

H. R. 6165
Washington, D. C.

Wednesday, June 17, 1942

House of Representatives,
Subcommittee on Immigration and Naturalization

The subcommittee met at 10:30 o'clock a.m., the
Hon. John Lesinski (Chairman) presiding.

Mr. Lesinski. The Committee will please come to
order.

Gentlemen, we have for consideration this morning
H.R.6165, which is a bill preserving the nationality of a
person born in Puerto Rico who resides continuously for
five years in a foreign state in the Western Hemisphere.

(The Committee had under consideration H?R.6165, which
is as follows:)

77TH CONGRESS
1ST SESSION

H. R. 6165

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 1941

Mr. PAGÁN introduced the following bill; which was referred to the Committee on Immigration and Naturalization

A BILL

Preserving the nationality of a person born in Puerto Rico who resides continuously for five years in a foreign state in the Western Hemisphere.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 404 of the Nationality Act of 1940, as amended,
4 is amended by adding at the end thereof the following new
5 paragraph:

6 "A national born in Puerto Rico shall not lose his
7 nationality under subsection (c) of this section by residing
8 continuously for five years in any foreign state in the Western
9 Hemisphere, if such national shall make a sworn statement

1 of intention to return to the United States before an Ameri-
2 can consul in such foreign state prior to the expiration of the
3 first year of such continuous residence and annually there-
4 after during each succeeding year of such residence. Any
5 statement required under this amendatory paragraph with
6 respect to such residence prior to the date of enactment of
7 this amendatory paragraph may be made at any time within
8 six months after such date."

77TH CONGRESS
1ST SESSION

H. R. 6165

A BILL

**Preserving the nationality of a person born in
Puerto Rico who resides continuously for
five years in a foreign state in the Western
Hemisphere.**

By Mr. PAGÁN

DECEMBER 3, 1941

**Referred to the Committee on Immigration and
Naturalization**

Mr. Lesinski. Mr. Shaughnessy, I think you ought to cover what the law is and what this bill does.

STATEMENT OF EDWARD SHAUGHNESSY,
Immigration and Naturalization Service.

Mr. Shaughnessy. H. R. 6165 is a bill, introduced by Mr. Pagan, the delegate from Puerto Rico.

Mr. Pfeiffer. You mean 6165, do you not?

Mr. Shaughnessy. 6165, yes, sir.

Mr. Ramsay. It must be that.

Mr. Shaughnessy. And it is designed to preserve the nationality of the person born in Puerto Rico who resides for five years in a foreign state in the Western Hemisphere.

Section 404 of the Nationality Act of 1940, which became effective on January 12, 1941, provides that nationality by naturalization shall be lost when the naturalized person resides for a different periods of time in foreign countries under certain conditions. As an example, it is lost if he resides for at least two years in the territory of a foreign state of which he was formerly a national, or in which the place of his birth was situated if he acquires through residence the nationality of such foreign state by operation of the law,

or resides continuously for three years in the territory of a foreign state in which he was formerly a national or in which the place of his birth was situated, except under certain conditions specified in another provision of the act, or if he resides continuously for five years in any other foreign state.

Now, the only residential absences abroad that would affect these persons are those under the five-year clause which are in 404 (c).

H. R. 6165 provides that a national born in Puerto Rico shall not lose his nationality by residing continuously for five years in any foreign state in the Western Hemisphere if such national shall make a sworn statement of intention to return to the United States before an American consul in such foreign state prior to the expiration of the first year of such continuous residence, and continually thereafter during such succeeding year of such residence.

~~The nationality of~~ persons born in Puerto Rico became citizens of the United States through various acts of Congress, to-wit, the act of March 2, 1917, the act of June

27, 1934, and section 202 of the Nationality Act of 1940.

Under section 101 (d) of the Nationality Act of 1940 Puerto Rico is considered a part of the United States and birth therein now covers citizenship under section 201 (a).

The anomalous and peculiar part of this Puerto Rican citizenship is this: There are only two forms of United States citizenship, by birth or by naturalization. In other words, there are only two types of citizenship, naturalized persons or native-born persons.

Peculiar as it may seem --

Mr. Pfeiffer (interposing). Of course, there are those who have derived citizenship through parents who are naturalized.

Mr. Shaughnessy. Yes, they are considered as ~~native~~

naturalized citizens

A peculiar thing is not until 1941 by virtue of the Nationality Code was Puerto Rico, for citizenship purposes, considered a part of the United States.

