



Department of Justice

STATEMENT

by

ATTORNEY GENERAL NICHOLAS deB. KATZENBACH

before

SUBCOMMITTEE NO. 1, HOUSE JUDICIARY COMMITTEE

in support of

LEGISLATION TO ADJUST THE STATUS OF
CUBAN REFUGEES TO PERMANENT RESIDENTS

Thursday, August 11, 1966

Thank you for the opportunity of appearing in support of a legislative proposal marked by both compassion and practicality.

This is my first appearance before you since March 4, 1965 when we discussed the bill which later became the Immigration Act of 1965. I welcome this opportunity to express my appreciation and admiration for the work of your Subcommittee in drafting that historic legislation.

I can report that the legislation is meeting the national needs and humane purposes for which it was intended. While abolishing the discriminatory national origins system, it is permitting families to reunite and allowing entry of persons with skills of importance to our nation.

Our implementation of the law is still undergoing refinement. Should we conclude that amendments are needed to attain maximum effectiveness, I am confident that you will give our proposals due consideration.

The Select Commission on Western Hemisphere Immigration, created by the 1965 Act, held its first meeting last week under the chairmanship of former Census Bureau Director Richard Scammon. The Commission is expected to supply valuable data in the long-neglected field of immigration from other nations of the Western Hemisphere.

Pending completion of the Commission study--and at least until July 1, 1968--there is no numerical limitation on immigration from the independent countries of this hemisphere. However--unlike Europeans, Asians and Africans --natives of Western Hemisphere countries in the United States may not acquire permanent residence unless they depart and obtain an immigrant visa from a United States Consul abroad.

When applied to the native of Cuba, this provision becomes an often-insurmountable barrier to citizenship.

For he may not return to his homeland for the documentation necessary for permanent residency. The difficulties and expense of his traveling to another country for this documentation severely limit the number of Cubans who have been able to commence the five-year permanent residency required to petition for United States citizenship.

The Immigration and Naturalization Service reports there are nearly 165,000 Cubans in the United States without permanent residence status. Of these, 36,000 have arrived since resumption of direct airlifts from Cuba last December 1 under the policy which President Johnson enunciated upon signing the 1965 Act. They, along with 81,000 others, are here on parole. Another 47,000 were admitted on nonimmigrant visas issued by United States Consuls before their withdrawal from Cuba on January 3, 1961.

To permit removal of the restrictions placed upon these refugees by their lack of permanent residency will be to benefit them and the United States. This country can well use the services of the skilled and professionally-trained Cuban who is currently prevented from practicing his profession. Attainment of permanent residency by more Cuban refugees would aid in their resettlement by enhancing their position to qualify for employment in all areas of the nation. A likely result would be reduction of our Government's expenditure on their behalf.

Mr. Chairman, I endorse the proposal to allow Cuban refugees to apply for permanent resident status.

I am pleased to observe that all bills before you to accomplish this would make the adjustment discretionary and voluntary rather than automatic.

Whether the permanent residency proposed for these refugees would be rolled back to the date of their entry or begun upon adjustment of their status is a matter which I will leave for Congressional determination.

In any event, allowing the Cuban to acquire permanent residence and the promise of eventual citizenship will enrich his life and ours--whether he plans to remain here forever or return to a Cuba freed from tyranny.

Such legislation would be a humane postscript to the message formulated by our government and voiced by the President when he said to the people of Cuba that "those who seek refuge here in America will find it."

NOTE

Because of the imminence of the final vote in the House of Representatives on the proposed Civil Rights Act of 1966 and the consequent need for the Attorney General to remain in Washington, the attached copy of his prepared text was delivered by Mr. James Vorenberg, Executive Director of the President's Commission on Law Enforcement and the Administration of Justice.