

OF 133 Box 1  
Immigration  
1936-1941

133

July 2, 1936.

My dear Governor Lehman:

I have your letter of June 15, 1936, with its enclosed letter of June 5, 1936, from Mr. Felix Warburg, with which there was also transmitted Sir Herbert Samuel's letter to Mr. Warburg of May 27, 1936, and its accompanying memorandum, with reference to the question of the immigration of German Jews into the United States.

x76-lb  
x198  
x198-A  
x20  
x133-A

The general question of the attitude of American consular officers in Germany to the visa applications of the groups of persons covered by your letter was touched upon in some detail in my letter to you of November 13, 1935, and I expressed to you at that time my earnest desire that all consideration and justice should continue to be shown to these immigrants.

As regards the two specific questions raised in the enclosures to your letter, I have consulted the Department of State and I am informed that the situation in regard to the points which have been raised is briefly as follows.

It is true that there has been an abnormally great increase in the number of German Jewish visa applicants at the American Consulate General at Stuttgart during recent months which has necessitated short delays in the handling of individual cases. This situation has been met in the following manner. The Stuttgart personnel has very recently been increased by the additional employment of two clerks and by the transfer to that office of two additional consular officers. Furthermore, effective June 1st, the previous division of duties of the United States Public Health surgeon and the immigrant inspector, who are assigned as technical advisers in visa cases, between Stuttgart and Vienna has been abolished. The full time of these two officials is consequently now given to their Stuttgart duties and immigration visas are now being issued on all working days during each month instead

of

The Honorable  
The Governor of New York, x91  
Albany. xpp793

- 2 -

of only during a certain portion of each month as was the case prior to June 1st. This would seem to obviate the necessity of the expenditure of Government funds at this time for the opening up of additional consulates in Germany as regards the issuance of immigration visas.

As to the second question, concerning the weight given by examining officers at the Consulate General at Hamburg to affidavits of support from more distant relatives and friends as compared with such affidavits from close relatives such as a husband, wife, parent, son or daughter, I am informed that the situation is as follows.

Intending immigrants may present any evidence they desire, to establish their admissibility into the United States and to obtain visas, and the consuls are required to consider carefully and judiciously all evidence submitted. If an applicant will rely upon another person for support, the willingness and ability of that person to support the applicant must be shown. A promise of support made by a close relative will naturally be given more weight than one from a distant relative upon whom there may be no legal or moral obligation to support the applicant and whose feeling of responsibility toward the applicant will not ordinarily be as great as in the case of a close relative. Consequently, while the promise made by a father to support his child, or by a child to support his father, may be readily accepted, such a promise made by a distant relative may be subject to questioning as to the probability of its being kept. The Department of State holds that in such cases the consular officer may properly take into consideration the past conduct, toward the applicant, of the person promising his support as indicating a recognition of responsibility and interest, such as previous contributions to support and previous associations and interest in the welfare of the applicant, and require an explanation of the reasons for undertaking the applicant's support. A favorable decision is reached when the preponderance of evidence supports a conclusion that the person promising the applicant's support will be likely to take steps to prevent the applicant from becoming a public charge. All consular officers operate under circular instructions from the Department of State which have been issued along the lines indicated.

I believe that the Department of State and its consular officers abroad are continuing to make every effort to carry out the immigration duties placed upon them in a considerate

and

- 3 -

and humane manner. They are issuing considerably more immigration visas to German Jewish applicants at the present time than was the case last year or in recent previous years.

I wish to assure you of my sympathetic interest in the question which you have brought to my attention and of my appreciation of your action in bringing these matters to my attention.

Very sincerely yours,



DEPARTMENT OF STATE  
WASHINGTON

June 27, 1936

My dear Mr. President:

I have received, by reference from the White House, the attached letter dated June 15, 1936, addressed to you by the Governor of New York, together with the enclosed letter dated June 5, 1936, from Mr. Felix Warburg to Governor Lehman, and a letter, with accompanying memorandum, dated May 27, 1936, from Sir Herbert Samuel to Mr. Warburg, all concerning the immigration of German Jewish refugees into the United States.

I have had prepared in this Department the attached draft of a reply to Governor Lehman's letter, which it is hoped will be in accord with your views as to the nature of a reply which should be made in this matter.

In case the attached draft of a reply should not be in exact accord with your views, either as to  
substance

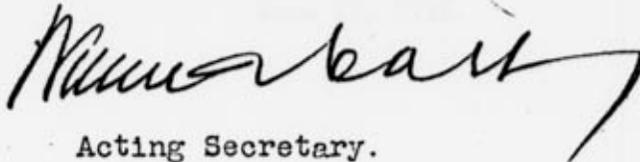
The President,

The White House.

- 2 -

substance or as to form, it may serve as a basis for such reply as you may wish to make.

Faithfully yours,

A handwritten signature in cursive script, appearing to read "Morris Udall".

Acting Secretary.

Enclosures:

To Governor Lehman from the President;  
To the President from Governor Lehman,  
dated June 15, 1936;  
To Governor Lehman from Mr. Warburg,  
dated June 5, 1936;  
To Mr. Warburg from Sir Herbert Samuel,  
with accompanying memorandum, dated  
May 27, 1936.

THE WHITE HOUSE  
WASHINGTON

133

June 17, 1936.

MEMORANDUM FOR THE STATE DEPARTMENT.

FOR PREPARATION OF REPLY.

F. D. R.

Let. from HERBERT H. LEHMAN, 6/15/36, ref. prev. corres. and desire to minimize difficulties of obtaining visas in Germany for emigration to U. S. of those emigrants who are worthy of admission; encloses let. to the Gov. from Felix Warburg, 6/15, trans. let. to him from Herbert Samuel, London, 5/27, with ref. this matter.



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY

NOT OFFICIAL

HERBERT H. LEHMAN  
GOVERNOR

*State Department  
for preparation  
of reply -*



June 15th, 1936

The President,  
The White House,  
Washington, D.C.

My dear Mr. President,

You will recall that some months ago I wrote to you enlisting your good offices in reducing to a minimum the difficulties of obtaining visas in Germany for emigration to the United States of those would-be emigrants who are entitled, by reason of good character and other circumstances, to admission. At that time you advised me that you had taken the matter up with the Department of State and that difficulties would be reduced to a minimum in cases of people worthy of admission to our country.

I am sending you herewith correspondence just received from Mr. Felix Warburg to which is a letter attached from Sir Herbert Samuel which you will find self-explanatory.

*174a  
175.*

I am certain that, as in the past, every effort will be made to make possible the obtaining of visas for those who, in the opinion of our authorities, will make worthy citizens of the United States.

With kind personal regards, I am

Very sincerely yours,

*Herbert H. Lehman*

enclosure.

*52 William Street  
New York*

June 5, 1936

Dear Herbert:

Since you were kind enough to be instrumental in getting the very favorable letter from the President, we still get reports about the difficulties in connection with the Consuls abroad. The enclosed is one of them, which comes from Sir Herbert Samuel. I wonder if you would feel like referring it to the party with whom you had your correspondence on the subject?

