homes and employment for this legion of homeless and disheartened hostages. The devoted labours of the immigrant and welfare organizations, with which you are wisely maintaining close and fruitful contact, are beyond all human praise, and they have not lacked such paternal encouragement and material support as We could

<sup>15</sup> H. R. Res. 238, 81st Cong., 1st Sess. (1950).

find it possible, out of a full heart and straitened means, to give them.

"... One further and controlling observation, dictated by the sacred trust committed to Our charge, you will not fail to understand. Political, economic, and even social dangers are involved in a policy of further delay or exaggerated caution. But these dangers, real and serious though they be, are derivative and secondary. Our prime anxiety — as We are sure it is yours deep down in your hearts — touches the judgment of history and of history's Lord on the fulfillment of that gravest duty of man to man and of nation to nation, which calls for respect for the image of God in even the weakest and most abandoned of His children.

"No reason of State or pretext of collective advantage, as We had occasion to emphasize once before only a few days ago, can avail to justify the contempt of that human dignity and the denial of those elemental human rights which the Creator has imprinted on the soul of each of His creatures.

"Again be assured, Gentlemen, that Our heartfelt sympathy and supplication before the throne of Divine justice and mercy attend your best endeavours, and those of your colleagues and collaborators of every nation, to deal vigorously with the last remaining obstacles to full human freedom for Our beloved refugees, prisoners of a hope that cannot, that must not be allowed to wither and die in their hearts."<sup>16</sup>

On January 25, 1950, the Senate Committee on the Judiciary reported out HR 4567 with amendments, but it was not until April that the Senate passed HR 4567 after having added to the Committee Bill many amendments introduced by Senator Harley Kilgore of West Virginia. Thus,

though McCarran's views had only been strengthened by his European trip, the Senator decided that he could no longer continue

postponing action on the Celler Bill. Instead he altered his policy in an attempt to emasculate the House measure. With McCarran's approval, the Senate Judiciary Committee approved a heavily amended version of the Celler Bill which retained many of the restrictive features of the existing Act. . . . The most controversial amendment was a new provision which redefined displaced persons to include Volksdeutsche. Previously, Congress had accepted the International Refugee Organization definition, which specifically excluded all persons of German ethnic origin. . . .<sup>17</sup>

After two months of conference, the joint committee of both the House and Senate finally presented an amended Displaced Persons Act which was passed by Congress on June 16, 1950. The amended Act did not wholly eliminate the discriminatory and unworkable features of the original law, but did serve to open opportunities for more displaced persons and refugees, and did serve to meet more of the needs as expressed by Americans anxious to sponsor refugees.

The Displaced Persons Program enacted by Congress terminated on June 30, 1952, though originally intended to end a year earlier. Congress in a "last ditch" effort to make use of all the visas authorized by the law, extended its life an extra year. There is no doubt that the most significant United States contribution to the solution of the displaced persons problem was the Displaced Persons Act of 1948, a humanitarian measure that had perforce to operate within the restrictive limits of our basic immigration laws. In all, over 404,844 displaced persons and refugees entered the United States under PL 774, as amended, and although fear of discrimination prevented any mention of religion in final statistics

<sup>16</sup> *Ibid.*

<sup>17</sup> DIVINE, AMERICAN IMMIGRATION POLICY 1924-1952, 138 (1957).

reported out by the federal government, it is estimated that of the displaced persons and refugees who benefitted under the law, 47% were Catholic refugees, 35% were Protestant and Orthodox, some 15% were of the Jewish faith and 3% comprised refugees of other faiths.

### ***Refugee Problem Unsolved***

The expiration of the Displaced Persons Act did not indicate that the problem of the homeless refugees was solved. Hundreds of thousands of displaced persons and refugees still hoped to come to America and it was in the best interest of America to give them further opportunity to get here. There remained the unfinished work of the Displaced Persons Act — the problem of refugees from communism and the tragic condition of overpopulation in some countries, even more aggravated by the presence of refugees.