So, since January 12, 1941, persons born in Puerto Rico are native born citizens, although persons born in Puerto Rico

prior to that time, strange as it may seem, although being born in a United States possession, had the ~~particular category~~ ~~category~~ or classification of a naturalized citizen, ~~because~~ ~~I~~ say, ^Tthere can only be two types of United States native citizens, native born and naturalized.

Mr. Pfeiffer. Although they have not really gone through naturalization.

Mr. Shaughnessy. Yes. ~~So 404 of the Code, sub-section~~ (c), ^{because} ~~although~~ it provides that all naturalized persons shall continuously lose their citizenship by residing/for five years in any other foreign state, ~~it is~~ ^{except as} provided in 406, ~~hitherto it did not include the average case of a Puerto Rican residing in foreign countries in the Western Hemisphere.~~

Mr. Pfeiffer. Pardon me for interrupting you again. Is not the purpose of this bill to put those who, technically speaking, are naturalized citizens of the United States, naturalized by reason of having been born in United States territory, on the same footing with respect to residence in a foreign country within the Western Hemisphere as those who were born on and after January 12, 1941, in Puerto Rico, because being

native born citizens, they could not lose their citizenship?

Mr. Shaughnessy. No, Mr. Pfeiffer, it does not go that far, because a native born citizen can reside abroad all his life and does not have to lose his citizenship, and in this instance while this person resides indefinitely in a foreign country, he must register annually, whereas the fellow born after January 12, 1941, being a native born citizen, ~~being~~ the same as ^{being} born in the United States, does not have to register.

Mr. Ramsay. It seeks to remove a portion of the differential?

Mr. Shaughnessy. Absolutely.

Mr. Ramsay. Does it not go even further than that? Does it not make it possible for him to go to some foreign country and become naturalized, because all the bill says he has to do is to make an affidavit that he is going to retain his citizenship in the United States?

Mr. Lesinski. He cannot be a naturalized citizen of the country.

Mr. Shaughnessy. Mr. Ramsay, I would not put that interpretation on it at all, because there are very definite provisions

of the law dealing with expatriation.

Mr. Ramsay. I understand there is. But you are setting aside all other acts by this act.

Mr. Shaughnessy. ^{Mr.} Yes, sir.

Mr. Ramsay. You are saying all it is necessary for him to do is to make an affidavit that he is not going to relinquish his citizenship of the United States, but he has a place of residence there.

Mr. Shaughnessy. Of course, ^{construction} that is against implied repeal. There would have to be implied repeal, ~~in foreign countries.~~

Mr. Ramsay. At least you can see it is very poorly drawn.

Mr. Pfeiffer. What is the practical necessity for the bill? Is this the situation that has been brought into the limelight by an unusually large migration of Puerto Ricans from their native land?

The Chairman. May I say that in the Attorney General's letter to the Chairman he takes the position whether or not the bill should be enacted involves a question of legislative policy

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concerning which I prefer not to make an suggestion.

Mr. Shaughnessy. May I suggest you hear from Mr. Pagan,
who is familiar with the situation, and who will enlighten the
Committee?

STATEMENT OF HON. BOLIVAR PAGAN,

A Resident Commissioner in Congress from Puerto Rico.

Mr. Pagan. This bill is proposed to cover a special situation arising due to the fact that several thousands of Puerto Ricans, American citizens, usually go from Puerto Rico to the very near country called the Dominican Republic. The Dominican Republic is a one-hour flight range from Puerto Rico. The Dominican Republic has the same kind of country, same soil, same vegetation, and the same background in language, history, tradition, and even religion. So the Dominican Republic, which is a country very lightly populated, appears to us as a natural outlet for the very over-populated region of Puerto Rico.

We have in Puerto Rico 560 inhabitants to the square mile, while in the neighboring Dominican Republic I think they do not have over 20. So, being so close to Puerto Rico, it is a common thing to attract the Puerto Ricans. They go there, but most of them go to the Dominican Republic with what they call in the lawyers' technicalities, with the utmost animus revertende to keep the situation so as to some day return to Puerto Rico. Most of them keep their families in Puerto

Rico. It is just to protect people so that they may keep their citizenship.

Mr. Lesinski. Mr. Pagan, right there, that is the thing I want to bring out: A lot of these Puerto Ricans going down there are single men, and once they get over there they marry Dominicans. Why should they have the right of coming back, unless you are going to provide that in your law, that the man who migrates into the Dominican Republic wants to protect his citizenship? Once he has gone over there, why should we worry about the woman he marries? That is his worry. That is what you will find they won't protect.

