IMMIGRATION

HEARINGS

BEFORE

SUBCOMMITTEE NO. 1

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

NINETIETH CONGRESS

SECOND SESSION

ON

THE EFFECT OF THE ACT OF OCTOBER 3, 1965, ON IMMIGRATION FROM IRELAND AND NORTHERN EUROPE

JULY 3 AND SEPTEMBER 18, 1968

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TUESDAY, JULY 3, 1968

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE NO. 1 OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to call, in room 2141, Rayburn House Office Building, at 10:10 a.m., Hon. Michael A. Feighan (chairman of the subcommittee) presiding.

Present: Representatives Feighan, Rodino, Moore, Cahill, and MacGregor.

Also present: Mr. Garner Cline, counsel, and Mr. Donald Benn, associate counsel.

Mr. FEIGHAN. The subcommittee will come to order.

The Immigration Act of 1965 became fully effective on Monday, July 1, of this year. In those countries which previously had reserved numbers that were more generous than their needs required will have to compete with the rest of the world in getting one of the 170,000 numbers. This hearing will give an opportunity for representatives of organizations who believe that the Immigration Act of 1965, which became fully effective on July 1, has created and will create inequities for nationals of certain countries which previously had enjoyed what might be considered favored treatment.

The abolition of a national origins quota system has been met with almost universal acceptance and even praise.

Now, the question of problems presented is how remedial steps may be taken in order to afford the nationals of such countries an opportunity to compete on an even basis with nationals of other countries who have filed petitions previous to July 1, 1968.

It is my personal opinion that the concept of the national origins system should forever be abolished.

The question again presents itself, how we may maintain the principle that every immigrant applicant should be treated without consideration of his place of birth, color of his skin, or political or religious affiliation and at the same time provide a minimum number of immigrants from each country that previously did not use the full numbers allocated to them.

On behalf of the subcommittee, I wish to extend a very warm welcome to all of you present, those who will testify, and I wish we had time for all to testify. Unfortunately, we must go into session at 11 o'clock but we will do our utmost.

In any event, the statements of anyone who wishes to submit them will be included in the hearings.

Mr. RODINO. Mr. Chairman, I first want to wholeheartedly endorse what you have stated. I recognize the urgency of the problem. To-

gether with you, I hope that, notwithstanding the fact that we are dealing with a problem that is very complex and complicated, we may be able to come up with an equitable formula which will eliminate the discrepancies which now exist in a law which we certainly intended to be just and fair. We believe on the whole it is just and fair, though in countries such as Ireland we do find that some difficulties have arisen. Mr. Chairman, I want to commend you for having the foresight to call together this urgent meeting and I hope our colleagues on this committee will endorse whatever legislation is necessary to deal with the problem.

Mr. FEIGHAN. Thank you, Mr. Rodino.

I am quite confident that we can find the proper solution.

Our first witness will be Mr. John P. Collins, national chairman of the American Irish National Immigration Committee. On behalf of the subcommittee, Mr. Collins, we extend you a very cordial welcome. You may proceed.

STATEMENT OF JOHN P. COLLINS, NATIONAL CHAIRMAN, THE AMERICAN IRISH NATIONAL IMMIGRATION COMMITTEE

Mr. COLLINS. Thank you, Mr. Chairman.

Gentlemen, I offer the following statement on behalf of the American Irish Immigration Committee.

May I also indicate that present with us are a number of other individuals who have statements that they wish to submit to the committee, including Mr. Philip O'Rourke of the radio offices of the AFL–CIO of San Francisco; Mr. Augustine Boland, of Cleveland, Ohio; Maj. Michael Cavanaugh, of Philadelphia, Pa.; Mr. Eugene Byrne of New Jersey; Mr. Thomas Feeney, of New York; Mr. Donald Collins, of Chicago, Ill.; Mr. John W. Duffy, of the United Irish Counties Association; Mr. Daniel Foley, of Hartford, Conn.; Mr. Michael Byrne, of Buffalo, N.Y.; Mr. Robert Tweedy, of Baltimore, Md., and the Very Reverend Donald M. O'Callaghan, the national vice chairman.

In December 1965, a new U.S. Immigration and Nationality Act became law. It was the hope of all that these amendments would result in a fair and equitable U.S. immigration policy. There can be no question that the previous law was unfair to many nations. Some nations had no quotas at all and others were so small that they were consistently oversubscribed. The United States was more than generous to Ireland over the years in matters of immigration and hence the American Irish made no protest when the United States sought to correct the discrimination against other nations. All truly hoped for a fair immigration policy toward all.

Unfortunately the new law, in attempting to cure the discrimination of the old law has now saddled Irishmen—and quite possibly other nationalities—with an inequitable and unfair U.S. immigration policy. U.S. immigration is on the rise. One country's immigration to the United States increased by 200 percent in 1 year alone. Meanwhile the number of Irish permitted to enter the United States continues to decline not because the Irish don't wish to come here but because they are barred from entry.

Irish immigration to the United States (Embassy statistics—Dublin)

1964	4,619
1965	4,004
1966	1,741
1967	1,798

The American Irish community is shocked by the drastic effects of the 1965 Act on Irish immigration to the United States and stands to receive a further shock after June 1968 when the law goes into full effect.

OUR GOAL

The American Irish, all 30 million of them, are not seeking to encourage Irishmen to come here. But they do seek as American citizens and voters that those Irishmen who desire to come and settle in the United States be given that opportunity subject to reasonable regulations, and they do seek the same equality of opportunity in immigration that other nations now share in.

To this end, the American Irish National Immigration Committee was formed. Having headquarters in New York and chapters throughout the United States, it seeks a fair, just, and equitable U.S. immigration policy.

THE SPECIFIC PROBLEMS

Be it right, wrong, or indifferent, Ireland, England, and Germany for many years provided the bulk of immigrants to this country. These three countries had the largest quotas under the old law. Much of Ireland's quota went unused in recent years but Irish immigration to the United States did average between 5,000 and 7,000 a year in recent years.

First, since the new law went into effect, Irishmen—literally by the thousands—who want to come here and who formerly could come here are being deprived of visas. This is while immigration to the United States from some other countries in the Eastern Hemisphere is at an alltime high. This situation is due in part to the new law itself and in part to the Labor Department regulations established pursuant to the law.

Secondly, after June 1968, Irish immigration to the United States will drop to less than 400 a year. This will be not because Irishmen don't want to come here but because they won't be issued visas. At the same time immigration from certain other countries will be 20,000 a year. Ireland's fate and punishment is a far cry from the privileged position she held prior to December 1965. This second problem is due to the 1965 amendments to the Immigration and Nationality Act.

WHY THESE PROBLEMS FOR IRELAND?

The new immigration law eliminated the national origins quotas, promoted the reuniting of families and protected American labor with a few strokes of the pen. Each of these aims is good and is worthy of our support.

Ireland, England, and Germany enjoyed a privileged position in U.S. immigration prior to 1965 partially because of the number of immigrants contributed by them in earlier years. Now all nations will

have to compete equally for U.S. immigration numbers. This is good, except that the terms for competition are fairer to some nations than they are to others.

It is now evident that, when the new law was drafted, there was a failure to anticipate the effect that the new law would have on the formerly so-called privileged countries, and in particular Ireland. Overlooked was the sociological pattern of immigration in these countries and history of the country's immigration.

THE FAMILIAL PREFERENCES

The new law provides for a system of preferences based on family relationship and skills. These are of little help to Ireland, while they are of much help, particularly the family relationship preferences, to other nations. Out of the 1,904 visas issued in Ireland between December 1, 1965, and March 31, 1961, only 499 were of the family preference type and 435 of these were used by brothers and sisters of U.S. citizens.

Ireland's immigrants to the United States have traditionally been of the nonpreference unskilled variety. The argument has been put forth that the reason for this was that Ireland had such a large quota that it was easier to obtain a nonpreference visa than to file for a preference. Recent statistics, however, would destroy that argument. Analyzing Irish families, one finds that a few brothers and sisters from the family emigrate while others remain at home. The mother and father remain at home. The Irish emigrant is generally young, unmarried, and hence brings no spouse or children. It is the rare case in recent times when a whole Irish family emigrates to the United States. Thus Ireland's sociological pattern of immigration does not permit it to compete equally with some other nationalities for family preferences.

THE PROFESSIONAL PREFERENCES

In the first 16 months under the new law only 11 Irishmen qualified for visa preferences as professionals or needed skilled workers. This is in part due to training and to the economy of the country. In this area Ireland is the hardest hit of the three formerly "privileged countries." However, it should be noted that, unlike many other nations of the world, Ireland was never the recipient of substantial U.S. foreign aid.

Thus these two preferences, the third and the sixth, are of little help to Ireland. Of course, it may well be better that professionals and skilled workers remain at home in Ireland as in any technologically developing nation.

SECTION 212(a)(14)

The majority of Ireland's contribution of immigrants has always been in the unskilled labor area and will be until June 1968. They came here to better their lives economically and in turn hopefully they bettered the Nation. At least we know they contributed heavily to the independence and security of this Nation down to this very day in Vietnam.

Until December 1965, the Irish unskilled immigrant had little trouble in entering the United States. He or she could enter unless the

Secretary of Labor said no. Now under the revised section 212(a)(14) the immigrant can't enter unless the Secretary of Labor says yes. American Irish long active in labor unions as well as all Americans are desirous of protecting American labor and want to see no American worker put out of a job as the result of any immigrant coming into the United States. But is section 212(a)(14) necessary in its present form and is it accomplishing its intended purpose?

Immigrants add but a tiny fraction to the total U.S. labor force, so our government officials tell us. In the last 7 months of fiscal year 1966 about one-eighth—slightly over 10,000—of the total U.S. immigrants were of the nonpreference variety. This is certainly a small number, considering that close on 34,400 American born workers enter the labor force every 4 days. While at the same time up to 153,000 immigrants in the preference categories can come into the United States each year and are free of any labor restrictions. They can take any job they want and put any American worker out of a job. The law seems overconcerned with the small remainder. This small remainder must comply with section 212(a)(14). New seed immigration is being eliminated and the United States will be the loser.

LABOR CERTIFICATION

From July to November 1965, the last 5 months that the old law was in operation, 2,338 in the nonpreference category emigrated from Ireland to the United States. During the 16 months from December 1965 through March 1967, under the new law, 1,109 nonpreference Irishmen entered the United States. Some Congressmen have termed the situation deplorable. The Labor Department regulations have done little to help and much to hinder. The recent changes made by the Labor Department were of little or no help to the Irish and the statistics bear this out.

SCHEDULES A, B, AND C

The jobs that the Irish traditionally took when they came here are on schedule B, the prohibited entry list. One can seriously question whether there is an actual nationwide oversupply of workers for all jobs listed on schedule B. One can also question the method and procedure by which such jobs come to be listed on this schedule. Certainly supply and demand for jobs may vary from locality to locality and from time to time. Whether the jobs listed on schedules A and C are the sole ones for which there is a demand for workers can be seriously questioned.

THE DEFINITE JOB OFFER REQUIREMENT

The obvious truth is that employers do not want to hire workers sight unseen. Our country was built with new seed immigration—individuals who had no close relatives here but who were willing to come here and work hard for a better life. If an applicant desires to come here and work in a job category which has been certified as having no oversupply of workers, then he should not be required to do the impossible: to find an employer who will hire him sight unseen.

Three out of the five reasons given by the U.S. Embassy, Dublin, for the decline in immigrant visas issued, dealt with the definite job

offer requirement, labor schedules, and labor certification. "* * * there is no doubt that section 212(a)(14) of the act has caused a decrease in Irish immigration to the United States. As many Irish visa applicants are unskilled or semiskilled workers, they are unable to qualify under section 212(a)(14) as amended."

IRISH IMMIGRATION COMES TO AN END JUNE 30, 1968

Under the new law up to 170,000 immigrants can enter from the Eastern Hemisphere each year. These 170,000 members are allocated among the seven preferences. No numerical amount is assigned to the nonpreference category, only the leftovers. Not only has no provision been made for nonpreference immigrants but the future does not augur well for new seed immigrants not only from Ireland but from all countries. Ireland stands to suffer worst of all for over 68 percent of her immigrants are of the nonpreference variety and traditionally have been such. Since the new law went into effect 1,109 out of 1,619 visas issued in Ireland went to nonpreference immigrants.

The visa office projections estimate that for fiscal year 1969 there will be only 3,200 nonpreference visas available for the entire Eastern Hemisphere. Others estimate that come July 1968 no visas will be available for nonpreference immigrants.

The nonpreference category becomes eligible for visas only when numbers are left over and unused in the preference categories. Despite the fact that each nation is limited to 20,000 immigrants a year there are at present backlogs in the third, fifth, and sixth preferences in 34 countries. There is a backlog in the nonpreference category in 39 countries.

While Ireland is, of course, technically eligible to share in any nonpreference visa numbers that are available, it must be remembered that the visas will be issued on a first-come, first-served basis. Some other foreign nationals have immigration petitions filed as far back as February 1, 1955. Ireland has never had a backlog and her immigration is current, at least until July 1968. Then her immigrants must get in line behind other nationals whose countries have backlogs and who have had petitions on file for years. It may be years if ever before an Irish nonpreference immigrant again enters the United States. All because the United States chose to change its philosophy of immigration.

Thus, in an effort to cure the old inequity, the burden has been placed on Ireland, the nation least able to compete. She has little or no immigrants who can qualify for a preference and her nonpreference immigrants won't be able to enter. To give equality to others she is being made to suffer. A truly unfortunate state of affairs.

RECOMMENDED CHANGES

Beginning in September 1966, the American Irish Immigration Committee drew the attention of Senators, Congressmen, and Government agencies to the fact that the 1965 immigration law was discriminating to Ireland in effect. The committee requested that Senators, Congressmen, and Government agencies examine the situation and that legislative hearings be scheduled. Early in 1968, the State Department wrote to the Judiciary Committees of the House and Senate inform-

ing them of existing problems under the new law. On April 3, 1968, Subcommittee No. 1 of the House Judiciary Committee began hearings on the operation of the 1965 law. The Senate Judiciary Committee is expected to follow a similar course of action.

As of April 1, 1968, more than 30 bills to amend the 1965 Immigration and Nationality Act had been introduced by Senators and Congressmen. Including among these were bills advocating:

(1) Amendment of section 212(a)(14) to read as it did prior to December 1965.

(2) Amendment to eliminate the definite job offer requirement.

(3) Special legislation to eliminate immigration backlogs currently existing in many nations.

(4) Amendment of section 101(a)(27)(D) to permit entry of religious sisters and brothers, with relative ease.

(5) Amendment of sections setting up the various preferences and transferring some to the classification of immediate relatives who may enter without numerical limitation.

These proposed changes are worthy of our support in the development of a more equitable law toward all nationalities. But most of the above proposed changes would not in and of themselves remedy the discrimination against the Irish.

H.R. 16593, introduced by 23 Congressmen on April 10, 1968, does seem to alleviate the present restriction on Irish immigration to the United States. At the same time it applies to all nationalities and seems eminently fair to each.

Along those lines we have heard various rumors that the Irish Government is in favor of the present law, that the Irish Government is not in favor of a change which is embodied within H.R. 16593. I tell the distinguished members of this committee today that those rumors are false, they are despicable rumors. We have it on good authority from the Irish Government that the Irish Government is not in favor of the continuation of the present U.S. immigration policy and it has no objection whatsoever to the passage of H.R. 16593. The chargé d'affaires in Dublin, Ireland, was so informed by the Irish Government last Friday morning, and the Irish Ambassador to the United States was so instructed by his Government in Ireland.

Simply explained, it places a "floor" on immigration from each country. This "floor" would be equal to 75 percent of a country's annual average immigration during the 10-year period 1955 to 1965 with a maximum floor limit of 10,000 for any country. In the case of Ireland, this number would be 5,390; for example, if in 1968, 1,000 Irish immigrate under the present law, under the new formula an additional 4,390 Irishmen could immigrate to the United States in 1969 and they would not be subject to the present labor restrictions.

I am sure you will remember the words of the chairman of the Judiciary Committee, Congressman Celler, on April 1, 1968, when he said that he saw no reason why a bill couldn't be passed in 10 days admitting 5,000 to 10,000 Irishmen. I am sure you are also aware of the statement of Commissioner Farrell that he saw no objection to the present bill.

With reference to H.R. 16593, our request is that your committee go into executive session today and that it report a bill to the Judiciary Committee by Monday and that you, Mr. Chairman, send a letter to the

Rules Committee that you intend to introduce a bill before Congress adjourns.

Mr. Chairman, in addition to congressional amendments, Labor Department revision of regulations is needed in the following areas:

(1) Reexamination of job schedules now and periodically.

(2) Issuance of one schedule only—a "prohibited" job list issued on a regional basis.

(3) Reexamination of procedures used for placing occupations on job schedules.

(4) Promulgation of these procedures and the resultant findings each time a job schedule is amended.

(5) Elimination of the definite job offer requirement.

(Attached charts follow:)

IMMIGRATION TO UNITED STATES—STATISTICAL CHARTS

CHART NO. 1

U.S. immigrant visas issued—worldwide—(Fiscal year July 1–June 30)

1963	291,936
1964	477,684
1965	287,679
1966	311,356
1967	326,553

CHART NO. 2

TOP 10 COUNTRIES

Fiscal year 1965		Fiscal year 1967		Estimate, fiscal year 1969	
1. Great Britain	26,619	1. Great Britain	26,750	1. Italy	26,300
2. Germany	26,181	2. Italy	25,994	2. Greece	22,300
3. Italy	9,986	3. China	19,329	3. China	22,300
4. Poland	7,328	4. Germany	16,863	4. Portugal	21,100
5. Ireland	5,555	5. Portugal	13,412	5. Philippines	16,000
6. France	4,071	6. Greece	13,322	6. Germany	12,000
7. Netherlands	3,201	7. Philippines	9,817	7. Breat Gritain	6,500
8. Japan	2,843	8. Poland	5,258	8. India	6,300
9. U.S.S.R	2,761	9. Yugoslavia	4,615	9. Poland	6,000
10. Sweden	2,539	10. India	4,337	10. Yugoslavia	5,500
		Ireland	2,665	Ireland	(?)

CHART NO. 3

PREFERENCE AND NONPREFERENCE IMMIGRANT VISAS ISSUED—TOP 10 COUNTRIES AND IRELAND, FISCAL YEAR 1967 (NEW LAW)

Country	1st preference	2d preference	3d preference	4th preference	5th preference	6th preference	7th preference	Nonpreference
Great Britain	16	375	61	63	798	110	1	20,781
Italy	167	4,386	147	6,363	4,800	2,736	40	0
China	146	1,098	439	1,519	3,302	320	1,673	0
Germany	22	454	47	62	908	159	15	6,086
Portugal	79	1,557	11	1,462	8,402	344	5	0
Greece	30	1,417	66	401	8,425	219	3	0
Philippines	270	1,201	1,852	1,500	852	174	1	0
Poland	39	1,075	101	261	1,607	174	266	283
Yugoslavia	53	382	111	720	748	169	1,653	0
India	3	354	833	45	200	98	0	0
Ireland	7	59	3	7	441	8	0	1,783

Source: Statistics provided by Visa Office, U.S. State Department.

CHART No. 4

IRISH IMMIGRANT VISAS ISSUED (BY FISCAL YEAR, JULY TO JUNE)

	Total	Portion of that total issued in Dublin	
Old law, 1962	5,345	4,076	
Old law, 1963	6,237	4,618	
Old law, 1964	6,328	4,914	
Old law, 1965	5,378	4,232	
Old law, 1966 (July–November)	2,375	1,979(a)	
New law, 1966 (December–June)	696	585(a)	
Total, 1966	3,071	2,564	2044(b)
New law, 1967	2,665	2,120(a)	2203(b)
New law, 1968			

Note: A discrepancy exists between the figures issued by (a) U.S. Embassy and (b) Visa Office.

Source: Statistics provided by Visa Office, U.S. State Department, and U.S. Embassy, Dublin.

CHART No 5

NUMBER OF IRISH WHO WANT TO IMMIGRATE AS OPPOSED TO THOSE WHO OBTAIN VISAS (CALENDAR YEAR JAN. 1 TO DEC. 31)

	1964	1965	1966	1967
Preliminary inquiries	6,483	5,797	4,725	4,235
Applicants for immigrant visas	5,817	4,750	1,996	2,446
Immigrant visas issued	4,619	4,004	1,741	1,798

Source: Statistics provided by U.S. Embassy, Dublin.

CHART No. 6

	Germany	Britain	Ireland
Old quota existing prior to December 1965	25,814	65,361	17,756
Immigrant visas issued, fiscal year—			
1962	26,240	21,596	5,354
1963	26,969	27,781	6,237
1964	28,691	30,324	6,328
1965	25,171	28,698	5,378
Estimate by State Department in 1965 for fiscal year 1966	18,566	25,238	5,246
Actual, fiscal year 1966	18,596	20,831	3,071
Estimate by State Department in 1965 for fiscal year 1967	16,399	24,405	5,113
Actual, fiscal year 1967	16,479	26,497	2,665
Estimate by State Department in 1965 for fiscal year 1968	16,399	24,405	5,113

CONCLUSIONS

Mr. COLLINS. The new law provided for a 3-year adjustment period. That Ireland cannot adjust is now evidenced in the statistics. She cannot adjust, for the new terms of adjustment are unfair to her. The terms of the old law were concededly unfair to some other nations but this does not justify solving the problem with new terms unfair to Ireland.

In March 1965, the U.S. Secretary of State foresaw part of the problem, when he stated:

A strict first come, first served basis of allocating visa quotas would create some problems in certain countries of northern and western Europe, which under

the national origins system enjoyed a situation where quota numbers were readily available to visa applicants.

To apply the new principle rigidly would result, after a few years, in eliminating immigration from these countries almost entirely. Such a result would be undesirable, not only because it frustrates the aim of the bill that immigration from all countries should continue, but also because many of the countries so affected are among our closest allies. At a time when our national security rests in large part on a continual strengthening of our ties with these countries, it would be anomalous indeed to restrict opportunities for their nationals here.

Ireland's sons and daughters have for decades contributed to the building and growth of this Nation in every conceivable area of endeavor. The quota which was given to Ireland under the old law was in part a small recognition of these contributions. Recognizing that the Irish have no monopoly on these contributions, nevertheless, the present law in its effect on Ireland is a sad commentary in this area in that the sweat and blood of the Irish working class has easily been forgotten.

Of concern is whether the existing law now in operation since December 1965 is carrying out the true intent of Congress and our citizenry. There must be legislative and executive action to eliminate the unnecessary hardships and to acknowledge our national concern primarily for the dignity of man as man and secondly in what he can or cannot do. The situation now existing with regard to Irish immigration must be remedied and the American Irish community cannot be satisfied until it is remedied.

Mr. Chairman, we ask that this committee approve the bill which we support, H.R. 16593.

Mr. FEIGHAN. Thank you very much for your excellent presentation.

Mr. Collins, why is it that the relative preferences written into the law in 1965, which appears to satisfy the demands of all other countries, are inadequate to take care of intending immigrants from Ireland?

Mr. COLLINS. First of all, Mr. Chairman, with regard to the relative preference—and this question has been asked of us by many individuals a number of times—our people just do not immigrate as whole families as they do from many other national groups, particularly the southern European countries.

I think, Mr. Chairman, the perfect example of this was brought home to us on the streets of Chinatown in San Francisco when we ran into two—bumped into, you might say—two women from Cork City in Ireland. Now, one of them was out here on a visit to the United States. Two of her sons had immigrated to the United States. They were young when they came here, they were unmarried, they brought no children with them. They were working here in the United States.

The rest of her family, a number of other sons and daughters, were remaining at home in Ireland. She and her husband were still living at home in Ireland. So that the perfect example is that whole Irish families do not immigrate to this country as a general rule. So that, with the exception of the brothers and sisters preference, the other relatives preferences with regard to sons, daughters, mothers and fathers, are of no help to the Irish.

Mr. FEIGHAN. Mr. Collins, what is there in the preferences that are given to professional and the highly skilled and even unskilled whom

the Secretary of Labor certifies as being in short supply; why is it that these provisions do not help increase Irish immigration?

I must say the demand from other countries under these classifications are such that these two preferences are currently oversubscribed by 1 year.

Mr. COLLINS. Mr. Chairman, with regard to the needed skilled and unskilled classifications, I think most of us that are Irish-Americans can testify that our people came here with probably a primary school education and maybe some of them a secondary school education, not necessarily with any particular skill but they came with minds willing to learn and bodies willing to work. I think we are all well aware of the economy of Ireland; it is a technologically developing country and it has come a long way in the past number of years. But, nevertheless, we recognize the unskilled, nonpreference type of immigrant which has come from Ireland over the years.

Now, why can't they get in here under the present law? Why can't they get in here under the needed skilled and unskilled classification?

Well, Mr. Chairman, let's look at some of the schedules. Let's look at schedule B, the prohibited job entry list. I think if you go down that list, Mr. Chairman, you will find some of the many jobs which the Irish immigrant traditionally took when he came in here, and now, of course, he is prohibited from coming in.

Now the Secretary of Labor tells us, "Well, there is an oversupply of workers for these particular jobs."

I say, Mr. Chairman, I think that can be seriously questioned.

There have been a number of studies in many newspapers throughout the country showing that there is not an oversupply of workers for these particular jobs. So, we find that the Irish immigrant who is prohibited coming in by many of the jobs in schedule B, the definite job offer under 212(a)(14) prohibits him in many cases from taking advantage of the needed skilled and unskilled jobs that are available.

I think the statement of the Judiciary Committee chairman, Congressman Celler, is correct in stating that it is placing an impossible burden upon the average immigrant, whether he comes from Ireland or whether he comes from any country, to require a prospective employer to hire him sight unseen.

These are some of the many reasons why the Irish and, incidentally, some other nationalities, cannot take advantage of the needed skilled and unskilled classification.

Mr. RODINO. Mr. Collins, first of all, I want to commend you for your statement. You are very vigorous in pressing the point that there is some need to do something.

However, you emphasize the need to do it through H.R. 16593, which you endorse. Are you aware, Mr. Collins, that this would, in effect, continue the policy of national origins and that this would continue—notwithstanding the fact that we recognize the inequities and difficulties that now exist—to favor nations who are or will have been favored and do away with the system which we are trying, at least, to operate under, and that is a system of fairness and equity to all countries without looking to national origins.

Mr. COLLINS. Congressman Rodino, we don't believe that the present law in reality has eliminated the national origins system any more

than the national origins system existed under the old law prior to 1965.

We might not call it the national origins system, Congressman Rodino, but in reality isn't it the same thing?

Under the law prior to 1965 certain nations were favored. The countries of northern Europe. At the present time, many of those countries are having problems or will have problems after July 1; Ireland, possibly England, possibly Germany.

Ireland has had it first because of the labor situation. I think one of the Government agencies put it very well when they said "You Irish, as a result of the labor situation, realize you have been shot and you are about to die and you are going to do something about it."

They said, "With reference to the English and the Germans, they will die before they realize that they were shot."

Under the present law, Mr. Chairman, the law, although it may not intend it, is certainly favoring another section of Europe, another section of the world.

We feel that H.R. 16593 would not create a national origins system but would merely help to balance the present situation, to balance our pattern of immigration, to create some fairness.

Certainly we can't say the present law is fair when close to 5,000 Irish are applying in the U.S. Embassy in Dublin for visas to come in here and less than 2,000 are actually coming in here each year and I believe the State Department has stated that less than 600 will come in in the coming year, so we can't regard the present law as fair; we don't regard H.R. 16593 as the creation of a national origins system. We regard it as something which would balance the present law.

Mr. RODINO. Mr. Collins, let me point out that when we were considering the elimination of national origins—and you have agreed in your statement, I think, all fairminded people agreed that we should eliminate national origins.

I did anticipate some of the problems that have developed in this law, but I think that we must consider very seriously whether or not we want to go back to this kind of system. Whether you agree or not in the conclusion that H.R. 16593 would, in effect, do this, the fact is that it does because you are seeking a formula based on the numbers which were being admitted to this country from nations which were already favored.

Now I support what you want to do and I want to support a proposition that is fair, but I cannot possibly in good conscience go back to anything that is in any way a continuation of the system of national origins which intended that certain people from certain countries be treated as though they were to be preferred over people of other countries. I think that this would be undemocratic. I think this would not be in keeping with the high principles which every American intends to preserve.

Now, after this statement I want you to know I will vigorously support any proposition that is fair, any adjustment that we can bring about in the law, but I would want you to think seriously of the endorsement you give to this kind of a formula set forth in H.R. 16593.

The Secretary of State has, in a report submitted to the chairman of this committee, stated that the legislation could be viewed as a

retrograde movement in the direction of national origins favoritism with respect to immigration from certain nations and that the new system that would develop under this law which you are suggesting would, in effect, restore to a certain degree the national origins quota concept.

Now, this is the same Secretary of State who anticipated the problems. I am sure you have some degree of confidence in what they state they are going to develop.

Mr. COLLINS. Congressman Rodino, it would seem to me the Secretary of State's statement is in contradiction of his statement in March 1965 in which he felt there should be some balancing interest for the countries of northern and western Europe and, unless there was some balancing interest, this very situation was going to develop as it has developed at the present time.

We do not regard H.R. 16593 in any way as being a return to the national origins system. We regard it as being a method of creating a balance of immigration in the United States. We regard the present law as being unjust and undemocratic to the Irish. We regard it as being in effect a national origins system, which, although it may not have been intended as such, we are well aware that the State Department which has presented you with a letter, Congressman Rodino—the same State Department who back in 1965 gave the Members of the Congress, the Members of the House, and the Members of the Senate statistics of what the immigration would be from the various countries of the world—and they said that Ireland's immigration under the new law would be 5,113.

