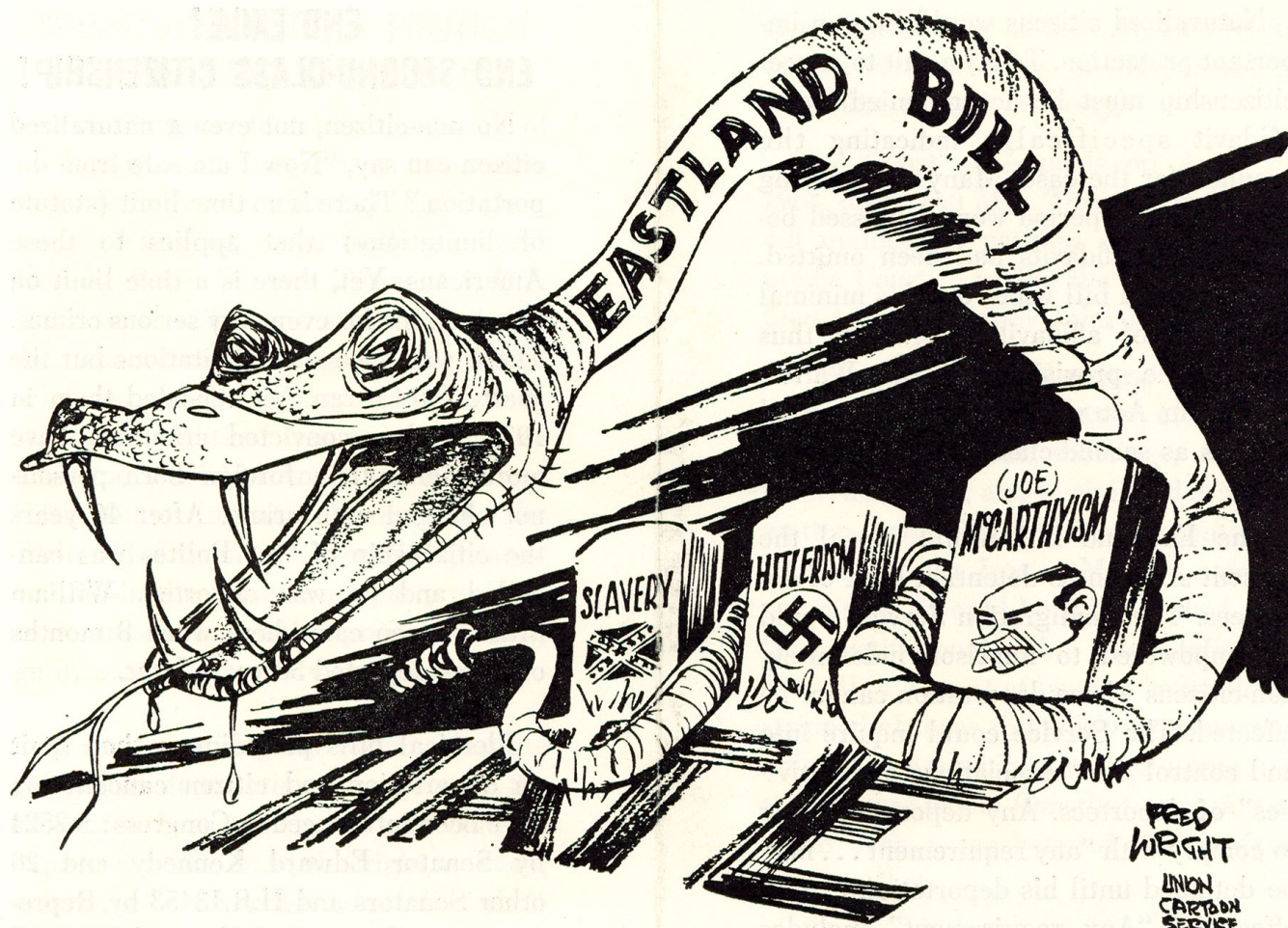


American Committee for Protection of Foreign Born **NEWS**

BLUEPRINT for POLICE STATE: THE EASTLAND BILL

In a bi-partisan move by Senate reactionaries, Senator Eastland, Senator Dirksen and 18 others have introduced a bill violently attacking the democratic rights of the people, black and white, native and foreign born. In addition to trying to circumvent liberal civil rights decisions of the Supreme Court, the bill provides "riot control." The bill also invents a new crime, peacetime treason, defined as "giving aid or comfort" to any nation or group engaged in hostilities "with the Armed Forces of the United States." These provisions are designed to stifle, as subversive, peace and civil rights discussion and activity or even open discussion by the people for a better livelihood.

Naturalized citizens would lose an important protection. Today a suit to cancel citizenship must be accompanied by an affidavit specifically indicating the grounds for the case. Many suits during the McCarthy period were dismissed because such affidavits had been omitted. The Eastland bill wipes out this minimal safeguard of affidavits. It would thus worsen the provisions of the Walter-McCarran Act which treats naturalized citizens as second-class citizens.

The Eastland bill would repeal the present six months detention limit of deportees. The Immigration Service would be empowered to imprison indefinitely non-citizens whose deportation cannot be effected. The Service could inquire into and control the "associations and activities" of deportees. Any deportee failing to comply with "any requirement . . . may be detained until his deportation can be effected." "Any requirement" includes prohibitions against engaging "in activities determined by the Attorney General to be dangerous to public safety and security" or "giving information as the Attorney General in his discretion may consider necessary."