Mr. Pagan. Any amendment you think proper with the proper language, will be acceptable.

But these American citizens -- I will have something to say here about expatriation -- you see could not become citizens of the Dominican Republic because they cannot have two citizenships.

Mr. Lesinski. I realize that,

Mr. Ramsay. That is the trouble with this bill. I think it does give them the right to have two.

Mr. Pagan. No, they cannot.

Mr. Lesinski. We understand what you want. You want to protect the American citizenship of Puerto Rico. All right, we go along with that providing we protect everybody else outside of that.

Mr. Pagan. Sure.

Mr. Lesinski. In other words, we want to protect our own country against anyone of these Puerto Ricans going somewhere else, marrying and trying to bring their family in again.

Mr. Shaughnessy. I think it is a nice point the Judge has, but this bill says they shall not lose it by ^{residing} ~~providing~~ for five years.

Mr. Ramsay. If it just said that, but it does not say that anywhere.

Mr. Shaughnessy. It says it here:

"A national born in Puerto Rico shall not lose his nationality under subsection (c) of this section by residing continuously for five years in any foreign state in the Western Hemisphere."

Mr. Ramsay. Should it not just stop right there? It goes on and makes a provision for what he has to do, and says

all he has to do is to make an affidavit that he intends to return. It does not say another thing. It permits him to become a citizen of any other country, do anything he wants to, and all he has to do is say he is coming back.

Mr..Pheiffer. Automotically he loses it if he becomes a citizen of another country.

Mr. Ramsay. It does by the laws. Here you get away from that entirely. You set up another measure here where ~~he~~ all he has to do is say he intends to come back.

Mr. Pheiffer. Of course, Judge, we could put in a saving clause there.

Mr. Ramsay. I do not think we need anything more. Why change the different forms. Just say he does not lose his citizenship for five years.

Mr. Shaughnessy. This does not make it as good for him as you and I. You and I can go abroad and reside forever. This puts an additional burden on him.

Mr. Ramsay. You say that all he has to do is to make an affidavit in order to retain it. You set up a way he can retain it.

Mr. ~~Pheiffer~~ Shaughnessy. You can have a period put

after the word "hemisphere."

Mr. Pagan. I would be glad to do that.

But I am going to tell you frankly I know people esteem being citizens of the United States of America, and I thought that they should have certain obligations just to keep the protection of that citizenship just as a moral attitude, so that they feel that they have certain obligations or burdens to keep that privilege. That was my only reason. As to this affidavit, the bill could be amended saying they not only had the intention to come back to the mainland, to Puerto Rico, but also that he has not a mind to or that he has not accepted any other citizenship. That could be added.

not
I have [^]drafted a separate bill.

Mr. Pfeiffer. That would be all right, but it would be absolutely redundant and unnecessary, because we have laws already dealing with expatriation.

Mr. Ramsay. All you have to do is to cut out the part about the affidavit.

Mr. Shaughnessy. You take 25 years from now, and you take two boys, one born on January 11, 1941, one born on

January 12, 1941, and they go to the Dominican Republic. The man who is born on January 11, 1941, under this bill is required to go once a year and make a declaration before the consul that he intends to return, but the man born on January 12 or any time after that does not have to do that because he is a citizen of the United States. It seems to me those arbitrary dates do not ~~agree~~ make sense.

Mr. Pfeiffer. Let us narrow this down on a question of fact. Is the Dominican Republic the only country involved here? It is all right to speak of the Western Hemisphere, but as a practical matter that is the only point of immigration?

Mr. Pagan. Practically the only. Of course, we have Puerto Ricans scattered throughout the world. There may be one or two in Peru. You see they just go away from Puerto Rico and do not return and they get the citizenship of other countries. The bill is just to apply practically to these people going to the nearby Dominican Republic.

Mr. Pfeiffer. If it were not for that shuttling back and forth between the Dominican Republic and there would not

be any need for this bill?

Mr. Pagan. I do not think so.

Mr. Shaughnessy. That is 98 per cent of the cases?

Mr. Pagan. No; it is 99 per cent of the cases.

They go there and they feel they are at home. They have all kinds of family ties with Puerto Rico families, business ties, and everything.

Mr. Lesinski. How about those that stay there and marry?