This is the same State Department that issued those statistics, that made a statement in 1965 and currently made a statement in your letter.

We regard the present law that is in existence now as just as much being a national origins system as the old law because, in effect, it is favoring certain areas of the world and Ireland is being left out and it is going to be bitterly left out this coming year.

The same State Department says that less than 600 can come in. We certainly can't regard that as being a fair situation or a fair law.

Mr. RODINO. Let me merely say this in conclusion: I hope that your position is not such that you only seek a remedy through a certain proposal with which some of us will disagree. That would be unfortunate.

I am sure there must be some way—and what I am seeking to get from you now is whether you are wed to a certain position, which is the position enunciated in H.R. 16593 which again, I say, is a return to national origins, or whether you would support the kind of a proposal that would in effect alleviate the problems which now exist and which would give the relief that you are looking for.

This is what I am asking.

Mr. COLLINS. Congressman Rodino, we are willing to look at and examine any particular proposal.

Congressman Rodino, for about a year we begged the agencies of the Government, we begged Members of the Congress to come forward with a solution to the particular problem and we were told, "No, you people come forward with a solution" and we said, "But all of the agencies of the Government, all of the powers of the Gov-

ernment are at your disposal. We are amateurs in this particular situation."

They said, "No, you come forward with a solution and we will be glad to accept it."

Now, a solution has been brought forward. H.R. 16593. It is the only solution to date which we have found to be fair and equitable and which would solve our immigration policy as far as Ireland is concerned. But we retain an open mind and we are willing to examine and to look at any proposal.

Mr. RODINO. You are aware, too, Mr. Collins, that this in effect would be an increase in numbers of some 42,000 over the so-called ceiling which is now in effect and that these numbers would be divided among 43 countries?

Mr. COLLINS. I am aware of that, Congressman. There may be an objection to an increase in immigration in general, certainly an increase of no more than 35,000 a year. I think the United States, with all the powers and resources at its disposal, can support up to 35,000. It may not be 35,000 immigrants coming in here each particular year. Certainly, I believe on April 1, 1968, when the Commissioner of Immigration and Naturalization was present, if my memory serves me right, he stated at that time he saw no objection to such an increase of no more than 35,000 a year.

Mr. RODINO. Mr. Collins, let me say we have a practical problem. The members of this committee are all disposed toward an adjustment. However, the temper of the House—and I know because I was one who proposed a higher ceiling—does not favor an increase in the immigration ceiling.

I presented a proposal that is before the committee which I thought would keep the ceiling in effect and bring about some adjustment for those countries which were favored before.

Have you examined the proposal that you have put forth?

Mr. COLLINS. I have examined the proposal, Congressman Rodino, and if my memory serves me correctly, a similar proposal for the creation of a pool which would be put at the disposal of the executive department or the President of the United States was recommended by the Kennedy administration in the original bill that was sent to the House, or at least to one of the committees, and we discussed this matter a long, long time ago. In fact, I'd say 7 or 8 months ago, with certain members of the committee and the staff of this very committee, and we were told by those individuals that this type of bill had no chance of passage in the House; that the reason it was turned down the last time was that the legislative prerogative of the Congress was in danger and they were unwilling to transfer these powers to the executive department, and this is why the provision was stricken down the last time and that it had no chance of passing this time either.

Mr. RODINO. How do you feel, Mr. Collins, about such a proposal, viewing the situation as an urgent one and recognizing that there are practical problems in both?

Mr. COLLINS. I think it would be a very dangerous situation. We would be at the mercy of the one individual or at the mercy of a group of individuals to shuffle out these visas as he, or a group of individuals, saw fit, and we certainly must have a more stable solution than that type of a solution.

Mr. RODINO. Thank you very much, Mr. Collins.

Mr. MOORE. Mr. Collins, I very much appreciate the very frank and candid discussion that you have presented today in regard to the legislation. Having gone through many, many days of hearings which brought about the present immigration law, we now see some of the things that have arisen, some of the good and some of the inequities.

May I say, at my own expense some year and a half ago, I went to most of the northern European countries, as well as the southern European countries, to determine on a country-by-country basis as best I could, what was reasonably anticipated to be our problems in each of the respective nations. I went to Ireland and visited with Irish authorities as well as our American representatives there.

I think all of us fully understood when the new immigration law passed exactly what its net effect would be on Ireland and particularly on other northern European nations. We felt in the broad picture what we were doing was changing the course of direction of American immigration in canceling out the national origins system. In adopting an immigration policy that basically gave consideration to the reuniting of families, immigration policies which also gave attention to the needs in the United States of highly skilled people, and an immigration policy that was predicated on a "first-come, first-served basis" and that we actually had undertaken a major step in transforming a restrictive immigration policy, geographically, to one which generally was considered to be fair on a worldwide basis, exclusive of the Western Hemisphere.

I would hope that the presentation that you have made today will be received by the committee, to determine whether we can possibly develop legislation calling for a type of isolation of x numbers for a specific country, but of course that remains to be seen. Our difficulty in putting the bill together originally, with all of the give and take—and I am sure that you are aware of the give and take in the legislative forum that is necessary in order to put together a bill of this magnitude. Regarding the problem that you have, we felt that a transition period from 1965 until this date was necessary and that during such transition we would encourage the Irish to get in line; that we would encourage the British to get in line; that we would encourage the Germans and others of those nations who heretofore had had what we called a "most favored" immigration pattern to the United States. I was advised some months ago that with all our hopes this just could not occur.

The Irish wouldn't realize that after July 1, 1968, they couldn't come to the United States when they wanted to come to the United States and the Germans and likewise the British, and, therefore, we realized we were going to have on July 1 a problem the magnitude of which you have presented us.

I would hope that perhaps, in looking at present legislation, that you speak in favor of, that we might on the committee come up with something that would not be of the same form and effect of this legislative proposal, but that we might relieve the situation as far as the Irish, or those nations are concerned which have had previous "most favored" treatment. That, hopefully after a period of several years, this difficulty might very well right itself and that with the basic underlying hope it would work on a first-come, first-served basis, that

the Irish again will begin to climb up the ladder of entries into the country.

I think we can very much take into consideration the proposal which you make on page 7 of your statement concerning the Labor Department's revision of regulations which is needed in several areas. I think we can be helpful in this. I am well aware that you don't look upon this as the sum total of all the answers to the problem, but I am certain that you find a reservoir of sympathy with respect to the items you have touched upon on page 7.

I am the author of "that labor certification section of the bill" which you take such a dim view of. Being Irish myself, it is a little hard for me to sit here and have you tell me I am unjust with respect to our forebears but, nevertheless, we were looking at it in terms of attempting to get the whole legislation package through the House and this was a necessary consideration at that time.

I think you have been advised that the legislation should give special attention to amendment taking care of sisters and brothers of a religious order. That is presently pending before the full committee. We are attempting to take care of some of the areas you have pointed out. I appreciate very much your statement and your candor and I am hopeful that something may be done.

Mr. CAHILL. Mr. Chairman, I regret I was unable to be here to hear Mr. Collins' statement entirely. I think I support what he proposes. However, I think Mr. Rodino has pretty much put into focus the real problem that faces the committee.

I, for one, back in 1965, wondered why there wasn't a more violent opposition to the legislation by the Irish and by other nations who were going to be harmed irrevocably and irreparably by that legislation.

It seems to me what we are up against now is whether we want to undo what we did in 1965.

Mr. COLLINS. Might I answer one portion, Congressman Cahill, as to why the Irish did not object in 1965. I think I may have mentioned this earlier in my statement; that we are well aware of the inequities and the unjust aspects of the law which existed prior to 1965. We couldn't very well come here now, or then, and state that the law was fair to other nationalities, particularly when Ireland had a quota of 17,000 and about 5,000 were coming in each year, when many of the countries of southern Europe had small quotas and were consistently oversubscribed, and when many of the Asian countries had quotas as low as 100. So we couldn't in good conscience come down here now and say that that law was fair and that is one of the principal reasons I think why you didn't find any Irish coming down here in the hearings in 1965. They felt that the unfair aspects of the law were going to be remedied and that Ireland wasn't going to be hurt.

Mr. CAHILL. They had to realize that Ireland had to be hurt.

Mr. COLLINS. Apparently the State Department didn't think so and a number of Congressmen tell me they didn't think so. A number of Congressmen tell us they voted for the law and they were aware of the State Department statistics handed out at the time.

The State Department assured everyone that 5,113 Irishmen were going to come in here each year under the present law.

Mr. CAHILL. That was an impossibility.

Mr. COLLINS. It was printed in the Congressional Record.

Mr. CAHILL. It doesn't matter where it was printed because under the law, as it was written, it was impossible. It just couldn't happen that way.

Mr. COLLINS. As I say, Congressman Cahill, we are the amateurs and they are the professionals.

Mr. CAHILL. No one, I think, is more sympathetic on this committee than I am with the cause that you are espousing, but I find myself in the position—as Mr. Rodino stated—of now—undoing, really—basically what was done, and we are probably, as you must recognize, even if it were the consensus of this committee unanimously to do it, we would find ourselves, I think, in a legislatively impossible situation to do it at this particular time.

Therefore, it seems to me, as Mr. Rodino has suggested and as Mr. Moore has suggested, that this is a matter where some alternative approach must be explored and, hopefully, perfected, to accomplish the end result that you see, without vitiating and destroying the justness and the fairness and the equity of the concept of the 1965 bill.

Mr. COLLINS. Congressman Cahill, I mentioned in the course of my statement a number of proposals that have been made by a variety of Congressmen to change different aspects of the present law. I also mentioned that we did not feel that any one of them in and of itself would be the solution for Ireland. We are certainly willing to compromise. We realize there are other problems that have to be solved. We had a letter recently from the Chairman of the Judiciary Committee that stated in simple terms, "I am not married to my suggestion and to my bill," and he seemed willing to compromise and willing to adopt H.R. 16593 as part of a general change in the law, along with a number of other amendments.

Mr. CAHILL. Let me ask you a very practical question, if I may, Mr. Collins.

Do you believe that immigration should be geared to the national interest of the United States, or whether it should be geared to the convenience of some of the countries of the world that are in fact good friends of the United States, but where the flow of immigration from any country does not in and of itself make a substantial contribution to the welfare of the United States?

Mr. COLLINS. To answer—the national interests, sir, to be fair toward all nationalities.

Mr. CAHILL. I do not follow that. For example, we have a real problem today of bringing doctors to the United States. We are bringing in 5,000 or 10,000 doctors. We are bringing in other professional people.

Do you think that the sole criteria should be the need for those people in the United States and the contribution that they make to our country, or do you think it should be to perhaps help them individually to get a better life and to get better opportunities, and to have the opportunity of progressing in their profession and their field.

What do you think should be the basic criteria?

Mr. COLLINS. I think we have three interests to consider: The rights of the individual doctor, the interests of the United States, and also the interests of the particular country. By that I mean if we take some of these technologically developing nations, and we are attracting numerous doctors and professional people from these countries at the same

time, with the left hand we are handing foreign aid to them, I think that is also an interest to be balanced as well. I don't have a simple or magic answer, but I think all three interests have to be balanced. That may not be a very complete answer but I do not have a simple answer.

Mr. CAHILL. I do not want to press you, but I think you, Mr. Collins, as knowledgeable as you are and as interested as you are in the problem you presented so well to the committee recognize the problems that this committee faces.

Mr. COLLINS. Yes, sir.

Mr. CAHILL. Not only do we have the problem that you discussed, but you will find that this problem will be duplicated and reduplicated over and over again in other countries who find themselves pretty much in the same position as Ireland.

I thank you very much for your able and excellent presentation.

Mr. COLLINS. Thank you.

Mr. FEIGHAN. Mr. MacGregor?

Mr. MACGREGOR. No questions.

Mr. FEIGHAN. Mr. Rodino?

Mr. RODINO. Mr. Collins, are you aware of the fact that the bill would not provide immediate relief here because under the language appearing on page 1, line 8, its provisions cannot in fact become operative until the fiscal year beginning July 1, 1969?

Mr. COLLINS. I am aware of that, Congressman.

Unfortunately, Ireland did not receive relief for the last 3 years under the 1965 act. If this solution is not adopted Ireland may never receive relief. We are aware of that. We find it to be acceptable.

Mr. RODINO. I have one last question, Mr. Collins.

Do you believe that the condition presently prevailing under the law as it is now written would be a continuing impediment to the coming of people from Ireland? Don't you believe that given a period of time, say, 2 or 3 years, that the backlog which has developed in other nations will also develop in the Irish situation, and that this is what the State Department was in effect saying, when they said that a number similar to 5,000 would be able to come in?

Mr. COLLINS. No, Congressman, I do not believe that, because the State Department said in the year 1966 that 5,113 could come in. They said in the year 1967 that 5,113 could come in.

I believe something in the neighborhood of 1,800-some-odd visas were issued in Dublin last year, while in excess of 4,000 applied for visas. This present law has been in operation for 3 years. You might say that Ireland, England, and Germany, and the countries that had large quotas were supposed to have some additional preference during the last 3 years that some of the other countries including southern Europe did not have and they were not able to adjust during the last 3 years.

I do not believe they will be able to adjust during the next 3 years or ever under the present law.

Mr. MOORE. Will you say that again? You don't feel that the present backlogs will be adjusted? You realize that the immigration in all preference categories is within a year of being current save the fifth preference category?

Mr. COLLINS. That is not the way I interpreted Congressman Rodino's question.

Mr. MOORE. I am sorry, that is the way I interpreted your response.

Mr. COLLINS. No, I did not intend it to be such.

Mr. MOORE. We have done a remarkable job in cleaning out the backlogs in various preference categories, and I did not want the law to be misrepresented.

Mr. COLLINS. I did not intend to convey that.

Mr. MOORE. Thank you.

Mr. RODINO. I have no further questions, thank you.

Mr. FEIGHAN. On behalf of the subcommittee, again I wish to express our appreciation.

I notice you have with you the very able and distinguished Reverend O'Callaghan, whom we are grateful to have with us.

Mr. COLLINS. Mr. Chairman, would the committee be willing to accept written statements from the various members that we have with us today? Some of the members came as far as 3,000 miles.

Mr. FEIGHAN. Yes. As I announced on the floor when this hearing was scheduled, the hearings would be open for 5 days to give an opportunity for any person or organization who wished to submit a statement, and that such would be included in the hearing.

Mr. COLLINS. Thank you very much. Mr. Chairman.

Mr. FEIGHAN. Our next witness will be Mr. Ward Lange, national chairman of the Steuben Society of America.

On behalf of the subcommittee, Mr. Lange, I want to extend to you a very cordial and warm welcome.

STATEMENT OF WARD LANGE, NATIONAL CHAIRMAN, STEUBEN SOCIETY OF AMERICA

Mr. LANGE. Thank you very much, Mr. Chairman, for the invitation to appear here. I also want to thank you for having your son Bill come to New York to explain the operations of the law and the problems to the German American Committee of Greater New York.

I would like to read into the record a statement on behalf of the Steuben Society and another statement of the German American Committee.

Mr. FEIGHAN. I would be very happy to have you do so.

Mr. LANGE. Gentlemen, the members of the Steuben Society of America, a national organization of American citizens, wholly or in part of Germanic origin, have taken an active interest in our country's immigration laws since the national origins quota system was adopted in 1923. This active interest has continued through the years.

We gratefully acknowledge the courtesies extended to our representatives by all your chairmen and members of your important committee and the consideration given to our views in the past. We trust you will equally consider our views now.

The projected allocations for 1969 under the operations of 1965 law are cause for keen disappointment and of grave concern not only to our members and the many millions of Americans of German origin, but the multitude of Americans whose origins stem from northern and western Europe.

We try to approach this problem, not as a nationality division, but as an integral component of the American people, basing our views first on, "What is best for our Nation?"

It seems to us that the inequities and injustices, inherent in the now discarded national origins quota system, to some of the segments of the American society have merely been shifted to other segments with a vengeance. We do not think this is to our Nation's best interests.

It is difficult, if not impossible, to conceive that Congress or the people wanted a law, nor want to continue a law, which would all but "dry up" immigration from all of Northern Europe. It is discriminatory and unjust to those components of the American people who contributed most generously to the founding and building of our Nation.

The new controls and preferences should, in our view, operate as a "giant mixing machine with many jets," each adjustable by the engineers to infuse into the total mixture a fair proportion. When some of these jets run too freely, upsetting reasonable proportions, it seems to us they should automatically be cut down, and others, such as the jets controlling the influx from the northern European nations, should automatically be opened to infuse a fair and reasonable proportion. That is the way we hoped this law would work when we supported it in 1965, as we believe most, if not all, of you gentlemen thought it would work.

Surely, something will need to be done lest Congress lose control of immigration policy to the desires, economic, social, and political conditions of foreign nations. That control must remain with Congress and the American people and be handled to serve first our national self-interest and the well-being of all of the American people.

American immigration laws have always been more liberal than those of other nations, as we see it, and all foreign nations we feel should be just a little bit more concerned about their own "image" in our eyes on this and other issues instead of belittling the American image.

It is our considered opinion expressed in a statement to the Congress on June 11, 1968, that ways must be found: No. 1, to limit the level to which visa allocations to those countries may be reduced; No. 2, to deal with the hamstringing effects of the labor certification requirements; No. 3, a clear definition of the limits of the preference category "reuniting of families" is in order. Is the family left behind by every laborer, technician, and scientist, newly arriving, also eligible under that provision, making for an ever-increasing backlog? Limiting the admission of sisters and brothers to the unmarried may be a partial solution in this regard.

Haste and patchwork are not the answer. Time is needed. We respectfully suggest that the Congress of the United States of America consider seriously continuing the present allocations to June 30, 1969, to provide the time necessary for objective study and an equitable solution and to remove the law from the pressures of a presidential election campaign to an atmosphere of calm and objective consideration.

Since not even the most ardent supporters of the new law expected, nor wanted, the results now evident, an amendment to postpone the starting date for 1 year appears to be a logical and reasonable solution.

Should the Congress determine not to pursue this cause, nor be able to conceive any other immediate and equitable corrective measures, we urge you to support the William F. Ryan bill, H.R. 16593, as a measure to remove the unacceptable discriminatory features from the law.

Passage of the Ryan bill, in our considered opinion, will have an effect similar to the postponing of the new law to July 1, 1969. When

the basic controls have been fairly readjusted, it may then need to be repealed.

We fully realize that we live in a fast-changing world and the composition of American society is destined to change with it. This change must be of an evolutionary, not revolutionary, nature and must be controlled by the American peoples' representatives—and qualifications are in order and fair.

A truly liberal view with qualifications on immigration was set forth long ago by George Washington:

> The bosom of America, is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions, whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment.

It appears to us to be an admonishment from the distant past which is valid today and recommend that you good gentlemen will keep it in mind in repairing a law that just is not working right.

I have been requested by the German-American Committee to read into the record a brief statement, written by the editor of the Staats-Zeitung und Herold, a German-language paper of the city of New York.

Now that July has come, many a prospective immigrant from Germany and other countries previously enjoying a modest quota will be in for a rude shock. The quotas have been abolished, and unless he can qualify as a close relative or happens to be in an occupation that is in short supply here, the prospective immigrant will face a probable wait of several years.

Aside from immediate blood relatives the outlook for would-be immigrants is very dim indeed. Until now, in spite of the added red-tape under the new law, it was still possible to procure a visa in a variety of different job categories. True, quota immigration from Germany had declined from about 24,000 a year to only 8,333 in the past year. But for the year beginning July 1 the U.S. Government said that only about 3,000 visas will be available. About half of these will go to such relatives as unmarried sons and daughters of U.S. citizens, spouses and unmarried sons and daughters of aliens, married sons and daughters of U.S. citizens, and brothers and sisters of U.S. citizens. The other half will go to members of the professions, scientists, and artists of exceptional ability, as well as skilled and unskilled workers in occupations for which labor is in short supply in the United States. But a mere 3,000 visas is nowhere near enough to cope with the demand.

Meanwhile, according to these self-same Government estimates, a total of 20,000 visas will go to Italy, 20,000 to Greece, 19,600 to Portugal, 19,000 to China, and 13,000 to the Philippines. These are the nations with many thousands of prior immigration applications, most of them already on file when the new law came into being.

From the looks of things the figures will remain that way for several years, since the visa demand backlog in three of the six preference categories will be about 321,000, far in excess of availability, by 1969.

For Germany, politically and economically more closely allied to the United States than ever before, the drop represents a drastic setback. Annual immigration from Germany could well decline back to the volume of the 1820's.

It is hard to conceive that a nation which contributed so greatly toward the American way of life and, before the turn of the century, once sent one and a half million immigrants to these shores over a 10-year span, should be so penalized. At that, Germany does not stand alone. Great Britain, which had the highest nationality quota, as well as Ireland and the Scandinavias, will be able to send even fewer immigrants to America than Germany.

If the new law is not amended or its effective date not postponed until these inequities can be alleviated, it will result in an almost complete dearth of newcomers to our German-American community. It will also deprive our Nation of a group of immigrants who have contributed immeasurably toward the establishment of the American way of life.

Mr. FEIGHAN. Thank you very much, Mr. Lange, for a very excellent presentation of the problem, as you have observed, facing the Republic of Germany. I would like to ask you, Mr. Lange, now that the relatives preferences are current, with the exception of the brothers and sisters in some countries, wouldn't an amendment to the law that would bring the fifth and sixth preferences to a current position take care of the requests of the citizens from Germany who desire to come to the United States?

I might add this: With reference to the sixth preference, if the unskilled, which are now, along with the skilled, included in the sixth preference, were eliminated from the sixth preference and the unskilled dropped down to the nonpreference, within a few months the third and sixth preferences would be current.

If such a situation occurred, would that not take care of all the requests for immigration to the United States from the Republic of Germany?

Mr. LANGE. I believe, yes, it would be a help in that direction. I also want to be very frank. I am not the expert in the intricacies and the complicated controls that have been written into the law. They were explained to us at the time the law was being considered, and we thought it was a formula that had a good chance of working well.

I would say that there is no panacea other than a readjustment of the basic controls, and the basic controls are just what you are speaking of—the various preferences. We are not sufficiently expert to tell you gentlemen as to how they ought to be adjusted. We ask that you find a way to adjust them to eliminate this.

I admire the careful analysis and the incisive analysis by Mr. Collins. Much of what he said I agree with. But as you may have noticed, we feel that the Ryan bill is not the panacea to cure the ills of this law. It can serve as a temporary measure. Unless a way can be found to adjust these controls for this vast mixing machine, then we would like to see the Ryan bill passed so these controls may be adjusted, at which time you might then find it necessary to repeal the Ryan bill and it might then no longer be necessary.

Mr. FEIGHAN. Mr. Rodino.

Mr. RODINO. Mr. Lange, in other words, you are saying that what you are seeking is that kind of an adjustment that will relieve the problems that have arisen which we could not have anticipated under the present law. You do realize, I am sure—and we must all realize—that there are going to be inequities under the Ryan bill because in effect it does continue the same national origins quota basis.

You, yourself, recall in your statement that you sought to undo the unfairness that previously existed in our immigration system. Hopefully, we want to adjust this present situation and accommodate the countries that are now finding a difficulty. We do not want to perpetuate, at least I do not want, a system which is totally abhorrent to our own sense of fairness.

Mr. LANGE. Yes. I am merely repeating what I have said in the statement. We would like to see a correction of the controls to eliminate these inequities. Only in there, it seems to me, can the correction be made. You are the engineers of this bill. It should not be too difficult for you, while it is almost impossible for a layman to tell you just exactly where the adjustment is needed.

The chairman pointed out that the dropping off of some of the sixth preference—I believe I pointed out that putting a limitation on the admission of sisters and brothers to the unmarried certainly would cut down the growing, mushrooming backlog in the category of uniting of families.

Mr. RODINO. On the other hand if we eliminated from the sixth preference the unskilled, we would not be helping the cause of Ireland, for it seems to me one of the problems is that there are so many who cannot qualify for the labor certification. So we would not be alleviating that problem by elimination of that part of sixth preference which relates to the unskilled.

Mr. MOORE. If you will yield, Mr. Rodino, you are absolutely correct. In my opinion, we would not get an Irishman in here until the year 2000.

Mr. RODINO. That is what I would be afraid of. In that particular category we would be relieving one situation and causing another big problem to develop on the other hand. I can recognize what you are saying, Mr. Lange. I think your statement is eminently fair. I think the proposition you present, at least to me, makes a lot of sense. I want to tell you that I certainly, along with other members of the committee, shall try to find some means of alleviating the problem.

Mr. LANGE. Congressman Rodino, and Congressman Moore, my reply to the chairman's question as to whether the dropping of the sixth category would alleviate the situation insofar as the German immigration is concerned, I replied in the affirmative, yes. But I have no intention of supporting such a thing that would avoid Irish immigration to America until the year 2000 or any time.

Mr. MOORE. I understood, Mr. Lange, your response completely, but the question had been posed by the chairman and I did not want it to hang in the air as being an answer to the German situation as well as an answer to the Irish situation.

Mr. RODINO. I am sure that is not what the chairman intended.

Mr. MOORE. No, that is the reason I built the record with respect to that.

Mr. LANGE. Thank you very much, because I think a great deal of the Irish, since the Irish and the Germans supplied the greatest number of soldiers in the War of the Revolution.

Mr. MOORE. We are thankful for that.

Mr. FEIGHAN. Mr. Moore.

Mr. MOORE. I want to say, Mr. Lange, that I appreciate your candor and the manner in which you have presented the position of those

that you represented both as a group and for those that speak through the various news media.

I think there is yet a way that this can be worked out without the complications, without being disrespectful of the Ryan bill. I think we may surprise you. If we can get the cooperation of the membership of the Congress in seeking to solely touch the problem as it now exists, with German immigration, Irish immigration, British immigration, or those that had in the past what we might consider the most favored immigration pattern to the United States, through this transition period. I can visualize that this can be possible if we can just get the Congress to give their attention to that and not attempt to make every one of you here, I might say, carry the burden for all various assortment of changes in the law.

I believe we can accomplish what the Irish want us to accomplish here this morning and, Mr. Lange, what you want to see accomplished. The only way that we will fail is if we come along with an immigration Christmas tree that just seems to undo everything that was thought to be accomplished by the law which went into effect on July 1, 1968.

You have a very real problem. You have an abundance of sympathy on this side of the table, I can assure you, as well as Mr. Collins and those that are representing the Irish here today.

Mr. LANGE. Thank you. We would not want to undo this law for the very simple reason that we spent a great deal of time studying the law as it was being written.

We opposed the original, and gradually as things developed in committee, we were being advised, we sent in briefs and we had private discussions with members of the committee and Members of the Congress. We were as deeply involved in the formulation of this law as we were involved in the formulation of the law back in 1923.

Mr. MOORE. We understand that. We appreciate your contribution.

Mr. LANGE. We would not want to undo it. But we would like to see the controls corrected. To conclude, our attitude is simply this. We feel that the law should be pushed over for 1 year to give time to find the proper and final definite equitable solution, and if that cannot be done then the Ryan bill will give us the same kind of breathing spell to take the time needed to do the job.

Mr. FEIGHAN. Mr. Cahill.

Mr. CAHILL. No questions.

Mr. FEIGHAN. Mr. MacGregor.

Mr. MACGREGOR. Mr. Lange, you are a very effective spokesman. Do you have something nice to say about the Scots?

Mr. LANGE. The Scots? There are all kinds of stories about the Scots. I believe the Scotsman has brought something to this country that is very sadly needed in our Government today, and that is a little bit of frugality.

Mr. MACGREGOR. You passed the test.

Mr. FEIGHAN. Thank you, Mr. Lange.

Our next witness will be Mr. Augustine Boland, the Director of the Irish Immigration Committee of Northern Ohio. He is a native of Cleveland. On behalf of the committee I want to welcome you very warmly.

STATEMENT OF AUGUSTINE BOLAND, DIRECTOR, IRISH IMMIGRATION COMMITTEE OF NORTHERN OHIO

Mr. BOLAND. Thank you very much, Mr. Chairman.

Mr. MOORE. Mr. Chairman, we would ask the indulgence of the Chair and certainly Mr. Boland, with the understanding that the members have been called to the floor for a rollcall and we will try to make it back. But it is necessary that some of us leave. I hope you understand, Mr. Boland.

Mr. BOLAND. Yes.

Mr. FEIGHAN. You may proceed.

Mr. BOLAND. Mr. Chairman and honorable members of this distinguished committee, I appreciate the privilege of appearing before you in support of House Rule 16593, aimed at amending the 1965 Immigration and Nationality Act.

Mr. Chairman, my name is Augustine Boland and I am chairman of the northeastern Ohio chapter of the American Irish Immigration Committee. The chapter I represent is one of many chapters now in existence throughout the United States, with national headquarters at 326 West 48 Street, New York, N.Y. We are gravely concerned with the adverse effect that Public Law 89–236 imposes on Irish candidates for visas to immigrate to this country. With me is our vice president, Mr. Eamon D'Arcy of Parma, Ohio.

In 1965 the Irish ranked fifth among the nationals immigrating to the United States with 5,555. Since the enactment of Public Law 89–236 and because of the impediments imposed by this law on Irish immigration to this country, the entrance of Irish people to the United States is at an all time low. In fact, as things now stand, since July 1 of this year the Irish are, for all practical purposes, completely banned from coming into the United States. In 1965 the State Department made a projection and told Congress that under the new law 5,113 Irish would be able to enter the United States of America each year. This has not happened. We were led to believe that the new law was based on the principle of "first come, first served" within preference categories, and subject to limitations designed to prevent excessive benefit or harm to any country. I submit, Mr. Chairman, that Public Law 89–236 has not met this principle when applied to Ireland, England, and other Northern European countries. I can document for you, Mr. Chairman, by hundreds of letters which my committee has received, the dissatisfaction with the present immigration policy and the demand for enactment of legislation that will correct the very evident inequities of the new law.