Tens of thousands of persons defined by the International Refugee Organization as displaced persons did not "get in under the wire." German expellees had received only token numbers out of the Displaced Persons Act. Italian refugees from Venezia Giulia were still the victims of the policy "did you or did you not opt for Italian citizenship?" and if they did opt for Italian citizenship, they were considered ineligible under the Displaced Persons Act of 1948 and its amendments of June 1950. There were more and more political refugees coming to the front and more IRO, Greek and war orphans, unknown to agencies before. All these people in the "pipe-line," people who could have been visaed and were equally as good as those who got into the country, fell victims to the termination of a law.

This unfinished task soon became more grave with the flight of increasing numbers of escapees from communism. In the "cold-war" upon which we had embarked, we had on our side those who had lived under communism and now sought haven in the West.

In order that we would not lose this "cold war" and in order to alleviate the problems caused by Communist tyranny, President Truman on March 24, 1952 again appealed to Congress for the admission of 307,500 refugees into the United States over a three-year period. The climate in Congress at that time was one of

getting the whole business of immigration back to normalcy and long-range planning. There were bills pending in the Senate and the House designed to overhaul the entire immigration and naturalization structure from the ground up . . . there was little thought of continuing anything like the post-war displaced persons program. . . . Arguments against what is called "excessive" immigration bear heavily on two fears:

- 1) The laboring man fears it may result in a glut in the labor market and eventually jeopardize his job;
- 2) There is a fear that our gateway for immigrants might be used as an open-door for subversive foreign agents.<sup>18</sup>

### ***Pope Pius XII Urges Legislation***

Catholic activity for the movement of refugees had already taken on marked significance. Tens of thousands of displaced persons and refugees had found new homes in America but there were those who would be left behind unless more dedicated and more extended efforts were made. Pope Pius XII, in a letter to Archbishop John T. McNicholas, O.P., Chairman of the Administrative Board of the National Cath-

<sup>18</sup> N. Y. Times, March 30, 1952.

olic Welfare Conference, praised the program of the Bishops and Catholic people of the United States for displaced persons. A translation of the letter in Latin was released by the Archbishop to the press and summarized thus in *The Register*:

Pointing out that God's gifts are provided for the good of all, the Pontiff declares that free access to the earth's bounty should not be denied to needy but worthy persons. In addition to the problem of the DPs, there are other evils left by the recent dreadful conflict that must be remedied. The Holy Father speaks of the wretched condition of exiles, political prisoners, and children torn from their parents and utterly destitute.

Referring to U. S. Catholics' mission of mercy toward the DPs, the Pope says:

"That you, venerable brother, and your colleagues in the American Hierarchy are shining examples of this exalted virtue has been demonstrated on numerous occasions by your noble deeds, and in particular by the establishment of a new and vigilant resettlement committee, over which you yourself most worthily preside.

"With the help of this committee, you have given careful thought to repairing the ruined fortunes of displaced persons in Europe; so we have been informed and the report has given us much consolation amid the many bitter anxieties that afflict us with grief beyond measure in these troublous times."<sup>19</sup>

Catholic periodicals took up the battle for more and better legislation for refugees; typical is this editorial from *The Sacred Heart Messenger*, of March 1949:

One thing, however, should not go unmentioned, and that is the supremely Christ-like effort being made now throughout Europe to relieve the distress of those millions of wandering souls whom we sometimes so glibly dismiss as "the displaced person's problem." These men and women, whose only "crime" was their resistance to

tyranny, are often forced to live in conditions to which we would hesitate to condemn brute animals. Those attempting to aid displaced persons run constantly up against the same obstacle: no country wants the DP inside its borders unless he is sufficiently young and physically fit to be "assimilated" — which means to labor in the mines or to do that kind of manual work which no one else is willing to undertake. These displaced persons are aging after their eight years of exile; many are sick. All have been drained of energy. They are terribly disillusioned by the lack of Christian charity which they encounter in official quota regulations. Therefore we cannot but admire the heroic efforts being made on behalf of the displaced, both by European Catholics and by the skilled and zealous staff of our own American Catholic War Relief Services, an organ of the National Catholic Welfare Conference. This is only one of the many works of War Relief Services, but it is perhaps the most urgent and the most disheartening.<sup>20</sup>

### *Joint Conference on Legislation*

The National Catholic Resettlement Council took on new vigor. It proposed to its membership wholehearted support of President Truman's message of March 24, 1952 and not only issued a special report on legislative proposals that followed the President's message but prepared a series of bulletins to Diocesan Resettlement Directors and members of the National Catholic Resettlement Council. On February 1, 1952, the National Catholic Resettlement Council sponsored a conference on legislation, held at the Hotel Vanderbilt, in New York. Among agencies present, apart from those holding membership in the Council, were the following: International Rescue Committee, New York State Displaced Persons Commission, Church World Service,

<sup>19</sup> *The Register*, Feb. 6, 1949.