In treating certain non-citizens as outcasts without rights, liable to life imprisonment, the Eastland bill would open the door to treating citizens in the same way. Write your Senators and Representatives that you oppose the Eastland bill, S.2988.

END EXILE! END SECOND-CLASS CITIZENSHIP!

No non-citizen, not even a naturalized citizen can say, "Now I am safe from deportation." There is no time limit (statute of limitations) that applies to these Americans. Yet, there is a time limit on prosecutions for even very serious crimes. There was once such limitations but the Walter-McCarran Act repealed them in 1952. Today, convicted criminals have more rights than foreign born persons not charged with crime. After 46 years the citizenship of Gus Polites was cancelled and he was deported. William Mackie, who came here when 8 months old, was deported 50 years later.

Identical bills providing a time limit on deportation and citizen cancellation have been introduced in Congress: S.2524 by Senator Edward Kennedy and 20 other Senators and H.R.13453 by Representatives Emanuel Celler and Michael Feighan, Chairman of the Judiciary Committee and Chairman of the Immigration Committee. The bills would bar loss of citizenship after 10 years and prohibit deportation after 20 years of residence. Pending deportees are excepted. Despite this exception—which should be removed—the bills would as Senator Kennedy and Representative Celler said, "go a long way toward removing inequities . . ."

We ask you, your friends and neighbors to write your Senators and Congressmen to support these bills.

CONSTITUTIONALITY OF POLITICAL DEPORTATIONS CHALLENGED

A challenge to the constitutionality of the Immigration Law section authorizing deportation for membership in the Communist Party has been made in a suit filed by Betty Gannett Tormey. A U.S. Resident for 54 years, she charged that the deportation order against her, based solely on membership, violates her constitutional rights of free association and due process of law under the First and Fifth Amendments. Moreover, the Walter-McCarran Act penalizing membership in the Communist party as such constitutes a legislative prejudgment of guilt, contrary to the Constitution.

At present Congress claims absolute power over deportation, even going to the extent, as former Congressman Newton expressed: "We have the right to enact a law that every red-headed alien shall be deported." Although the guarantees of the Bill of Rights refer to "persons" and are not limited to citizens, non-citizens are treated as having no rights of free speech and association that the Government is bound to respect.

This assertion of absolute power of Congress over aliens rests on an 1893 Supreme Court decision. Prophetically the dissenting judges in that case wrote: "... it will surprise most people to learn that any such dangerous and despotic power lies in our government", a power which can be "enforced without regard

to the guarantees of the Constitution intended for the rights of all persons in their liberty and property."

The Court of Appeals on April 29, 1968, dismissed Mrs. Tormey's suit without opinion. A petition asking the Supreme Court to review the case has been filed by her attorney John J. Abt.

Non-citizens have the same rights and duties as citizens in matters of military service, income tax, marriage, employment, accidents, and in civil and criminal matters generally. Yet inconsistently, as Supreme Court Justice Murphy noted, a non-citizen "would be fully clothed with his constitutional rights when defending himself in a court of law but he would be stripped of these rights when deportation officials encircle him. I can not agree that the framers of the Constitution meant to make such a mockery of human freedom . . ."

"LIBERALIZED" IMMIGRATION LAW MORE RESTRICTIVE

On July 1, 1968 separate immigration quotas for each country will cease and will be replaced by a world-wide quota (exclusive of the Western Hemisphere) of 170,000—134,000 for those with close relatives here and 34,000 for those with advanced training and needed skills. Thus ends the racist quota law in effect since 1924 favoring so-called "Nordics" from countries in Northern and Western Europe which were allotted 80 per cent of the quotas.

Under the prior law, unskilled immigrants without close relatives here could come from countries with large quotas such as England. Now for the first time in American history such immigrants are barred. In addition, Western Hemisphere immigrants, previously unrestricted, also must have either a resident relative or a skill. This results in a substantial reduction of such immigrants.

Abolition of the discriminatory national quotas had long been favored by liberals, but diehard opposition of Southern conservatives blocked any change. Now favoritism for "Nordics" has been replaced by restrictions against *all* immigrants, including our good neighbors of this hemisphere although immigration today as a percentage of the total U.S. population is about 75 times less than from 1900 to 1920.

FEDERAL COURT HEARING ON SUPERVISORY PAROLE CHALLENGE

Can you believe that there are people in the U.S. today who are not charged with a crime but who are treated worse than criminals? This is the plight of certain non-citizens whose deportation orders cannot be carried out because the countries of their birth no longer consider them citizens. The Immigration and Naturalization Service has placed them on "supervisory" parole, a lifetime of semi-imprisonment. Many parolees must report every three months, submit to questions about work, travel, etc. and

must notify the Immigration authorities if they wish to travel outside a limited area for more than 48 hours. Failure to comply is punishable by imprisonment.

Seven parolees filed suit in Federal Court challenging the constitutionality of this endless supervision. They range in age from 60 years to 77 years. A 77 year old has lived in this country for 56 years, a 75 year old has lived here for 53 years. Five of this group are employed as compositor, carpenter, sales manager, editor, director of Women's Clubs. Four are married to U.S. citizens.

Their case was argued before a specially convened three-judge Federal Court in New York. The government attorney contended that parolees have no right to sue. He said that it was unlikely that the Justice Department would prosecute if they did violate. When the Court asked for assurance of this, the attorney declined.

The Court reserved decision.

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