Mr. Pagan. I think something could be provided in the bill in relation to those that disconnected themselves with Puerto Rico.

Mr. Ramsay. How many of them have taken out citizenship over in Dominican?

Mr. Pagan. Very few. I do not think many of them do that. I know some do that, but not many.

Mr. Lesinski. Of course, if they do that, they lose their citizenship in Puerto Rico.

Mr. Ramsay. Under this bill I doubt if the way it is written whether they would or not. I doubt that.

Mr. Pfeiffer. You mean if they acquired Dominican

citizenship?

Mr. Ramsay. Yes, under the affidavit.

If you are going to treat them as American citizens then why not out out the affidavit?

Mr. Pheiffer. Of course, the affidavit is not necessary.

Mr. Ramsay. And then add to it he shall not become a citizen of any other country by naturalization or otherwise in five years.

Suppose the situation is that a man would lie about it and get convicted. He could pull this bill out and say, "I acted under it." The law does not say I cannot become a citizen of any other other state. I complied with the law. I did not violate any law." It is dangerous to put in a thing like that without any qualification, because all he has to do is to say he is going to stay and remain a citizen because he intends to return. It just says that he intended to return to America.

Mr. Lesinski. But the way the bill is written it is perpetual though.

Mr. Pheiffer. For five years.

Mr. Ramsay. Sure.

Mr. Lesinski. It says five years.

Mr. Pfeiffer; By residing continuously for five years
in any foreign state.

Mr. Lisinski. Then he makes a sworn statement of intention to return to the United States to an American consul in such foreign state prior to the expiration of the first year.

Mr. Ramsay. He makes the affidavit that he intends to return; that is all he makes. It does not say he intends to become a good citizen, or what kind of a citizen, but he just intends to return.

Mr. Pfeiffer. It would be all right to put it in there, but I cannot get away from the idea that we have laws dealing with that subject so that automatically he would not come under this act when he acquired citizenship of any other country.

Mr. Ramsay. Why create any doubt about those other acts? Why write a statute that is going to make trouble for the judges and lawyers and everybody else? Why not draw up a bill that means what it says? You cannot have laws by just assuming. You have got to say what they mean.

Mr. Pheiffer; Judge, if you said by affidavit he has not acquired citizenship by naturalization or otherwise in any other country, that would simply be a hollow statement, because the best proof of that is the records of the country where he was previously naturalized.

Mr. Ramsay. How would you know that?

Mr. Pheiffer. It would be easy for a man to come up to the American consul and say "I intend to return to the United States, Puerto Rico being a part, and I have not become naturalized" if he was inclined to prevaricate or perjure himself, and the fact that he said he had ~~not~~ been naturalized would not detract from having become naturalized.

Mr. Ramsay. That is true enough. But in one instance you send him to the penitentiary and he is punished, and in the other you award him two citizenships. That is the difference.

Mr. Rees. Is this true: Is it true that Puerto Rican people born in Puerto Rico are now regarded as American citizens?

Mr. Ramsay. As I understand, yes.

Mr. Rees. All right; that is true?

Mr. Ramsay. That is right.

Mr. Rees. If they are American citizens do they have the same right you and I have as American citizens? Could a Puerto Rican come over here and ~~and~~ enjoy the same rights as we do? Is that correct?

Mr. Ramsay. Yes.

Mr. Pagan. Yes.

Mr. Rees. You have gone that far, have you?

Mr. Ramsay. Yes.

Mr. Pfeiffer. Provided, as was said a while ago, from and after January 12, 1945, they would have the same rights as that, but prior to that time if naturalized citizens stayed away five years they would lose their citizenship and we would not.

Mr. Rees. That is right, but for all intents and purposes, ~~is~~ a man born in Puerto Rico is born an American citizen?

Mr. Ramsay;. That is right.

Mr. Pagan. That is right.

Mr. Rees. And this man here (indicating witness) is an

American citizen born in Puerto Rico?

Mr. Pagan. That is right.

Mr. Lesinski. Technically.

Mr. Ramsay. Like George Washington; it is just the same.

Pagan.
Mr. ~~Shaw~~ By act of Congress in 1917 all Puerto Ricans became citizens of the United States, but Congress enacted another law last year, in 1940, providing people born in Puerto Rico previous to April 11, 1899, are American citizens.

Mr. Rees. You do not become a citizen except by naturalization?

Mr. Pagan. Yes. We go through the procedure.

