

An Advance for American Free Speech

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Body

Amid the anti-Communist hysteria of the McCarthy era, Congress passed the McCarran-Walter Immigration Act, designed to exclude foreign visitors whose politics its proponents didn't like. It was an ill-advised law - passed over President Truman's veto - back in 1952.

Now, as Communism relaxes its grip on Eastern Europe and perhaps the Soviet Union, it is even more inappropriate.

Congress recently moved to dilute the law; by going along, President Bush could emphasize **America's** commitment to **free speech**.

The McCarran-Walter Act lists 33 grounds for excluding foreign visitors. Among them is a broad provision allowing the Government to keep out any alien who might "engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety or security of the United States." The law prevented visits by, among others, Gabriel Garcia Marquez, the Colombian Nobel laureate.

Since 1988, Congress has imposed a temporary ban on visa denials because of political beliefs. And now, thanks to the persistence of Senator Daniel Patrick Moynihan, Congress has passed legislation that makes the ban permanent. It prohibits the exclusion or deportation of foreign visitors "because of any past, current or expected beliefs, statements or associations" that the Constitution protects for **American** citizens. The Government could still bar known or suspected terrorists.

A broader look at McCarran-Walter awaits further Congressional action. Some other grounds for exclusion, like "sexual deviation," merit re-examination. But the current bill is an important first step. Thirty-eight years ago President Truman acted sensibly by defying Congress. Mr. Bush now merely has to follow its good example.

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