Mr. Chairman, I do not have to recite the litany of names and contributions made by American Irish in northeastern Ohio to American political and legal development and to the fields of arts and sciences, in sports, and on the battlefield. You, yourself, Mr. Chairman, are a fine example of what I speak and you would very likely not be a Member of the U.S. Congress and the distinguished chairman of this subcommittee if existing immigration laws were in effect when your forebears decided to immigrate to the United States.

I take particular issue with the sixth preference category of Public Law 89–236. The young Irish immigrant traditionally has taken a job

as an unskilled worker when he first arrives. The jobs he took are now prohibitive under the new law. I would, with your permission, wish to cite my own situation as a case in point. I immigrated as a teenager from County Sligo, Ireland, in the year 1950. I had a basic education but very much unskilled. I took a job as a laborer on construction and in 1951 joined the U.S. Air Force. Upon discharge in 1955 from the service I entered the University of Dayton and graduated in 1961 with a degree in civil engineering. I have worked as a highway design engineer in the employ of Cuyahoga County and at present am a highway engineer working in construction for the Ohio Department of Highways. The point I wish to make is that I feel that I am making a definite contribution to the American community in the field of engineering and public service. Yet, I was permitted to come into the United States as an unskilled immigrant.

I wish to make another point, and it concerns the fact that nuns and priests, under the new law, will have to wait for several years after making application for entry to the United States. Mr. Chairman, you are more aware than I am of the number of religious schools in northeastern Ohio where Irish nuns and priests comprise the majority of the teaching staff. I feel, therefore, that a very valuable contribution is now being curtailed, and perhaps denied, to the communities who normally have depended on the educational services of these nuns and priests.

I urge the committee and the Congress of the United States to support House Rule 16593 for the reason that it would solve our problems and at the same time be fair to other nationalities.

In conclusion, Mr. Chairman, I wish to thank you for the opportunity to present our position with reference to the inequities of Public Law 89–236.

Mr. FEIGHAN. Thank you very much, Mr. Boland, for your very fine and thoughtful presentation. Taking the last phase of your statement, I introduced a bill which would provide that nuns, brothers, and missionaries would be able to come to the United States without any numerical limitation and without having to comply with the requirement of a labor certificate. Of course, as you know, under the present law, ministers of religion are in such a category. They must be petitioned for by a bona fide religious organization in the United States. That bill has been approved by this subcommittee, and we are very hopeful to get it out of the full committee and on the floor of the House for passage this year.

Mr. Boland, in your statement you refer to Irish immigrants, for practical purposes, being completely banned. I am sure you know that is not true. It is our purpose here today to determine whether we can come up with a solution to assure Ireland a more fair share of immigration, but I emphasize that the Irish immigration is not completely banned.

Mr. BOLAND. The law may not imply or state that they are banned in any way or form, but the fact of the matter is that the numbers now permitted to enter have been greatly diminished. As I understand from previous testimony here, the projection for 1969 is less than 600. Who is to say that it may even approach 600. It may be considerably less than that. I would think for practical purposes that the situation is dried up with respect to immigration from Ireland to the United States.

Mr. FEIGHAN. Mr. Rodino.

Mr. RODINO. I have nothing to ask of Mr. Boland. I appreciate his coming here. I certainly think he is a fine example of what real initiative and industry can do, and we appreciate the contribution you have made.

Mr. FEIGHAN. Thank you very much.

Mr. RODINO. I would like to add that the proposal that was presented to this committee by the chairman relating to the admission of nuns and missionaries and priests on a nonquota basis has been urged by the chairman of the subcommittee. We approved it in our subcommittee and are vigorously seeking to move it on the full committee. I am hopeful that we may in the next week.

Mr. BOLAND. Speaking on behalf of my chapter, I welcome any legislation that would alleviate that impediment. The effect would certainly be definitely felt in the communities I am from.

Mr. FEIGHAN. Thank you very much, Mr. Boland.

Mr. BOLAND. Thank you very much.

Mr. FEIGHAN. Our next witness will be Mr. Eugene J. Byrne, cochairman of the American Irish National Immigration Committee of the New Jersey Chapter.

Mr. Byrne.

STATEMENT OF EUGENE J. BYRNE, COCHAIRMAN, NEW JERSEY CHAPTER, AMERICAN IRISH NATIONAL IMMIGRATION COMMITTEE

Mr. BYRNE. Thank you, Mr. Chairman.

Mr. FEIGHAN. I want to extent to you a very cordial welcome. I understand that you are very friendly with our very able and distinguished member of this subcommittee, Mr. Rodino. We are very happy to have you.

Mr. BYRNE. Thank you, Mr. Chairman.

I think with your permission I would ask you to file in the hearing record a copy of my report and perhaps there are others who might present slightly different arguments as compared to those contained in my report.

(The statement follows:)

STATEMENT OF EUGENE J. BYRNE

Mr. Chairman, Distinguished Members of the Subcommittee on Immigration and Nationality. My name is Eugene J. Byrne. I am Co-chairman of the New Jersey Chapter of American Irish National Immigration Committee. I appreciate your courtesy in giving me the opportunity of appearing before you this morning to testify concerning Irish immigration.

Immigration to the United States from the Western European area of the Eastern Hemisphere since 1965 has dramatically decreased; the decrease is certain to soon become more severe and apparent.

Ireland, for example, in the 10 year period prior to 1965 annually sent to these shores an average of 7,185 immigrants while in 1967 only 2,457 Irish immigrants were admitted; after July 1st, 1968 it is estimated that only 500 —1,000 at best, will be admitted even though approximately 5,000+ are desirous of entering our country.

In 1965 the Congress enacted the Immigration and Nationality Act of that year. This Act completely did away with the national origins quota system for allocating immigrant visas and substituted therefor a new system said to be more fair and equitable to all nationalities and said to be based upon U.S. needs and the relationship of prospective immigrants to U.S. citizens.

The 1965 Act and the implementation of the labor certification aspects thereof by the Labor Department has brought about the aforesaid diminution of immigration from Western Europe and specifically from Ireland.

The 1965 Act established a limit of 170,000 on the total number of visas to be issued to immigrants to be admitted to the U.S. from the Eastern Hemisphere and a limit of 20,000 visas to be issued to immigrants from any individual country in that area.

Basically, it further establishes, for the allocation of said 170,000 visas, preference priorities and percentages as follows:

	Percent
1st, unmarried sons or daughters of U.S. citizens	20
2d, spouses and unmarried sons or daughters of alien residents	20
3d, members of the professions, scientists, and artists	10
4th, married sons or daughters of U.S. citizens	10
5th, brothers or sisters of U.S. citizens	24
6th, skilled or unskilled persons capable of filling labor shortages in the United States	10
7th, conditional entries—refugees	6

Visas not used in preference classes 1st—7th are to be applied to non-preference immigrants who are otherwise qualified. 3rd and 6th preference immigrants and Non-Preference Immigrants, however, must obtain Labor Certification from the Secretary of Labor and accordingly are subject to the affirmative finding of the Secretary that they will not replace a worker in the U.S. nor will such employment of such alien adversely affect the wages and working conditions of individuals in the U.S. similarly employed. Under the 1965 Act, therefore, approximately 146,000 immigrants from the Eastern Hemisphere may obtain their visas free from the strictures of the Labor Certification requirements while approximately 34,000 are required to comply therewith.

Additionally, the 1965 Act provides that in considering applications for immigrant visas under the several preferences and the non-preference category consideration shall be given to applicants in the order in which the classes of which they are members are ranked. It further provides that immigrant visas issued pursuant to preferences 1st through 6th are to be issued to eligible immigrants in the order in which a petition in behalf of each such immigrant is filed with the Attorney General.

Implications and effects of the 1965 Act, unless amended

(1) Immigration from Western Europe and specifically Ireland has been and will continue to be greatly curtailed as aforesaid,

(2) Immigration from Southern Europe and the Asian area has been and will continue to be greatly increased.

(3) In 1965 the leading suppliers of immigrants were in the following order, England and Northern Ireland, Germany, Poland, Italy, Ireland, Netherlands, France, Soviet Union, Sweden and Norway, the former furnishing approximately 29,000 and the latter approximately 2,300, whereas in 1969 it is estimated that the leading suppliers will be in the following order, Italy, Greece, Portugal, China, Philippines, India, Poland, Yugoslavia, Germany and Korea, the former furnishing 20,000 and the latter approximately 2,900 immigrants.

(4) Therefore, it can be readily seen that under the 1965 Act the ethnic composition of the immigration to the United States has been virtually reversed and Ireland, which ranked 5th in 1965 with approximately 5,500 immigrants will, in 1969 and thereafter, no longer rank within the top 10 much less 5th.

(5) The 1965 Act was touted as being fair and equitable to all nationalities and the prior national origins quota system was attacked as being discriminatory and not in the best interests of our nation.

(6) Conceding that the Immigration law prior to the 1965 Act was designed to favor Western European immigration, the present and projected figures clearly demonstrate that the 1965 Act favors Southern European and Asian immigration. In view of the great decrease in the former and the great increase in the latter one wonders whether or not the 1965 Act was not designed to accomplish this result, the talk, at the time of its enactment of how it was to be fair and equitable to all nationalities to the contrary notwithstanding.

(7) The pattern of Southern European and Asian immigration is such that entire and frequently large families are desirous of migrating here and this being the case, under the 1965 Act, if one member of such family obtains a visa and becomes a resident alien his spouse and unmarried sons and daughters be-

come eligible for visas and after he and/or his wife become citizens then each of their respective brothers and sisters become eligible for visas as well. What we then have is potentially, or in fact, a rapidly pyramiding pattern of immigration from these areas under the 1st, 2nd, 4th and 5th preference categories, none of which is subject to the Labor Certification procedure.

On the other hand, the pattern of immigration from Western European countries, such as Ireland, does not involve entire and large families. Rather, a son or daughter, usually unmarried, and more often than not, unskilled, seeks admittance to our shores. But, unlike many from Southern Europe, let us say, he will probably have neither parent nor spouse here to enable him to obtain a family preference visa which, as previously noted, is free of the Labor Certification requirement.

Thus our young Irish lad or girl will have to qualify under the professional preference or the skilled or unskilled labor preference and since both require the Labor Certification and the typical and traditional Irish immigrant is neither a professonal nor schooled in a skill that the Secretary of Labor has found to be needed, the door to America is closed to them.

CONCLUSION

Mr. Chairman, distinguished members of the Congress, the foregoing are just a few of the thoughts that undoubtedly come to your minds as well as to mine when we think upon the effects of the 1965 Act on Irish immigration to our great country.

I will conclude by stating that the members of the New Jersey Chapter of the Immigration Committee urge you to approve and support H.R. 16593.

It is a simple and readily understood Bill which provides that *any nation* whose immigration (because of the 1965 Amendments) has dropped below 75% of its yearly average in the ten year period prior to 1965 will be alloted additional visas to bring its yearly total up to 75% of the ten year base period average, although in no case would this figure exceed 10,000 per year. Nations which have benefited under the 1965 Amendments will not be affected. Only those nations whose historic patterns of immigration to the United States have declined sharply will benefit. Ireland, for example, used to send an average of about 7,000 immigrants each year and under H.R. 16593 it would be possible to send 75% of that number or about 5,300.

Mr. Chairman, members of the Committee, again my thanks for the opportunity to appear before you today.

Mr. BYRNE. On behalf of our New Jersey chapter I would endorse the remarks of our national chairman, Mr. Collins. I would emphasize additionally that the bill which he supports and which our subcommittee or New Jersey chapter supports does not apply merely to Ireland, England, or Germany, but to all nations adversely affected by the 1965 amendments.

Additionally, we think that it is simple. It is readily understood and effective. Perhaps in view of the complications or complexities of the immigration law that may be one of its defects. Nevertheless, we urge you to report it out of committee and we thank you for the opportunity of appearing today.

Mr. FEIGHAN. Of course, you realize, perhaps that if the bill were enacted, besides being a resurrection, I might say, of the national origins quota system, it would make available over 41,500 new visas over and above the 170,000 limitation, which is a limitation outside of the parents, spouses, and children of American citizens and permanent resident aliens.

Mr. BYRNE. Mr. Chairman, my understanding is that expressed by Mr. Collins, although his estimate of the increase over the present 170,000 that would be incurred by the adoption of the Ryan bill, which incidentally has been cosponsored or endorsed by five of our New Jersey Congressmen, would be approximately 35,000. But even if it were 41,000, apparently according to Mr. Collins' testimony concern-

ing his conversation with, I believe, Mr. Farrell, this would not be an insurmountable problem, because, as he pointed out, there are something like 34,000 under the labor force enter every 4 days.

Mr. FEIGHAN. Are you referring to it as not being an insurmountable problem with reference to administration, or are you considering the problem that may arise within the membership of 535 Members of the House and Senate?

Mr. BYRNE. I am not certain exactly what reception it would receive from the entire membership of the House or Senate. From what I can gather, if it is recommended by your committee, it will receive very favorable consideration from the other Members of the Congress.

Mr. FEIGHAN. That is very complimentary, for which we are very grateful.

Mr. Rodino.

Mr. RODINO. Mr. Chairman, first may I welcome Eugene Byrne as one who is representative of the American Irish National Immigration Committee. He is a distinguished constituent. I know he was recently elected as president of the Ancient Order of Hibernians in New Jersey. I congratulate him on being very vigorous.

Mr. BYRNE. Thank you.

Mr. RODINO. He certainly has espoused high ideals. I know we have communicated with him over a period of time. He is certainly aware of the problem. I want to commend him for his alertness and for the presentation which he has made to the committee. I have read it and think that it is a very fine presentation.

I do want to say, though, Gene, that it has been estimated that there would be some 41,000-odd additional numbers, and the practical problem that we are confronted with—and we were confronted with it in the past when we considered immigration legislation—is that we would have to increase the ceiling of 170,000. I can tell you, as one who believes in a liberal immigration policy and who anticipated some of these problems, that we are going to be confronted with a Congress that is not going to accept any more numbers over the number that has already been established within the law, a ceiling of 170,000. This is why the problem becomes difficult.

Mr. BYRNE. Mr. Congressman and Mr. Chairman, it would seem from what you have previously indicated—not in your recent remarks but earlier during the course of this hearing—that the present law is and was largely acceptable to the Congress. But I am sure, in spite of their diligence and duties, many of our Congressmen still are unaware of the practical everyday effects that this law has had and will have. Therefore, in an effort to keep the benefits or prevent the benefits conferred by the 1965 law upon nations formerly nonprivileged, and yet rectify the damage done to those formerly privileged nations, they perhaps would be more than willing in the interest of fairness to support such a bill that would involve 30,000 or 40,000 additional immigrants over the 170,000.

Mr. RODINO. Mr. Byrne, it took us a long period of time to impress upon the Congress that there were inequities which had to be eliminated from the old law that existed. Notwithstanding the fact that the Congress did go along with this committee's proposal, nonetheless they did set a ceiling. They did set a numerical ceiling on the number that could be admitted.

Mr. BYRNE. That is certainly correct. As I indicated, in an effort to have an equitable situation, they chose a number. Under that many countries formerly nonprivileged had an opportunity to get their immigrants into this country. I would assume that in an effort to correct another injustice, presumably unintentioned, they would be willing in a sense to stretch a point and increase the total another 30,000 or so. As I understand it, anyway, there are certain visas that are not used; is that correct?

Mr. RODINO. That is correct.

Mr. BYRNE. So it, perhaps, would not be an additional 35,000 over the 170,000.

Mr. RODINO. As a matter of fact, the proposal that I introduced sought to use up that unused number of visas that were available, but expired with the law.

There are some 70,000 numbers that have gone unused during the last fiscal year. My proposal sought to adjust this by giving the Executive the authority and the discretion to try to use these numbers without the labor certification requirements, so that those countries which were favored countries and which now have suffered because they are unable to build up a backlog, would be given the opportunity to send immigrants to the United States in numbers up to any amount within that 80,000 over a couple of years' period.

I thought this proposal might at least be considered. It does not in any way retain any concept of national origin. Again, I must say I am not wedded to my own proposal. It is one that I dreamed up because I thought it might alleviate the situation.

Mr. BYRNE. Congressman, as I understand it, then, approximately 80,000 visas of which you speak consist of 80,000 from the carryover or the phasing out of the old law and would not be a recurring figure each year. Therefore, when that 80,000 had been used up, they would be gone, obviously. But the problem would still remain under the various preference categories which favor family immigration.

The other nations would still be unable to take advantage of obtaining visas to this country under the present preference system.

Mr. RODINO. Let me ask you this: Other than the fact that some discrepancies have arisen, you are not suggesting, when we talk about family and the fact that we use this as a basis for the law that we have adopted, that you would be opposed to the continuation of a policy that we reunite families wherever possible?

Mr. BYRNE. No; I have no opposition to that whatsoever. It is a wholly good thing and completely in keeping with Judaic-Christian-type culture in which we live.

Under the system which has effectuated that purpose, people who seek to immigrate here without their families, except in the case of the Irish, where they might be able to fit in under the brother and sister preference, they are left out in the cold.

Mr. RODINO. I want to again thank you for coming here, Mr. Byrne. I certainly appreciate the information and the presentation that you have made. I, for one, as I have told you personally, as a member of this committee here, will do whatever I possibly can in order to try to bring about some remedy to the problem.

Thank you very much.

Mr. BYRNE. Thank you, Congressman Rodino, and thank you, Mr. Chairman.

Mr. FEIGHAN. Thank you, Mr. Byrne. I want to take this opportunity to express the appreciation of the subcommittee to the Members of Congress who are here present, and who have been very thoughtful in granting us the indulgence to hear other than congressional witnesses first. I would like specifically to express appreciation to Mr. Burke, of Massachusetts; Mr. Tiernan, of Rhode Island; Mr. Philbin, of Massachusetts; Mr. Carey, of New York; Mr. Ryan, of New York; Mr. Murphy, of Illinois; Mr. Boland, of Massachusetts; Mr. Patten, of New Jersey; Mrs. Kelly, of New York; and Mr. Burton, of California.

The bells have rung.

Mr. RODINO. Excuse me, Mr. Chairman.

Mr. Minish's office was also represented.

Mr. FEIGHAN. I want to include Congressman Minish in the list; also Congressman Eilberg.

The hearings will remain open for 5 days for any person or organization, as I mentioned before, who would care to submit a statement.

We regret exceedingly the limitation of time that does not permit us to hear each and every one of you individually. Again on behalf of the subcommittee I want to express our gratitude for your interest and presence.

I might add I hope you can say a few prayers that we may find a solution.

Thank you very much.

(Whereupon, at 11:55 a.m., the subcommittee adjourned.)

HEARINGS ON LABOR CERTIFICATION

WEDNESDAY, SEPTEMBER 18, 1968

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE NO. 1 OF THE
COMMITTEE ON THE JUDICIARY.

The subcommittee met, pursuant to notice, at 10:30 a.m., in room 2237 Rayburn House Office Building, Hon. Michael A. Feighan (chairman of the subcommittee) presiding.

Present: Representatives Feighan, Rodino, Dowdy, Moore, and MacGregor.

Also present: Garner Cline, counsel.

Mr. FEIGHAN. The subcommittee will come to order.

I see in the audience several members of Congress who are interested in Irish immigration. I take this opportunity to welcome Mrs. Kelly, Mr. O'Neill, Mr. Delaney, Mr. Carey, Mr. Burke, Mr. Kluczynski, and Mr. Ryan to our meeting today.

The members of the Subcommittee on Immigration and Nationality of the Committee on the Judiciary have expressed great concern because of the drop in Irish immigration since 1965. During the 3-year transition period Irish immigration dropped significantly from the figure in previous decades. The prospects are that the drop will be aggravated commencing on July 1 of this year.

There is a question whether this drop in Irish immigration has been caused by language of the Act of October 3, 1965, or by the administration of it by the U.S. Department of Labor. We have with us today, and happily so, our friend, Mr. Stanley H. Ruttenberg, Assistant Secretary for Manpower of the Department of Labor, accompanied by Mr. Robert C. Goodwin, Administrator of the Bureau of Employment Security; Mr. Lawrence Rogers, Boston regional administrator, Bureau of Employment Security; and Bradley Reardon, assistant to the Administrator, Bureau of Employment Security.

On behalf of the subcommittee, I wish to extend a very cordial, warm greeting to you four gentlemen, and we will be very happy to hear from our very distinguished Assistant Secretary of Labor, Mr. Ruttenberg.

STATEMENT OF STANLEY H. RUTTENBERG, ASSISTANT SECRETARY FOR MANPOWER, DEPARTMENT OF LABOR

Mr. RUTTENBERG. Thank you very much, Mr. Chairman. I do have a very brief statement that has been made available to the members of the committee. I apologize for not having it here earlier.

I would, I think, in the interest of both brevity and clarity, hopefully both, read through the statement, if I might.

Mr. FEIGHAN. You may proceed.

Mr. RUTTENBERG. I thank you very much for inviting me to appear again before this subcommittee. When I testified before you on May 22 and June 13, 1968, the focus was on the administrative actions taken by the Department of Labor to implement the labor certification provision of section 212(a)(14) of the Immigration and Nationality Act, and on the general results which that provision has had in protecting the U.S. labor force, while permitting needed workers to immigrate to the United States. Today you have requested that I discuss the effect of section 212(a)(14) on immigration from one particular nation—Ireland.

There are three aspects of the Irish immigration situation which should be examined. The first concerns the availability of visa numbers for persons born in Ireland who wish to immigrate to the United States. During the period December 1, 1965 to July 1, 1968, Ireland had an annual quota of 17,756 visa numbers. Since only 3,071 Irish immigrants obtained immigrant visas to enter the United States in fiscal year 1966, 2,665 in fiscal 1967, and 3,619 in fiscal 1968, it is clear that heretofore Irish immigration has not been limited by a lack of immigrant visas. However, the fact that persons born in Ireland did not have to wait for visas prior to July 1, 1968, meant that, when the new provisions of the Immigration and Nationality Act took effect on that date, there were no Irish on the preference waiting lists. Irish who have obtained third or sixth preference status after July 1 may have to wait several years before visas are available for them. There is no inequity here, since all immigrants from the Eastern Hemisphere are treated the same, regardless of their country of origin. English, German, Dutch, Belgian, Norwegian, Polish, Czech, Swedish born persons also had to get on the waiting lists on July 1. The Congress, in abolishing the national origin basis for immigration, rightly eliminated the favored position which immigrants from Ireland and certain other northern European countries had formerly held.

If I might pause at that point, Mr. Chairman, because I think this is in our judgment one of the crucial problems, countries like Italy, for example, have a large number of applicants, immigrants, wanting to come to the United States prior to July 1, 1968, that far exceeded their immigration quotas. Consequently, when they applied to come to the United States under the third and sixth preferences they had to go on the waiting lists for those preferences. But the Irish, because they never filled their quota, came in without any difficulty.

Come July 1, 1968, quotas for all countries were eliminated. All of a sudden an Irish immigrant wanting to come into the country may receive a labor certification and third or sixth preference status, but because other people from Italy, as an example, have previously applied and have been on a waiting list for third and sixth preference visas, the Irish immigrant must go to the bottom of the third and sixth preference list and wait until it is his turn to receive a visa.

This is the key problem involved, and it is not a Department of Labor administrative problem, or a Department of State, or Immigration Service problem. It is a problem that flows from the way in which the Act reads.

The second aspect of the Irish immigration situation is the question of whether the Labor Department has unduly restricted the number

of Irish who could become immigrants by virtue of its administration of the labor certification provision of the law.

As I stated in the earlier hearings, we have taken a number of steps to eliminate paperwork and delay in the processing of applications for alien employment certification where we knew there is a shortage of qualified persons in certain professional and skilled occupations. We have published lists of these occupations, called schedules A and C, which are used by the Consular and Immigration and Naturalization Service offices in expeditiously processing applications. At the same time, we knew that American workers are generally available for many low-skilled occupations, and that it would help employers, aliens, and the various agencies involved in immigration activities if we published a list of these occupations so that the denials of certification would not have to be made on a case-by-case basis. This noncertification list of occupations is called schedule B.

Some organizations which are deeply interested in immigration from Ireland have contended that the Irish are discriminated against by our procedures because they facilitate the certification and admission of skilled and professional workers, and do not permit the admission of many unskilled workers.

I do not believe this is so. Section 212(a)(14) and our implementing regulations apply equally to aliens from all countries. The national origin of the individual alien plays absolutely no part in our decision as to whether or not the certification should be granted. We have sought to follow faithfully the mandate of the law that the issuance of labor certifications is to be based on just two factors:

(1) Are there U.S. workers available to do the work for which an alien is sought?

(2) Will the admission of the alien have an adverse effect on U.S. workers similarly employed?

The third aspect of the Irish immigration situation which I wish to discuss is whether the labor certification requirement has caused the decline in immigration of persons born in Ireland. Actually, Irish immigration has been declining steadily from its post-World War II peak of 10,666 in fiscal 1958. The number had declined by one-half to 5,378 in fiscal 1965, before the amendments to the Immigration Act were enacted. Hence, section 212(a)(14) could not have been a factor in this decline of more than 5,000 Irish immigrants a year. The decline continued through fiscal 1967, reaching 2,665 in that year. However, in fiscal 1968, Irish immigration rose sharply to 3,619. All of the above figures represent immigrant visas issued. For various reasons, a small number of these aliens do not finally immigrate. The figures do not include Irish aliens who adjust their status while in the United States.

Mr. Chairman, I have a little table here that might be useful to the committee. (Table appears on page 52.) It shows the year-by-year trend in visas issued to Irish aliens from 1958 through 1968. Of course, one could argue that section 212(a)(14) has not been a determinant in the decline, especially since in the last fiscal year there was an increase of 1,000 Irish immigrants, from 2,600 to 3,600. There are other factors that may very well have been involved. I think it is important to keep in mind that in our judgment we do not really think section 212(a)(14) has been a major or significant determinant in the decline

in Irish immigration, a decline which occurred steadily in the years prior to the 1965 Act and continued through the first year and a half of the Act up to the beginning of fiscal 1968.

It should be noted that immigration from certain other European countries also showed steep declines between fiscal 1965 and fiscal 1967. For instance, visas issued for German immigration fell from 25,171 to 16,479; the Netherlands from 3,066 to 2,130; and Norway from 2,303 to 1,387.

We must go beyond the gross immigration figures to analyze the effect of the labor certification requirement. In fiscal 1965, the last full year before the labor certification provision took effect, 16.8 percent of the Irish admitted to the United States were in professional and technical occupations.

In fiscal 1967, 27.6 percent of the Irish immigrants were in these occupations. Other significant changes between the 2 fiscal years are clerical workers—10.6 percent to 7.7 percent; operatives, semi-skilled—7.9 percent to 3.9 percent; private household workers—7.2 percent to 11.1 percent; other service workers—9.1 percent to 5.8 percent; and laborers, except farm and mine—5.9 percent to 1.8 percent. Housewives, children, and others with no reporting occupation increased from 26.2 percent to 31.2 percent.

These figures indicate that, since the labor certification provision became effective, there has been a decided shift in the kind of occupations held by Irish who are admitted in the United States. A much higher percentage of the Irish are professional and technical workers. The percentage of Irish who are service workers is about the same. A lower percentage of Irish are clerical and sales workers and laborers. A higher percentage are housewives, children, and others with no occupation reported.

The percentage of Irish immigrants who are in professional and technical occupations is higher than the percentage of such workers among French, English, German, Italian and Canadian immigrants. It appears that Irish immigrants are not low-skilled workers as a general rule. Hence, the efforts of the Labor Department to facilitate the entrance of professional and highly skilled workers through schedules A and C may have assisted more Irish in immigrating.

However, the changes in percentages should not mask the facts that overall Irish immigration fell by about half between fiscal 1965 and 1967, and that the absolute numbers of Irish immigrants in every occupational category declined. The declines were greatest in the lower skilled jobs.

In enacting section 212(a) (14), the Congress attempted to mesh the Nation's immigration and manpower policies by providing that, when unemployed or underemployed U.S. workers are available to perform the work, alien workers should not be admitted. The reality is that, in the United States, workers are available for most low-skilled jobs. The labor certification requirement is consistent with our efforts to eliminate unemployment and underemployment in this country.

I believe that the Department of Labor has made its determinations on whether to issue labor certifications in accordance with the criteria specified by the Congress, and that our regulations and procedures have faithfully followed the intent of the Congress. If the Congress wishes to prescribe different criteria for the entry of immigrants into

the United States than are now contained in the Immigration and Nationality Act, the Labor Department will have no difficulty in changing its procedures to implement the new criteria. However, as long as the basis for immigration is employment, an effective and positive procedure for protecting the jobs and working conditions of U.S. workers should be embodied in the law. We believe the existing labor certification requirement, 212(a)(14), constitutes such a procedure.

Mr. Chairman, that concludes my general statement. I would be glad with my associates here to try to respond to whatever questions you may have.

Mr. FEIGHAN. Thank you very much, Mr. Secretary.

Could you tell the committee on what basis, other than reciting a catalog of the jobs to which Irish immigrants have traditionally come to the United States in the past, did you select the positions which were placed in schedule B which is, in effect, a list of prohibited employment for alien immigrants?

Mr. RUTTENBERG. Yes, Mr. Chairman. The list of occupations that appears on schedule B are those occupations for which there is in the United States now a surplus number of workers available. They are in the main, of course, unskilled occupations, for which there is a substantial number of present residents of the United States available. Therefore, following the concept of the law in terms of the two basic criteria; namely, are there workers available in the United States, and will the admission of any aliens adversely affect U.S. workers, we selected those occupations that were in short supply and have placed them on schedule B. Conversely, following that same policy of asking, "Are there U.S. workers available and will aliens coming in have an adverse effect?" we selected those occupations for schedules A and C, for which U.S. workers are in short supply, and have said we will facilitate the entry of people in those occupations because there are few, if any, U.S. workers available in them and aliens coming into those occupations on schedules A and C will not have an adverse effect. That is the way we put together the schedules A and C that deal mainly with professional and skilled and semiskilled, and schedule B, which in the main deals with relatively unskilled workers.