Hoping to see you soon, believe me,

Cordially yours,



Hon. Herbert H. Lehman,  
Executive Mansion,  
Albany, N.Y.

G-Encs.

36, PORCHESTER TERRACE, W. 2.  
LONDON.  
PADDINGTON OO40.

27th May, 1936.

*My dear Warburg,*

I have been impressed by the accounts that I have heard of the difficulties experienced in Germany in obtaining visas for the United States, even in cases which appear to be eminently suitable. I recall what was said in America with regard to the desire of the President that the rules should not be enforced too rigidly by the American Consuls in Germany, and the letter from him to that effect which you read at one of our meetings. (He spoke to me, in fact, to much the same effect during my interview at the White House). I have therefore asked for a statement of the cases in which difficulties have been raised, in order that I might let you have it for any action which you might be able to take with the authorities at Washington.

I have received today from Professor Bentwich a summary of the report which he has obtained from the Hilfsverein, and now enclose it. If you concur that it is desirable that Washington should be informed

2.

of the obstacles that stand in the way of their wishes being carried out, no doubt you will take such action as you may think suitable.

I leave tomorrow night for Holland and Belgium, in the hope of being able to help our friends there in their fund-raising efforts.

Sigmund Warburg telephoned to me this morning the contents of your cable dealing with various points relating to the Palestine situation. I will do what I can in relation to those matters.

With best remembrances,

Yours sincerely,

*Herbert Samuel*

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Consul at Stuttgart is responsible for the  
over a very large area covering Hesse, Franconia,  
the Palatinate, and extending to places as far off  
, Hamm and Bielefeld, though there are U.S. Consuls  
Cologne and Frankfurt.

The difficulties arise from the fact that the staff  
of the Consulate is absolutely ~~screwed~~ under and unable to cope  
with the work. (There is a report from an official of the HAPAG  
that there were 1,000 unopened letters at the Consulate, and  
also a statement that it took hours to find letters which had  
not yet been registered) The Consul also is on leave at  
present, and his substitute is naturally not so well up in the  
work.

It is suggested as a remedy that the Consuls at  
Frankfurt and Cologne should be authorized to issue Visas.

Hamburg. The complaint here is that the Consul will only accept  
affidavits from a parent, a child, an uncle or an aunt, and  
difficulties are made over accepting affidavits from a brother  
or sister-in-law. Affidavits from more distant relatives or  
friends are not accepted. There is nothing in the U.S. Immigrati  
Laws as to the nearness of relationship of the person from whom  
an Affidavit may be accepted.

It is asked that influence should be used with the  
Immigration Department to induce the Consul to relax the  
restrictions.

133

133

THE WHITE HOUSE  
WASHINGTON

November 13, 1936

File  
WJH

MEMORANDUM FOR MISS LE HAND:

A Mr. Clarence E. Pickett wrote Mrs. Roosevelt, asking her good offices in obtaining from the President a letter to Reverend Dr. Harry Emerson Fosdick, Pastor of the Riverside Church in New York, endorsing an appeal which is to be made from the Christian pulpits of the United States during November in behalf of suffering Christian refugees from Germany.

x 1972

We referred the matter to the State Department and today received from Acting Secretary Moore the following memorandum:

"It is the opinion of the Department of State that it would not be appropriate for the President to support an appeal for assistance for one particular class of refugees or for refugees from one particular country. The President has, in the past, carefully refrained from taking such action in behalf of any single interested group.

"In view of these circumstances it is believed that Dr. Fosdick should be advised not to make the request which he contemplated making and that the situation should be explained to him or Mr. Pickett, preferably by telephone rather than by letter."

Done  
WJH

If the President approves we will handle as suggested by Acting Secretary Moore.

S. E.  
STEPHEN EARLY

W. H. F.

AK  
JWH

- x 20
- x 76-A
- x 76-B
- x 198-A
- x 133-A

ADDRESS OFFICIAL COMMUNICATIONS TO  
THE SECRETARY OF STATE  
WASHINGTON, D. C.



DEPARTMENT OF STATE  
WASHINGTON

In reply refer to  
WE: 548. D 1/320

November 13, 1936

My dear Mr. Early:

In accordance with the request contained in Mr. Hassett's memorandum of November 9, 1936, concerning an appeal which Dr. Harry Emerson Fosdick wishes to make to the President in behalf of refugees from Germany, I am returning the correspondence which accompanied that memorandum with a memorandum giving this Department's views regarding Dr. Fosdick's appeal.

Sincerely yours,

  
Acting Secretary.

Enclosures:  
Correspondence  
as above stated;  
Memorandum.

The Honorable

Stephen Early,

Assistant Secretary to the President,

The White House.

**Department of State**

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BUREAU }  
DIVISION }

**WE**

**ENCLOSURE**

**TO**

Letter drafted 11/12/36

**ADDRESSED TO**

Hon. Stephen Early

**The White House**

MEMORANDUM

It is the opinion of the Department of State that it would not be appropriate for the President to support an appeal for assistance for one particular class of refugees or for refugees from one particular country. The President has, in the past, carefully refrained from taking such action in behalf of any single interested group.

In view of these circumstances it is believed that Dr. Fosdick should be advised not to make the request which he contemplated making and that the situation should be explained to him or Mr. Pickett, preferably by telephone rather than by letter.

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## TELEGRAM

The White House

31WM. RA 43- D. L. 4:10 p.m. Washington

Philadelphia, Penna., Nov. 12, 1936

Mrs. Franklin D. Roosevelt.

Please forward

← American Christian Committee for German Refugees is anxious to release letter I submitted last Saturday for President to forward to Harry Fosdick. Letter not yet received by Fosdick. Could you inquire whether President can forward letter to Fosdick now.

Clarence E. Pickett

November 9, 1936

MEMORANDUM TO THE SECRETARY OF STATE:

With the return of the accompanying correspondence will you please advise what should be done with respect to the request made. If, in your opinion, the President should send the letter asked for will you kindly submit draft.

William D. Hassett  
Assistant to MR. EARLY

Let. to Mrs. Roosevelt, 11/7/36 from

Clarence E. Pickett  
Riverside Church,  
New York, N. Y.

Encloses let. which Harry Emerson Fosdick has approved as a letter which he wishes to send to the Pres. and a copy of a proposed reply for the Pres. to transcribe to his own letterhead and sign, forwarding it directly to Dr. Fosdick. Says he deeply appreciates Mrs. Roosevelt's willingness and that of the Pres. to give this assistance to the cause of the German refugee.

*letter marked "S.T.E. to check & prepare the necessary*  
F.D.R.

~~Dep~~  
~~WE~~

THE WHITE HOUSE  
RECEIVED  
DEPARTMENT OF STATE  
WASHINGTON

NOV 9 - 1936 1936 NOV 10 AM 9 39 November 9, 1936

OFFICE OF THE SECRETARY

DIVISION OF COMMUNICATIONS

NOV 10 1936  
FCB

MEMORANDUM TO THE SECRETARY OF STATE:

With the return of the accompanying correspondence will you please advise what should be done with respect to the request made. If, in your opinion, the President should send the letter asked for will you kindly submit draft.