Mr. Rees. But, Mr. Chairman, the point I am making is this: These individuals like Puerto Ricans did not become citizens through a process of naturalization. He came in by process of law. We said Puerto Ricans from here on are citizens of the United States.

Mr. Ramsay. He followed the flag.

Mr. Rees. They were blanketed in. So he does not

come under citizens who come to the United States and take an oath or declaration.

Mr. Ramsay. That is right.

Mr. Rees. And file a petition and go before our courts. We took them all in because they were people born in Puerto Rico. Is not that about right?

Mr. Lesinski. ~~But~~, Mr. Rees, that is true, what you say, but yet under the law they are not considered as native born Americans.

Mr. Rees. I understand.

Mr. Lesinski. They fall under the naturalization act.

Mr. Shaughnessy. They are victims of interpretation, or the victims of language.

Mr. Lesinski. That's where your difference is.

Mr. Rees. The point I am making is this: In the case of Puerto Ricans the Government saw fit somewhere along the line to say these people are citizens, not because they became naturalized under our laws and took any oath or declaration, or anything of the kind, but we have a little technicality because these people came in not under the naturalization

laws but because they came in in a little different classification, that is by law we annexed them, we might say. I think that is true. Maybe I am wrong. If I am I will stand corrected. I cannot see much difference.

Mr. Ramsay; I think you are right.

Mr. Rees. Why permit these people to stay out of the country any more than you or me?

Mr. Ramsay; I agree with you. It is just making an affidavit of intention to come back again.

Mr. Shaughnessy. You would not object to that.

Mr. Pagan. No.

Mr. Pfeiffer. It is to make them realize those ~~the~~ strings are still tied together.

Mr. Ramsay. I think we should make it stronger. As it is, it just says all he has to do is to declare an intention to come back.

Mr. Rees. I get your point.

Mr. Ramsay. It does not say it prohibits/ ^{him} from becoming a citizen of any other country.

Mr. Shaughnessy. As to the people born in Puerto Rico

after 1917, they are not native-born citizens and therefore have to be ^{claimants} naturalized. If born prior to 1917 they have never been ~~an alien~~¹, but been citizens from the first time they breathed life.

Mr. Lesinski. Mr. Shaughnessy, under the letter from the Attorney General it says:

"Under existing law, a naturalized citizen becomes expatriated if he resides in a foreign country for a period of five years. While under sections 101 (d), 201(a) and 601 of the Nationality Act of 1940 persons born in Puerto Rico after January 12, 1941, are native-born citizens of the United States, persons born in Puerto Rico prior to that date are not deemed native-born citizens of the United States but are considered naturalized citizens pursuant to the provisions of section 5 of the Act of March 2, 1917, as amended by the Act of June 27, 1934, which declared all persons born in Pueroto Rico on or after April 7, 1899, and who were not citizens, subjects or nationals of a any foreign power to be citizens of the United States."

In other words, the law was enacted in 1917, but it takes

every Puerto Rican in from April 11, 1899,

Mr. Shaughnessy; That is right. They were no longer citizens of Spain.

Mr. Ramsay. Those born before that, were they not citizens?

Mr. Shaughnessy. They were citizens of Puerto Rico.

Mr. Ramsay. I mean they were not citizens of the United States?

Mr. Shaughnessy. They were citizens of Puerto Rico, ~~and then under the act of 1917 they~~ became citizens of the United States. They were not classified as native citizens. That is what brings them in.

Mr. Pfeiffer. You take in my case, I was born in Indian Territory. There is no Indian Territory any longer, but I am a citizen of the United, having been brought into the United States.

Mr. Rees. Someone who prepared this bill must have had a reason for putting that clause in. I am wondering what it was.

Mr. Ramsay;, He put it in himself.

Mr. Pagan. I want to say that I put that in as a condition so that when they go away they have to keep the privilege of citizenship in the United States.

Mr. Pfeiffer. You know your people's way of thinking and their psychology. In your judgment would this have a salutary or psychological effect on them to impress upon them the blessings of American citizenship?

Mr. Pagan. Yes.

Mr. Lesinski. Why not word it this way: He must once annually report to the American consul that he intends to return back to Puerto Rico within five years?

Mr. Shaughnessy. That will kill the effect of the bill.

Mr. Lesinski. I said to return within five years.

