

Americans' right to come home

In "Death of a Hired Man," Robert Frost defined home in the way that most people think of it — the place that when you have to go there, they have to take you in. The Reagan administration, however, says that is not necessarily so, if the home was once America and if you disagree with the government's policies.

The administration's position is supported by a piece of xenophobic nastiness known as the McCarran-Walter Act of 1952. The law allows the Immigration and Naturalization Service to close US borders to anarchists, communists and persons associated with communist groups. One vaguely worded passage says the INS can exclude anyone whose activities are considered "prejudicial to the public interest."

Citing McCarran-Walter, the INS recently denied permanent residency status to Margaret J. Randall, an author and poet who gave up her US citizenship in 1967 so that she could work in Mexico. Randall, now married to a US citizen, says she made a mistake and wants to come home for good.

The INS says that the prodigal is not welcome because, in addition to criticizing the US involvement in Vietnam and the killing by Ohio National Guardsmen of four student protesters at Kent State University, she also praised the Cuban and Nicaraguan revolutions.

Randall is unjustly being denied residency status because of her political views. The US has a legitimate interest in regulating its borders. But McCarran-Walter, because of its vagueness, leads to abuses.

It has been used to protect the country from such foreign threats as Farley Mowat, a Canadian wildlife author.

The government also uses the law to stifle dissent on its Central America policy by excluding certain Nicaraguans and Salvadorans. Journalists, authors and others are kept out of the country because of their political views. The result is the undermining of free speech and an abridgment of the rights of all Americans to hear divergent points of view.

Critics of McCarran-Walter have challenged its constitutionality in federal court. They deserve support in their efforts to change the law, so that any American can come home, regardless of his politics. The judiciary, however, is not the branch of government to deal with the politically charged immigration issue.

Rep. Barney Frank was on the right track last year when he introduced a bill to revise the law. McCarran-Walter deserves congressional attention.