548. D 1/320

*William D. Hassett*

William D. Hassett  
Assistant to MR. EARLY

*548. D 1*  
*811.071 Roosevelt 41*

November 7, 1936

Mrs. Franklin D. Roosevelt,  
The White House,  
Washington, D. C.

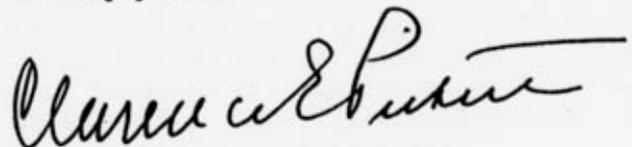
Dear Mrs. Roosevelt:

I am enclosing a letter which Harry Emerson Fosdick has approved as a letter which he wishes to send to the President, and a copy of a proposed reply for the President to transcribe to his own letterhead and sign, forwarding it directly to Dr. Fosdick.

He is, of course, entirely at liberty to alter the text as he likes.

I deeply appreciate your willingness and that of the President to give this assistance to the cause of the German refugee.

Sincerely yours,



CEP:evf

Enclosures (2)

(COPY OF LETTER AUTHORIZED BY DR. HARRY EMERSON FOSDICK)

November 7, 1936

The President,  
The White House,  
Washington, D. C.

Dear Mr. President:

On October 6 I had the pleasure of entertaining at the Riverside Church about 60 outstanding clergymen and laymen of the Protestant Church and several Roman Catholic laymen, to consider ways in which the Christian people of the United States could render aid to several thousand of their fellow Christians who have left Germany as refugees.

The Honorable James G. McDonald, the former League of Nations Commissioner for German Refugees, who spoke at that time, while recognizing the general impression that this was a Jewish problem laid emphasis on the fact that there are about 15,000 such refugees who are of the Christian faith. Among these are professors, pastors, writers, peace workers, and many other persons who have heretofore been acceptable German citizens, but who are now unable to find further chance to work and live in Germany. The Jewish agencies have done remarkably fine work in providing for their own and have given assistance to many Christians.

This Conference, however, felt that the Christian Churches of this country should also be appealed to to give aid, and it was decided to issue a request to about 100,000 ministers of religion in the United States, asking them to present this problem to their congregations during the month of November. It is hoped to secure approximately \$400,000 to take care of the 2500 immediate cases.

I have agreed to sign this letter of appeal and believe that a statement from you, as President of the United States, endorsing this drive would do more than any one thing to fix the attention of the American people on this problem. It would be particularly appropriate as Thanksgiving Day nears and we celebrate the bravery of the refugees who founded this country.

I should be very happy to receive from you a letter concerning this matter, which I may be at liberty to release to the press.

Respectfully yours,

HARRY EMERSON FOSDICK

*by Clarence E. Posen*

(PROPOSED LETTER FOR THE PRESIDENT TO FORWARD TO  
DR. HARRY EMERSON FOSDICK)

Reverend Harry Emerson Fosdick,  
Riverside Church,  
Riverside Drive,  
New York, N. Y.

My dear Dr. Fosdick:

I have received your letter informing me of the special appeal which is to be made from the Christian pulpits of the United States during November in behalf of suffering Christian refugees from Germany.

This is the month during which we commemorate the heroism and suffering of the Pilgrim fathers who sought a refuge on these shores from religious persecution. It is indeed appropriate then for Christian people to give thanks for the bounty we enjoy as a result of their fortitude by rendering relief and aid to those who today have been exiled from the land of their birth and are facing starvation and want in strange lands.

I understand that the American Christian Committee for German Refugees is hoping to raise \$400,000 in this country, which together with similar amount raised abroad will provide for the neediest of these refugees.

It is with deep sympathy that I commend this undertaking to the Christian people of the United States, and express the hope that they will respond to the needs of refugees of their own faith with the same magnificent generosity that the Jewish people have shown to their brothers who have left Germany.

Cordially yours,

133  
x 198  
x 166

DEPARTMENT OF STATE  
WASHINGTON

April 27, 1938

My dear Mr. President:

In view of the announcement made to the Government of the United States by the Austrian Minister on March 17, 1938, that Austria had ceased to exist as an independent nation and had been incorporated in the German Reich, and with reference to the provisions of Sections 11 and 12 of the Immigration Act of 1924, it is necessary to abolish the immigration quota of the former and incorporate it with that of the latter. To this end the undersigned enclose herewith for your signature a draft of a Proclamation containing the immigration quotas with the revision just mentioned.

As a result of this revision the annual quota for Germany has been changed from 25,957 to 27,370.

This

The President,

The White House.

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APR 27 1938

BUREAU OF THE BUDGET

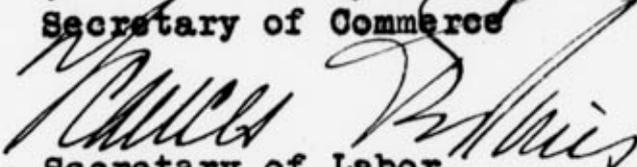
-2-

This change is to go into effect immediately upon  
the issuance of the Proclamation.

Faithfully yours,

  
Acting Secretary of State x 20

  
Secretary of Commerce x 3

  
Secretary of Labor

Enclosure:

Draft Proclamation.



Office of the Attorney General  
Washington, D.C.

April 28, 1938.

*My Proc. is  
under Secy  
State 4/28/38*

Through Division of the Federal Register

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed proclamation  
entitled "Immigration Quotas."

*x161  
x15-  
x15-D*

The proposed proclamation, presented by the Acting  
Secretary of State, the Secretary of Commerce, and the Secre-  
tary of Labor by letter addressed to you under date of April  
27, 1938, and forwarded for my consideration by the Acting  
Director of the Bureau of the Budget this date, has my approval  
as to form and legality.

Respectfully,

*Wm C. Clegg*  
Attorney General.

H. A. SILLCOX . 60 Wall Tower . New York, N.Y.

CABLE ADDRESS: "COXBIL NEW YORK"

133

March 15th 1939

Ack 3-17-39  
YRR

Secretary Early  
White House  
Washington, D.C.

My dear Secretary Early:

Herewith please find copy of letter addressed this day to the Hon. Robert R. Reynolds, Senator from North Carolina, which letter is self-explanatory.

Sincerely yours,

H. A. SILLCOX

HAS:VS  
Enc.

FRANKLIN D. ROOSEVELT LIBRARY  
2 4 4-2  
March 15th 1939

Hon. Robert R. Reynolds  
Senator from North Carolina  
U.S. Senate  
Washington, D.C.

My dear Senator Reynolds:

I had occasion not so long ago to hear an address by you over the radio and also had occasion to talk to one of your constituents in a very complimentary way about the efforts that you are putting forth at the present time dealing with the immigration situation.

As I understand it, you intend to introduce a bill to bring about the complete cessation of immigration for a reasonable period of time and also to fingerprint and register every alien in this country.