Mr. FEIGHAN. Mr. Secretary, what studies were made, and have they been published?

Mr. RUTTENBERG. Yes.

Mr. FEIGHAN. And are they available?

Mr. RUTTENBERG. I think, Mr. Chairman, we have, as you know, the Federal-State system of employment security. There are employment security offices in some 2,000 or more communities around the United States. In those offices in the major areas of the country there is a labor area economist who reviews and looks at the available labor supply, and the numbers and kinds of jobs that are available. Reports are continuously made on the availability of the work force and the kinds of occupations that employers anticipate a need for. When one relates all of these reports that continually flow into the State offices and in turn into our own regional and Federal offices, the material justifies the conclusions that have been made.

Mr. FEIGHAN. Have those studies been published and are they available to the public and Members of the Congress?

Mr. RUTTENBERG. The material is available. Whether or not it is published, I do not know.

Mr. GOODWIN. Most of this information comes from regular reports. We took those regular reports which Mr. Ruttenberg referred to, analyzed them, and came up with the conclusions where the shortages were and where the surpluses were.

Mr. FEIGHAN. Your conclusions, then, are published and available.

Mr. GOODWIN. Yes, sir.

Mr. FEIGHAN. So that we can look them over.

Mr. GOODWIN. Yes, sir.

Mr. FEIGHAN. Exactly who made them? Did you, or your regional men, or the State government?

Mr. RUTTENBERG. Much of the information we are talking about flows through on a series of regular reporting forms of the employment security system. I guess the basic form would be the ES–219 forms and reports. That information is originally put together at the local office level of the employment security system, flows then to the State office where it is consolidated into a further report, which then flows on through the regional offices and on to Washington to get a picture of what is happening.

Let us be perfectly frank and candid, Mr. Chairman. There have not been funds made available by the Congress to do what the Department of Labor has on repeated occasions asked the Appropriations Committee for; namely, money to conduct job-vacancy surveys around the country—in other words, surveys that show in detail what the job vacancies are and try then in turn to relate available workers to those jobs. That kind of a detailed study is not available. But there is continual flow of labor market information which comes into the local and State offices of the employment security system which we do use and is the best available information.

Mr. FEIGHAN. I was interested in seeing if you had a final compilation so that you would say we have received such-and-such reports, and for such-and-such reasons our conclusions are such-and-such.

Mr. RUTTENBERG. This is what, in effect, we do say. I am sure—we do not make it public as such—that the information is readily available to anyone that wants it at any point in time.

Mr. FEIGHAN. It is not briefly summarized. In other words, are those reports that would take your own staff several weeks to review? Members of Congress do not have the time for that.

Mr. RUTTENBERG. That is right. The information is there, and if you specifically want a report on how we came to the conclusion of putting these particular occupations on schedule B and the kind of data that was used, we could prepare a report for you on that.[1]

Mr. FEIGHAN. That would be fine. What periods were covered, Mr. Secretary?

Mr. RUTTENBERG. What periods?

Mr. FEIGHAN. Yes.

Mr. RUTTENBERG. The ES–219 report material flows in on a periodic basis, at least once a month, does it not?

Mr. ROGERS. There is a full report every other month and an abbreviated report each month in between.

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[1] See table at end of testimony, p. 53.

Mr. RUTTENBERG. We are continually assessing the occupations in short supply and in surplus supply, and have made over the last 2 years a few changes in the occupations on schedules A, B, and C. We have added some, we have taken some off. So we have under continuous review those occupations about which we get information on shortages or surplus.

Mr. FEIGHAN. Mr. Secretary, were no distinctions drawn as to the area of the country?

Mr. RUTTENBERG. No distinction made as to area of country? I am not sure I fully understand the question.

Mr. FEIGHAN. Suppose you put an occupation on schedule B. There may be a great surplus in a particular geographical area and a shortage in another area. If such were the case, perhaps you will agree, it would not seem to me quite proper to have a blacklist, as it were, that no one in such occupations shall enter.

Mr. RUTTENBERG. The occupations on schedule B are occupations that tend to be in surplus supply almost across the country, because they are unskilled and a very low level of training is required to perform them. Maybe Mr. Goodwin would like to elaborate.

Mr. GOODWIN. That is the principal point. In other words, schedule B does not have occupations on it which are in short supply any place in the country.

Schedule A likewise has on it only those occupations that are short in all areas of the country.

Mr. FEIGHAN. You mean, then, you have made a clear and specific analysis of the needs in each particular area of the country?

Mr. GOODWIN. Yes. We get them from all areas of the country, and those were analyzed before schedules A and B were established.

Mr. MOORE. If the chairman would yield, then it is fair to say that a specific occupation could not be in severe shortage in region C and then not be on the list of being in short supply nationwide based upon the meshing of all the statistics you get from a number of regions?

Mr. RUTTENBERG. We would hope that would be the case.

Mr. MOORE. There could be isolated instances, I assume, but generally, as I understand the manner in which you arrive at your decision from your statistical information, you would have a circumstance in one region as to an undersupply of a given skill that would be overcome by a different set of skilled data from the other regions as you put this all in the pool and work it out.

Mr. RUTTENBERG. I think the important thing, Mr. Congressman, and Mr. Chairman, would be that the occupations on schedule B are of such a low level of skill that the amount of experience and training that anybody would need to occupy those positions is nil or relatively small in contrast to a professional worker or a tool-and-die maker.

If you go down schedule B—parking lot attendants, bus boys, chauffeurs and taxi drivers, charwomen and cleaners, hotel clerks, and so forth—if you go down the list, the occupations don't take very much background or skill.

Mr. FEIGHAN. In my home city of Cleveland on the taxicabs there is a large sign, "This cab will drive you free to our office so and so for a job." They are on the list, are they?

Mr. RUTTENBERG. Chauffeurs and taxicab drivers are on the schedule B list.

Mr. FEIGHAN. Whereas they are clamoring for them in my own home city of Cleveland.

Mr. MOORE. Placing an occupation on the list indicates short supply, or is it the reverse?

Mr. RUTTENBERG. Schedule B is the reverse.

Mr. FEIGHAN. You see, the advertisers don't take advantage of them. Section 204(b) requires the Attorney General to consult with the Secretary of Labor with respect to petitions to accord third or sixth preference. As you know, the corresponding section prior to the Act of October 3, 1965, required the Attorney General to consult "with appropriate agencies of the Government." It has been suggested that at least with respect to third preference members of the professions, such as physicians, attorneys, and university professors, the old language might be revived and greater flexibility given the Attorney General in his required consultation. It has been suggested that the Department of Labor may not be the most competent Department to gage the need for physicians or professors and to comment on their wage scales and their possible depressing effect on our national economy. Could you give us the benefit of your comment on this, Mr. Secretary?

Mr. RUTTENBERG. Mr. Rogers, would you like to comment?

Mr. ROGERS. I would like to. I think if you go back to the law prior to December 1, 1965, it did require this consultation, and the process used by the Immigration Service under direction from the Attorney General was an individual job clearance procedure somewhat similar to the one we have now, except for a group of occupations which we had on a list that we gave to the Immigration Service saying we found these were in short supply and therefore need not go through this process. It is quite similar in effect to the procedure that has been used for third preference under the law. When the law was enacted and the agencies got together there were clearly some occupations that were in short supply immediately. These have been on schedule A and from this viewpoint there really has not been a hindrance or any kind of problem except for a lack of numbers to get the people in.

Mr. FEIGHAN. Mr. Secretary, the committee has been given to understand that, in interpreting your regulations under schedule A with respect to professional competence, the Departments of State and Justice have been required in many cases to ask the Department of Health, Education, and Welfare to assess the comparative U.S. values to be given diplomas, degrees, and licenses held by foreign-educated aliens claiming to be members of the professions. Might it not be preferable for the Attorney General to consult directly with the Secretary of Health, Education, and Welfare in these cases?

Mr. RUTTENBERG. This goes to the qualifications of a nurse or a doctor or dentist trained overseas. As I understand the procedure now, and I stand corrected here by Mr. Goodwin or Mr. Rogers, a doctor or a dentist or a nurse can come into the United States, but before they can practice and get a license to practice in the United States, they must pass certain examinations and they must fulfill certain specific requirements.

Mr. FEIGHAN. You mean after they are here?

Mr. RUTTENBERG. Yes. The licensing boards require that.

Mr. FEIGHAN. I am talking about their initial entrance into the United States.

Mr. ROGERS. Could I say that this consultation right now really consists of defining an occupation; what is in an occupation that is a profession. As far as evaluating foreign credentials, HEW is consulted on that point by the Immigration Service most of the time, and sometimes by our office if the paper flow is such that we receive the papers before the consultation with HEW has taken place.

We do not consult on whether the foreign diploma is worth while, but whether a particular profession is a profession, whether a man who has a business degree is a professional or not. There are some people who believe that a person who gets a business degree in college is not really a professional in the classical sense of the term of being a doctor or lawyer. It is in this area that we consult under section 204(b) rather than on the evaluation of credentials.

Mr. FEIGHAN. Mr. Secretary, I note with interest your recent publication of new regulations affecting live-in domestic servants and also an expansion of your schedule B classes.

Would you explain this development and the reasons which prompted it, particularly the expansion of schedule B. We have discussed with you the question of the live-in maids, and it is really surprising the tremendous number of persons who were given entry to the United States under a sixth preference when I think, as far as I am concerned, it was certainly not the intent of Congress to use that sixth preference primarily for live-in maids. But to get back to my question, could you explain this development and the reasons which prompted it, particularly this expansion?

Mr. RUTTENBURG. Yes. The expansion of schedule B by 15 occupations has been published in the Federal Register and will go into effect on October 10. Those occupations are parking lot attendants, service workers such as personal service attendants, automobile service station attendants, chauffeurs, taxicab drivers, general clerks, counter and fountain workers, guards and watchmen, housekeepers, janitors, porters, and so forth—15 occupations. The way in which we came to the conclusion of adding those 15 goes to what we were talking about earlier; namely, the review and an assessment of the information on availability of local people throughout the United States to perform these occupations and the need, therefore, to provide employment opportunities for residents of the United States. The law specifies the two criteria we have to follow; namely, are there available American workers, and will the alien coming in have an adverse effect? On the basis of using those criteria, we decided there were a group of additional occupations that warranted being added to schedule B.

We discussed the live-in maid problem at great length at previous hearings and I do not know whether you want to go into that here or not.

Mr. FEIGHAN. Mr. Secretary, subsection 212(a)(14) of the Immigration and Nationality Act, under which the Secretary of Labor assumes to act in issuing these regulations, is one of the listed grounds for refusing an alien immigrant a visa, or refusing him admission to the United States. The language of the subsection, as do all the 31 subdivisions of section 212, would appear to require individual ad hoc findings with respect to each individual applicant for a visa or for ad-

mission. By the regulations of the Department of Labor, specifically by the publication of schedule B, certain classes of aliens are blacklisted and excluded as a group, with no opportunity given for a review of the possibility that at a given time and a given place, and at a given wage, regardless of the national picture, no one would be found to accept the position to which the alien was destined. Would you comment on that, Mr. Secretary?

Mr. RUTTENBERG. Yes, I would like to make two comments on it. First of all, while schedule B does list a group of occupations that are in relatively surplus supply in the United States, it is clear that if an alien really wanted to apply in one of those occupations nothing would prohibit them from filing their papers though the consular officers overseas would discourage it. The employer could file an application for alien employment certification.

But the other more important thing is that the reason we really developed schedule B and the reason we developed schedules A and C, is to facilitate administrative decisions and to avoid long delays before decisions can be made. On schedule A, aliens can automatically come in. On schedule C, aliens can come in after a very quick check of availability which we make here. On schedule B automatically they are told there is no point of applying because you cannot get in. But everybody else, and there are a tremendous number of other individuals whose occupations are on none of the lists, A, B, or C, has his case individually assessed in terms of the criteria of whether there are available workers and whether his entrance would have an adverse effect. We do that for a tremendous number of people. I would be the first to say to you, Mr. Chairman, if the committee and the Congress felt that we ought to do that for everyone and not have a schedule B, we would undertake that, but I think we would have to say there would have to be a substantial appropriation of funds to provide the staff to do it unless there be a tremendous backlog built up. The reason really is administrative and cost factors that lead us to develop these kinds of schedules.

Where we could be wrong is in our judgments as we review the information that Mr. Goodwin has referred to earlier and I have talked about.

Maybe we put some on schedule B that should not be there, maybe we haven't put some on that ought to be. But that is an individual administrative judgment that needs to be made. The fact that we do have the lists represents attempt to cut down on the paperwork involved in reviewing each individual case.

Mr. MOORE. But you have no better information than that which you have accumulated to arrive at the decision?

Mr. RUTTENBERG. That is correct. We are not averse to having additional funds to do the research to get additional and better information, but that is another problem. I think the information is valid enough to make the decisions we have had to make in order to develop the lists.

Mr. FEIGHAN. Mr. Rodino.

Mr. RODINO. Mr. Secretary, in view of the fact that in certain of your schedules there is a shortage of certain labor, and there are people who are seeking to come in who could fill those shortages, and yet the demand is so great, and the supply is so small, isn't it possible

to consider an admission of these people on a temporary basis even though the employment opportunity they might be offered is considered to be of a permanent nature? Wouldn't this in some areas solve some of the problems that we have? I am talking of the domestic workers, I am talking about the stenographic and secretarial workers. We know that there definitely is in these areas a tremendous demand and yet a shortage of supply. For instance, in the stenographic and secretarial category, Great Britain used to supply a good many of these people, yet now, because they are not able to get a visa to come over here, we find that we are unable to fill this demand. How do we overcome it?

I have introduced a bill in that area and I am wondering what your comments are and what we do.

Mr. RUTTENBERG. I think there are several aspects to your question. First of all, as far as stenographic and secretarial occupations are concerned, they are on schedule C, which means relative ease in getting into the United States. Then having said that, the next problem as far as England is concerned, as a case in point, it is the same thing as the Irish problem. They used to have a quota which they did not fill, and therefore there was really no serious problem. Everybody who wanted to come in could come to perform secretarial and stenographic occupations. But now comes July 1, 1968, and there is no quota for England or Ireland or others, and, therefore, anybody from England now applying has to go to the bottom of the sixth preference list, in which case they may have to wait some time. That is the problem.

The second aspect of your question is your proposal to bring in aliens as temporary workers even though they are going to work in a permanent job. The problem with that, Mr. Congressman, is that the alien is permitted to come in on a temporary basis to go to work for a particular employer. This means that the moment that employer no longer has a need for that worker, then that temporary worker must leave the United States.

In effect, it means that the individual worker becomes indentured to that employer. As long as we have that kind of a situation, it is our position in the Department of Labor that we do not believe in forcing individual workers into indentured positions, which they would have to be if they came in as temporary workers. If they are really coming in for a permanent job, they should be admitted to this country as permanent residents. Then we get back to the question of the sixth preference problem which we talked of earlier.

Mr. RODINO. Mr. Secretary, you say they would be indentured to the prospective employer who offers this job opportunity because he may find that at a certain time he wants to release them. Nonetheless, would we not be filling that ready need, then? There have been many cases of people who have come to the United States and have taken up immigrant visas but who remained here for a period of time and who then have returned. I am sure this is true in the case of Irish immigration, British immigration, and other immigration. There undoubtedly have been cases of this sort where, with full intention of remaining here, the person having had available to him an immigrant visa, filling a certain need, stayed here for a period of time and then returned.

Mr. RUTTENBERG. That is right.

Mr. RODINO. What is the problem that would result if the same thing took place with a nonimmigrant visa, when it has been taking place on the basis of taking up precious immigrant visas?

Mr. RUTTENBERG. The difference, Mr. Congressman, is that under the permanent immigrant visa the individual is free to work for any employer any place in the United States for any wage he is able to attain, and can decide at any point in the future, I want to go back to my country of origin and no longer stay, and that is fine. But if he comes in under the temporary visa as proposed in your particular amendment, he would have to come in and work for the wage, at the specific geographic area, and under conditions determined by that employer, and has no choice, and when that employer says I no longer need you, it is at that point in time that that temporary worker is forced under the procedures and regulations and law to leave the United States. There is a real difference between somebody coming in on a permanent basis as against coming in on a temporary basis, even though both in the long run might return to their country of origin.

Mr. FEIGHAN. Mr. Moore.

Mr. MOORE. Substantially, Mr. Secretary, you are saying it is servitude, the nature of which you are not willing to place an immigrant under either temporarily or permanently.

Mr. RUTTENBERG. That is right.

Mr. MOORE. I apologize, Mr. Secretary, for not being here at the beginning of the presentation of your statement. I have made an examination of it. I think it is generally known that I am the author of the labor certification provision of the Immigration Act. I appreciate very much the substance of your statement in that regard.

To sum all this up, if I might—presumably sum it up—is not our difficulty with the Irish, as it would be in so many other areas but specifically as we give our attention to the Irish, a direct result of the desire of the Congress in their legislative enactment to make immigration into the United States based upon a first-come, first-served basis without any particular preference to national origin in any regard?

Mr. RUTTENBERG. Yes, it is.

Mr. MOORE. Then I would assume it would be your judgment, and you can correct me if I am wrong, that if we had had the labor certification provisions in the law previously, and in the nature and context that they are now in the law, that with the national origins concept the Irish situation would have been somewhat relieved? As I understand the context of your statement, basically their flow into the United States, if you had isolated x numbers for the Irish under a national origins concept, they would have met the requirements of labor certification.

Mr. RUTTENBERG. That is right.

Mr. MOORE. Really, our problem here is the fact that the Irishman now must take his place not only in a very narrow area of skills as it relates to numbers, but he must now, whether he is skilled or not, take his place in relationship to the whole world exclusive of the Western Hemisphere.

Mr. RUTTENBERG. That is right.

Mr. MOORE. This more than anything else acts to his disadvantage rather than labor certification per se.

Mr. RUTTENBERG. That is right. For example, countries like Ireland would be England, Germany, Holland, Belgium, Norway, Sweden, Poland, and Czechoslovakia.

The immigration opportunities of persons from these countries are now directly related to immigration from all other parts of the Eastern Hemisphere.

Italy, Portugal, India, Philippines, and Taiwan are examples of nations which had oversubscribed their quotas, and which have, therefore, in a sense, a priority over individuals from the other countries because they had previously gotten on lists, to await visas. So you have two sets of countries now.

Mr. MOORE. I pose this question in some hopeful sense, that after the passage of some time, wherein there comes an awareness in the countries that you have recited of the necessity to come in and to register, and to get in line, which they have never had to do previously, do you feel that this situation which now appears to be prejudicial to the Irish will right itself as these nationals become accustomed to working within the overall pattern of immigration?

Mr. RUTTENBERG. Yes, I agree fully. As long as the people from these countries that I have mentioned, Ireland, England, Germany, et cetera, begin to apply for their immigrant visas, in time they will be on these priority lists for the world the same way individuals now are on from Italy and India and Portugal, et cetera, and they will then have a relationship to each other in the future that is completely different than what exists today.

What happens today comes about by virtue of the fact, as we have indicated, that Italy and India and Portugal, et cetera, were all oversubscribed and therefore got on to these priority lists. Ireland, Germany, England were not, and therefore never had to get on the lists. Now as they both start getting on the lists, and you start exhausting the lists that are there, they will have equal treatment.

Mr. MOORE. I would be happy to yield, and then I would like to come back.

Mr. RODINO. I have just two questions.

Mr. Secretary, when we were considering the overhauling of the national origins quota system and the full immigration law, did your department at that time make a projection as to what Irish immigration might be under the new law?

If I recall, was not the projection a figure somewhat more than the admissions that are now coming in?

Mr. RUTTENBERG. I would have to defer completely to Mr. Goodwin and Mr. Rogers, because it was before I was in the Department of Labor.

Mr. ROGERS. I was not directly involved in the hearings, Mr. Congressman, but I think the State Department made the projections. I do not think the Labor Department did. I think the Secretary did testify, but on the effect of the labor certification that was in the old law. I do not recall in that testimony that we made projections on total visas that might be issued under the new law.

Mr. MOORE. But there was a figure. The gentleman from New Jersey is correct.

Mr. ROGERS. There was a figure and I am sure the projections were made by the State Department Visa Office.

Mr. GOODWIN. We can check that.

Mr. RUTTENBERG. It does not matter, as long as the administration made an estimate, there was one made.

Mr. RODINO. I would like to know, because some of the people who gave their support to the measure did so on the basis of those representations. Although this is something that is after the fact, but I think it ought to be cleared up, because the bill that the State Department spoke on at that time was not the bill that we actually adopted. Possibly you might clarify that, too, so we may know this.[1]

Mr. RODINO. The second question I want to address myself to is this: Mr. Secretary, you show in your statement that there was a decline in admissions from Ireland. Then over a period of time, or in 1968, I believe, after it had fallen down the year before, it suddenly came up again. I think you show here 3,619 in 1968 over 2,665 in 1967. From 1958 down to 1962, it almost halved itself.

Mr. RUTTENBERG. That is right.

Mr. RODINO. Based on what you see for the future, are you able to give us an estimate as to what is likely to occur based on these figures?

Mr. RUTTENBERG. I would judge, Mr. Congressman, that one would have to make certain kinds of assumptions before he could make such a prognostication. One would have to know what the economic conditions are and will be in Ireland, what the economic conditions are and will be in the United States, and really what economic conditions are elsewhere in the world, or the Eastern Hemisphere at least.

Because the Irish will be competing for numbers against the entire Eastern Hemisphere, if economic conditions are very much worse, let us say, in a group of Eastern Hemisphere countries than they are in Ireland, the pressures are going to be greater to come from there than from Ireland. If economic conditions in the United States are very bad, then obviously the restrictive policies of schedule B will become firmer. If economic conditions are very good, then the reverse happens. It is a very complicated problem.

I would be very, very hesitant to make any predictions. I think it is generally felt that, as far as the coming fiscal year is concerned, probably this upward trend that occurred in fiscal 1968 may not continue, although we do not really know.

Mr. RODINO. Thank you.

Mr. MOORE. Now, Mr. Secretary, if I may proceed, is it fair to conclude that labor certification per se does not act as a specific deterrent to Irish immigration, but rather results from other factors in the law?

Am I correct in that assumption, Mr. Secretary?

Mr. RUTTENBERG. That is the general feeling. I did augment my general statement by saying I did not think that 212(a)(14) was a determinant factor in the decline in Irish immigration.

Mr. MOORE. As the gentleman from New Jersey has indicated, he had a bill, and I assume we all had bills, to overcome this circumstance in this situation.

May I suggest to you for a moment a bill which I authored together with the gentleman from New Jersey, Mr. Cahill, the gentleman from

[1] The information submitted by the Department of Labor is on pp. 56–67.

Minnesota, Mr. MacGregor, and the gentleman from Massachusetts, Mr. Donohue, wherein I sought to take the approximately 69,800 unused numbers of the last fiscal year, that is, through June 30, 1968, and distribute those numbers among the countries that previously had had a most favored immigration pattern to the United States. We would generate a pool out of that 69,000, and have it available for continued use on a year-to-year basis until the total 69,000 would be absorbed or used, thinking that this would be part of this transition period that would serve to aid those countries that were having a difficulty in adjusting to immigration under the new law.

Do you believe this plan would in any way materially aid us in our present problem with the Irish?

Mr. RUTTENBERG. Obviously, Mr. Chairman, I can only give you my own personal opinion. I do not know that the issue has been considered within the administration. Certainly it has not been considered as a policy issue within the Department of Labor.

My own personal position would be that what you suggest, in my judgment, is the best possible way to resolve the problem on a temporary basis, getting back to what we were talking about earlier, this transition and the relationship of the individuals from this group of countries that now appear to be having great difficulty because they never got on the priority list of preferences. It will take time to adjust that on a world basis.

During that adjustment period, the use of these unused numbers of previous years would be an ideal way to handle the problem.

Mr. FEIGHAN. If I may interrupt, Mr. Moore, for a moment, with reference to these so-called unused numbers, we must recognize when we are speaking about unused numbers, the total numerical limitation, other than those who came here such as the parents and spouses and children without any reference to the 170,000 numerical limitation, that numerical limitation was reached. So the use of this 69,000 so-called unused quotas would be in addition thereto.

My question is this: We will say that if Ireland and England and other nations who previously had high quotas which were unused and undersubscribed, if they were given a certain increased number, even if they were given 5,000 or 10,000, under the present system with the labor certification, that probably would not help them. Is that not correct?

What is holding them back is the lack of the labor certification. As you know, they are back at the end of the line together with those from Great Britain and Germany and other countries.

Mr. RUTTENBERG. Mr. Chairman, I must say I am not familiar with the proposal in detail that Congressman Moore referred to, but I understood what his description of it was. I think it would resolve the problem that you are raising. The reason the people from Ireland and Germany and England now are at the bottom of the priority list to come in is that there are no numbers available for those countries. But as I understand what Mr. Moore was saying, those countries would be given some temporary numbers, and against those temporary numbers the people who are now certified to come in but cannot come because there are no numbers, and who, therefore, are at the bottom of these priority lists, could now come in.

Mr. FEIGHAN. But even previous to July 1 of this year, 1968, many who were seeking to come in from Ireland and the other similarly

situated countries could not come in unless they had the labor certification.

Mr. RUTTENBERG. I think, Mr. Chairman, what we were trying to show is that in fiscal 1968 there was an increase in numbers of a thousand people from Ireland over and above what had come in the previous year. This same upturn has occurred in certain other of the countries similarly situated. The reason there probably will not be an increase, and there may even be a downturn in fiscal year 1969 from Ireland, is that there are no numbers against which the certified people can come in.

Mr. FEIGHAN. But when the numbers are available, if an Irishman or Englishman or German did not qualify under one of the preferences, other than the sixth preference, and did not have a sixth preference labor certification, he could not come in, even though the numbers were available.

Mr. RUTTENBERG. He could come in under the nonpreference, but that would also require labor certification.

Mr. FEIGHAN. That is what I say.

It seems to me the big problem with the lack of visas being issued to the Irish is the labor certification; particularly, schedule B is such that they do not obtain their labor certification.

Mr. RUTTENBERG. As we have tried to point out, the distribution of occupations of the immigrants coming in from Ireland as against most of the other similarly situated countries is not much different. There are professional and technical occupations of people from Ireland that are coming in. There are increased numbers of private household workers that are coming in. There are certain occupations that have dropped, certain that have risen over the last 2 years, or fiscal year 1965 to 1967. But basically, people have come in from Ireland in about the same ratio as from other countries.

You are saying that maybe there are occupations on schedule B that prevent numbers of people from Ireland coming in. That might have definitely been true. But I think it is also true that a larger number of people could come in from Ireland if there was a temporary quota, if we can call it that, or temporary set of numbers available to Ireland.

Mr. FEIGHAN. Even though the labor certification requirement——

Mr. RUTTENBERG. I would have to say yes to that, Mr. Chairman.

Mr. FEIGHAN. Schedule B is almost like a blacklist, although I do not like to use the word, but they just cannot qualify.

Mr. RUTTENBERG. There are professional and technical people that are coming in. There are private household people that have come in, and could. There are occupations that are not on schedule B, that are not professional or technical and therefore not even on schedules A or C. There are occupations that people from Ireland could come in on if there were numbers against which they could come.

Mr. FEIGHAN. What are they specifically? I would like you to set them out later in the hearings.

Mr. RUTTENBERG. We will list those occupations in the record.

Mr. FEIGHAN. I do not mean just a list of schedule A and schedule C.

Mr. RUTTENBERG. There are many occupations that are not on

schedule B that are open and available for people to come in on, and we will list those for you.[1]

Mr. FEIGHAN. Everyone on A and C is practically the answer to that, if you want to be broad.

Mr. RUTTENBERG. But there are many hundreds of occupations that are not on A and C and that are not on schedule B and it is against those occupations that many people from Ireland and similarly situated countries could come in.

Mr. MOORE. Mr. Chairman, if I may proceed?

May I pose a hypothetical question in this context. Let us say we have labor certification for every other nation in the world except the Irish. In the context of the law as it is written today, where numbers are available on a worldwide basis, exclusive of the Western Hemisphere, there would not be any material change in Irish immigration into this country?

Mr. RUTTENBERG. I would have to answer, to that, yes.

Mr. ROGERS. They are at the bottom of the waiting lists.

Mr. RUTTENBERG. For the next few years.

Mr. MOORE. Yes. It is again a question of numbers. It is not a question of labor certification?

Mr. GOODWIN. For the next few years.

Mr. MOORE. Until such time as the Irish themselves become adjusted to the new immigration law. Labor certification is not a bar to Irish immigration to the United States.

Mr. GOODWIN. That is correct.

Mr. RUTTENBERG. That is our considered judgment.

Mr. MOORE. Then may I say, and give the Secretary the benefit of the position that the administration has taken with respect to my bill to alleviate this problem, the State Department is affirmatively on record as supporting my legislation.

Mr. RUTTENBERG. Yes.

Mr. MOORE. I did not want to get you in a position where you thought you might have been talking at odds with the State Department.

Mr. RUTTENBERG. I was stating my own personal opinion. I have only a short period of time in which to do that.

Mr. MOORE. I do not know about that. There is a body of opinion that has some considerable following in the Congress that the real thing that handicaps our Irish immigration is the labor certification provision. Very frankly, by way of response and simply so it might be in the record, four members of the subcommittee took the position otherwise and sought a basis of making numbers available to countries which otherwise previously had this most favored immigration pattern. Some thought was that this will not do a bit of good because they still have to qualify under the labor certification provisions.