<sup>20</sup> *Sacred Heart Messenger*, March 1949.

United Service for New Americans and AHEPA (Greek fraternal organization). Discussion at this meeting centered about pending legislation to amend our basic immigration laws and the relationship of any action for major change vis-a-vis the continuing emergency involving refugees. It was the conviction of the group that so long as Senator Pat McCarran controlled the destiny of the Senate Judiciary Committee and continued his efforts to bring about recodification of our immigration laws, there would be little chance for further special legislation for refugees. Opinion was divided, however, as to whether the voluntary agencies interested in refugees should now concentrate on further emergency legislation or direct their efforts toward liberalizing objectionable features of the Omnibus Bills pending in Congress and introduced by Senator McCarran for the Senate and Congressman Walter of Pennsylvania for the House.

All through the first half of 1952 it was quite apparent that the issue involving the need for further special legislation for refugees and the need to revise our basic laws was quite confused. Regretfully, there were individuals with vested and selfish interests in this country who, while they did not openly oppose the need for special legislation, managed very adroitly to combine the issue with the broader problem of revising and improving the Omnibus Bills on immigration pending in Congress. It was unfortunate that some leaders among the voluntary agencies as well as the nationality groups, who should have been most concerned with the need for further special legislation, had been misguided into thinking that in order to achieve that objective, a united front had also to be maintained in calling for revision of the Immigration

and Nationality Act of 1924. Such persons had not only forgotten the history of events that brought about the Displaced Persons Act but allowed themselves to be caught in the cross-fire of political debate in Washington.

### *New Efforts for Special Legislation*

Ever since 1945, when the problem of refugees was discussed and the need for legislation to help refugees enter this country was considered, the emergency nature of the situation was emphasized and it can be said that the Displaced Persons Act was passed by Congress upon the premise that there would be no tampering with basic law. Indicative of the situation in early 1952 is this excerpt from President Truman's message to Congress on March 24, 1952:

If the Congress cannot agree at this session on desirable improvements in our whole system of immigration that would take care of the emergency problem, it should act to take care of the emergency directly. In no event should this vital emergency program be tied to or associated with restrictive changes in our permanent immigration laws — changes which would in themselves hamper or nullify operation of the emergency program.<sup>21</sup>

Later, on June 25, 1952, when the President vetoed the McCarran-Walter Omnibus Bills which had passed in Congress, his report on that veto contained this statement: "I strongly urge the Congress to enact the temporary emergency legislation which I recommended some months ago."<sup>22</sup> The National Council of Catholic Men, at its 33rd annual meeting, in a resolution

<sup>21</sup> President's message, 1 U. S. CODE CONG. & ADMIN. NEWS 874 (1952).

<sup>22</sup> FINAL REPORT, UNITED STATES DISPLACED PERSONS COMMISSION, THE DP STORY (1952).

adopted at that meeting, made this observation:

We believe that the legislation passed by the last Congress unjustly discriminates against peoples of Southern and Eastern Europe. It is the recommendation of the NCCM that special legislation be immediately enacted providing for the admission of additional numbers of refugees, expellees and DPs on a non-quota basis.<sup>23</sup>

Typical of Catholic support of the President's proposal was a statement issued by Right Reverend Monsignor William F. Kelly, Diocesan Resettlement Director for the Diocese of Brooklyn, New York. Excerpts follow:

During the past week, President Truman sent a special message to the Congress dealing with the problems of Europe's refugees and excess population.

In what was generally considered by experts to have been a very comprehensive, clear and cogent summary statement, the President asked the Congress to consider enacting legislation that would provide for a three-point program.