With respect to the latter, I should say that your bill might even go further and bring about the registration and fingerprinting of every one in this country, whether alien or citizen. It is only by a complete registration and fingerprinting of every inhabitant that we will have a complete and absolute check-up and I think that it is only false pride on the part of many of us to object to fingerprinting.

I travel a great deal abroad and find it more and more difficult to not only enter practically every country, but to also remain there. Others have taken cognizance of the necessity of controlling immigration and keeping a check of the population. I don't see that we should be so soft-hearted that we should be practically the only ones left to allow anyone and everyone to come here.

May I remind you that we must look to you in sections outside of the State of New York for real protection in connection with our American ideals. You are to be congratulated on the efforts that you have put forth and I sincerely hope that your bill will be introduced and passed without delay. If it is not, a great many of us will be up in arms in connection with the disregard of the immigration laws by the Labor Department and the continuous inflow of aliens coming here surreptitiously, a fact which even Representative Dickstein of New York has admitted.

Most sincerely yours,

H. A. SILLCOX

HAS:VS

ORIGINAL RETURNED FOR PRESERVATION

March 17, 1939

My dear Mr. Sillcox:

Permit me to acknowledge and thank you for your note of March fifteenth. Your courtesy in forwarding for our attention a copy of the letter addressed to Senator Reynolds is appreciated.

Very sincerely yours,

STEPHEN EARLY  
Secretary to the President

Mr. H. A. Sillcox,  
60 Wall Tower,  
New York, N. Y.

pls-rr

COPY

August 15, 1939

MEMORANDUM FOR HONORABLE JAMES L. HOUGHTELING,  
Commissioner of Immigration and Naturalization.

133

I am enclosing a letter just received from Louis Ritter of 224 West 30th Street, New York City. Mr. Ritter is a thoroughly responsible person and I hope you will be able to arrange an appointment for him to present the matter of the permanent admission of his sister and her family. Will you please be good enough to communicate direct with Mr. Ritter.

M. A. LeHand  
PRIVATE SECRETARY

Enclosure.

Re: Mr. Ritter's sister, brother-in-law and 2 children. Brother-in-law is a physician and they are in America on 3 months' visiting visa. Because of closed quota they could not permanently enter U.S. for five years. If they are sent back they will go in concentration camp. Asks for appt. with Immi. Office so that they can be permitted to stay in this country.

get

SEE - RITTER, Louis for first copy.

*guy*

DEPARTMENT OF LABOR  
OFFICE OF THE SECRETARY  
WASHINGTON

*file*

*74130/40*

*133*

January 27, 1940

THE WHITE HOUSE  
JAN 30 11 11 AM '40  
RECEIVED

MEMORANDUM FOR THE PRESIDENT  
FROM THE SECRETARY OF LABOR

Attached are suggestions for message in  
regard to naturalization bill.

*Walter D. Reuther*  
x15

Enclosures

x133-A

DEPARTMENT OF LABOR  
OFFICE OF THE SECRETARY  
WASHINGTON

January 30, 1940

MEMORANDUM FOR THE PRESIDENT  
FROM THE SECRETARY OF LABOR

We have prepared three bills to deal with the two  
subjects,

Provision for Refugees

x 3186

and

Compulsory Naturalization.

- Draft 1 - Refugees, wartime visitors, registration
- Draft 2 - Naturalization and registration
- Draft 3 - Both subjects combined in one.

I am inclined to favor Draft 3, which is a combination,  
but you will know what is best in regard to that.

The attached messages contain two paragraphs to go with  
the refugee bill and another message of four pages to go with the  
naturalization bill.

If you prefer the combined bill the message suggestions  
can be combined.



Enclosures

U. S. DEPARTMENT OF LABOR  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON

ADDRESS REPLY TO COMMISSIONER OF  
IMMIGRATION AND NATURALIZATION  
AND REFER TO FILE NUMBER

January 5, 1940

MEMORANDUM FOR THE PRESIDENT:

Subject: Possible legislation on the subject of immigration and naturalization during the present session of Congress.

In considering a possible program of legislation for which the President asked my suggestions in a recent conversation, I have given special consideration to the reactions of the 76th Congress as demonstrated in its first session. I sat with the Immigration Committee of the Senate and the Committee on Immigration and Naturalization of the House of Representatives at all their sessions and found a great deal of confusion in the minds of Congressmen on the subject of refugees and of hostility to the admission of any considerable number of aliens to compete for employment with American citizens. The tendency of a considerable part of Congress was toward the reduction of existing immigration quotas. The chance of any liberalizing legislation seemed negligible.

For the above reasons, I believe that the most practicable suggestions for new legislation at the present session of the Congress should be based on the fact of the present emergency in Europe. This emergency has tremendously cut down the inflow of immigration into this country and gives fair promise of solving the problem of the long waiting lists for quota positions. On the other hand, it has confronted the Immigration and Naturalization Service with two difficult new problems which we do not meet in normal times, (1) the difficulty of sending alien visitors back to their homes in Europe when it involves passing through "combat areas"; and (2) a like difficulty in forcing the deportation of aliens into "combat areas".

I therefore suggest that a great many of our present immigration problems might be solved by a bill providing:

1. On the basis of the Presidential proclamation of combat areas as provided for in the Neutrality Act of 1939, and during the emergency period until the President shall declare that such combat areas have ceased to exist (as provided in Section 3 (c) of the aforesaid Neutrality Act), that no alien shall be deported to any country which may be reached directly only by passing through such combat area. We should not make this stay of deportation applicable to aliens deportable as criminals or for narcotic offenses, prostitution or procuring, or for subversive activities, because Congress has given many evidences that it wishes to get rid of these obviously undesirable classes under any circumstances. I also propose that the stay of deportation

MEMORANDUM FOR THE PRESIDENT:

-2-

January 5, 1940

continue after the combat areas have been declared non-existent, until such date as a session of Congress has been in progress for thirty days, in order to give the Congress an opportunity to consider what it wishes to do with aliens who are in this country at the end of the war and are deportable solely for illegal entry.

2. I suggest, as a second section of such a bill, that any alien visitors legally in the United States who, to return directly to the country of their allegiance, would be required to pass through a combat area may, in the discretion of the Commissioner of Immigration and Naturalization, be permitted to remain in the United States until sixty days after the President shall have declared such combat areas to have ceased to exist.

NOTE: The above two provisions take care of all the problems of "refugees" until the end of the present European war. They do so without actually recognizing the status of "refugee". This is very desirable. Under present immigration laws, the status of refugee and the fact of religious, racial or political persecution are not legally recognized (except in two minor contexts) and that very fact enables us to avoid a great many difficult decisions as to what constitutes a refugee and what countries may be said to be practicing political or religious persecution. It has been our experience through the last two years that a great many undesirable aliens who have gained access to this country through questionable or outright illegal means attempt to prevent the enforcement of the immigration laws by claiming that they are refugees or will be subject to political or religious persecution if they are forced to return where they belong. These practices have been so wide-spread that the term refugee is regarded with suspicion by many patriotic and liberal American citizens. I believe that it will be much easier to get legislation through the Congress to meet our present problems in a realistic way if we avoid all refugee legislation and base our program on the present war emergency in Europe.