Substantially, you have given us the answer, Mr. Secretary, in your considered and collective judgment of the gentlemen with you; if we could make these numbers available it could alleviate some of the hardship of the waiting period that the Irish have at the present time.

Mr. RUTTENBERG. That is right, Mr. Chairman.

I would just add one word to that. I do not mean to be implying that the labor certification would not prevent certain individuals in certain occupations from coming in. I think that is recognizable and is

[1] Information furnished appears on p. 68.

a fact. But it is true, nevertheless, that Irish immigration would be able to continue at relatively the same levels of recent years if there were numbers available to them.

Mr. MOORE. Thank you, Mr. Secretary.

Mr. FEIGHAN. That would include, Mr. Secretary, those of lesser skills who traditionally have been coming in.

Mr. RUTTENBERG. There would be, it seems to me, not much difference in those who would come than those who have been coming in in most recent years. The same general proportion and distribution of occupations would continue if there were numbers available to them on a temporary basis.

Mr. FEIGHAN. Mr. Secretary, what specific suggestions could you make to the Congress and the subcommittee so that we could make available more immigration visas to the Irish?

Mr. RUTTENBERG. Mr. Chairman, I must say I am impressed with the suggestion which has been discussed, and which Congressman Moore has been referring to and which has been introduced by gentlemen on both sides of the aisle. I think that is a reasonable approach to the problem. I think there might be another basis for doing it.

The other one which has been talked about, which I do not like, frankly, is that maybe there ought to be a minimum permanent quota given to every country of a half of 1 percent. This is another suggestion that has been offered. I do not like it nearly as well as the temporary distribution of the numbers Mr. Moore is speaking about.

Mr. FEIGHAN. We have had this minimum quota which was part of the national origins quota which we were certainly happy to repeal.

Mr. RUTTENBERG. It was the other way around. It was a maximum quota. It was a quota beyond which nobody could come. There has been a proposal advanced which says every country should be able to have a thousand or 2,000 people come in, or some such numbers. At least they will be able to get that number. As it is now they might not be able to get anybody in under the third or sixth preference for 1 or 2 or 3 years if they happen to be so unfortunate to have people on those priority lists. If you give them a limited number, you could guarantee them that a certain minimum number could come in. It would be substantially different than the country of origin quota and concept.

Mr. FEIGHAN. At what figure would you start, and where would that wind up as a maximum number of those whom the Congress would permit to come to the United States?

Mr. RUTTENBERG. As I say, Mr. Chairman, I am not for this approach. You asked me are there other suggestions that can be offered, and I say yes; some people have suggested this minimum approach. I personally am not for it.

I think the distribution on a temporary basis of unused numbers is a far better concept, and then let us see where we are 2 or 3 years from now in terms of achieving the hope that all of us believe that competing on a worldwide basis is by far the best approach, if we could once work off the backlog of those that have not gotten into the country in previous years.

Mr. FEIGHAN. If you did that, there would be no necessity for the applicants from these previously undersubscribed countries to file their applications to get on the list of the backlog and they are on the tail end of the backlog at the present time.

Mr. RUTTENBERG. Granted.

Mr. MOORE. Not necessarily.

Mr. RUTTENBERG. There is a complication to that. In part that is right.

Mr. FEIGHAN. They would not be able to build new priority dates being at the end of the totem pole, as it were?

Mr. RUTTENBERG. That would be one of the dilemmas. They would be discouraged from getting onto these preference lists if you gave them a minimum number. Although, if they used up their minimum, everybody above that would automatically get over on the other list. There are complications on this and, frankly, I do not like this approach. I like the other one much better.

Mr. MOORE. When you pose a question in that context, you then presuppose that everybody that comes in and files is going to come to the United States. Such is not the case. Then the list does begin to build. You cannot presuppose that everybody who walks in is going to pick up a number and come to the United States. There may be other things involved. Then you begin to build the waiting list in the countries that in the past have not had to resort to this in order to come to the United States.

I have nothing further.

Mr. FEIGHAN. Mr. Dowdy?

Mr. DOWDY. I have no questions.

Mr. FEIGHAN. Mr. MacGregor?

Mr. MACGREGOR. I have no questions, except I would like to take just a moment or two to express the appreciation of this member of the subcommittee, and I am sure of all members of the subcommittee, for the courteous and informative responses of the distinguished guest of the committee this morning, and his associates.

I would also wish to stress for the record that those of us of the subcommittee who joined with the gentleman from West Virginia, Mr. Moore, in sponsoring the legislation which has been discussed by you, Mr. Secretary, and by Mr. Moore and the chairman, have no wish at all to do damage to the fundamental nondiscriminatory aspects of the Immigration Act of 1965.

We stand opposed, as we did in 1965, to continuance of the national origins quota concept. We continue to feel that we have made a substantial improvement in our overall immigration laws by eliminating that favored or discriminatory feature of our preexisting immigration laws. We do not, in our desire to provide a temporary distribution of unused numbers of visas to nations of northern, western, and central Europe, wish to reinstitute on any sort of a permanent basis any favored status. We merely wish to alleviate a temporary and undue hardship which by the nature of people has fallen on natives of northern and western and central Europe by reason of the July 1 effective date of the transition of national origins quota to equality of opportunity for all to come to America.

I simply wanted the record to show that those who joined Mr. Moore and Mr. Cahill and Mr. Donohue and me in seeking to deal with this matter on a temporary basis in no wise retreated from our position in favor of the elimination of the national origins quota concept.

I thank you, Mr. Ruttenberg.

Mr. FEIGHAN. Mr. Secretary, going back just to one little isolated instance about the recruiting of the cab drivers in Cleveland which are

in shortage, are you satisfied that this job vacancy—I will not call it a survey, but the result you have—is satisfactory?

Mr. RUTTENBERG. On that occupation?

Mr. FEIGHAN. No, I mean overall. That is one isolated instance.

Mr. RUTTENBERG. I think, Mr. Chairman, that the information which is available to us is sufficient to make pretty firm and final judgments. Obviously, being an economist and statistician myself, I am never satisfied with the availability of data. I much prefer better data, more detailed, readily available, at more frequent intervals, but that is always a hope and very difficult to get because it is costly and very hard to get appropriations for it. But, having said that, I think we can make good judgments on the basis of the information that is available now. We could make better judgments if we had better information available.

Mr. GOODWIN. One possible explanation of that kind of situation, Mr. Chairman, is when the employer places his job requirements too high. We had an example a couple of years ago with a steel company that was finding great difficulty in getting laborers, but they required a high school education. Their justification was they wanted the people that could proceed and go up the ladder in the company. Actually, this job did not require a high school graduate. They changed their requirements and were able to get enough laboring people.

I do not know whether that is an explanation in this situation that you told about in Cleveland or not, but it could be. We do get this coming up rather frequently.

Mr. FEIGHAN. Again on behalf of the committee, Secretary Ruttenberg, Mr. Goodwin, Mr. Rogers, Mr. Reardon, I want to express our appreciation for your presence and our opportunity to discuss this very interesting subject in which we are very vitally concerned, and hope that in the future we will be able to enact legislation that may be able to correct the inequities that seem to creep in unexpectedly and not with design in legislation.

It is not your province, but it seems to me that consulates abroad should perhaps not discourage persons from making applications. I know it takes money and they may not wish to put out the money. Laws may change and economic situations may change so that some person who failed to make his application may later on find that had he done so he may have been eligible to receive a visa.

Again, thank you very much.

(Whereupon, at 12:02 p.m., the subcommittee adjourned.)

(The following were supplied for the record:)

Visas issued for Irish immigrants, fiscal years 1958–68

Year:	*Visas issued*
1958	10,666
1959	7,391
1960	7,704
1961	6,497
1962	5,354
1963	6,237
1964	6,328
1965	5,378
1966	3,071
1967	2,665
1968	3,619

Source: 1967 Report of the Visa Office, U.S. Department of State (1968 figure unpublished).

SCHEDULE B

Schedule B—the Noncertification List—consists of 49 low skilled occupations and occupational groups for which the Department of Labor has determined that there are sufficient U.S. workers available and the employment of aliens in these occupations would have an adverse effect upon U.S. workers similarily employed. Examples are bus boys, hotel clerks, cooks' and bakers' helpers, farm laborers, grocery checkers, kitchen workers, and janitors.

The methodology used to develop Schedule B involves a review and analysis of many job market sources indicating surpluses or adverse effect, such as the "Labor-Supply-and-Demand Summaries" (ES–562) compiled by each State Employment Service agency; recommendations from the regional offices of the United States Employment Service; the Department of Labor "Quarterly Survey of Unfilled Job Openings" (ES–240); and Manpower and Development Training Act projects and other training projects indicating that U.S. workers are being trained in these occupations.

SCHEDULE B OCCUPATIONS—SUMMARY ANALYSIS STATEMENTS

Schedule B occupations	Labor supply and demand summary (ES–562) indicates and projects a surplus of applicants	Recommended by regional offices for inclusion on schedule B	Quarterly survey of unfilled job openings indicate most frequent reasons for not filling job have been low wages and/or unfavorable working conditions	MDTA projects and other training projects for this occupation in process and/or recently completed
Attendants, parking lot		X	X	X
Attendants (service workers such as personal service attendants, amusement and recreation service attendants		X	X	X
Automobile service station attendants		X	X	X
Bakers' helpers	X		X	X
Bartenders		X	X	X
Bookkeepers II	X		X	X
Busboys	X	X	X	X
Carpenters' helpers	X	X	X	X
Chauffeurs and taxicab drivers		X	X	
Charwomen and cleaners	X	X	X	
Clerks, general	X	X	X	X
Clerks, hotel		X	X	
Clerks and checkers, grocery stores	X	X	X	X
Cooks' helpers		X	X	X
Counter and fountain workers		X	X	X
Electric truck operators		X	X	X
Elevator operators	X	X	X	X
Floorman, floorboy, and floorgirl	X	X		X
Groundskeepers	X	X		X
Guards and watchmen		X	X	
Household domestic service workers	X	X	X	X
Housekeepers	X	X		X
Housemen and yardmen		X		X
Janitors		X	X	X
Kitchen workers and helpers	X	X	X	X
Laborers, farm		X		X
Laborers, mine	X	X		
Laborers, common	X	X		
Library helpers		X	X	X
Loopers and toppers			X	X
Maids, hotel	X	X	X	X
Material handlers		X	X	X
Nurses' aides	X	X	X	X
Orderlies		X	X	X
Packers, markers, bottlers, and related		X	X	X
Painters' helpers	X	X		X
Porters	X	X	X	X
Routemen helpers	X	X		X
Sailors and deckhands		X		
Sales clerks, general	X	X	X	X
Sewing machine operators and hand-stitchers			X	
Street railway and bus conductors	X	X		
Telephone operators		X	X	X
Truckdrivers and tractor drivers	X	X		X
Truckdrivers' helpers	X	X		
Typists, lesser skilled	X	X	X	X
Ushers, recreation and amusement	X	X	X	
Warehousemen		X	X	X
Welders' helpers	X	X	X	X

The estimates of Irish immigration made prior to the enactment of the 1965 amendments to the Immigration and Nationality Act were part of a Department of State paper dated August 23, 1965, on *Estimated Quota Area and Immigration Pool Issuances under H.R. 2580.* (Copy attached). The estimates covered only the interim period prior to the abolition of the national origins quota system on July 1, 1968.

H.R. 2580, as amended, became Public Law 414 of the 89th Congress.

In making the estimates at the time H.R. 2580 was under consideration:

(1) Primary reliance was placed on experience and on the backlogs then existent.

(2) Although a high rate of increment in the relative preference categories was projected as an initial result of the then proposed legislation, certain variables could not be predicted, specifically: (a) the volume and rate of adjustments of status, and (b) the increasing interest on the part of petitioners engendered by the greater likelihood of visa numbers being available for immigration by their relatives.

(3) The full effect, particularly the immediate effect, of the amendment of section 212(a)(14) could not be anticipated. Occupational statistics have never been maintained by the Visa Office and the original third and sixth preference estimates were based on data provided by the Immigration and Naturalization Service as to the types of workers who had immigrated in recent years. No one could have predicted the degree to which there would be a vast upsurge in demand in these preference categories by aliens from countries whence immigration had always been restricted and in which, as less-developed nations, the availability of demand in the skilled categories could have been expected to be more limited.

The State Department estimated that 5246 visas would be issued for Irish immigrants in FY-1966, 5113 for FY-1967, and 5113 for FY-1968.

DEPARTMENT OF STATE, BUREAU OF SECURITY AND CONSULAR AFFAIRS,
AUGUST 23, 1965

ESTIMATED QUOTA AREA AND IMMIGRATION POOL ISSUANCES UNDER H.R. 2580, AS AMENDED AUGUST 6, 1965, DURING FISCAL YEARS 1966, 1967, AND 1968

The attached tables outline the estimated issuances of national quota and immigration pool numbers during the first, second, and third years (transition period) under H.R. 2580, as reported out by the House Judiciary Committee August 6, 1965. The estimated issuances are within the percentage limitations for the seven preferences, within the overall numerical limitation, and within the 20,000 per foreign state limitation where applicable.

102,893 quota numbers were actually issued in FY 1965 under the present authorized total quota of 158,561. Thus, 55,668 unused numbers will constitute the immigration pool which under Section 201(d) of H.R. 2580 will be available only for issuance in FY 1966 to applicants in the oversubscribed preference categories and to refugees.

As the pattern and volume of immigration under the national quota system has been relatively constant for the past several years, the first year estimates are based on FY 1965 actual issuance figures on the assumption that this pattern and volume will remain essentially the same in FY 1966.

The second and third year estimates are necessarily based more upon global experience of operation under the present law for the last 13 years and the estimates for the first year operations under H.R. 2580, since no firm figure can be derived for the unused quota numbers which will constitute the immigration pool in FY 1967 and 1968 until after June 30, 1966 and 1967.

To arrive at estimates, we have assumed a continuing demand within each of the preference classes. Pool usage in all preferences other than fifth preference (brothers and sisters) will, however, be lower than the first year issuances because most of the current oversubscriptions in those categories will have been satisfied during the first year. In the fifth preference there will be a substantial carryover of unsatisfied demand which will cause full usage of the pool in the second year. The carryover of unused numbers to the third year, however, will be smaller so that the pool will not be fully utilized in that year.

The preference categories under present law have been translated into the new six classes (plus refugees) of H.R. 2580. This necessitated a division of the percentage of usage of three of the preference categories in the present law. The present second preference (parents and unmarried sons and daughters of U.S. citizens) has been divided into two groups: (1) parents, who will fall outside of the quota system as "immediate relatives", and (2) unmarried sons and daughters, who will be granted first preference status. Since parents have heretofore consistently accounted for approximately 90% of the total issuances to this preference group and under H.R. 2580 will not be subject to any numerical ceiling, the projection of new first preference usage is the remaining 10% of such past issuances.

The present fourth preference (married sons and daughters and brothers and sisters) is another category which was divided to fit the new preference categories. Under the present law brothers and sisters have utilized approximately 90% of the numbers available to these applicants. Usage in the new fourth preference (married sons and daughters) is, therefore, predicated on 10% of the usage of the present fourth preference.

The new fifth preference (brothers and sisters) is based on the remaining 90% of issuance under the present fourth preference. This category is so heavily oversubscribed that there will be substantial demand from the pool for numbers for this class of applicants.

Persons of exceptional skill who have previously entered the United States under the present first preference will be attributable under the new system to one of the two new categories: members of the professions (third preference) or skilled and unskilled short-supply labor (sixth preference). The bases for the estimates in these categories was provided by the Immigration and Naturalization Service which reviewed past admissions of such persons to determine the number who were members of the professions (new third preference) and the number who would more appropriately fall within the definition of the new sixth preference (short-supply labor).

The determination of estimates of visa issuances within preference breakdowns in countries that are now undersubscribed (such as Great Britain and Germany) necessarily differed, since applicants issued visas under those quotas have not had to prove preference status in order to receive quota numbers and, therefore, most entered as nonpreference immigrants. The basis for these estimates, therefore, is an evaluation of the percentages of issuances in the quotas of three countries (France, Netherlands and Switzerland) which are presently slightly oversubscribed in the nonpreference category and, therefore, required that persons eligible for preference status use preference numbers. The average of the percentage of issuance in each preference class for these three countries was applied to the issuance levels of countries now with current quotas (Belgium, Czechoslovakia, Germany, Great Britain, Ireland, Norway, and Sweden).

Spouses and children of U.S. citizens are entitled to nonquota status under the present law. However, many have entered from undersubscribed quota countries (particularly Great Britain and Germany) as nonpreference quota immigrants. Under H.R. 2580 they, as well as parents, will be required to obtain visas as "immediate relatives" not chargeable to any numerical ceiling.

It is anticipated that the use of national quota numbers will drop by approximately 10,000 per year due to the "immediate relative" classification. Therefore, the world wide national quota area estimated usage has been reduced by 10,000 in the second and third year tabulations. It has been reduced by 6,667 in the first year as visa issuance under present quotas will continue until the effective date of H.R. 2580.

The attached tables do not set forth in a separate category estimated numbers of the total authorized issuances which will be used for adjustment of status of persons already in the United States. They are included in the individual country national quota estimates against which such adjustments are required to be charged.

During FY 1966, 1967, and 1968, 10,200 numbers (6% of 170,000 ceiling) are alloted to refugees for conditional entry (seventh preference) from the pool of 55,668 in 1966; 62,335 in 1967, and 65,668 in 1968.

DEPARTMENT OF STATE, BUREAU OF SECURITY AND CONSULAR AFFAIRS, AUG. 23, 1965

1ST YEAR (FISCAL YEAR 1966) ESTIMATED ISSUANCES UNDER H.R. 2580, AS AMENDED AUG. 6, 1965

Quota area	Total issuances			1st preference—Unmarried sons, daughters, of U.S. citizens			2d preference—Spouses, unmarried sons, daughters, of permanent residents			3d preference—Members of professions, etc.		
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool
All quota areas	151,894	96,226	55,668	1,484	1,108	376	15,676	7,214	8,462	9,202	3,635	5,567
Refugees	10,200		10,200									
Europe	118,238	91,424	26,814	1,209	1,063	146	13,023	6,620	6,403	2,511	2,203	308
Albania	116	100	16	1	1		15	15				
Austria	1,405	1,405		2	2		48	48		107	107	
Belgium [1]	926	926		10	10		34	34		16	16	
Bulgaria	112	100	12	1	1		4	4		6	6	
Czechoslovakia [1]	2,037	2,037		23	23		71	71				
Denmark	1,175	1,175		1	1		29	29		51	51	
Estonia	115	115		1	1		3	3				
Finland	566	566		1	1		44	44		26	26	
France	2,748	2,748		6	6		129	129		238	238	
Subquotas (6)	321	321					18	18				
Germany [1]	18,566	18,566		226	226		816	816		112	112	
Great Britain [1]	25,238	25,238		289	289		896	896		353	353	
Subquotas (25)	4,042	4,042		15	15		616	616				
Greece	4,193	308	3,885	94	6	88	734	41	693	233	149	84
Hungary	1,091	865	226	22	22		131	131		26	26	
Iceland	100	100		1	1							
Ireland [1]	5,246	5,246		55	55		169	169		6	6	
Italy	20,000	5,666	14,334	201	201		6,122	1,400	4,722	342	331	11
Latvia	235	235		2	2		7	7				
Lithuania	384	384		4	4		10	10				
Luxembourg	100	100										
Netherlands	2,940	2,940		1	1		28	28		151	151	
Subquotas (2)	196	196					34	34				
Norway [1]	2,297	2,297		23	23		71	71		16	16	
Poland	9,068	6,488	2,580	34	34		917	917		101	101	
Portugal	3,863	438	3,425	54	37	17	1,139	277	862	51	51	
Subquotas (4)												
Rumania	561	289	272	12	12		57	57		10	10	
San Marino	100	100					15	15				
Spain	787	250	537	24	15	9	140	61	79	152	102	50
Sweden [1]	2,363	2,363		24	24		78	78		36	36	
Switzerland	1,698	1,698		1	1		48	48		84	84	
Turkey	870	225	645	53	21	32	82	35	47	297	134	163
U.S.S.R.	2,697	2,697		8	8		60	60		10	10	
Yugoslavia	1,824	942	882	20	20		419	419		87	87	
Other Europe (5)	258	258					39	39				

sia	20,783	2,844	17,939	268	39	229	2,474	455	2,019	5,983	830	5,153
Burma	121	100	21	1	1		13	13				
Ceylon	100	100										
China	8,119	100	8,019	136	1	135	675	33	642	2,185	40	2,145
Cyprus	228	100	128	3	3		46	46		24	24	
India	2,976	100	2,876	6	3	3	121	19	102	1,386	53	1,333
Indonesia	209	200	9	1	1		37	37		49	49	
Iran	551	100	451	6	2	4	68	20	48	209	46	163
Iraq	527	100	427	5	3	2	94	20	74	53	42	11
Israel	475	100	375	3	3		89	18	71	151	45	106
Japan	875	185	690	21	5	16	143	36	107	298	96	202
Jordan	137	100	37				25	25		45	45	
Korea	1,112	100	1,012	7	2	5	88	18	70	497	55	442
Lebanon	218	100	118	4	3	1	50	20	30	31	30	1
Pakistan	266	100	166	1	1		34	20	14	99	32	67
Philippines	3,329	100	3,229	63	2	61	768	12	756	736	53	683
Thailand	100	100					19	19		4	4	
Vietnam	100	100					4	4		4	4	
Yemen	100	100					4	4				
Other Asia (14)	1,240	859	381	11	9	2	196	91	105	212	212	
Africa	1,963	1,492	471	5	4	1	133	107	26	329	284	45
Ethiopia	91	91					1	1				
Ghana	100	100					3	3				
Libya	113	100	13				1	1		12	12	
Morocco	190	100	90	2	2		32	32		21	21	
South Africa	148	100	48				18	18		69	52	17
Tunisia	148	100	48	1	1		10	10		6	6	
Other Africa (31)	1,173	901	272	2	1	1	68	42	26	221	193	28
Oceania	710	466	244	2	2		46	32	14	379	318	61
Australia	339	100	239	2	2		34	20	14	84	23	61
New Zealand	104	100	4				12	12		32	32	
Other Oceania (4)	267	266	1							263	263	

See footnote at end of table, p. 59.

1ST YEAR (FISCAL YEAR 1966) ESTIMATED ISSUANCES UNDER H.R. 2580, AS AMENDED AUG. 6, 1965—Continued

Quota area	4th preference—Married sons, daughters, of U.S. citizens			5th preference—Brothers, sisters, of U.S. citizens			6th preference—Skilled or unskilled labor, etc.			7th preference—Refugees			Non-preference
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	
All quota areas	8,374	2,874	5,500	30,784	10,788	19,996	7,686	2,119	5,567	10,200		10,200	68,488
Refugees										10,200		10,200	
Europe	6,713	2,813	3,900	26,211	10,462	15,749	1,935	1,627	308				66,636
Albania	6	2	4	39	27	12							55
Austria	4	4		39	39		32	32					1,173
Belgium [1]	30	30		33	33								803
Bulgaria	5	2	3	31	22	9	8	8					57
Czechoslovakia [1]	67	67		131	131		2	2					1,743
Denmark	3	3		22	22		19	19					1,050
Estonia	1	1		7	7		6	6					97
Finland	7	7		62	62		8	8					418
France	12	12		109	109		65	65					2,189
Subquotas (6)				3	3								300
Germany [1]	622	622		948	948		11	11					15,831
Great Britain [1]	871	871		888	888		94	94					21,847
Subquotas (25)	168	168		1,472	1,472								1,771
Greece	868	2	866	2,095	25	2,070	169	85	84				
Hungary	76	14	62	295	131	164	98	98					443
Iceland													99
Ireland [1]	165	165		174	174		2	2					4,675
Italy	1,265	304	961	11,367	2,738	8,629	703	692	11				
Latvia	3	3		32	32		6	6					185
Lithuania	3	3		25	25		11	11					331
Luxembourg													100
Netherlands	7	7		64	64		61	61					2,628
Subquotas (2)	3	3		26	26								133
Norway [1]	70	70		70	70		2	2					2,045
Poland	1,064	295	769	4,473	2,662	1,811	120	120					2,359
Portugal	764	5	759	1,834	47	1,787	21	21					
Subquotas (4)													
Rumania	89	15	74	341	143	198	52	52					
San Marino	1	1		6	6								78
Spain	95		95	253		253	123	72	51				
Sweden [1]	74	74		74	74								2,077
Switzerland	2	2		22	22		46	46					1,495
Turkey	66		66	175		175	197	35	162				
U.S.S.R.	16	16		143	143		15	15					2,445
Yugoslavia	276	35	241	865	224	641	64	64					93
Other Europe (5)	10	10		93	93								116

Asia	1,495	22	1,473	4,127	214	3,913	5,524	372	5,152		912
Burma	11	5	6	56	41	15	8	8			32
Ceylon											100
China	810	2	808	2,165	20	2,145	2,148	4	2,144		
Cyprus	35		35	114	21	93	6	6			
India	29		29	76		76	1,358	25	1,333		
Indonesia	7	5	2	53	46	7	11	11			51
Iran	20		20	54		54	194	32	162		
Iraq	91	1	90	243	4	239	41	30	11		
Israel	26	1	25	76	10	66	130	23	107		
Japan	46	1	45	126	7	119	241	40	201		
Jordan	11	1	10	35	8	27	21	21			
Korea	14		14	38		38	468	25	443		
Lebanon	24	1	23	70	8	62	39	38	1		
Pakistan	5		5	13		13	114	47	67		
Philippines	288	2	286	780	20	760	694	11	683		
Thailand				1	1		17	17			59
Vietnam	1	1		5	5		2	2			84
Yeman	1	1		11	11						84
Other Asia (14)	76	1	75	211	12	199	32	32			502
Africa	109	11	98	350	94	256	110	65	45		927
Ethiopia											90
Ghana											97
Libya	7	3	4	36	27	9	2	2			55
Morocco	26	1	25	71	6	65	6	6			32
South Africa	4		4	10		10	47	30	17		
Tunisia	17	4	13	70	35	35	2	2			42
Other Africa (31)	55	3	52	163	26	137	53	25	28		611
Oceania	57	28	29	96	18	78	117	55	62		13
Australia	55	27	28	75	1	74	89	27	62		
New Zealand	2	1	1	20	17	3	28	28			10
Other Oceania (4)				1		1					3

[1] Exclusive of following number of estimated issuances to immediate relatives (nonquota): Great Britain, 1,666; Germany, 4,333; Belgium, 133; Sweden, 133; Ireland, 267; Czechoslovakia, 67; Norway, 67.

2D YEAR (FISCAL YEAR 1967) ESTIMATED ISSUANCES UNDER H.R. 2580, AS AMENDED AUG. 6, 1965

Quota area	Total issuances			1st preference—Unmarried sons, daughters, of U.S. citizens			2d preference—Spouses, unmarried sons, daughters, of permanent residents			3d preference—Members of professions, etc.		
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool
All quota areas	155,228	92,893	62,335	1,270	1,108	162	8,214	7,214	1,000	6,361	3,635	2,726
Refugees	10,200		10,200									
Europe	124,386	88,091	36,295	1,075	1,063	12	7,380	6,620	760	2,359	2,203	156
Albania	124	100	24	1	1		15	15				
Austria	1,405	1,405		2	2		48	48		107	107	
Belgium [1]	859	859		10	10		34	34		16	16	
Bulgaria	124	100	24	1	1		4	4		6	6	
Czechoslovakia [1]	2,004	2,004		23	23		71	71				
Denmark	1,175	1,175		1	1		29	29		51	51	
Estonia	115	115		1	1		3	3				
Finland	566	566		1	1		44	44		26	26	
France	2,748	2,748		6	6		129	129		238	238	
Subquotas (6)	321	321					18	18				
Germany [1]	16,399	18,399		226	226		816	816		112	112	
Great Britain [1]	24,405	24,405		289	289		896	896		353	353	
Subquotas (25)	4,957	4,042	915	15	15		633	616	17	5		5
Greece	6,431	308	6,123	14	6	8	122	41	81	193	149	44
Hungary	1,181	865	316	22	22		131	131		26	26	
Iceland	100	100		1	1							
Ireland [1]	5,113	5,113		55	55		169	169		6	6	
Italy	20,000	5,666	14,334	201	201		1,948	1,400	548	331	331	
Latvia	235	235		2	2		7	7				
Lithuania	384	384		4	4		10	10				
Luxembourg	100	100										
Netherlands	2,940	2,940		1	1		28	28		151	151	
Subquotas (2)	196	196					34	34				
Norway [1]	2,264	2,264		23	23		71	71		16	16	
Poland	11,924	6,488	5,436	34	34		917	917		101	101	
Portugal	5,928	438	5,490	40	37	3	377	277	100	51	51	
Subquotas (4)												
Rumania	678	289	389	12	12		57	57		10	10	
San Marino	100	100					15	15				
Spain	800	250	550	16	15	1	70	61	9	129	102	27
Sweden [1]	2,296	2,296		24	24		78	78		36	36	
Switzerland	1,698	1,698		1	1		48	48		84	84	
Turkey	730	225	505	21	21		40	35	5	214	134	80
U.S.S.R.	2,697	2,697		8	8		60	60		10	10	
Yugoslavia	3,131	942	2,189	20	20		419	419		87	87	
Other Europe (5)	258	258					39	39				

Asia	17,919	2,844	15,075	189	39	150	690	455	235	3,348	830	2,518
Burma	124	100	24	1	1		13	13				
Ceylon	100	100										
China	7,651	100	7,551	84	1	83	108	33	75	1,071	40	1,031
Cyprus	270	100	170	3	3		46	46		24	24	
India	1,546	100	1,446	3	3		31	19	12	697	53	644
Indonesia	224	200	24	1	1		37	37		49	49	
Iran	356	100	256	2	2		26	20	6	123	46	77
Iraq	583	100	483	3	3		29	20	9	48	42	6
Israel	337	100	237	3	3		26	18	8	99	45	54
Japan	622	185	437	9	5	4	48	36	12	197	96	101
Jordan	455	100	355	1		1	37	25	12	45	45	
Korea	660	100	560	3	2	1	26	18	8	270	55	215
Lebanon	224	100	124	3	3		23	20	3	30	30	
Pakistan	191	100	91	1	1		22	20	2	64	32	32
Philippines	3,292	100	3,192	62	2	60	100	12	88	384	53	331
Thailand	100	100					19	19		4	4	
Vietnam	100	100					4	4		4	4	
Yemen	100	100					4	4				
Other Asia (14)	984	859	125	10	9	1	91	91		239	212	27
Africa	2,051	1,492	559	4	4		110	107	3	307	284	23
Ethiopia	91	91					1	1				
Ghana	100	100					3	3				
Libya	124	100	24				1	1		12	12	
Morocco	221	100	121	2	2		32	32		21	21	
South Africa	143	100	43				18	18		61	52	9
Tunisia	173	100	73	1	1		10	10		6	6	
Other Africa (31)	1,199	901	298	1	1		45	42	3	207	193	14
Oceania	672	466	206	2	2		34	32	2	347	318	29
Australia	306	100	206	2	2		22	20	2	52	23	29
New Zealand	100	100					12	12		32	32	
Other Oceania (4)	266	266								263	263	

See footnote at end of table, p. 63.