He sought some aid for the steady flow of refugees from Iron Curtain areas; continuation of America's participation in an organized international effort to resettle a substantial number of Europe's excess population in those countries, such as South America and Australia, that would receive these people; and, finally, authorization for the admission of a very small number of them into the United States during a three-year period.

Catholic experts are in complete agreement that this proposal accords with Catholic principles and American traditions. To some it seems an answer to the unremitting prayer of Pope Pius, who has repeatedly called for legislation of this character from the governments of the free world.

This special legislative proposal is not to be confused with important permanent immigration codes presently before the Congress.

In such perspective it is the judgment of all experts who have examined this matter that Catholics should join all others in America to support this or other comparable proposals to be enacted at this present session of the Congress.<sup>24</sup>

In the House of Representatives, Congressman Emanuel Celler of New York had introduced a bill (HR 7376) advocating the passage of an emergency immigration law to admit 300,000 European immigrants over a period of three years. Through May and June of 1952, hearings were held on the proposed bill and innumerable witnesses testified in its behalf.

On August 28, 1952, the Director of the Resettlement Division, Catholic Relief Services-NCWC, joined the heads of the major American voluntary agencies serving as advisors to the Displaced Persons Commission, in a visit at the White House with President Truman to express alarm over the fact that Congress had not acted on any emergency legislation while millions of refugees overseas remained unsettled and homeless. The Committee, representing Protestant, Catholic, Lutheran and Jewish agencies in the field of immigration and resettlement of displaced persons and refugees, assured the President of its support of his proposals in his Message to Congress of June 22, 1952. The Committee urged the appointment of a non-partisan committee of outstanding Americans to study the entire refugee situation with the hope that such a study would be in line with our foreign policy, that it would emphasize the tragic needs of the refugee and result in

<sup>23</sup> National Council of Catholic Men, 33d Annual Meeting.

<sup>24</sup> Statement by Rt. Rev. Msgr. William F. Kelly, S.T.D., March 1952.



the necessary legislation to admit more refugees to the United States.

It was not until the 83rd Congress convened in 1953 that real progress was made in the direction of further special legislation for refugees.

### *The Refugee Relief Act*

On April 22, 1953, President Eisenhower recommended the enactment of emergency legislation to take care of refugees and to relieve population pressures in certain countries. The President proposed the admittance of 120,000 refugees and escapees from behind the Iron Curtain in each of the next two succeeding years. As in the past, the National Catholic Resettlement Council, together with other American voluntary agencies, participated in legislative hearings on proposed bills.

On May 15, 1952, Senator Arthur V. Watkins of Utah, for himself and 17 other Senators, introduced a bill, S. 1917, to authorize the issuance of 240,000 special quota immigrant visas to certain escapees, German expellees and nationals of Italy, Greece and The Netherlands, during a period of two years. S. 1917 was revised in the Judiciary Committee and favorably reported to the Senate by Senator Watkins on July 23, 1953. In the House of Representatives, Congressman Louis Graham had been providing leadership for a similar bill. The House acted on emergency migration legislation when it passed HR 6481 on July 28, 1953. Following joint conferences in the House and Senate, the Refugee Relief Act was passed and approved by President Eisenhower on August 7, 1953.

The Refugee Relief Act of 1953 provided for the entry into the United States of 214,000 victims of World War II and

its aftermath; the victims of natural disaster, oppression and persecution. It was not until December 4, 1953 that the State Department, responsible for the administration of the Refugee Relief Act, issued regulations for the issuance of visas under that law. By June 30, 1955, almost two years after the law went into effect, only 27,160 persons had entered the country, and on August 8, 1955, exactly two years after the law went into effect, the Administrator reported: "The complex organization needed to administer the technical requirements of the Act is now established and fully operative."<sup>25</sup>

It should therefore be emphasized that the Refugee Relief Act, though intended to relieve a grave human problem, was so encumbered by delaying regulations that it would seem our Congress never intended to pass a workable and practical piece of legislation. Proof is evident in the fact that with the expiration of the law on December 31, 1956, despite the fact that tens of thousands of home and job assurances were available for refugees through agencies experienced with the resettlement of refugees, 19,500 visas were wasted. Not all the visas issued went to refugees. The Graham Amendments of August 1954 opened the Act to relatives of American citizens who could not come to the United States under the normal quotas allocated to such countries as Italy, Greece and The Netherlands. Such relatives in the "surplus population" areas, and where economic distress existed, received close to 50% of the visas.