Mr. Ramsay. I have spent a great part of my life trying to prosecute people. One judge will hold one thing and one another. The prosecution is bound by what the court holds. You have a man here who went away and made this affidavit and he has taken out citizenship over in Santo Domingo. He makes an affidavit he intends to come back, but he is a citizen over there. He does not have to make an affidavit

he is a citizen over there. Then after he is over there ten years he comes over and votes in America. How are you going to know about that?

Mr. Shaughnessy. If that is true why not make an American citizen subscribe to this or he would become expatriated.

Mr. Ramsay. If you are going to do so that I would say you would make it a good bill.

Mr. Shaughnessy. I would say put a period after "hemisphere."

Mr. Ramsay. I do not see that has got anything to do with it.

Mr. Rees. If they are citizens, then they are citizens.

Mr. Ramsay. That is right. But it makes your bill better and it does not disturb the laws that are existing by using just this five year clause.

Mr. Pagan. I think so.

Mr. Pfeiffer. Or it could even be simpler by saying that subsection (c) of this Act does not apply to nationals born in Puerto Rico, because it says if you stay away five years you lose your citizenship.

Mr. Ramsay. It says, "if such national shall make a sworn statement of intention to return to the United States before an American consul in such foreign state prior to the expiration of the first year of such continuous residence and annually thereafter during each succeeding year of such residence." Why have that if he desires to never come back?

Mr. Pagan. Members of the Committee, I fully agree with the Judge. I think the bill will be more simple if you put in a period after the word "hemisphere" and strike the rest. It will avoid confusion, interpretation or construction of the courts, and so forth.

I had this in mind, I repeat to the Committee, just to put a certain burden upon these people that would be something like citizens on parole.

Mr. Pfeiffer. I think you ought to say by residing continuously for five years or any longer time in any foreign country.

Mr. Shaughnessy. Why not say by residing abroad? Suppose the citizen resided for five years and one month?

Mr. Ramsay. I think it is better to leave that out.

Mr. Shaughnessy. Why ~~not~~ limit it to the Western Hemisphere?

Mr. Ramsay; To those who are really and truly citizens.

Mr. Shaughnessy. Just say by residing abroad.

Mr. Pagan. That is all right.

Mr. Shaughnessy. In a few years to come there will be *but*
my few never
~~some old men~~ who have been citizens.

Mr. Pagan. Shortly after the Spanish-American War the Puerto Ricans were not citizens of any country.

Mr. Lesinski. You want to strike out everything after this period at "hemisphere"?

Mr. Ramsay; I just want them to have the same privileges we have.

Mr. Pfeiffer. Why not say by residing in any foreign state?

Mr. Lesinski. And subject to certain laws and sections that we have. Should we put that in there?

Mr. Pfeiffer. Of course, section (c) could be amended by saying, "but nothing herein contained shall apply to

nationals of Puerto Rico.

Mr. Shaughnessy. Make it a proviso.

Mr. Pfeiffer. "Provided that nothing contained in this subsection (c) shall in any way apply to a national born in Puerto Rico."

Mr. Shaughnessy. I think that is all right.

Mr. Pfeiffer. That will give you blanket coverage.

Mr. Shaughnessy. We will have to amend the title too,

~~a little bit~~

Mr. Pagan. I think that improves the bill very much, and I like it much better.

Mr. Reese. Mr. Chairman, if this motion is in order, I move that the bill and the title be amended so as to provide that nationals born in Puerto Rico shall not be included under section (c) of section 404 of the Nationality Act of 1940.

Mr. Pfeiffer. And that the citizens of nationals born in Puerto Rico shall not be affected by it.

Mr. Shaughnessy. No. I beg your pardon. If they were citizens, they would not be included. There is a technical

difference between citizens and nationals.

Mr. Pheiffer. That is right.

Mr. Rees. And I move that the amended bill be reported.

Mr. Lesinski. Now, are you citing correctly section (c)?

What I want to get is the subsection. Is that in section 404 of the Nationality Act of 1940?

Mr. Rees. Yes.

Mr. Lesinski. Now, gentlemen, you have heard Mr.

Rees' motion. Are there any objections or any corrections?

Mr. Pheiffer. I second the motion.

Mr. Lesinski. The motion is supported. If there are no objections, the bill will be approved and reported.

Is there anything else to report on this?

Mr. Pheiffer. I believe we all have it clear in mind,

Mr. Chairman.

Mr. Lesinski. Then it is satisfactory.

(Whereupon, at 11:30 o'clock a.m., it was agreed by the subcommittee that the bill be favorably reported to the Committee, and the hearing was adjourned.)