2D YEAR (FISCAL YEAR 1967) ESTIMATED ISSUANCES UNDER H.R. 2580, AS AMENDED AUG. 6, 1965—Continued

Quota area	4th preference—Married sons, daughters, of U.S. citizens			5th preference—Brothers, sisters, of U.S. citizens			6th preference—Skilled or unskilled labor, etc.			7th preference—Refugees			Non-preference
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	
All quota areas	6,065	2,874	3,191	5,318	10,788	42,330	4,845	2,119	2,726	10,200		10,200	65,155
Refugees										10,200		10,200	
Europe	5,295	2,813	2,482	43,191	10,462	32,729	1,783	1,627	156				63,303
Albania	4	2	2	49	27	22							55
Austria	4	4		39	39		32	32					1,173
Belgium [1]	30	30		33	33								736
Bulgaria	4	2	2	44	22	22	8	8					57
Czechoslovakia [1]	67	67		131	131		2	2					1,710
Denmark	3	3		22	22		19	19					1,050
Estonia	1	1		7	7		6	6					97
Finland	7	7		62	62		8	8					418
France	12	12		109	109		65	65					2,189
Subquotas (6)				3	3								300
Germany [1]	622	622		948	948		11	11					13,664
Great Britain [1]	871	871		888	888		94	94					21,014
Subquotas (25)	168	168		2,360	1,472	888	5		5				1,771
Greece	384	2	382	5,589	25	5,564	129	85	44				
Hungary	41	14	27	420	131	289	98	98					443
Iceland													99
Ireland [1]	165	165		174	174		2	2					4,542
Italy	1,490	304	1,186	15,338	2,738	12,600	692	692					
Latvia	3	3		32	32		6	6					185
Lithuania	3	3		25	25		11	11					331
Luxembourg													100
Netherlands	7	7		64	64		61	61					2,628
Subquotas (2)	3	3		26	26								133
Norway [1]	70	70		70	70		2	2					2,012
Poland	633	295	338	7,760	2,662	5,098	120	120					2,359
Portugal	339	5	334	5,100	47	5,053	21	21					
Subquotas (4)													
Rumania	48	15	33	499	143	356	52	52					
San Marino	1	1		6	6								78
Spain	42		42	444		444	99	72	27				
Sweden [1]	74	74		74	74								2,010
Switzerland	2	2		22	22		46	46					1,495
Turkey	29		29	311		311	115	35	80				
U.S.S.R.	16	16		143	143		15	15					2,445
Yugoslavia	142	35	107	2,306	224	2,082	64	64					93
Other Europe (5)	10	10		93	93								116

Asia	675	22	653	9,216	214	9,002	2,889	372	2,517	912
Burma	7	5	2	63	41	22	8	8		32
Ceylon										100
China	360	2	358	4,966	20	4,946	1,062	4	1,058	
Cyprus	15		15	176	21	155	6	6		
India	13		13	133		133	669	25	644	
Indonesia	7	5	2	68	46	22	11	11		51
Iran	8		8	89		89	108	32	76	
Iraq	41	1	40	426	4	422	36	30	6	
Israel	12	1	11	120	10	110	77	23	54	
Japan	20	1	19	207	7	200	141	40	101	
Jordan	30	1	29	321	8	313	21	21		
Korea	11		11	110		110	240	25	215	
Lebanon	11	1	10	119	8	111	38	38		
Pakistan	2		2	22		22	80	47	33	
Philippines	127	2	125	2,278	20	2,258	341	11	330	
Thailand				1	1		17	17		59
Vietnam	1	1		5	5		2	2		84
Yemen	1	1		11	11					84
Other Asia (14)	9	1	8	101	12	89	32	32		502
Africa	54	11	43	560	94	466	89	65	24	927
Ethiopia										90
Ghana										97
Libya	5	3	2	49	27	22	2	2		55
Morocco	11	1	10	117	6	111	6	6		32
South Africa	2		2	22		22	40	30	10	
Tunisia	10	4	6	102	35	67	2	2		42
Other Africa (31)	26	3	23	270	26	244	39	25	14	611
Oceania	41	28	13	151	18	133	84	55	29	13
Australia	40	27	13	134	1	133	66	27	29	
New Zealand	1	1		17	17		28	28		10
Other Oceania (4)										3

[1] Exclusive of following number of estimated issuances to immediate relatives (nonquota): Great Britain, 2,500; Germany, 6,500; Belgium, 200; Czechoslovakia, 100; Ireland, 400; Norway, 100; Sweden 200.

3D YEAR (FISCAL YEAR 1968) ESTIMATED ISSUANCES UNDER H.R. 2580, AS AMENDED AUG. 6, 1965

Quota area	Total issuances			1st preference—Unmarried sons, daughters, of U.S. citizens			2d preference—Spouses, unmarried sons, daughters, of permanent residents			3d preference—Members of Professions, etc.		
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool
All quota areas	130,865	92,893	37,972	1,270	1,108	162	8,214	7,214	1,000	6,361	3,635	2,726
Refugees	10,200		10,200									
Europe	107,928	88,091	19,837	1,075	1,063	12	7,380	6,620	760	2,359	2,203	156
Albania	108	100	8	1	1		15	15				
Austria	1,405	1,405		2	2		48	48		107	107	
Belgium [1]	859	859		10	10		34	34		16	16	
Bulgaria	108	100	8	1	1		4	4		6	6	
Czechoslovakia [1]	2,004	2,004		23	23		71	71				
Denmark	1,175	1,175		1	1		29	29		51	51	
Estonia	115	115		1	1		3	3				
Finland	566	566		1	1		44	44		26	26	
France	2,748	2,748		6	6		129	129		238	238	
Subquotas (6)	321	321					18	18				
Germany [1]	16,399	16,399		226	226		816	816		112	112	
Great Britain [1]	24,405	24,505		289	289		896	896		353	353	
Subquotas (25)	4,291	4,042	249	15	15		633	616	17	5		5
Greece	1,883	308	1,575	14	6	8	122	41	81	193	149	44
Hungary	964	856	99	22	22		131	131		26	26	
Iceland	100	100		1	1							
Ireland [1]	5,113	5,113		55	55		169	169		6	6	
Italy	20,000	5,666	14,334	201	201		1,948	1,400	548	331	331	
Latvia	235	235		2	2		7	7				
Lithuania	384	384		4	4		10	10				
Luxembourg	100	100										
Netherlands	2,940	2,940		1	1		28	28		151	151	
Subquotas (2)	196	196					34	34				
Norway [1]	2,264	2,264		23	23		71	71		16	16	
Poland	7,726	6,488	1,238	34	34		917	917		101	101	
Portugal	1,763	438	1,325	40	37	3	377	277	100	51	51	
Subquotas (4)												
Rumania	411	289	122	12	12		57	57		10	10	
San Marino	100	100					15	15				
Spain	467	250	217	16	15	1	70	61	9	129	102	27
Sweden [1]	2,296	2,296		24	24		78	78		36	36	
Switzerland	1,698	1,698		1	1		48	48		84	84	
Turkey	497	225	272	21	21		40	35	5	214	134	80
U.S.S.R.	2,697	2,697		8	8		60	60		10	10	
Yugoslavia	1,332	942	390	20	20		419	419		87	87	
Other Europe (5)	258	258					39	39				

Asia	10,362	2,844	7,518	189	39	150	690	455	235	3,348	830	2,518
Burma	108	100	8	1	1		13	13				
Ceylon	100	100										
China	3,365	100	3,265	84	1	83	108	33	75	1,071	40	1,031
Cyprus	154	100	54	3	3		46	46		24	24	
India	1,446	100	1,346	3	3		31	19	12	697	53	644
Indonesia	208	200	8	1	1		37	37		49	49	
Iran	289	100	189	2	2		26	20	6	123	46	77
Iraq	267	100	167	3	3		29	20	9	48	42	6
Israel	257	100	157	3	3		26	18	8	99	45	54
Japan	472	185	287	9	5	4	48	36	12	197	96	101
Jordan	220	100	120	1		1	37	25	12	45	45	
Korea	577	100	477	3	2	1	26	18	8	270	55	215
Lebanon	140	100	40	3	3		23	20	3	30	30	
Pakistan	175	100	75	1	1		22	20	2	64	32	32
Philippines	1,367	100	1,267	62	2	60	100	12	88	384	53	331
Thailand	100	100					19	19		4	4	
Vietnam	100	100					4	4		4	4	
Yemen	100	100					4	4				
Other Asia (14)	917	859	58	10	9	1	91	91		239	212	27
Africa	1,703	1,492	211	4	4		110	107	3	307	284	23
Ethiopia	91	91					1	1				
Ghana	100	100					3	3				
Libya	108	100	8				1	1		12	12	
Morocco	137	100	37	2	2		32	32		21	21	
South Africa	127	100	27				18	18		61	52	9
Tunisia	124	100	24	1	1		10	10		6	6	
Other Africa (31)	1,016	901	115	1	1		45	42	3	207	193	14
Oceania	672	466	206	2	2		34	32	2	347	318	29
Australia	306	100	206	2	2		22	20	2	52	23	29
New Zealand	100	100					12	12		32	32	
Other Oceania (4)	266	266								263	263	

See footnote at end of table, p. 67.

3D YEAR (FISCAL YEAR 1968) ESTIMATED ISSUANCES UNDER H.R. 2580, AS AMENDED AUG. 6, 1965—Continued

Quota area	4th preference—Married sons, daughters, of U.S. citizens			5th preference—Brothers, sisters, of U.S. citizens			6th preference—Skilled or unskilled labor, etc.			7th preference—Refugees			Non-preference
	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	Total	Area quota	Pool	
All quota areas	6,065	2,874	3,191	28,755	10,788	17,967	4,845	2,119	2,726	10,200		10,200	65,155
Refugees										10,200		10,200	
Europe	5,295	2,813	2,482	26,733	10,462	16,271	1,783	1,627	156				63,303
Albania	4	2	2	33	27	6							55
Austria	4	4		39	39		32	32					1,173
Belgium [1]	30	30		33	33								736
Bulgaria	4	2	2	28	22	6	8	8					57
Czechoslovakia [1]	67	67		131	131		2	2					1,710
Denmark	3	3		22	22		19	19					1,050
Estonia	1	1		7	7		6	6					97
Finland	7	7		62	62		8	8					418
France	12	12		109	109		65	65					2,189
Subquotas (6)				3	3								300
Germany [1]	622	622		948	948		11	11					13,664
Great Britain [1]	871	871		888	888		94	94					21,014
Subquotas (25)	168	168		1,694	1,472	222	5		5				1,771
Greece	384	2	382	1,041	25	1,016	129	85	44				
Hungary	41	14	27	203	131	72	98	98					443
Ireland													99
Ireland [1]	165	165		174	174		2	2					4,542
Italy	1,490	304	1,186	15,338	2,738	12,600	692	692					
Latvia	3	3		32	32		6	6					185
Lithuania	3	3		25	25		11	11					331
Luxembourg													100
Netherlands	7	7		64	64		61	61					2,628
Subquotas (2)	3	3		26	26								133
Norway [1]	70	70		70	70		2	2					2,012
Poland	633	295	338	3,562	2,662	900	120	120					2,359
Portugal	339	5	334	935	47	888	21	21					
Subquotas (4)													
Rumania	48	15	33	232	143	89	52	52					
San Marino	1	1		6	6								78
Spain	42		42	111		111	99	72	27				
Sweden [1]	74	74		74	74								2,010
Switzerland	2	2		22	22		46	46					1,495
Turkey	29		29	78		78	115	35	80				
U.S.S.R.	16	16		143	143		15	15					2,445
Yugoslavia	142	35	107	507	224	283	64	64					93
Other Europe (5)	10	10		93	93								116

Asia	675	22	653	1,659	214	1,445	2,889	372	2,517	912
Burma	7	5	2	47	41	6	8	8		32
Ceylon	360	2	358	680	20	660	1,062	4	1,058	100
China	15		15	60	21	39	6	6		
Cyprus	13		13	33		33	669	25	644	
India	7	5	2	52	46	6	11	11		51
Indonesia	8		8	22		22	108	32	76	
Iran	41	1	40	110	4	106	36	30	6	
Iraq	12	1	11	40	10	30	77	23	54	
Israel	20	1	19	57	7	50	141	40	101	
Japan	30	1	29	86	8	78	21	21		
Jordan	11		11	27		27	240	25	215	
Korea	11	1	10	35	8	27	38	38		
Lebanon	2		2	6		6	80	47	33	
Pakistan	127	2	125	353	20	333	341	11	330	
Philippines				1	1		17	17		59
Thailand	1	1		5	5		2	2		84
Vietnam	1	1		11	11					84
Yemen	9	1	8	34	12	22	32	32		502
Other Asia (14)										
Africa	54	11	43	212	94	118	89	65	24	927
Ethiopia										90
Ghana										97
Libya	5	3	2	33	27	6	2	2		55
Morocco	11	1	10	33	6	27	6	6		32
South Africa	2		2	6		6	40	30	10	
Tunisia	10	4	6	53	35	18	2	2		42
Other Africa (31)	26	3	23	87	26	61	39	25	14	611
Oceania	41	28	13	151	18	133	84	55	29	13
Australia	40	27	13	134	1	133	56	27	29	
New Zealand	1	1		17	17		28	28		10
Other Oceania (4)										3

[1] Exclusive of following number of estimated issuances to immediate relatives (nonquota): Great Britain, 2,500; Germany, 6,500; Belgium, 200; Czechoslovakia, 100; Ireland, 400; Norway, 100; Sweden, 200.

DISTRIBUTION OF ALIENS BORN IN IRELAND RECEIVING EITHER APPROVAL OR DISAPPROVAL FOR PERMANENT JOBS FROM THE DEPARTMENT OF LABOR,[1] FISCAL YEAR 1968

Occupations	Aliens					
	Total		Approved		Disapproved	
	Number	Percent	Number	Percent	Number	Percent
Total	2,092	100.0	1,898	100.0	194	100.0
Professional, technical, and managerial	738	35.3	715	37.7	23	11.9
Nurses	275	13.1	275	14.5	-	-
Teachers	83	4.0	74	3.9	9	4.7
Parish workers	69	3.3	69	3.6	-	-
Engineers	68	3.3	66	3.5	2	1.0
Clergymen	41	2.0	41	2.2	-	-
Physicians	19	.9	19	1.0	-	-
Draftsmen	19	.9	19	1.0	-	-
Chemists	14	.7	14	.7	-	-
Accountants	11	.5	11	.6	-	-
Other [2]	139	6.6	127	6.7	12	6.2
Clerical and sales	144	6.9	115	6.1	29	14.9
Secretaries and stenographers	80	3.8	78	4.1	2	1.0
Clerks	40	1.9	25	1.4	15	7.7
Other [2]	24	1.2	12	.6	12	6.2
Service	884	42.2	792	41.7	92	47.5
Domestic workers	764	36.5	699	36.8	65	33.6
Waitresses	20	1.0	17	.9	3	1.5
Nurse's aides	35	1.7	31	1.6	4	2.1
Other [2]	65	3.0	45	2.4	20	10.3
Farming, fishing, and forestry [2]	5	.2	4	.2	1	.5
Processing [2]	8	.4	8	.4	0	0
Machine trades	153	7.3	131	6.9	22	11.3
Machinists	23	1.1	22	1.2	1	.5
Automobile mechanics	19	.9	19	1.0	-	-
Millwrights	16	.8	16	.8	-	-
Cabinetmakers	16	.8	16	.8	-	-
Other [2]	79	3.7	58	3.1	21	10.8
Benchwork [2]	20	1.0	17	.9	3	1.5
Structural work	122	5.8	102	5.4	20	10.3
Electrical repairmen	27	1.3	27	1.4	-	-
Welders	21	1.0	18	.9	3	1.5
Other [2]	74	3.5	57	3.1	17	8.8
Miscellaneous	18	.9	14	.7	4	2.1
Compositors	10	.5	10	.5	-	-
Other [2]	8	.4	4	.2	4	2.1

[1] Represents determinations made under sec. 212(a)(14) of the amended Immigration and Nationality Act of 1965.
[2] Separate occupations not shown because of the small number of individuals in each occupation.

Source: U.S. Department of Labor, Office of Manpower and Employment Service Operations Information, Oct. 16, 1968.

STATEMENTS BY MEMBERS OF CONGRESS FOLLOW:

STATEMENT BY HON. JONATHAN B. BINGHAM TO THE SUBCOMMITTEE ON IMMIGRATION WITH REGARD TO H.R. 16593

The sudden and unanticipated restraints that have been imposed on the immigration of persons from Ireland require immediate legislative remedy. I am pleased to add my voice to the many others that have urged support for legislation that would amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from countries most adversely affected by the 1965 immigration amendments. As a co-sponsor of H.R. 16593, currently under scrutiny by this committee, I wish to restate my belief that this legislation would make the immigration policies of this Nation more equitable and my hope that it will be favorably acted upon by the subcommittee and the Congress.

I note with some disappointment the adverse assessment made by the Department of State concerning this legislation, based primarily on their estimate that it would open the door to about 41,750 immigrants from some 48 countries, including Ireland, that would be affected by the bill's provisions. It is significant, however, that the Department of State does not dispute the basic contention of the sponsors of this legislation that the Immigration and Nationality Act amendments have imposed unintended restrictions on immigrants from Ireland and other nations—restrictions that have resulted in a decline in immigration from these nations far more precipitous than any of the State Department people who urged passage of the amendments and the many members of Congress who approved them could have anticipated.

The American Irish Immigration Committee and other Irish groups did not oppose the 1965 immigration amendments, even though Ireland enjoyed a high quota under the pre-1965 provisions of the law. They realised full well that the old legislation, with its national quota system, discriminated against a few nations, and they were anxious to right that wrong. Had they not been misled by State Department predictions of the impact of the amendments on Irish immigration—which did not foretell the current situation—they would undoubtedly have voiced opposition, perhaps preventing the current injustice.

Now it is the stream of Irish immigration that is being dislocated. The decline in their immigration figures has been sudden and severe. While total immigration to the United States has increased since 1965, Irish immigration has been choked to a mere fraction of what it was in 1965 and before. Total admission of immigrants into the United States has risen from 292,000 in 1964 to 326,000 in 1967. During the same period, immigration from Ireland has fallen from more than 4,000 to less than 2,000, and threatens to drop as low as 600 this year.

In view of the fact that the State Department—despite its other objections—does not dispute the purposes of this legislation, I am hopeful that some compromise can be developed to accommodate the countries most adversely affected by the current immigration legislation. It seems to me that the objections of the Department of State are objections in detail, not in principle, and that they need not be a serious deterrent to remedial legislation on this problem that would be satisfactory to all concerned.

It should be pointed out that the State Department figure of 41,570 additional immigrants to be admitted under this legislation is highly misleading if not inaccurate. The State Department brief fails to point out that not all of the countries that might be affected by this legislation have a full demand for immigrant visas to the United States. Many do not send as many immigrants as they are allowed under current law. It is misleading to assume, therefore, as the State Department brief does, that all of the extra visas that would become available under the provisions of H.R. 16593 would actually be used. It is almost certain, in fact, that many would not.

The Department of State figure of 41,570 represents the number of additional immigrants that *could* be admitted to the United States under this legislation,

but not the number that would likely apply and be admitted given current demand for visas in many of the affected countries. The number of additional immigrants that would actually be admitted under terms of this legislation would almost certainly be well below 41,570, and could be reduced even further if, for example, the 10,000 visa maximum provided for in this legislation were reduced to 5,000. That would have the effect of reducing by over 10,000 the number of additional immigrants that could be admitted under this legislation. It would seem useful, therefore, to examine the possibility of making this alteration in the legislation.

I am grateful to the Chairman and members of this subcommittee for convening hearings on this matter, and I urge continued active consideration of this problem and this legislation.

The three-year transition period provided for in the 1965 amendments has now ended and the full impact of the new immigration system is being fully felt. For the Irish citizens of this country and for the citizens of Ireland who wish to immigrate to this country the impact is an extremely painful and harsh one. Irish immigration in the coming years will be almost non-existent—clearly not the intention of any of the supporters, in Congress and elsewhere, of the 1965 amendments. Immediate adjustment of this situation is essential, and I shall continue to work for a satisfactory resolution of this problem as I have consistently since it first was brought to my attention.

STATEMENT OF HON. EDWARD P. BOLAND, SECOND DISTRICT, MASSACHUSETTS, IN SUPPORT OF H.R. 17233—FOR UTILIZATION OF UNUSED VISAS; AND H.R. 16593—FOR PROVISION OF ADDITIONAL VISAS

Mr. Chairman, I am very grateful for this opportunity to speak in support of two proposals which would alleviate the harsh results, to certain countries, from the recent changes in the Immigration and Naturalization Act.

The changes effective this July 1st will adversely affect, particularly, the number of visas allotted to Western Europe. Until this month [July, 1968] the immigration law allotted a certain number of visas for each country. The countries of Western Europe generally did not use their entire allotment. Consequently, there were no visa waiting lines in those countries. On the other hand, waiting lines for visas in other countries extend back even over periods of years. The problem now is that no country receives a certain allotment; we grant visas on a world-wide, first-come, first serve basis. Therefore, applicants from Western European countries must enter waiting lines composed of applicants who have been waiting for years.

In using the term "waiting lines" I refer to application for admission through the six preference categories. We grant preference, generally, according to vocational ability and family relationship to U.S. citizens. Western European applicants are less apt to have close family ties in the United States. Therefore, the great majority of those who enter do so only by virtue of vocational ability. Even then they must obtain certification that their labor or skill is needed in this country and that their entry will not tend to depress wages. As just explained, even if the Scandinavian or Irish immigrant, for example, can obtain labor certification, now he has to apply for the preference at the end of a world-wide waiting line: the Immigration Law, as of July 1st of this year, no longer reserves a visa allotment to his country.

The problem is further complicated by the fact that non-preference visas are no longer available to Western European immigrants. The Immigration Law now reserves those visas to refugees.

On May 13, 1968, I introduced H.R. 17233 which would lessen the plight of nations which thus suffer from over-subscription of preferences by reserving unused visas of the previous year to applicants of the overly used and closed categories. Because the preference category system is world-wide, the bill would not reserve the unused visas to particular countries. According to the provisions, the President could reserve as much as 25% of the unused visas to all preference categories or to whichever one or more categories he equitably chooses. The recipients of this portion would not be subject to the labor clearance requirements. The unused visas not reserved by the President would be made available to applicants of all overly subscribed preferences. I should further explain, the Immigration Law provides for issuance of 170,000 visas yearly. The term "unused visas," therefore, means the difference between the 170,000 and the number of visas issued during the year.

In similar manner, H.R. 17233 would specifically assist—also on a world-wide basis—applicants of the third preference. Such applicants "are members of

the professions, or who because of their exceptional ability in the sciences or the arts will substantially benefit . . . the national economy, cultural interests or welfare of the United States." The bill provides that no more than 1,700 visas for each country will be issued under this preference. However, a number of visas equal to the difference between this maximum and the number of third preference visas of each country issued during the previous year will be allocated to a special visa reserve. These visas will go to the third preference applicants, that is, applicants of professional skill, of nations which received less than 1,700 third preference visas during the previous year.

By the provisions of H.R. 17233, during a three year period we will not go beyond the average of 170,000 visas granted per year—the limit presently prescribed. We would only apportion unused visas to the over-subscribed preferences, and thereby indirectly help those countries which suffer most from the recent changes in the law.

A bill I am cosponsoring with other members, H.R. 16593, is addressed to the same problem. As already explained, Western European immigration applicants have depended heavily on the preference for those immigrants entering for purpose of work. The labor clearance requirement in many cases has been found to be an insurmountable barrier. Yet, even if the applicants could prove that their skill was needed in this country, there is no assurance that a visa will be available. They must wait for space in the overly subscribed labor preferences. No longer is every country, as under the old law, assured of a certain number of visas.

Reduction in Western European immigration began with enactment of the 1965 amendments to the Immigration and Naturalization Laws. For example, German immigration in 1960 amounted to almost 32,000. In fiscal year 1967 it amounted to 16,000—a decrease of almost fifty percent. In 1960, 7,700 Irish immigrants came to the United States. In 1967, 2,600 came—a decrease of far more than fifty percent. Yet, as just explained, with the further changes in the Law, which began July 1st, this trend will accelerate.

Therefore, I speak in support of H.R. 16593 which would provide additional visas to nations which suffer severe immigration reductions. To any country whose rate of immigration under the new law is one-fourth below the average of that for the decade 1955–1965, we would add additional visas to bring the number up to that three-fourths level. If a country's new visa allotment is as much as three-fourths or more of the average for that decade, it would not receive additional visas. Only those countries experiencing losses in excess of one-fourth would receive additional visas so that the allotment would equal three-fourths of the 1955–1965 average. But the number of additional visa allotments would never exceed ten thousand for any one country.

It is clear, Mr. Chairman, that the Congress must amend our immigration laws to provide equity for all potential immigrants to the United States.

I strongly urge prompt consideration of the two bills I have outlined here today.

STATEMENT OF HON. JAMES A. BURKE, OF MASSACHUSETTS, BEFORE SUBCOMMITTEE NO. 1 OF THE HOUSE COMMITTEE ON THE JUDICIARY IN SUPPORT OF H.R. 16593

Mr. Chairman, I appreciate the opportunity to testify in support of H.R. 16593 which I have co-sponsored in the House of Representatives. I also support the statements made before this Committee by Mr. John P. Collins, National Chairman of the American Irish National Immigration Committee.

On July 1, 1968, the 1965 Immigration Act became fully effective and if corrective and amending legislation is not enacted we will suffer a loss of immigrants from such countries as Great Britain, Holland, the Netherlands, Ireland, the Scandinavian Countries, etc. which have traditionally been our friends.

Although I laud the intent of the 1965 Immigration Act to revamp our outdated system of quotas, I am distressed at this unanticipated result of seriously limiting immigrants from countries whose heritage has become so much a part of our way of life and many of whose customs and laws have been incorporated into our own.

We cannot afford to so seriously limit immigration from countries whose people have been the foundation of this country for so long.

I am heartened to see that after so many years, those of heretofore low quota countries will have the opportunity to share in our way of life and to rejoin members of their families who have waited what must seem to many to

be interminable years, however, I do feel that, unintentionally, the countries I mentioned above are now having to accept the brunt of unnecessary discrimination. It appears that in an effort to obtain justice for those who have so long been denied, we are becoming unfair to those who were considered "privileged" before. The majority of those countries which will be affected by these new provisions, did not utilize their entire quota allowance before, but their quotas have now been cut so far back that it will become increasingly difficult for even the same number of immigrants to come to the United States as came in previous years.

For example, Ireland had a quota of 17,756 per year. Of that quota over an 11 year period the average of actual immigration was 7,185. Under the new law up to 170,000 immigrants can enter from the entire Eastern Hemisphere each year. These 170,000 are allocated among the seven preferences with no numerical amount assigned to the non-preference category, only the left overs. Ireland stands to suffer because over 68% of her immigrants are of the non-preference variety and traditionally have been such. Since the new law went into effect 1109 of 1619 visas issued in Ireland went to non-preference immigrants. Since July 1 of this year the non-preference category becomes eligible for visas only when numbers are left over and unused in the preference categories. Despite the fact that each nation is limited to 20,000 immigrants a year there are at present backlogs in the third, fifth and sixth preferences in 34 countries. There is a backlog in the non-preference category in 39 countries. While a country like Ireland is technically eligible to share in any non-preference numbers that are available, visas will be issued in the order of receipt of applications. In some other countries there are visa petitions pending that date as far back as February 1955. These petitions will have to be granted first. Ireland has never had a backlog and will now have to wait until visas are issued to those in other countries who have been waiting before non-preference visas are issued to those who apply now. Under these circumstances it may well be years before Irish non-preference immigrants will be able to enter the country.

The United States has been known as the land of opportunity for hundreds of years. We have offered the low and unskilled of the world a better life and a chance for self-improvement which was not available in their native countries. If non-preference visas are unavailable to these people the doors of opportunity will be locked for them.