New attempts were again made to extend and amend the Refugee Relief Act, but to no avail. A brief filed by the Right Rever-

<sup>25</sup> FOURTH SEMI-ANNUAL REPORT, THE ADMINISTRATOR OF THE REFUGEE RELIEF ACT OF 1953 (Aug. 8, 1955).

end Monsignor Edward E. Swanstrom, Executive Director, Catholic Relief Services-NCWC, in support of two bills, is indicative of the situation as it existed in March 1955.

It would seem to us that the introduction of H. R. 1631 and H. R. 3300 is indicative of the continued interest in Congress in the noble principles that prompted passage of the Refugee Relief Act, as well as concern for the successful implementation of the law. All of us had great hopes and desires. The President, the Congress, Voluntary Agencies and many thousands of Americans felt that the Refugee Relief Act would at last, to some extent, resolve the problem of some of the refugees, but more than that provide concrete example to the world that the United States is not only willing to give its money toward the successful solution of this problem but even welcome to its bosom a certain number of these homeless.

What have we done? War Relief Services-N.C.W.C. and its affiliated agencies have, up to this date, submitted to the Administrator of the Refugee Relief Act in Washington around 9,017 cases. Approximately 6,990 of these cases have been validated. Complete documentation for 2,150 cases has been passed into the hands of various consular officials throughout the world. As of the end of March 31, 1955, action will have been completed on approximately 732 cases, producing some 1,421 visas. One year and six months after the passage of the Act, we have had 812 persons arrive. Who will gainsay that we have not tried and successfully produced assurances? Where lies the fault for so poor an example to the world that we have a law, but that it would appear we cannot work within it? Could it be the complexities of the law? Could it be its delaying and disheartening administrative procedures? This much we know. Despite the fact that we have produced assurances at this end, we do not seem to be able to get them out of the pipeline at the other end.

We are convinced that, if United States foreign policy is to be correctly understood, and that the principles of democracy can be applied to the less fortunate in other areas of the world, then this emergency legislation is necessary, and that it must be made workable. We believe, too, that such legislation is within our national interest. We have no doubt that if there are effective amendments to the law and its procedures, the high purposes intended by the President, in proposing it, and the Congress, in passing it, will be achieved.<sup>26</sup>

### *Hungarian Emergency Program*

The revolt in Hungary in October 1956 brought the United States face to face with a new emergency. Between October 26, 1956 and April 4, 1957, 171,068 Hungarian escapees entered Austria, and 17,840 entered Yugoslavia. In mid-December 1956, President Eisenhower authorized an Emergency Hungarian Resettlement Program. Since Congress was not in session, immigration authorities were advised to issue "parole" visas to the United States. Catholic Relief Services-NCWC quickly marshalled its forces in Austria and in the United States to meet the needs of the Hungarian escapees — 70% of whom were Roman Catholic. Besides sizeable relief shipments (\$1,068,500 in value) that were sent into Hungary by Catholic Relief Services-NCWC in those brief days of freedom for Hungary, extensive relief and resettlement services were given Hungarians in Austria and other Western European countries. Staff additions were made on a temporary basis from the United States and other Catholic Relief Services-NCWC offices in Europe.

The following statistics give a picture of

<sup>26</sup> NATIONAL CATHOLIC WELFARE CONFERENCE, CATHOLIC RELIEF SERVICES (March 1955).

the extent of movement of Hungarian escapees to the United States. Out of a total of 38,000 Hungarians resettled in the United States, Catholic Relief Services-NCWC, in cooperation with Diocesan Resettlement Directors, resettled as of January 31, 1958, the following:

	<i>Cases</i>	<i>Persons</i>
Visas .....	2,032	3,032
Parolees .....	10,780	17,330
Unknown .....	1,350	1,923
Total .....	14,162	22,285

What was unique but perhaps tragic about the movement of Hungarians to the United States is the fact that all but 6,130 persons came here under parole to the Immigration and Naturalization Service. They were and still are considered guests of the United States Government and can be sent back at any time, until such time as Congress decides to "regularize" their status.