3. As a third section of such a bill, I suggest a provision to take care of "hardship cases"--aliens illegally in the United States who are the spouses, parents or children of American citizens or legally admitted aliens--whereby such aliens may be al-

MEMORANDUM FOR THE PRESIDENT:

-3-

January 5, 1940

lowed to register under the terms of the 1929 Alien Registry Act, such registry giving them a legal status as immigrants in this country. This right of registration is practically the same arrangement as was provided in Section 2 of the so-called Dies Bill which was passed by the House of Representatives by a large majority in 1937 but failed to reach a vote in the Senate. This correcting of the status of deportable aliens was not applicable to those deportable as criminals or members of subversive organizations or narcotic offenders or members of immoral classes; the same limitation should be included in the proposed legislation.

In this connection, I can report that of about 4,500 "hardship cases" on which deportation was stayed in 1937 and 1938 while awaiting the passage of the Dies Bill, we have been able to arrange for the departure, and reentry with valid immigration visas, of all except about 1,000, and these latter are natives of countries whose quotas are at present full and have long waiting lists. In discussing this remaining problem of hardship cases with members of Congress, I have had numerous suggestions that some way should be devised to correct the status of these aliens, but that they should be charged against future quotas, in order that the principle of quota immigration should be carefully observed. I therefore suggest that a certain percentage of the immigration quotas for two or three coming years should be set aside for such cases and that each alien registered under this provision should be charged against such quota allowance. I believe this provision is a wise one and will considerably improve the bill's chance of passage by the Congress.

While the above three provisions would solve—temporarily, at least—practically all of our difficult immigration cases involving aliens of good moral character, it might be expedient to strengthen our control of future immigration by providing for the fingerprinting of aliens receiving immigration visas to enter this country. The fingerprinting of all applicants for immigration visas is already provided for in H. R. 5138 which was passed by the House of Representatives last July and was reported to the Senate by the Judiciary Committee on August 5, 1939 (the day of adjournment). That bill, however, contains certain controversial clauses which may cause it to be tied up in the Senate indefinitely and an independent provision for fingerprints on immigration visas may get prompt action from the Congress.

MEMORANDUM FOR THE PRESIDENT:

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January 5, 1940

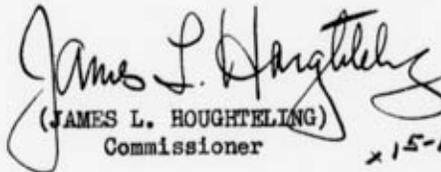
To complete a possible program of legislative revision of the immigration and naturalization laws, it might be well to consider two naturalization proposals which the President has discussed with me in the past:

(a) A provision for the naturalization of elderly persons who have been residents of the United States for ten years or more, without the application of an educational test. The two fundamental requirements of naturalization being good moral character and attachment to the principles of the Constitution of the United States, it is possible to determine the possession of these qualities by elderly people who have been in residence for many years, through the testimony of competent witnesses.

(b) A provision requiring aliens who have been in residence in the United States for two years or more to apply for naturalization or to leave the country. This requirement of naturalization should, however, be subject to the following limitations:

Alien immigrants engaged in international trade and commerce may well be exempted from required naturalization; aliens who derive 75% or more of their income from sources outside the United States or whose status as heirs of foreign estates might be jeopardized by their renunciation of a foreign allegiance might be exempted; aliens whose continuous residence in the United States is certified by the Secretary of State, the Secretary of Labor and the Attorney General to be of definite cultural or economic advantage to the United States, may well be exempted. I believe that these three exemptions will permit of continuous residence in this country on the part of aliens who are advantageous to this country or who, for one reason or another, are unwilling or unable to become naturalized.

In submitting this memorandum at the request of the President, I feel called upon to state that the Secretary of Labor has several times expressed herself to me as unfavorable to any law for the fingerprinting of aliens and also to any measure for the compulsory naturalization of aliens.

  
(JAMES L. HOUGHTELING)  
Commissioner x 15-10

MESSAGE TO CONGRESS

[To accompany H-1]

When the outbreak of hostilities in Europe occurred last summer, a number of visitors in this country from abroad found themselves virtually stranded. To compel them to depart now would mean subjecting them to the hazards of submarine warfare or the possibility of capture and internment by a warship of a hostile power. Moreover, there are in this group a certain proportion who are political and religious refugees from countries in Central Europe who face dire consequences if compelled to return. Many of these people are literally without homes as their native countries have become overrun by invading troops. I feel that in the interest of humanity, Congress should authorize these unfortunate people to remain here until conditions in Europe change sufficiently to make it safe for them to return.

Some of these persons now wish to become permanent residents and if possible citizens of the United States. It is my suggestion that Congress also make provision which would enable them to do so within the framework of the quota and naturalization laws. You will recall that in 1934, Congress enacted temporary legislation permitting political and religious refugees already in this country to register and thus obtain certificates of lawful entry. My recommendation is that the principle of this legislation be extended to aliens of good moral character who entered this country prior to September 1, 1939, and have close relatives here. Such registrants could then be charged to the quotas of their respective countries.

TO THE CONGRESS OF THE UNITED STATES: [To accompany H-2]

It is more than fifteen years since Congress has dealt in any comprehensive fashion with either immigration or naturalization legislation. Several years ago, recognizing the need of some clarification of the numerous enactments on nationality and naturalization, many of them mutually conflicting, which had been placed on the statute books since the eighteenth century, I appointed a committee consisting of the Secretary of State, the Attorney General and the Secretary of Labor to recast these laws into one consistent and harmonious code. This draft code is now receiving the consideration of the House Immigration Committee and I trust that it can receive the consideration of both Houses before the termination of this session.

Meanwhile, certain inequities in the actual operation of existing law have revealed defects in the immigration statutes as well. The stress of changing world conditions, moreover, has presented new problems with which these statutes are inadequate to deal. I am aware that the Department of Labor and individual members of Congress have submitted new proposals for legislation which might have cured some of these defects, but these bills seem to have precipitated such controversial issues, that very little constructive legislation has been enacted.

In my opinion we can reconcile certain conflicting points of view and deal practically with some of the more pressing problems. For a long time I have been impressed with the paradox of hundreds of alien residents who would like to become citizens but cannot do so because of some technical barrier in the immigration laws, and on the other hand, the picture of other aliens who

secure visas for lawful residence come here and enjoy the economic opportunities offered by this country and yet have no intention of remaining here permanently or undertaking the obligations and privileges of American citizenship.

In the first category are many persons who have entered the country without complying with all the requirements of the quota system, have married American citizens, raised American families and yet are unable to take the first steps to apply for American citizenship because of the irregularity of their records of entry. To deport them means the separation of a father or a mother from hundreds of families. It subjects many other innocent people to privation and adds to the burden of public relief. Under existing law these people are barred from ever attaining citizenship.