In closing, I would like to point out that the Chairman of the full Committee on the Judiciary, the Honorable Emanuel Celler, has pledged his support of corrective legislation.

I respectfully urge the Committee to accept and approve H.R. 16593 which will correct a situation which has proved harmful not only for those who seek to enter the United States but for the United States herself because she will lose the contributions that these people make to the benefit of the country.

Thank you again for the opportunity to present my views on this legislation.

STATEMENT OF HON. PHILLIP BURTON OF CALIFORNIA

Mr. Chairman: I am delighted that you, Mr. Chairman, and members of this subcommittee have responded to the problems inadvertently created when provisions of the Immigration Act of 1965 became operative just three days ago.

I am sure that the many persons supporting H.R. 16593 to correct this situation join with me in commending you and the subcommittee for so expeditiously offering this opportunity to state our case.

As you know, the Immigration Act of 1965 which generally improved our immigration laws caused, what I suspect were unforeseen, hardship in Western European countries such as Ireland who had in the past so greatly contributed to the quality, vigor and special character of our population.

The remedy now before you is significant, in that it corrects this situation without working hardship on those who benefited by our actions in 1965.

This proposal extends the concepts embodied in the 1965 amendments and permits us to continue to benefit from infusing new peoples into our national life and culture.

As I said when this measure was introduced and when the problem was presented to me by members of the Irish Immigration Committee, "It is unthinkable that in accomplishing the goals in 1965 we should inadvertently stifle the flow of Irish immigration, creativity and that special luster which the Irish have given this Nation.

It is more unthinkable if we do not act expeditiously in correcting this matter."

I thank you, Mr. Chairman, and members of the subcommittee for this opportunity to present my views and to urge your favorable consideration of the remedy you have before you.

STATEMENT OF HON. DOMINICK V. DANIELS BEFORE IMMIGRATION SUBCOMMITTEE OF HOUSE JUDICIARY COMMITTEE ON H.R. 16593

Mr. Chairman and members of the subcommittee, I am glad to have this opportunity to express my support of H.R. 16593, to amend the Immigration and Nationality Act of 1965 to remove certain inequities which have particularly affected Irish immigration.

The purpose of the 1965 amendments to the Immigration and Nationality Act was to eliminate the national origins system as the basis for the selection of immigrants to the United States and instead use as a basis the reuniting of families and the attraction of immigrants with needed skills. The unintended result of this change has been to virtually shut the door on immigrants from Northern and Western Europe. I do not believe this was the intent of Congress.

One of the hardest hit nations has been Ireland. When the Immigration and Nationality Act of 1965 was before the Congress, the Bureau of Security and Consular Affairs of the Department of State prepared tables on the estimated effect the new act would have on immigration patterns during fiscal years 1966, 1967, and 1968. The State Department estimate assured the Congress that Irish immigration would continue at a level of about 5,200. However, because of the labor certificate requirement in the 1965 act, Irish immigration has already dropped to about 1,800. Had the Congress anticipated this precipitous decline, surely necessary safeguards would have been written into the act.

H.R. 16593 amends the 1965 act to provide safeguards for all nations. It does not restore the national origins quota concept. It would not affect immigration from nations which have gained under the provisions of the 1965 amendments but would benefit nations such as Ireland and other similarly situated countries for which historical patterns of immigration have declined sharply.

H.R. 16593 provides that any nation, whose immigration has dropped below 75% of its yearly average during the 10-year base period 1956 to 1965, will be allotted additional places in excess of the worldwide quota to bring its total up to 75% of the base period average annual immigration. In no case would it exceed 10,000.

Ireland, for example, used to send an average of about 7,000 immigrants. Under H.R. 16593, its floor would be 75% of that number or about 5,300.

Irish immigration has enriched this nation from our earliest days, and I for one would not want to close the door to Irish immigrants. Because Ireland is an English speaking nation and its customs and institutions are so close to our own, the Irish immigrant tends to become assimilated very rapidly. Because Ireland is a poor country and so many of its most energetic sons and daughters do emigrate, I would like to see these young people come to our shores. Surely, this is good for Ireland, but it is good for America as well.

Since in practice, the number of nations which have been injured by the 1965 amendments to the act is small, this provision would permit at most the entry of an additional 20,000 to 30,000 immigrants worldwide.

I urge committee approval of H.R. 16593 so we will not close the door to Irish immigrants and other immigrants from Northern and Western Europe.

STATEMENT OF HON. JAMES J. DELANEY, OF NEW YORK, ON JULY 3, 1968, BEFORE THE IMMIGRATION SUBCOMMITTEE OF THE HOUSE COMMITTEE ON THE JUDICIARY IN SUPPORT OF H.R. 16593, H.R. 16897, AND OTHER BILLS TO MAKE ADDITIONAL VISAS AVAILABLE FOR IMMIGRANTS FROM IRELAND AND OTHER COUNTRIES

Mr. Chairman, Members of the Committee, I am glad to have this opportunity to express my support for the legislation being considered today. It is essential that we rectify the unfortunate and unforeseen inequity imposed on prospective Irish immigrants by the 1965 immigration law.

For a great many years this nation of immigrants has welcomed others with the inspiring words of Emma Lazarus engraved on the Statue of Liberty: "Give me your tired, your poor, your huddled masses." Yet the new immigration law seems to renounce this long standing tradition of hospitality and has worked a particular hardship on the prospective immigrant from Ireland. Some say we

have twisted Miss Lazarus' words to read: "Send me your close relatives of American citizens, your skilled, and your well-to-do professionals." I am sure this was never intended when we passed the Immigration Act Amendments of 1965.

Public Law 89–236, which became fully effective July 1, was designed to remove the national origin quota system. It was understood that many countries were not using their full quotas and that these unused quotas would be shared among those nations which were oversubscribed with visa applications. We were assured by the State Department that there would be no precipitous fall in the immigration level from those nations formerly privileged with high but undersubscribed quotas. Unfortunately, the law has not worked out as expected, and it has had a particular adverse effect on immigrants from Ireland.

Since the passage of the Immigration Act Amendments of 1965, Irish immigration has fallen off sharply. In 1964 there were 5,817 Irish applicants for visas to the United States. In 1967 this figure had dropped to 2,026. The drop in the number of visas actually issued shows an even more dramatic decline. State Department records show that 4,619 visas were issued to Irish immigrants in 1964, but in 1967 only 1,809 visas were issued by American consular officers in Ireland.

It is dismaying that legislation enacted by Congress to rectify the injustices of our immigration system should bring about new injustices. Yet that is what has been done to the Irish who wish to come to our country. Prospective Irish immigrants usually do not have here close immediate relatives, such as parents, spouses, brothers, and sisters required by the new law, and often found among many other nationality groups. And there are very few nuclear physicists or computer experts to be found on the banks of the Shannon. It is next to impossible for most Irish men and women who want to come here to qualify as skilled professionals or to obtain employment certification before arrival. However, there is no question that once a position is obtained, the Irish immigrant is considered a very desirable and highly valued employee.

Mr. Chairman, my bill, H.R. 16897, and the other measures under consideration, will remedy the unforeseen defects of the present law which discriminates so unfairly against the Irish. Over the years Irish Americans have served our country with distinguished valor, and they have greatly enriched its history and culture. Passage of the legislation before you will assure that our nation will not lose the great contributions yet to be made by these great and noble people.

Mr. Chairman, I strongly urge that this legislation be reported out favorably as quickly as possible so the House may have an opportunity to vote on it before this Congress adjourns.

Thank you.

STATEMENT OF HON. JOSHUA EILBERG BEFORE THE HOUSE JUDICIARY COMMITTEE'S SUBCOMMITTEE ON IMMIGRATION

Mr. Chairman, I appear before this subcommittee today to testify in favor of my bill, H.R. 16615, and urge in the strongest possible terms early and favorable action on this measure.

H.R. 16615 is identical to H.R. 16509, which was introduced by the distinguished chairman of the House Committee on the Judiciary. It seeks to correct some of the inequities which exist in the present law without even a suggestion of the return to the status quo ante.

I think that all of us will agree that there are some inequities extant in the Immigration and Nationality Act of 1965, which took full effect just a few days ago.

I think, also, that we all agree that no member of the Congress will ever be party to any law which will satisfy the needs of everybody; this is a dream of unanimity which does not carry over to the workaday world.

What we do is pass the best possible laws we can under the given circumstance, and when we realize and recognize the flaws, we can be men enough to seek correction of them.

This is one of those cases. The honorable gentlemen of the 89th Congress recognized the inequities of 40 years standing which existed in our nation and they strove to produce legislation to end these inequities and give equal right of immigration to the United States to all persons of the world.

In their effort toward equality to all, the framers of the act inadvertently produced new inequalities—this time for those who had been the preferred immigrants under the old National Origins Quota.

I would state for the record I do not believe these to be intentional. Perhaps those who wrote the legislation depended too much upon the State Department, whose prognostications and projections have proven completely unrealistic and unreliable in this case.

I do not suggest that H.R. 16615 is a cure-all; but I do insist that at this time and at this place it can help those who need immediate help. This is the time for direct action for the present; not platitudes for the future.

We are not legislating for nationalities, religious communities nor ethnic groups; but if the action we offer can help any of these, then so be it.

H.R. 16615 provides six specific modifications to the Immigration and Nationality Act. Briefly, they are:

1. The admission outside of numerical limitation for brothers and sisters of American citizens for whom petitions were filed prior to Dec. 1, 1965. The aim here, sir, is to clear up a large backlog.

2. Unmarried children of American citizens would be admitted without numerical limitation.

3. Children accompanying parents who are beneficiaries of petitions filed by children who are already citizens would be admitted immediately. Under the present law, these children resident in foreign lands are classified as brothers and sisters of citizens and often must wait long periods for visas.

4. New preferences are established for immigrants, leaving 10 percent plus unused numbers for non-preference imigrants, in the chronological order in which they apply. A provision of this section is that at least one-quarter of these visas shall go to persons under 25 years of age.

5. Labor certification procedures are simplified, and this certification would no longer be necessary for a professional or highly skilled alien.

6. A new refugee section would authorize the Attorney General to parole refugees who have fled from Communism, from persecution or danger to their lives or liberties, or who have been uprooted as a result of natural calamities or military operations.

These are, of course, just skeletal references to a lengthy and complicated proposal.

I reiterate: it will not solve all problems but it would go a long way toward solution.

Thank you.

STATEMENT OF HON. JAMES J. HOWARD, CONGRESSMAN FROM NEW JERSEY

Mr. Chairman and members of the Committee, America has always depended on immigration for its most important resource, its people. Even today people from all over the world still look to the United States as the place to get a fresh start, to build a new life, and we, as a nation, continue to profit from our newly acquired citizens.

The aim of the Immigration and Nationality Act was to insure continued immigration from all countries of the world. This intention, I feel, is a reasonable and intelligent one. The old system that used national origins as a criterion for determining the relative size of the quota of immigrants that would normally be accepted each year from foreign lands proved to be neither practical nor just. Reform of this system toward a more equitable one was long overdue, and certainly the first-come, first-served system which has replaced the old one represents a more sound approach to the problem.

Still, while we can never return to the national origins system, there are nations to which we have closer ties than others by dint of a common cultural background. The mass immigrations to our shores from England, Ireland, Germany, and other western European countries provided much of the talent and ambition that made this nation great.

While these are not the only sources of American civilization they are among the most important and worthy of our recognition and honor. Our nation finds its roots in the soil of the old countries of Europe. We want to see that talented and potentially productive men from any nation have the opportunity to come to this land, but at the same time we do not want to cut off from this same opportunity the people of western Europe. The practical result of the implementation of the Immigration and Nationalities Act was to shut the door on those countries to which we are most closely related.

I do not mean to say that we have or would consciously turn our backs on these people, but in reorganizing the immigration laws we have unwittingly done just that. Under the new first-come, first-served system the visas are allocated on the basis of the time of registration within a preference class. Unfortunately, there

was no step-by-step reduction of the quotas for such countries as Ireland to accompany the phaseout of the national origins system. As a result England, Ireland, and other western European Countries avoided a buildup of priorities under preferences by using their great amount of nonpreference numbers, a practice which was never restricted.

The quotas of these countries are now current so that there are no old registrations on file. Immigration from Ireland has been severely limited by this situation and that of other countries is in danger of being curtailed entirely. This development is contrary to the original intention of the Act, that of insuring continued immigration from all countries.

In an attempt to correct this undesirable result of curtailing the flow of immigrants from Western Europe, I support H.R. 16863, introduced by the distinguished dean of the New Jersey delegation, Mr. Rodino. This bill will allow the President to reserve up to 25% of the unused numbers from fiscal year 1968 for use in fiscal 1969 and 1970 to ease undue hardship caused by a reduction in the number of immigrants from any one country. These numbers would be available without regard to the per country limitation or overall ceiling to preference immigrants on over-subscribed preference lists. Under the bill no foreign state will receive a disproportionate share of the third preference visas since no more than 10% will be available to a country under these numbers.

There is a need for more comprehensive revision of these laws than this bill encompasses. Action is needed now, however, to meet the unfortunate hardship, especially to Irish immigrants. Delegating such authority to the President is the most expeditious means to accomplish this end. I respectfully urge the Committee to report H.R. 16863 out intact.

Thank you, Mr. Chairman, and other members of the Committee.

STATEMENT OF HON. EDNA F. KELLY BEFORE THE SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY OF THE HOUSE COMMITTEE ON THE JUDICIARY IN SUPPORT OF H.R. 16593

Mr. Chairman, in this age of progress to assure the equality of all men, I, along with many others, was shocked to learn of the discrimination in the Immigration and Nationality Act Amendments of 1965. Therefore, it is incumbent upon the Committee on the Judiciary to immediately correct the injustices directed at the people of Western and Northern Europe who wish to emigrate to the United States. It was never the intention of the Congress through the enactment of the 1965 amendments to discriminate against the people whose forefathers came to these shores and founded our country. Nor was it the intention of the Congress to eclipse immigration from the ten European countries who are tied to us not only by our common heritage but by our common beliefs in the inherent rights of all individuals.

In order to correct the discrimination in the Immigration and Nationality Act Amendments of 1965, I have sponsored two major bills. H.R. 16593 is a bill "to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries and for other purposes." H.R. 15274 will classify missionaries, nuns, sisters and brothers as "special immigrants," thereby enabling them to enter the country outside of any numerical limitation.

H.R. 16593, if enacted, would provide an immigration "floor" for nations of Western Europe based on 75% of their average annual immigration for a 10-year period from fiscal 1956 to fiscal 1965. The "floor" for each nation would never exceed 10,000 visa numbers.

The full scope of the Immigration and Nationality Act Amendments of 1965 went into full effect on July 1. Two factors contribute toward reducing immigration from countries which have historically supplied the United States with the vast majority of our immigrant stock. First of all, only one-quarter of the places allotted under the new act are allotted to families who have no relatives in this country. The vast majority of places are allotted to immigrants with relatives in the United States. Secondly, the labor certification requirements affect certain nationalities which do not possess skills which are in short supply in the United States.

I respectfully urge this committee to favorably report H.R. 16593 in order to prevent a sharp decline in immigration from the countries of Western Europe.

As of July 1 all intending immigrants are competing on a world-wide basis for admission to the United States. This will adversely affect the Irish, who have not established long waiting lists. Nuns, brothers, sisters and missionaries will therefore be required to compete with other religious of other countries which

have built up long waiting lists for visa issuance. I have therefore introduced H.R. 15274, which will classify missionaries, nuns, sisters and brothers as "special immigrants," thereby enabling them to enter the country outside of any numerical limitation, easily and expediently. In testifying before this committee, I stated: "I firmly believe that all persons of a religious order enter the United States with a conviction to God and themselves to help other people. Religious who are teachers, doctors and nurses and who do charitable work will certainly be of great assistance to every person with whom they come in touch."

STATEMENT OF HON. RICHARD D. MCCARTHY BEFORE THE HOUSE JUDICIARY SUBCOMMITTEE ON IMMIGRATION JULY 3, 1968

Mr. Chairman and members of the Committee, it is a great pleasure to be able to testify in behalf of H.R. 16593, which I co-sponsored.

While I believe the enactment of the Immigration bill was a milestone in our history and a major advance over the old and discriminatory national origins quota system, I believe the Congress did not realize the detrimental effect it would have on some small nations such as the tiny country of Ireland.

The present quota system will mean that less than 1,000 persons of Irish extraction will immigrate to America this year compared with an annual rate of 7,000 people in most other years.

This bill would help eliminate this unintentional restriction on immigration from the northwestern European countries and would provide additional visas for those countries hardest hit by the provisions of the 1965 Immigration Act.

Mr. Chairman, I believe we must act now to correct some of the injustices that are occurring with the full implementation of the 1965 Immigration Act, which went into effect on July 1, 1968. I do not believe we as a nation can afford to discriminate against tiny nations such as Ireland whose immigrants have contributed so much to our country and so greatly enriched our national life. Not only are the Irish a delightful addition to the melting pot of our nation, but with their dedication and sense of public service, are a most necessary and welcome ingredient to the national life of America.

Mr. Chairman, I urge the Committee to favorably report this bill so that we can right the wrong which we are perpetrating on the Irish people and on other northwest European nations.

STATEMENT OF HON. JOSEPH G. MINISH BEFORE SUBCOMMITTEE ON IMMIGRATION, JUDICIARY COMMITTEE, JULY 3, 1968

Mr. Chairman and members of the subcommittee, I appreciate your scheduling these hearings on the various problems which have arisen in connection with the 1965 Immigration Act, particularly as it affects immigration from Western Europe.

The 1965 law, which replaced the onerous national origins quota system with a system geared to reunion of families and to selection of skilled persons rectified many of the inequities and injustices in our immigration policy. An unexpected and unintended result of the new policy, however, has been the denial of admission to "new seed" immigrations who have traditionally come from Western European countries such as Ireland and Germany and who have contributed so very much to our national life. These individuals are typically young, single, ambitious men and women without the family ties or special skills required for admission under the new law.

Even before the new regulations had taken full effect on July 1, the operation of the 1965 Amendments made apparent a need for additional reforms so as to insure the wholly non-discriminatory immigration policy intended by Congress in enacting the law. For example, Ireland's annual quota prior to 1965 was 17,756. In average years about 7,000 persons came to the United States from Ireland. Because of the new law, immigration dropped to 1,809 visas issued in Dublin in 1967. Now that the new policy is in full force, it is estimated that less than 1,000 Irish will be able to meet the requirements for admission each year. From 1956 to 1965, German immigrants numbered only slightly less than the 25,814 assigned their nation under the old system. In 1967 immigration from Germany fell to 8,333 and the projection for 1968 is 3,000.

It is clearly against our national interest to discriminate in this manner against the people of Western Europe when one considers the outstanding contributions of these groups to our country. Science, religion, the arts and humanities, government and industry—all have benefited immeasurably from the legacy of our nation's western European immigrants. Surely we would have been the

poorer if we had refused admission to these immigrants blessed with such a high degree of ingenuity and initiative.

Mr. Chairman, I respectfully urge your favorable consideration of H.R. 17138 which is designed to alleviate this distressing situation. Introduced by myself and approximately 30 other members of the House, this legislation would place a "floor" under immigration from every nation based on 75% of its annual average immigration for the ten-year period from fiscal year 1956 through fiscal year 1965. In no case, however, would the floor for any nation exceed 10,000. This change would, in practice, permit additional immigration from Ireland, Germany, and other nations unfairly discriminated against by the 1965 Amendments without in any way jeopardizing the position of those countries which have benefited from the new law.

This legislation is in the spirit of the 1965 Immigration Act and will carry forward more effectively its laudable goals of equality and justice for all persons seeking admission to the United States.

I respectfully urge your Subcommittee's prompt action in securing the enactment of remedial legislation at this session.

STATEMENT OF HON. WILLIAM T. MURPHY, THIRD CONGRESSIONAL DISTRICT OF ILLINOIS

Dear Mr. Chairman, I appreciate the privilege of appearing before you today in behalf of my bill H.R. 6817, and similar bills, which would amend the Immigration Act of 1965.

It is gratifying to note that the House Immigration Subcommittee is taking action on legislation to alleviate the problems arising from the 1965 Immigration Act amendments and accomplish the objectives of reuniting families.

We must now work to remove the injustices that have come about from deficiencies in existing law. The first-come first-served immigration policy which became effective July 1 will cut off immigration from Ireland since the Irish, English, and others have had no chance to get on priority lists and after July 1 are not able to compete for visas with other countries which already have priority lists. Other foreign nationals have immigration petitions filed as far back as February 1, 1955. Ireland has never had a backlog and her immigration is current. Now her immigrants must get in line behind other nationals whose countries have backlogs and have had petitions on file for years. It may be years before an Irish non-preference immigrant again enters the United States.

The majority of Ireland's contribution of immigrants has always been in the unskilled labor areas. The Irish came here to better their lives and in turn bettered this Nation. At least we know they contributed heavily to the independence and security of this Nation down to this very day in Vietnam.

I introduced legislation to correct these inequities and there are several bills pending before the House Judiciary Committee which seeks to accomplish the same aims, and in an effort to cure these inequities, the burden has been placed on Ireland, the nation least able to compete. Ireland has little or no immigrants who can qualify for a preference and her non-preference immigrants won't be able to enter. To give equality to others she is being made to suffer.

Therefore it is imperative that we act to achieve and provide equal opportunity for all who desire to become American citizens.

STATEMENT OF HON. THOMAS P. O'NEILL, JR., PRESENTED TO THE SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY OF THE HOUSE COMMITTEE ON THE JUDICIARY

Mr. Chairman and distinguished Members of the Subcommittee, I appreciate having the opportunity to present my views on H.R. 16593, a bill I co-sponsored to amend the Immigration and Nationality Act of 1965.

On its face, the 1965 Act was an excellent piece of legislation. It was designed to end the country quota system that was deliberately discriminatory. Its aim was admirable and the reforms it brought about were much-needed and long overdue.

However, as a result of that legislation, a new and equally unfair legal discrimination has developed. The people of the nations of Northern Europe and the British Isles, who had previously been favored in our immigration policy, now find it extremely difficult to immigrate to the United States.

This situation was unforeseen by the Congress when we considered this legislation in 1965. Ireland is a good case in point. The State Department assured

the Congress that immigration from Ireland, after the 1965 Act had its full effect on July 1st of this year, would probably be maintained at 5,200 annually.

Yet in the three years since the bill was passed, but before it had been completely effected—that is while policy toward Ireland was still more liberal—Irish immigration has steadily declined from 4,004 in 1965 to 1,809 in 1967.

The reasons are apparent. The new Immigration Law replaced the country quota system with seven categories open on a first-come, first-served basis. Of the total number of immigrants, almost three-quarters will be able to enter the country as close relatives of citizens and permanent residents.

The biggest part of Irish immigration came in the latter half of the 19th century and the earlier part of this century. Consequently, there would be few sons, daughters, parents, brothers and sisters of Irish immigrants who still reside in Ireland and want to come to this country.

Since the Irish do not qualify under refugee status, the only categories left are for members of the arts, sciences, and the professions, and for skilled and unskilled labor, filling a shortage in the United States. The quota for these categories is very small. What has occurred and will continue to occur is that unskilled labor finds it almost impossible to immigrate to the United States.

Our Nation, the great, democratic, open, melting pot of the world was built by the people of all Nations. The great American dream for people around the world was that any man willing to work hard had a place in our country. We have become the greatest Nation in the world because people from every continent, of every race, creed, and national origin have come here full of hope, and have built America.

The days of completely open immigration are gone. But I do not think our Nation can afford to allow the great decline in immigration among the people of nations who have contributed so much to our national growth.

My bill, H.R. 16593, would not restrict, in any way, immigration from nations who benefit from the 1965 Act. It would place a floor under the immigration from all nations, based on each nation's average level of immigration to the United States during the ten year period before enactment of the 1965 Act. The floor would equal 75% of that annual average, never exceeding 10,000 persons from any one country.

I believe this measure is necessary to end the unforeseen inequities brought about by the New Immigrations and Nationality Act.

I commend this Committee for its dedicated continuing search for the fairest, most equitable immigration policy possible.

Thank you.

REMARKS OF HON. PHILIP J. PHILBIN BEFORE THE HOUSE JUDICIARY COMMITTEE

Mr. Chairman and Members of the Committee, I am thankful to you for this opportunity to reiterate briefly my views on Irish immigration.

I do not wish to belabor the case for the Irish because, to my mind, it speaks for itself.

It certainly appears that Ireland is an example of a country better off under the old immigration law than under the new one. The whole picture of Irish immigration has been materially and drastically, and I believe unfortunately altered and I do not think that this was the purpose and intent of Congress. It certainly was not my purpose and intent when I supported the bill.

I believe that Congress meant to outlaw discrimination against those countries, groups and people who were not given a fair chance, in comparison with others, to emigrate to this country. It may be true, of course, that the law has helped some peoples, and that is all to the good, and I applaud it. But that cannot be said of the Irish, and it is most unfortunate that legislation enacted by Congress with the hope of betterment and the intent of rectifying injustices has resulted in inflicting greater injustices upon the citizens of a great nation like Ireland and the people of Irish blood and extraction who have for so many years labored so gloriously for this country and have fought its battles in war and peace.

I think in that sense that the immigration law must be changed to root out every vestige and trace of discrimination against the Irish and other nations being denied access to the shores of this country and the blessings of America.

I think Congress should accomplish this change without taking away or decreasing the numbers assigned to people of other nations, and it is time for us to move and move expeditiously to assist the Irish who have unquestionably suffered more than some other nations from the way the new immigration law has worked to date.

As one who introduced a companion bill on this subject matter, I know that this great Committee will give this matter its careful, urgent attention, and I hope and urge that some action will be taken soon to improve the prospects of fair immigration opportunities for the Irish and other peoples who seek and need them.

As I spoke on the floor of the House on April 30:

Mr. PHILBIN. Mr. Speaker, the problem of the impact of the 1965 amendments to the Immigration Act is a very real one which urgently requires the close attention of the Congress.

It is of utmost importance, in my humble judgment, that we join to amend and clarify the amendments to this act to eliminate certain injustices and disbalances which have resulted to a number of friendly foreign nations by the operation of this legislation.

I am deeply concerned and greatly disturbed by the way the new immigration laws are working out with respect to Ireland and some other nations. I applaud the objectives of reuniting families and attracting overseas immigrants with needed skills, who can contribute to our economy and national life. I have been fighting, too, for justice and equity in our immigration laws.

I must admit, however, there are some very distressing developments resulting from the enactment of the new law.

Ireland and practically every nation in northern Europe has had its quota cut.

To be sure, that segment of the world has given us many outstanding, industrious, loyal, and faithful Americans, who have played a great part in war and peace throughout our history, in building up our country, sustaining our national integrity, strengthening our institutions, and fighting to protect it.

While the number of applicants from Ireland has declined in recent years, that alone is not a fair gage of the actual situation.

There are reasons for this decrease which relate to the very language and provisions of the law itself, which make it very difficult, particularly for the people of Ireland, to come to this country.

In very many instances, applicants are hard put to find employment and it is difficult, if not impossible, to comply with the technical provisions of the law delineating skills, relationships, and other requirements.

There are inordinate delays and intricate redtape involved in processing applicants.

The conclusion, as far as many countries are concerned, is clear—the previous law was far more acceptable than the present one, which is causing injustice, inequity, and great disappointment.

Clearly, Ireland is an example of a country better off under the old law than under the new one, and no one can dispute that fact. There are others too in that category.

If you analyze the whole picture, whether intended or otherwise, the present laws distribute the admissions in such a way as to change and radically revise the character and type of immigrants coming here, and materially and drastically alter the cultural patterns and delineations of the American society.

Personally, I do not think this was the purpose and intent of the Congress. It certainly was not my purpose and intent when I supported the bill.

To the contrary, I believe that Congress meant to outlaw discrimination against those countries, groups, and people who were not given a fair chance, in comparison with others, to emigrate to this country.

It may be true that the law helped these people, and that is all to the good.

It is also clear that the laws are hurting and working injustices against those groups whose fellow countrymen, and their descendants, have, for generations now, made glorious contributions to our country and stand out in our leadership and national life. I want to compliment the people who joined with the able, distinguished gentleman from New York [Mr. RYAN] and my other distinguished colleagues, who recently heard the presentation of the case for the Irish immigrants which was delivered by Mr. John P. Collins, the Very Reverend Donald M. O'Callaghan, and my esteemed constituent, Mr. Walter O'Leary, the national president of the AOH, and my good friend, Mr. John J. Devlin, a prominent Massachusetts labor leader and public figure.

At this hearing forceful testimony was presented in behalf of the Irish case, which is to be sure, the case of other nations similarly situated.

Mr. Speaker, I am dismayed that legislation enacted by the Congress with the hope of betterment and the intent of rectifying injustices has resulted in inflicting greater injustices upon the citizens of a great nation like Ireland and the people of Irish blood and extraction, who have for many years labored so glori-

ously for this country and have fought its battles in war and peace. The blood of Irish-American patriots was spilled in every American war.

Frankly, I believe the immigration law must be changed to root out every vestige and trace of discrimination against the Irish and other nations, being denied access to the shores of this country and the blessings of America.

I do not want to belabor the case for the Irish, because it speaks for itself. The Irish came here in the colonial, the revolutionary period, when this country was being ravaged and oppressed by ruthless forces of a great empire from across the seas.

History records the fact that many of the soldiers in Washington's army were of Irish blood, and they stood side by side with other Americans, fighting desperately, spilling their blood, and giving their lives for the cause of freedom in our Revolutionary War.

Since that time, history is replete with Irish achievements and Irish contributions in every field which improved and strengthened this country in a truly indescribable way.