In announcing the end of the Hungarian Emergency Program on December 31, 1957, President Eisenhower made this statement at Gettysburg, Pennsylvania:

Termination of the emergency aspects of the United States program to assist Hungarian refugees who fled from Hungary is made possible as a direct result of the effective work performed by the international agencies directly concerned, the efforts of the other thirty-five countries which granted asylum to the refugees and the assistance provided by various religious, nationality and other private groups. Under this program a total of 38,000 refugees have come to this country.

To date a total of \$71,075,000 has been made available by the United States to meet the immediate needs of the escapees, to provide food, clothing and shelter, to relieve suffering inside Hungary, to process for resettlement, and to transport them to

receiving countries. Of this sum almost \$20,000,000 in refugee assistance was furnished from American private sources, donated through eighteen religious, nationality and other voluntary agencies.

Of the approximately 38,000 Hungarian refugees coming to this country, 6,130 received immigration visas in the closing days of the Refugee Relief Act. The remainder were admitted into the United States under the parole provisions of the Immigration and Nationality Act (McCarran-Walter Act).<sup>27</sup>

As for returnees, those Hungarians who either voluntarily or otherwise returned to Europe, the following statistics are significant:

Communists (Enforced Departure) .....	22
Fraud or Misrepresentation (Enforced Departure) .....	52 <sup>28</sup>
Voluntary Returnees .....	84
Dependents of Deportees and Returnees .....	233
Total .....	391

It should be emphasized here that at the very outset of the Hungarian Emergency Program, Catholic Relief Services-NCWC insisted that the escapees should be given visas. The Catholic Bishops' agency refused to accept the parole status, declaring it inhumane and not consonant with good practice. The 6,130 Hungarians who received visas obtained them because Catholic Relief Services-NCWC representatives in Austria insisted on them, but subsequent decisions of the Immigration and Naturalization Service overruled further attempts by Catholic Relief Services-NCWC to obtain visas for its applicants. The promised

<sup>27</sup> N. Y. Times, Dec. 29, 1957.

<sup>28</sup> Includes 8 persons who had visas.

quick amelioration of the parole status of those escapees who arrived in the United States has not been obtained. A bill, introduced in the Senate during 1957, which included provision for permanent residence of the Hungarian parolees, failed in Committee because of opposing leadership in the House of Representatives, which contended that until each Hungarian parole case was examined more carefully, permanent status could not be given the Hungarian escapees.