In the second category are persons who comply with the technical requirements of the immigration laws but who never propose to become assimilated into American life or to form a part of the great community of American citizens. It is my earnest wish that Congress combine into one bill proposals which are relatively non-controversial and which to a large extent would solve both these problems.

Last summer I signed a bill (H. R. 3215) which gave alien residents of good moral character who had lived here since 1924 but for whom there was no legal record of entry the privilege of registering with the Immigration and Naturalization Service of the Department of Labor and thereby obtaining certificates of arrival which would enable them to file petitions for naturalization. There was also temporary legislation in 1934 which permitted political and religious refugees who were already in this country

to register and thereby cure the defect in their status. It is my recommendation that this privilege of registration be extended to aliens who are persons of good moral character and are not subject to departure for any reason other than the manner of their entries. This privilege, of course, should be confined to persons otherwise eligible for United States citizenship.

It is also my recommendation that this bill contain a section which would require all future immigrants who obtain admission for permanent residence to file petitions for naturalization within a limited number of years. If this proposal is adopted then any alien applying for a quota visa in the future would know if he gains admission to this country in a status under which he would be permitted to accept employment, that he will be expected to take prompt steps to become an American citizen.

As for alien residents who have already been lawfully admitted to this country with knowledge they would not be required to become citizens, I do not recommend making naturalization compulsory for them. I have grave doubts as to the wisdom of coercing persons into becoming American citizens and taking an oath of allegiance about which they may have mental reservations. I do propose a plan, however, which would make the attainment of citizenship easier for many aliens who for reasons of poverty or lack of education have failed to take the necessary steps. For this reason, I suggest a reduction in the cost of the naturalization filing fees, and exempting petitioners who are more than 55 years of age and who have been living in this country for at least 10 years from the educational requirements.

It is interesting to note that the present alien population in

this country is rapidly diminishing. Figures compiled by the Immigration and Naturalization Service indicate that the number of alien residents has been decreasing since the 1930 census at the rate of 600,000 a year. This estimate is based upon a computation of the number of aliens who have died, acquired citizenship or departed permanently from the United States. Since the 1930 census indicated that the alien population numbered 6,284,613, this means that the 1940 figure would be approximately 3,600,000. These figures cannot but convince us that the alien residents are little more than 3% of the entire total. If the steps which I propose are taken by Congress, I am confident that at the expiration of 10 years the alien population will be less than a fraction of 1% of the inhabitants of the United States.

DRAFT H-1

1/25/40

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of approval of this Act no alien shall be deported from the United States under authority of the immigration laws to any country which may be reached directly by vessels from the United States only by passing through combat areas as defined by Presidential proclamation or proclamations issued under authority of Section 3(a) of the Neutrality Act of 1939, until 60 days at least shall have elapsed after the President shall have revoked or modified such proclamation or proclamations as set forth in Section 3(c) of the Neutrality Act of 1939 and shall have declared that such combat areas have ceased to exist. Provided, however, that if the President shall by proclamation terminate such combat areas at a time when the Congress of the United States is not in session or within a period less than 60 days prior to the adjournment of Congress, deportation shall be stayed until a date at least 60 days after the convening of the next regular session of the Congress. Provided, further, that the benefits of this section shall not apply to alien seamen who entered the United States after July 1, 1939. Provided, further, that the benefits of this section shall not apply to any alien who shall be found to be deportable under the Act of October 16, 1918, entitled "An Act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," as amended by the Act of June 5, 1920 (41 Stat. 1008; U.S.C., ti. 8, sec. 137), or the Act of May 26, 1922,

entitled "An Act to amend the Act entitled 'An Act to prohibit the importation and use of opium for other than medicinal purposes' approved February 9, 1909, as amended" (42 Stat. 596; U.S.C., ti. 21, sec. 175), or the Act of February 18, 1931, entitled "An Act to provide for the deportation of aliens convicted and sentenced for violation of any law regulating traffic in narcotics" (46 Stat. 1171; U.S.C., ti. 8, sec. 156a), or the provisions of the Act of February 5, 1917, entitled "An Act to regulate the immigration of aliens to and the residence of aliens in the United States" (39 Stat. 874; U.S.C., ti. 8, Ch. 6), relating to criminals (unless the crime involving moral turpitude prior to entry relates solely to the fraudulently securing of a visa or passport), prostitutes, procurers, or other like immoral persons.

Sec. 2. Any alien admitted into the United States prior to the effective date of this Act as a visitor under authority of Section 3(1), (2), (3), or (6) of the Immigration Act of 1924 who, to return directly to the country of his or her allegiance would be required to pass through a combat area, as defined by Presidential proclamation or proclamations issued under authority of Section 3(a) of the Neutrality Act of 1939, may, in the discretion of the Commissioner of Immigration and Naturalization, be permitted to remain in the United States until a date not more than 60 days after the President shall have revoked or modified such proclamation or proclamations, as set forth in Section 3(c) in the Neutrality Act of 1939 and shall have declared that such combat areas have ceased to exist.

Sec. 3. Any alien not ineligible to citizenship in whose case there is no record of admission for permanent residence (1) who last

entered the United States prior to September 1, 1939, (2) who is subject to the quota restrictions of the Immigration Act of 1924, (3) who has resided continuously in the United States since such entry, (4) who is not deportable by reason of any of the statutory provisions enumerated in the third proviso to Section 1 of this Act and who is a person of good moral character, and (5) in whose case deportation would involve a separation from a parent, spouse, or natural child who is a citizen of the United States or a person who has filed a valid declaration of intention to become a citizen, may be permitted to remain in the United States for permanent residence upon condition that any such alien shall first pay a fee of \$18.00 to the Commissioner of Immigration and Naturalization which fee shall be deposited in the Treasury of the United States as Miscellaneous Receipts. For purposes of the immigration and naturalization laws any alien permitted to remain in the United States must procure from the Department of Labor a certificate stating that the Secretary of Labor has found him or her entitled to remain under the terms of this Act and the alien shall be deemed to have been legally admitted to the United States for permanent residence as of the date of said certificate. For each such certificate issued by the Secretary of Labor under authority of this Act there shall be deducted from the quota of the country to which the alien is chargeable one immigrant quota number. For the exclusive use of aliens thus admitted for permanent residence who were born in countries having quota allotments under the Immigration Act of May 26, 1924, in which all quota positions available during the fiscal year ending June 30, 1940, have already been applied for and allotted,

twenty percent of the aggregate of established quotas for each nationality for the three fiscal years next succeeding the fiscal year in which this Act is approved, may be made available immediately for aliens to whom the Department of Labor has issued such certificates. The annual quota for each nationality for issuance of visas to other aliens shall be reduced for the three fiscal years accordingly, but such portion of any aggregate quota hereby set aside for the issuance of certificates to aliens but not used for such purpose before the expiration of each such fiscal year, shall be restored to the annual quota of such nationality for the next succeeding fiscal year thereafter.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That any alien, not ineligible to citizenship, hereafter admitted to the United States for permanent residence, or registered for permanent residence, except one lawfully entering the United States as a non-immigrant under Sec. 3 of the Immigration Act of 1924, or as a returning resident or bona fide student under subdivision (b) or (e), respectively, of Sec. 4 of that Act, shall take such of the steps enumerated in this subdivision as may be necessary for him to become naturalized under the laws of the United States:

- (1) Make his declaration of intention to become a citizen of the United States within one year after he may legally do so, unless a declaration of intention be not required by law for naturalization in his case;
- (2) File his petition for naturalization within 5 years after he may legally do so; and
- (3) Prosecute diligently to a final hearing any petition for naturalization which he may have filed or which he may hereafter file.

