May 19, 1950

The Honorable Harley M. Kilgore
Conference Committee on the Displaced Persons Bill
Senate Office Building
Washington 25, D. C.

My dear Senator Kilgore:

I understand that the Conference Committee on the Displaced Persons Bill is in the last stages of its discussions. I know that you are working hard to get this legislation into shape and to get general agreement on the various differences that exist between the House and Senate versions. I am aware of the difficulties inherent in this task.

As you may recall, I have, on several occasions, expressed my concern over the language of Section 11 (amending Section 13 of the Displaced Persons Act of 1948), defining the political basis for ineligibility. I refer, of course, to that provision denying eligibility to any individual "who is or has been a member of the Communist Party---or has adhered to, advocated to, or followed principles of any political economic system or philosophy directed toward the destruction of free competitive enterprise and the voluntary overthrow of representative governments...."

These two specifications have always given me some concern, although I am well aware of what was in your mind and in the minds of the other minority members who drafted this language. I am fearful, however, that subsequent interpretations may not conform to what we were thinking when this language was composed.

I had hoped that the legislative history as shown by the debate would clarify this. I was not very satisfied on this point at the time of the debate. Since then, there has been brought to my attention the views of a number of outstanding experts in the
field of civil liberties who have indicated their own fears on this score. Undoubtedly these individuals, who include Mr. Roger Baldwin and Dr. John Haynes Holmes, have addressed themselves to you directly. Nevertheless, I wanted to call your special attention to my own feeling on this matter so that you might be assured of my support in the efforts which I know you are making to secure the clearest possible reconstruction of this language.

In any event, I commend these points to your consideration. I am sure that the matter is in good hands.

With kind personal regards.

Very sincerely yours,

Herbert H. Lehman