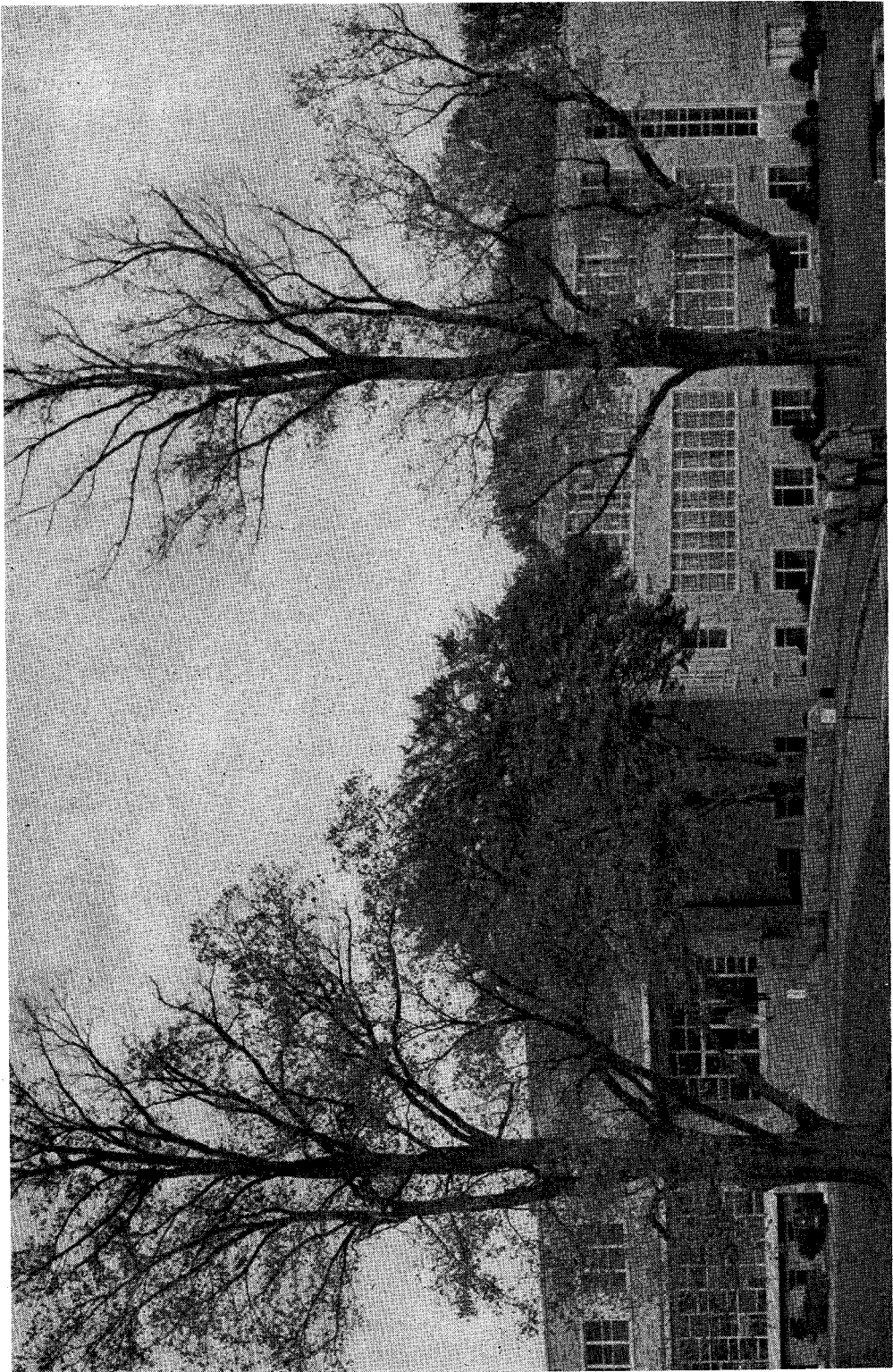
### ***Later Developments in the Immigration Field***

The 85th Congress enacted Public Law 85-316 which in substance made certain changes in our basic immigration laws in order to meet the needs of "hardship cases." These cases might be listed as those involving the reunion of families, the facilitating of the immigration of orphans for whom there has always been a great demand in the United States, the admission of additional numbers of escapees from Communism and the amelioration of individuals desiring to enter the United States but who have been prevented from doing so because of oversubscribed quotas in their countries of origin. Some of the provisions of PL 85-316 are temporary, others provide permanent change in our laws. One of the most desirable features of PL 85-316 has been the removal of quota number

restrictions due to the mortgaging of such quotas under the Displaced Persons Act of 1948 and 1950. As a result of this action, 308,790 quota numbers were restored to various countries, particularly in Eastern Europe. Another provision of the new Act in Section 15 of PL 85-316, authorized the use of 18,656 special non-quota immigrant visas that were unused when the Refugee Relief Act terminated on December 31, 1956. Regulations governing the use of these unused visas require such extensive data on each case that voluntary agencies interested in helping refugees, envision long and protracted work before they will be able to take full advantage of Section 15 of the new Act. Finally, the new law gives the Attorney General discretionary authority to waive certain grounds for inadmissibility in behalf of spouses, children, and parents of United States citizens or aliens who were lawfully admitted to the United States. Previously restrictive provisions, which may now be waived by the Attorney General, include those "relating to criminal and immoral grounds, those relating to ineligibility to receive a visa because of the commission of fraud in attempting to obtain a visa, and that relating to an alien's inadmissibility because of the finding of a condition of tuberculosis."<sup>29</sup>

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<sup>29</sup> 37 DEP'T STATE BULL. 1033 (1957).



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