(b) Whenever it shall appear to the Secretary of Labor that the action of an alien in forswearing allegiance to the country of his nationality will result directly or indirectly in the forfeiture of property rights in such country, or that other valid reasons beneficial to the United States exist which justify permitting the alien to remain in this country without becoming naturalized, the Secretary of

Labor is authorized to exempt such alien from the mandatory provisions of the preceding subsection.

(c) Any alien described in subdivision (a) of this section who fails to comply with the requirements of that subdivision shall, upon warrant of the Secretary of Labor, be taken into custody and deported from the United States in the manner provided by Secs. 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 889; U.S.C., ti. 8, secs. 155, 156), as amended.

(d) Section 13 of the Act of June 29, 1906 (34 Stat. 600), as amended, is hereby amended to provide that the fee to be charged, collected, and accounted for in the making, filing, and docketing of a petition for citizenship under this Act and issuing a certificate of citizenship, if the issuance of such certificate is authorized by the court, and for the final hearing on the petition, shall be \$3.

Sec. 2. Any alien more than 55 years of age who has resided continuously in the United States for at least ten years immediately preceding the filing of his petition for naturalization, and who shall file such petition within three years after the effective date of this Act shall not be required to sign his petition for naturalization in his own handwriting, nor shall he be required to speak the English language, nor to pass any test as to his knowledge of government, provided the petitioner appears with at least two witnesses, citizens of the United States, before the appropriate representative of the Commissioner of Immigration and Naturalization and undergoes a preliminary examination before filing his petition for naturalization in the office of the clerk of the naturalization court, and establishes

by his testimony and that of his said witnesses that he has behaved as a person of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the United States: and Provided further, that the petitioner shall comply in all other respects with the requirements of the naturalization laws.

Sec. 3. Subdivision (a) of Section 1 of the Act of March 2, 1929 (45 Stat. 1512; U.S.C., tit. 8, sec. 106a), is hereby amended to read as follows: "Upon application filed with the Commissioner of Immigration and Naturalization within two years after the effective date of this Act the registry of aliens at the ports of entry required by Section 1 of the Act of June 29, 1906 (34 Stat. 596), as amended, may be made as to any alien not ineligible to citizenship in whose case there is no record of admission for permanent residence if such alien shall make a satisfactory showing to the Commissioner of Immigration and Naturalization, in accordance with regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, that he --

- "(1) Entered the United States at least two years prior to the effective date of this Act;
- "(2) Has resided in the United States continuously since such entry;
- "(3) Is a person of good moral character;
- "(4) Is not subject to deportation under any Act other than for violation of such provisions of the Immi-

gration Act of May 26, 1924 and the Immigration Act of February 5, 1917 as relate to the manner of his entry into the United States or the method of procuring visas or other travel documents.

"(5) Is cooperating to the best of his ability with the officers of the United States engaged in enforcing the immigration and naturalization laws."

Sec. 4. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this Act.

DRAFT H-3

1/25/40

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of approval of this Act no alien shall be deported from the United States under authority of the immigration laws to any country which may be reached directly by vessels from the United States only by passing through combat areas as defined by Presidential proclamation or proclamations issued under authority of Section 3(a) of the Neutrality Act of 1939, until 60 days at least shall have elapsed after the President shall have revoked or modified such proclamation or proclamations as set forth in Section 3(c) of the Neutrality Act of 1939 and shall have declared that such combat areas have ceased to exist. Provided, however, that if the President shall by proclamation terminate such combat areas at a time when the Congress of the United States is not in session or within a period less than 60 days prior to the adjournment of Congress, deportation shall be stayed until a date at least 60 days after the convening of the next regular session of the Congress. Provided, further, that the benefits of this section shall not apply to alien seamen who entered the United States after July 1, 1939. Provided, further, that the benefits of this section shall not apply to any alien who shall be found to be deportable under the Act of October 16, 1918, entitled "An Act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," as amended by the Act of June 5, 1920 (41 Stat. 1008; U.S.C., ti. 8, sec. 137), or the Act of May 26, 1922,

entitled "An Act to amend the Act entitled 'An Act to prohibit the importation and use of opium for other than medicinal purposes' approved February 9, 1909, as amended" (42 Stat. 596; U.S.C., ti. 21, sec. 175), or the Act of February 18, 1931, entitled "An Act to provide for the deportation of aliens convicted and sentenced for violation of any law regulating traffic in narcotics" (46 Stat. 1171; U.S.C., ti. 8, sec. 156a), or the provisions of the Act of February 5, 1917, entitled "An Act to regulate the immigration of aliens to and the residence of aliens in the United States" (39 Stat. 874; U.S.C., ti. 8, ch. 6), relating to criminals (unless the crime involving moral turpitude prior to entry relates solely to the fraudulently securing of a visa or passport), prostitutes, procurers, or other like immoral persons.

Sec. 2. Any alien admitted into the United States prior to the effective date of this Act as a visitor under authority of Section 3(1), (2), (3), or (6) of the Immigration Act of 1924 who, to return directly to the country of his or her allegiance would be required to pass through a combat area, as defined by Presidential proclamation or proclamations issued under authority of Section 3(a) of the Neutrality Act of 1939, may, in the discretion of the Commissioner of Immigration and Naturalization, be permitted to remain in the United States until a date not more than 60 days after the President shall have revoked or modified such proclamation or proclamations, as set forth in Section 3(c) in the Neutrality Act of 1939 and shall have declared that such combat areas have ceased to exist.

Sec. 3. Any alien not ineligible to citizenship in whose case there is no record of admission for permanent residence (1) who last

entered the United States prior to September 1, 1939, (2) who is subject to the quota restrictions of the Immigration Act of 1924, (3) who has resided continuously in the United States since such entry, (4) who is not deportable by reason of any of the statutory provisions enumerated in the third proviso to Section 1 of this Act and who is a person of good moral character, and (5) in whose case deportation would involve a separation from a parent, spouse, or natural child who is a citizen of the United States or a person who has filed a valid declaration of intention to become a citizen, may be permitted to remain in the United States for permanent residence upon condition that any such alien shall first pay a fee of \$18.00 to the Commissioner of Immigration and Naturalization which fee shall be deposited in the Treasury of the United States as Miscellaneous Receipts. For purposes of the immigration and naturalization laws any alien permitted to remain in the United States must procure from the Department of Labor a certificate stating that the Secretary of Labor has found him or her entitled to remain under the terms of this Act and the alien shall be deemed to have been legally admitted to the United States for permanent residence as of the date of said certificate. For each such certificate issued by the Secretary of Labor under authority of this Act there shall be deducted from the quota of the country to which the alien is chargeable one immigrant quota number. For the exclusive use of aliens thus admitted for permanent residence who were born in countries having quota allotments under the Immigration Act of May 26, 1924, in which all quota positions available during the fiscal year ending June 30, 1940, have already been applied for and allotted,

twenty percent of the aggregate of established quotas for each nationality for the three fiscal years next succeeding the fiscal year in which this Act is approved, may be made available immediately for aliens to whom the Department of Labor has issued such certificates. The annual quota for each nationality for issuance of visas to other aliens shall be reduced for the three fiscal years accordingly, but such portion of any aggregate quota hereby set aside for the issuance of certificates to aliens but not used for such purpose before the expiration of each such fiscal year, shall be restored to the annual quota of such nationality for the next succeeding fiscal year thereafter.