The pages of history are filled with the exploits, glories, sacrifices, and heroisms of the Irish and people of Irish blood.

Americans are well aware of the contributions of the Irish, and no intelligent person can deny or minimize this.

I say this in no spirit of braggadocio, but merely to recite the truth and facts.

At the same time, I want to urge with all my heart that the Irish be given what they are entitled to receive—a fair chance and a fair shake from the American Government to come to this country and to seek the opportunity to share the blessings of our Nation, on a parity with others, and that is being denied them under the current law.

A number of bills have been prepared and submitted to amend the existing laws, so as to deal fairly with the Irish and other nations.

In the aggregate, if all were adopted, the result would accord justice and equality to the Irish. On the other hand, this might well add to the current confusion and this is not necessary to my mind.

I have given this matter careful consideration and effort for a period of time now. I believe that in the first instance Congress should have adequate time to carefully reconsider the law to make sure that mistakes heretofore made, will not be repeated and compounded, and to eliminate current discriminations and injustices and accord to the Irish and others in a similar situation, their fair share of the number of people being annually admitted to the United States.

I think the provision that no quota be reduced before July 1968, should be extended for at least 1 year, and perhaps 2 more years.

I think, Mr. Speaker, that this is a matter of utmost urgency and requires the immediate attention of the House.

I urge that we move in a deliberative way to ameliorate and revise the immigration laws, which are not working well, to give the Irish, and others like them, their day in court, and accord to all peoples fair and equal justice.

I am happy to commend and congratulate all those very zealous, able, dedicated citizens who gave their time and energy to prepare and present their case early last month before a group of Members of the House.

I trust, Mr. Speaker, that the great Judiciary Subcommittee, under the distinguished and able gentleman from Ohio, our dear friend [Mr. FEIGHAN], will consider this matter as soon as possible.

I think this is the least the Congress can do, not only for the Irish abroad, but for those in this country whose patriotism has never faltered. We should leave nothing undone that we can do to change the inadequate, unjust immigration laws in every way necessary to do justice to all.

I want to make it clear that I do not question or do I want to take away or decrease, the numbers assigned to the citizens of other nations.

In the past, and up to the present, I have worked most diligently and doggedly to assist practically every group in this country with its immigration problems and it has been my high privilege and good fortune to have helped thousands and thousands of people of every rank, station, nationality, creed, and color to come to this country, which, historically has been a place of refuge from ruthless persecution and barbarous tyranny, and it is my purpose to continue in every way I can to assist these people.

It is my hope that this great House will soon move to clarify and amend the immigration laws to do justice to all, especially the Irish who have suffered more than other nations from the maladjustments of this ill-considered law, and should be relieved now.

STATEMENT OF HON. WILLIAM F. RYAN BEFORE THE SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY OF THE HOUSE COMMITTEE ON THE JUDICIARY, IN SUPPORT OF H.R. 16593

I am pleased to have this opportunity to testify in support of my bill, H.R. 16593. I am also encouraged by the wide support both in the Congress and nationally for an equitable solution to the unforseen consequences of the Immigration and Nationality Act of 1965. Thus far, 23 Members of Congress joined me in co-sponsoring H.R. 16593, and eleven other Members of Congress have introduced identical bills.

Only two days ago, on July 1, 1968, the provisions of the 1965 Act went fully into effect. Unless that Act is amended, the result will be to drastically reduce—perhaps by as much as 90%—the traditional level of immigration from nations which historically have provided much of our immigrant stock. My bill would prevent such catastrophic declines, without in any way penalizing nations which have gained immigration places, and without increasing the world-wide total of immigration to the U.S. by more than approximately 10%.

Before discussing my bill in detail, let me take a few moments to review the intent of the 1965 Act and some of its unintended consequences. That Act replaced national origins quotas with a system of preferences based on two principles: the re-uniting of families and the attraction of immigrants with needed skills. There is no question that this represented a significant reform of the old quota system which was overtly discriminatory. Unfortunately, the result of the 1965 Act has been to impose an unanticipated discrimination against those nations which was formerly favored.

The Act limits preference immigration to 170,000 annually. However, 74% of places are allotted to relatives. In most cases, there is a labor certification requirement for the remainder. The result is that nations whose immigrants to the United States have historically been low-skilled young men, without close relatives in the United States, who have left their homelands in search of a better life in America, will effectively be frozen out.

This was not foreseen by the Administration estimates which were made to the Congress when the 1965 Act was being considered. In the case of Ireland, for example, the Congress was assured by the State Department that Irish immigration could be expected to level off at about 5,200 annually when the Act was fully in effect. (*Congressional Record*, September 20, 1965, p. S24452). This compared with an annual average of about 7,200 during the previous decade and was almost equal to the actual level of Irish immigration in 1964, the year prior to the enactment of the Act. Since Ireland was a formerly privileged quota nation, a level of 5,200 yearly seemed equitable even though it was significantly below the former quota of 17,756.

In fact, however, Irish immigration has already declined well below that estimate during the three-year transitional period when the Act was not fully in effect. Between 1965 and 1968, any immigrant who could qualify under one of the preference categories, could gain entry so long as his nation's former quota for the year was not exhausted. In other words, until July 1, 1968, there has been no world-wide competition for preference places. But even with the partial protection of the former quota, the number of immigrant visas issued by the American Embassy in Dublin has declined from 4,619 in 1964 to 4,004 in 1965, to 1,741 in 1966, to 1,809 in 1967. There has been a slight increase in the first six months of 1968 because the Embassy has widely publicized the fact that beginning with July 1 of this year, when Ireland no longer has her former quota, it will be extremely difficult for Irish to qualify. It has been estimated by the State Department that the rate of Irish preference immigration during the next year will be only about 600.

There will be similar effects on immigration from Britain and Germany, which will drop from a pre-1965 level in excess of 20,000 to post-1968 levels of 2,500 for Britain and 1,625 for Germany. Some ten other nations are expected to be similarly affected.

The Visa Office of the State Department estimates that in 1969, the four leading nations in terms of the number of immigrants will be Italy, Greece, China, and Portugal, with the statutory limit of 20,000 immigrants each, followed by the Philippines and India, with 13,000 and 6,000 respectively.

My bill would not restrict nations whose position has been improved as a result of the 1965 Act. My concern is with the near-eclipse of immigration from many nations whose sons have built America, which was certainly never the intent of the Congress.

In designing this legislation, I was confronted with the problem of making it possible for a reasonable level of immigration to continue from these nations, without returning to the old quota system. In considering this dilemma, it became apparent that neither the removal of the labor certification requirement nor a shift in the perference categories would solve the problem because, given a limited number of places world-wide and rigid preference categories, certain nations whose patterns of immigration do not correspond to the preferences would invariably be shortchanged.

Therefore, I have proposed in H.R. 16593, a "floor" under the immigration from every nation, based on its average level of immigration to the United States during the 1956–65 decade. The floor would equal 75% of the average annual immigration during that period, but in no case would it exceed 10,000 persons. Any nation whose immigration fell below that floor because insufficient numbers of its nationals could meet the requirements of the 1965 Act, would be given additional numbers to bring the total up to the floor. Obviously, this would only be done to the extent that demand for visas existed.

The Department of Justice has noted that, since my bill bases the supplementary numbers on the deficiency during the previous fiscal year, the measure would not provide relief until one year after the 1965 Act has been fully in effect. This can be remedied simply by amending page 1, line 8, to strike "1968," and substitute "1967."

This "floor" would prevent major declines in immigration from any nation resulting from the provisions of the 1965 Act. It would in no way affect the level of immigration from nations which have gained as a result of the Act.

Let me again consider the case of Ireland, as an example. Ireland used to send an average of 7,185 immigrants yearly during the base period, 1956–65. Ireland's floor would therefore be 75% of that, or 5,390. Note that this is substantially below her former quota of 17,756. If H.R. 16593 were presently in effect, and since all Irish immigration totalled 3,561 in Fiscal Year 1968, then there would be made available for Irish immigrants the difference between 3,561 and the floor of 5,390, or a total of 1,829 additional places, which would become available during Fiscal Year 1969. This would bring the total up to 75% of the base period average.

I have constructed a table of nations whose immigration has already declined or is expected to decline appreciably beginning this Fiscal Year, in order to arrive at an estimate of the world-wide numerical increase which my bill would permit.

Country	Old quota	1956–65 average	1967 actual	75 percent of the 1956–65 average or 10,000
Belgium	1,297	1,180	644	885
Czechoslovakia	2,859	2,522	1,252	1,892
Germany	25,814	25,340	8,333	10,000
Great Britain	65,361	26,560	23,071	10,000
Ireland	17,756	7,185	2,457	5,390
Norway	2,364	2,297	1,195	1,724
Sweden	3,295	2,140	1,665	1,605
Austria	1,405	1,405	869	1,053
Denmark	1,175	1,175	936	882
Finland	566	566	476	725
France	3,069	3,069	2,125	2,305
Netherlands	3,136	3,136	1,897	2,352
Switzerland	1,698	1,698	1,699	1,274
Total				39,787

The difference between the first and second groups in the chart is that under the old quota system, the first group did not use its quota, whereas the second group did. But the decline in immigration reflected in 1967, the first full year that the provisions of the 1965 Act were in effect, and the expectation that there will be a further decline after July 1, 1968, suggests that both groups will suffer a substantial decline.

Seventy-five percent of the former average annual immigration from these nations totals 58,862. However, because of the provision limiting the floor to 10,000, the total maximum additional number of places which the bill would make available would be 39,787. In order to arrive at a realistic estimate of the actual increase, we must subtract from this total the estimated level of immigra-

tion from the affected nations. This would be in the area of 15,000. So that the additional numbers permitted by H.R. 16593 would be more than about 25,000 yearly, all told. This would increase world-wide immigration to the United States by about 8%—not a large price to pay for restoring equity to our immigration policies.

Several other bills have been introduced to amend the 1965 Immigration and Nationality Act. Chairman Celler introduced a measure which would re-define the preferences. Other Members have introduced bills along the lines of an original provision in the proposed amendments of 1965, to provide a discretionary pool of extra places. It has also been proposed to extend the date on which the Act becomes fully effective. None of these proposals would deal with the present problem of unanticipated and involuntary declines in the level of immigration from certain nations.

My bill deals directly with this problem and is the only legislative proposal so far advanced which corrects the situation. My concern is to correct the inequities which were unforeseen at the time the 1965 Immigration and Nationality Act was passed. If the committee can achieve this objective through another formula, I would be glad to support it. But the July 1 deadline has already passed. Action must be taken promptly if these inequities are to be remedied.

(The statements of organizations, with representatives at the hearing but unable to testify due to lack of time, follow:)

STATEMENT OF VERY REVEREND DONALD M. O'CALLAGHAN, O. CARM, NATIONAL VICE CHAIRMAN OF THE AMERICAN IRISH NATIONAL IMMIGRATION COMMITTEE AND DELEGATE OF THE NATIONAL BOARD, ANCIENT ORDER OF HIBERNIANS

Mr. Chairman, we come before you today to ask in the light of the record that you consider our plea for fair play. We had a Governor in the State of New York named Alfred Smith who challenged his critics by asking them to look at the record. We ask you today, look at the record. We are not "Johnny Come Latelies". We have been here from the beginning. We were with Washington at Lexington and Concord and suffered through Valley Forge. The names of Barry, Father of the American Navy, General Stephen Moylan and General Sullivan not to mention Charles Carroll of Carrollton are well known in Revolutionary history. Benjamin Franklin tells us that the Irish people were with us to a man when he addressed the Irish Parliament at that time.

In 1779 a Committee of the British House of Commons investigating the causes of the Revolution asked this question of Joseph Galloway, a delegate to the First Continental Congress, who later joined the Loyalists.

Question: What were the troops in the service of the Congress composed of? Were they natives of America or were the greatest part of them English, Scotch or Irish?"

Galloway replied: "I can answer that question with precision. They were scarcely one-fourth natives of America, about one-half Irish. The other fourth English or Scotch."

In his personal recollections General Washington Parke Curtis had this to say about the composition of the Revolutionary Army: "Up to the coming of the French, Ireland had furnished in the ratio of 100 to One of every nation whatever."

Lord Mountjoy announced to the British Parliament after the surrender of Cornwallis: "England has lost America through the exertions of Irish immigrants."

In the War of 1812, the second war of Independence, the only great victory was won by a son of Irish immigrants, Andrew Jackson. His second in command on that occasion was General William Carroll. Approximately 2,000 native born Irish fought under General Winfield Scott in the war against Mexico. The Freeman's Journal said at that period one-half of General Taylor's Army were Irishmen. In the war between the States whole Divisions of the Ancient Order of Hibernians went off to fight for the Union. The names of Meagher, Shields, Corcoran and Kearny figured largely in that struggle. A reporter of the London Times described the Charge of Meagher's Brigade at Mary's Heights as one of the most courageous he had ever witnessed. It is recorded that 300,000 Irish born men wore the uniform of Blue and 150,000 died for the Union cause. Furthermore, records tell us 40,000 Irishmen fought for the Confederacy and the great patriot John Mitchell lost two sons on the Confederate side. General Patrick

Finnegan, the defender of Florida and General Patrick Cleburne who died in action at Franklin, Tennessee were both born in Ireland.

The monuments at Gettysburg with the emblems of Ireland on them testify of the love and loyalty of these people for our country. The War against Spain in 1898 gave us the Ballad of Kelly, Burke and Shea. Love and loyalty to these United States was a gain shown by the sacrifices of these people. The history of the First World War period illustrates the Irish tradition of devotion to the United States. General Pershing had crossed the Rhine to visit the American Army of Occupation. He came upon a regimental flag that had so many campaign ribbons on it that it couldn't stand up straight and he asked his Aide for the name of the Regiment. He was told it was the 69th of New York. His answer was: "I should have known." In the center of New York there stands a statue of Father Francis Patrick Duffy, the heroic chaplain of the 69th. Its famous commander during that period was William J. "Wild Bill" Donovan.

World War II gave us the names of Colin P. Kelly, Admiral Daniel Callahan who went down in the Coral Seas and Father Joseph O'Callahan who was the first minister of Religion ever to receive the Congressional Medal of Honor. The Korean War gave us fresh Irish American heroes and only recently there came back to New York a man with the Congressional Medal of Honor named Robert Emmet O'Malley.

Under the present law most of these people could never have come here. How shall be sum up the record? We can do it at no better way than by quoting the poet, John Boyle O'Reilly, Editor of the Boston Pilot:

"No treason do we bring from Erin
Nor bring we shame nor guilt
The sword we hold may be broken
But we haven't dropped the hilt.

"The wreath we offer to Columbia is
fastened of thorns not bought
And the hearts we bring are saddened
by the thoughts of sorrowful days.
But the hearts we bring for freedom
are washed in a people's faith outliving a thousand years."

The contribution of the Irish to the Labor Movement of this country dates from the very beginning. Economically they were poor. They fought for the rights of man in the coal regions of Pennsylvania. One of their sons was Terence Powderly who founded the Knights of Labor. This organization condemned in French Canada was saved by the far seeing and courageous action of James Cardinal Gibbons of Baltimore born in New Orleans and raised in County Mayo, Ireland. He was abetted and encouraged by Archbishop Ireland of St. Paul, a native of Burnchurch, County Kilkenny, Ireland: Bishop Dennis O'Connell, a native of the County Cork, Ireland and Bishop Keane, a native of County Donegal, Ireland.

The contribution of the Irish to the various churches has been prominent. Whereas they have contributed a good measure to the Episcopalian, Presbyterian and Methodist Churches they were the great influence in fashioning the Catholic Church in this country and making it thoroughly American. The names of Carroll, Father of the American Hierarchy, England a native of County Cork, Hughes of New York, a native of the County Tyrone are but a few of many.

The contribution of the late Cardinal Spellman to our Armed Forces to mention just one of the many facets of his life is well known.

In Chicago there is Cardinal Cody, a son of Irish immigrants. In Boston there is Cardinal Cushing, a son of Irish immigrants. In New York there is Archbishop Cook, a son of the Irish immigrants. In San Francisco there is Archbishop McGucken, the son of Irish immigrants. It should be noted that under the present laws these men would never be here because their parents couldn't come here.

We would like to call your attention to a monument in this city in a public square dedicated to the Nuns of the Battle Field. This is a tribute to these valient women who during the Civil War nursed the Blue and the Gray for we had no organized nursing service at that time. Most of these women were of Irish birth and extraction. This monument was erected due to the interest of the Ladies Auxiliary of the Ancient Order of Hibernians to express the gratitude of the

Nation to these heroic women. Now Irish nuns and teaching brothers will have to wait two years to get into our country. We find it hard to believe that it could be said of our America that "eaten bread is soon forgotten."

The contributions the Irish immigrant to sports, the theatre and the arts are well known and time does not permit us to go into all of that today. We have been told of today the Irish do not wish to come here. From 1963–1967 a total of 69,600 people have left the 26 Counties of Ireland to live elsewhere. This number averages out at 17,400 a year. Most of these Irish young men and women are now going to Britain, Canada and Australia. Few are coming to the United States because our present immigration laws stops them from coming here. For example 1965 was the year that the new immigration law was passed a total of 5,558 Irish immigrants landed here in the United States, out of a total of 17,400 who left Ireland that year. This was the last year of open immigration for the Irish into the United States.

In 1966, 1,741 immigrants arrived here. However, 4,725 immigrants in that same year made application to come.

Years ago the Congress enacted an immigration policy which was not of our seeking but which was beneficial to us. Our country did not lose by this policy in view of our contribution. We recognize this policy was unfair and consequently when changes were proposed we did not object. The State Department at that period offered a projection which showed that over 5,000 Irish would still be able to come in here each year. We do not believe that we should be blamed and penalized because of an immigration policy which was none of our creation. It is constantly mentioned that we gained out of this policy, but there were others who gained besides us. On December 12, 1967, Cardinal Cushing of Boston endorsed the work of American-Irish Immigration Committee, H.R. 16593 introduced by Congressman Ryan of New York together with 23 others has received the endorsement of the same Prelate as well as many others. It will not take away from the gains of others made in 1965, but it will help to provide a great mixture of immigrants to the advantage of our own country and to the advantage of those lands that traditionally supplied us with our immigrants.

STATEMENT OF PHILIP O'ROURKE

My name is Philip O'Rourke. I am National Vice President of the American Radio Association, AFL–CIO and Chairman of the Northern California Federation of American Irish Immigration Committees.

The various speakers before this Committee have raised numerous important considerations in support of the changes needed to restore equity to our immigration practices in regard to Ireland. Therefore, I wish to limit my comments to two points.

First, the principle of fairness in immigration policy. The present Immigration Law was intended as a reform measure, designed to eliminate any taint of racial or ethnic discrimination. This was a commendable purpose. The principle involved is one to which all members of the American Irish Immigration Committee wholeheartedly subscribe. We ask merely that this principle of nondiscrimation be applied to Irish immigration. It was an unintentional by-product of the 1965 Immigration and Nationalities Act that Ireland was deprived from a very generous quota to almost complete exclusion.

Having corrected such past inequities as the Chinese Exclusion Act, it surely was not the Congressional intent that there be an "Irish Exclusion Act" contained in the present legislation.

My first point, therefore, is that this issue is not a matter of purely Irish American concern—indeed, the principle of fairness in immigration policy is of deep concern to all Americans, whatever their national origins might be.

My second point is in reference to America's role of world leadership. The 1965 Immigration and Nationalities Act was welcomed throughout the world as a progressive step by the United States and away from discriminatory immigration practices. America's standing rose in the eyes of millions throughout the world. This incalculable asset in universal good-will is threatened if the 1965 Act fails to honor its original intent. And, in respect to Ireland, it does fail.

I therefore respectfully suggest to this Committee that correcting the inequity affecting Irish Immigration, will have the broader result of demonstrating to the whole world, that the United States is so firmly committed to the principle of non-discrimination, that when injustices are discovered, it proceeds speedily to correct them.

STATEMENT OF DONALD F. COLLINS, GENERAL SECRETARY OF THE ILLINOIS CHAPTER, AMERICAN IRISH IMMIGRATION COMMITTEE

THE VANISHING IRISH

In the past two years there has been a drastic reduction in the issuance of immigration visas to Irishmen and women seeking to obtain permanent residence in the United States. Also affected under provisions of the 1965 U.S. Immigration Act are the English, Dutch, Germans, French, and other northern European countries.

The national origins quota system which had determined the flow of immigration since 1929 sought to preserve the ethnic balance in the United States from the 1920 census count. It was perhaps discriminatory to some countries and the new act was rightfully heralded for its fair and liberal approach when it was signed into effect in 1965.

However, what was not reckoned with was the interpretation and implementation of the labor preferences sections by the Labor Department. For example the so called skilled worker created another kind of discrimination—by occupation. This in effect belied Emma Lazarus words on our Statue of Liberty, "Give me your tired, your poor, your huddled masses yearning to be free."

The Irish were the first to bear the brunt of the "mass immigration era." Prodded by crop failures in the 1800's and the heavy hand of "the penal laws" which refused catholics the right to own land they fled to America in ever increasing numbers. They fought the undertow of slum life and with no skills beyond good common sense, strength, and a determination to succeed, they helped build America's canals, railroads, and toiled as serving maids.

Because of their catholicism, and quick tempers they became the first immigrants to feel the cruel lash of prejudice. But this and many more handicaps were to be overcome in the years to follow as the young Irish immigrant rose to the highest positions of public life, the professions, business, the labor movement, and the church. Their role in the fight for American Independence was to be described by Luke Gardner in the English House of Commons on April 2nd 1784, when he said "America was lost to England by Irish emigrants."

Now in this enlightened age of 1968 comes a new form of intolerance in the form of discrimination against an unskilled worker coming from Ireland. If this act had been in effect when those first unskilled workers came from Ireland it is quite possible, that we might never had such famous political leaders as the Kennedys or the Daleys.

American-Irish long active in labor unions are desirious of protecting American labor and want to see no American put out of a job as a result of any immigrant coming to the U.S. But is section 212(a)(14) of the immigration act really necessary in its present form and is it accomplishing its intended purpose?

Immigrants add but a tiny fraction to the total U.S. labor force so Government officials tell us. Approximately ⅛ slightly over 10,000 immigrants of the non preference variety, labours etc. enter our labor market each year. This is certainly a small number considering the fact that close on 34,000 Americans enter the market every four days. The new act seems overconcerned with the small remainder. New seed immigration is being eliminated and the U.S. will be the loser.

Another factor which is unfair to the Irish is a system of preferences based on family relationship. Traditionally Irelands immigrants are generally young, unmarried, and hence brings no spouse or children. It is the rare case in recent times when a whole Irish family emigrates to the U.S. Thus Ireland's pattern of immigration does not permit it to compete equally with most other nationalities for family preferences.

In the first sixteen months under the new law only 11 Irish men qualified for visas preferences as professionals or needed skilled workers. In this area Ireland is the hardest hit of the formerly "privileged countries." However, it should be noted that unlike most other nations of the world, Ireland was never the recipient of substantial U.S. foreign aid.

As a result of a meeting held in Washington in April of this year a bill is now pending before Congress which will if passed allow at least 5,400 Irish to enter our country each year without regard to skill for the most part. This bill would also include nationals of the other northern European countries affected by this act. The bill number is H.R. 16593 and is cosponsored by several Illinois Congressmen including John C. Kluczynski, William Murphy, Roman Pucinski, Frank Annunzio, Daniel Ronan, and others.

In an effort to cure an old inequity Congress has placed a heavy burden on Ireland, the nation least able to compete. A truly unfortunate state of affairs in view of the contributions of Irelands son and daughters down through the years.

AMERICAN IRISH IMMIGRATION COMMITTEE,
Towson, Md., July 3, 1968.

GENTLEMEN: The Maryland Chapter of the American-Irish Immigration Committee, consisting of the Emerald Isle Club, the Ancient Order of Hibernians, the Friendly Sons of St. Patrick, and the Hibernian Society of Baltimore, totaling over two thousand members, are asking you to support H.R. 16593, because we believe this bill is a needed amendment to the Immigration and Nationality Act of 1965 which created an unequitable Immigration quota to Ireland.

An example of the 1965 Act's unexpected effect can easily be seen in 1964, 4,619 Irish immigrated to the United States, and in 1966, after the Act of 1965 began to take effect, only 1,741 Irish immigrated to this Country. It is estimated that after this year less than 400 Irish will be permitted to immigrate to America.

The contributions of the Irish from the Revolutionary War Heroes of 1776 to President John F. Kennedy, are important to America's greatness, and the flow of such talent and vitality should not be choked off.

The present Act of 1965 is unfair and not fulfilling its talent to create equality of Immigration to all Nations. However, the bill H.R. 16593 if enacted into law, would solve the problem as far as the Irish are concerned, at the same time being fair to other nationalities.

For this reason the members of the Maryland Chapter of the American-Irish Immigration Committee unanimously support H.R. 16593.

Sincerely,

J. ROBERT TWEEDY, *Chairman.*

STATEMENT BY THE IMMIGRATION COMMITTEE OF THE NEW JERSEY STATE STEUBEN PARADE COMMITTEE TO THE MEMBERS OF THE HOUSE SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY, THE HON. MICHAEL A. FEIGHAN, CHAIRMAN

Subject: The inequities of the Immigration Act of 1965.

GENTLEMEN: We respectfully request that this statement be entered into the records of the House Subcommittee on Immigration and Nationalities.

The Immigration Committee of the New Jersey State Steuben Parade Committee, composed of representatives of cultural, educational, athletic and charitable organizations of American citizens of German origin in New Jersey, wish to take this method to inform you of their dissatisfaction of the terms of the 1965 Immigration Act Amendment.

In behalf of the members of these organizations, we wish to underscore the statement by the Steuben Society of America, given as testimony before your important committee on July 3, 1968.

We believe that the basic controls and preference categories need to be readjusted to provide for a distribution of visas, fair to all. Fair also to our forefathers whose loyalty, restraint and hard work have built this great nation.

We also feel that continuation of the present system would in time to come result in an accelerating backbreaking strain on the American taxpayer and add proportionately to the already out of proportion high number of welfare recipients.

We suggest you declare a moratorium on the 1965 Immigration Act for two years of reconsideration, or as an alternative the passage of the William F. Ryan Bill, H.R. 16593, revised to take effect *now*, not in 1970.

We trust your good committee will take our wishes under consideration.

Thank you for your patience and courtesy.

STATEMENT OF MICHAEL P. BYRNE, CHAIRMAN, AMERICAN IRISH IMMIGRATION COMMITTEE, BUFFALO, N.Y., CHAPTER

Buffalo Chapter Consists of the Following Irish and Irish American Clubs:

Chairman, Michael P. Byrne, St. Patrick's Gaelic Athletic Association.
Vice-Chairman, John T. Kelleher, Irish Friendly Society.
Treasurer, Thomas Murry, Knights of Equity—Buffalo Irish Club.
Cor-Sec'y, Patrick Harris, A. O. H. Buffalo Chapter.
Secretary, R. T. O'Brien, United Irish American Association.

Committee:

John Courtney, St. Patrick Gaelic Athletic Association.
James Heaney, American Congress of Irish Freedom.
Mrs. Roberts, Daughters of Erin.
Kieran Harrington, St. Patrick's Gaelic Athletic Association.

All these clubs are united and are in complete agreement to support H.R. 16593 in every way possible and have already taken steps to put certain plans in motion.

STATEMENT OF JOHN W. DUFFY, REPRESENTING THE UNITED IRISH COUNTIES ASSOCIATION OF NEW YORK, INC. AT THE PUBLIC HEARING ON IMMIGRATION BEFORE SUBCOMMITTEE NO. 1 OF THE JUDICIARY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

Mr. Duffy is a Past President of the Association, is presently serving as a Director and for the past nine years has been Chairman of the New York Irish Feis.

"The United Irish Counties Association of New York, founded 1904, is a delegated body with representatives from each of the thirty-two Irish County Organizations. The combined membership of these organizations is about forty thousand. The United Irish Counties Association has, since its inception played an active role in the civic religions, social and cultural life of the New York Metropolitan Area. For the past thirty-six years it has sponsored the great Irish Cultural Festival—The New York Irish Feis."

"We are well aware of the drastic reduction of Irish immigration to the United States as a result of the passage of the 1965 Immigration and Nationality Act. Our organization was one of the first Irish groups in the United States to have a committee on Immigration. From our close contact with recent Irish immigrants we were well aware of the situation. We were one of the original founders of the American Irish Immigration Committee. We remain a constant supporter of its goals and aims."

"We stand for a fair, just and equitable immigration policy toward all nationalities. The present U.S. Immigration policy is unfair to the Irish."

"We urgently request that you support and favorably report out of committee a bill sponsored by over thirty-eight Congressmen. This bill H.R. 16593 is fair to all nationalities. We urge its adoption."

(The following telegram was forwarded for incorporation in the hearing by the Honorable Andrew Jacobs, Jr., Indiana:)

INDIANAPOLIS, IND., *July 3, 1968.*

Representative ANDREW JACOBS, Jr.,
House of Representatives,
Washington, D.C.

DEAR ANDY: Regret that I am unable to appear before the Judicial Committees hearings on the Ryan bill in regards to the immigration from Ireland. At the Indiana State convention of the ancient order of Hiberians held June 29 in Indianapolis it was resolved to support the Ryan bill.

Andy, the Irish of Indianapolis and Indiana are greatly disturbed at the apparent discrimination against the Irish in the Immigration and Nationality Act. We solicit your support to prevent the Ryan bill to come to the floor for a vote in this current session.

We also request if possible that this be read into the committee hearing showing that the Irish of Indiana wholeheartedly support the American Irish Immigration Committee.

Sincerely,

JAMES R. SULLIVAN,
Chairman.
JAMES C. WELCH,
Cochairman.
DENNIS MORARITY,
Secretary.

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