## TITLE II

Sec. 4. (a) Any alien, not ineligible to citizenship, hereafter admitted to the United States for permanent residence, or registered for permanent residence, except one lawfully entering the United States as a non-immigrant under Sec. 3 of the Immigration Act of 1924, or as a returning resident or bona fide student under subdivision (b) or (e), respectively, of Sec. 4 of that Act, shall take such of the steps enumerated in this subdivision as may be necessary for him to become naturalized under the laws of the United States:

- (1) Make his declaration of intention to become a citizen of the United States within one year after he may legally do so, unless a declaration of intention be not required by law for naturalization in his case;

- (2) File his petition for naturalization within 5 years after he may legally do so; and
- (3) Prosecute diligently to a final hearing any petition for naturalization which he may have filed or which he may hereafter file.

(b) Whenever it shall appear to the Secretary of Labor that the action of an alien in foreswearing allegiance to the country of his nationality will result directly or indirectly in the forfeiture of property rights in such country, or that other valid reasons beneficial to the United States exist which justify permitting the alien to remain in this country without becoming naturalized, the Secretary of Labor is authorized to exempt such alien from the mandatory provisions of the preceding subsection.

(c) Any alien described in subdivision (a) of this section who fails to comply with the requirements of that subdivision shall, upon warrant of the Secretary of Labor, be taken into custody and deported from the United States in the manner provided by Secs. 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 889; U.S.C., ti. 8, secs. 155, 156), as amended.

(d) Section 13 of the Act of June 29, 1906 (34 Stat. 600), as amended, is hereby amended to provide that the fee to be charged, collected, and accounted for in the making, filing, and docketing of a petition for citizenship under this Act and issuing a certificate of citizenship, if the issuance of such certificate is authorized by the

court, and for the final hearing on the petition, shall be \$3.

Sec. 5. Any alien more than 55 years of age who has resided continuously in the United States for at least ten years immediately preceding the filing of his petition for naturalization, and who shall file such petition within three years after the effective date of this Act shall not be required to sign his petition for naturalization in his own handwriting, nor shall he be required to speak the English language, nor to pass any test as to his knowledge of government, provided the petitioner appears with at least two witnesses, citizens of the United States, before the appropriate representative of the Commissioner of Immigration and Naturalization and undergoes a preliminary examination before filing his petition for naturalization in the office of the clerk of the naturalization court, and establishes by his testimony and that of his said witnesses that he has behaved as a person of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the United States: and Provided further, that the petitioner shall comply in all other respects with the requirements of the naturalization laws.

Sec. 6. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this Act.

Sec. 7. Subdivision (a) of Section 1 of the Act of March 2, 1929 (45 Stat. 1512; U.S.C., ti. 8, sec. 106a), is hereby amended to read as follows: "Upon application filed with the Commissioner of Immigra-

tion and Naturalization within two years after the effective date of this Act the registry of aliens at the ports of entry required by Section 1 of the Act of June 29, 1906 (34 Stat. 596), as amended, may be made as to any alien not ineligible to citizenship in whose case there is no record of admission for permanent residence if such alien shall make a satisfactory showing to the Commissioner of Immigration and Naturalization, in accordance with regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, that he --

"(1) Entered the United States at least two years prior to the effective date of this Act;

"(2) Has resided in the United States continuously since such entry;

"(3) Is a person of good moral character;

"(4) Is not subject to deportation under any Act other than for violation of such provisions of the Immigration Act of May 26, 1924 and the Immigration Act of February 5, 1917 as relate to the manner of his entry into the United States or the method of procuring visas or other travel documents.

"(5) Is cooperating to the best of his ability with the officers of the United States engaged in enforcing the immigration and naturalization laws."

CRANE, Hon. Charles R.

Palm Springs, California,

January 28, 1936.

Writes President re the Jews. States there is a movement under way to bring many of them from Germany. Suggests that President treat the question of the exodus of the Jews from Germany sympathetically but with a firm understanding that it be handled in such a way as not to increase the rising anti-Semitic feeling in the world. President wrote Mr. Crane, on Feb. 10th, thanking him for his letter and saying he did not think the movement he (Mr. Crane) spoke of would affect this country much for every-  
thing would be on a quota basis.

SEE PPF 462

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SEE - 20 for a mimeographed copy of a letter of Dec. 31, 1938, from the Attorney General, (16 pages) to the Secretary of State re letter of Dec. 2nd from Act. Sec. of State requesting his opinion upon question: "Does the offense of knowingly making a false statement in an affirmation before an official, which is punishable under Article 156 of the German Criminal Code, involve moral turpitude, within the meaning of the provision of section 3 of the Immigration Act of February 5, 1917, when the record of the conviction shows that the false statement related to a material matter?" The Act. Sec. states that this problem has arisen in the case of one A.R., a German citizen, who desires to obtain an immigration visa for use in coming to this country to reside. The Attorney General concludes by saying he does not believe that the term "moral turpitude," as it is generally understood, can properly be ascribed to the conduct of this alien. Advises that the Sec. of State would be warranted in granting him a visa.

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BARTLETT, E. L. -- Secretary of Alaska  
Juneau, Alaska  
Feb. 19, 1941. File date: May 27, 1943.

Two letters from above, transmitting certified copy of House Joint Memorial No. 7, protesting passage of H.R.2791, which would make available all unused immigration quotas of all countries for the past six yrs. to refugees from foreign countries for the purpose of permitting said refugees to migrate to and settle in the Territory of Alaska, and certified copy of Committee Substitute for Senate Joint, Memorial No. 1 of the Alaska Territorial Legislature, asking acceptance of the resignation of Harold L. Ickes as Sec'y of Interior, and that someone be apptd. who will have a sympathetic and understanding viewpoint toward Alaska, and if such resignation is not accepted, that all control now belonging to the Sec'y of Interior respecting the Territory of Alaska be transferred to the Sec'y. of Commerce or the Sec'y of Agriculture.

Referred by memo, Mar. 3, 1941, to the Sec'y of Interior for preparation of reply. No draft of reply in files 5/27/43.

SEE: 400-Alaska