

Programs with Respect to Relief  
and Rescue of Refugees Other  
Government Agencies

Dept. of Justice  
(Immigration and Naturalization  
Service)

000705

*File*

MEMORANDUM

1. The quota law permits the entry into the United States during the Government's fiscal year of 153,774 immigrants.
2. The immigrants admitted during the fiscal years 1941, 1942, and 1943 were considerably under the quota. As a matter of fact, immigration in 1943 was the lowest since 1832.
3. The question may be asked as to the discrepancy between the number that could have been admitted under the quota and the number actually admitted, which may be ascribed to the following:
  - a. There were many refugees who had actually received visas or who were about to be issued visas in the low countries; but due to inability to obtain quickly travel facilities, and due to red tape those who actually had visas or those who were about to receive visas were compelled to flee in advance of the entry of the Germans into the low countries.
  - b. A large number of refugees accumulated in what was Unoccupied France. These refugees in some cases already had visas issued to them and were awaiting shipping facilities. In many instances, visa applications were pending in the Visa Division when the Germans overran Unoccupied France. Consequently, all of these refugees were eliminated from the possibility of migration.
  - c. A number of refugees who were given advisory approvals could not avail themselves of them because they could not prove to the Consul reasonable probability of obtaining travel facilities.
4. Since July 1, 1941, the control of visas, for practical purposes, passed from the consular offices to the Department of State. The regulations promulgated and the policy adopted created a condition where a comparatively small number of advisory approvals were given, even to aliens who could travel. These refugees were in Spain, Portugal, Cuba, Canada, Palestine, etc. The regulations and policy made for a minimum of advisory approvals for the following reasons:
  - a. All enemy aliens (i.e., persons who were born in and who were nationals or denizens of any country with which we are at war) were not granted advisory approvals unless they could show by adequate evidence that they would be a benefit to the United States if admitted. Realistically speaking, every admissible alien could be of benefit, even if he did not directly engage in the war effort; he could have performed some task or service, thus releasing a person for the armed forces or for war industries.

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b. The so-called "hostage angle" prevented the making of advisory approvals in a large number of cases. The Department of State took the position that visa applicants who had close relatives in enemy countries or countries occupied by the enemy might be held as hostages if it came to the attention of the enemy that he had close relatives in the United States.

c. A considerable number of visa applicants were denied advisory approval, perhaps on the theory that they were in countries like England, Canada, or Cuba, where they were apparently safe from racial, political, or religious persecution and were in no imminent danger. This theory held good as long as there were refugees in territories where they were in danger of life, liberty, or possible persecution on religious, racial, or other grounds, and who could be gotten out. This no longer holds true.

d. A considerable number of advisory approvals were denied in cases where there were no apparent reasons for the Department's action, perhaps due to poor sponsorship, or for any other reason, or no reason at all.

e. Many refugees fled France, most of them entering Spain and some Portugal. The Department in such cases raised the question as to how the refugees reached Spain or Portugal. These aliens got into Spain and Portugal either by smuggling themselves across the border or perhaps in some cases bribing their way over. The American relatives or others interested in sponsoring the immigration of these people were in no position to advise the Department as to the means by which the aliens got into Spain or Portugal. The Interdepartmental Visa Review Committee was so advised in each case; but many of these applications were rejected on the theory that the applicants might have gotten into Spain or Portugal with the connivance of the enemy, because of the fact that perhaps several such cases came to the attention of the Department.

All of the above is speculative because under the Department's regulations it is not required to disclose any reason for making an unfavorable decision, and it is impossible to obtain such reasons except in a small number of cases where the Department might directly or indirectly disclose the information.

The Interdepartmental Visa Review Committee consists of representatives of the following Departments:

1. Department of State
2. War Department (Intelligence)
3. Navy Department (Intelligence)
4. Federal Bureau of Investigation, Dept. of Justice
5. Immigration & Naturalization Service, Dept. of Justice

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It may be said that the Federal Bureau of Investigation and Army and Navy Intelligence constitute a security group; and invariably when there was any doubt, they resolved it in favor of the Government; thus, there are three votes out of the five against the applicant.

A larger number of refugees could have been brought to the United States if the Interdepartmental Visa Review Committee and the Department of State took a more realistic and sympathetic attitude. Assuming that the applicant is bona fide and that there is no threat to the national security, the American relatives and other people interested identified these persons and submitted evidence of their being Jews or otherwise admissible aliens.

At the moment the quotas are not exhausted, and every refugee in Portugal, Spain, Cuba, Canada, South America, Palestine, etc., could be admitted, and yet only a small part of the entire quota would be exhausted. If the refugees in these countries would be evacuated, no doubt the countries involved would very likely permit others to enter. Unfortunately, most of the applicants are Jews. Perhaps if there were a greater number of non-Jews, the total advisory approvals granted and aliens admitted as immigrants would be larger.

*Copy with Dept. of Justice*

My dear Mr. Attorney General:

I take pleasure in sending you herewith a copy of my final summary report on the activities of the War Refugee Board.

Very truly yours,

(Signed) William O'Dwyer

William O'Dwyer  
Executive Director

The Honorable,  
The Attorney General.

Enclosure.

*Jed*  
FH:hd 8/8/45

000709

*Comp. with other J. Agency's Immigration*

*file*

34-1943

DEPARTMENT OF JUSTICE  
Immigration and Naturalization Service  
Philadelphia

Nonimmigrant aliens admitted during the years ended June 30, 1939 to 1943, as temporary visitors under section 3(2) or as transients under section 3(3) of the Immigration Act of 1924, who were still in the United States at the close of June 30, 1943, on granted extension of their original period of admission, by districts and years, as specified

District or port of arrival	Admitted as visitors during-						Admitted as transients during-					
	1939	1940	1941	1942	1943	Total	1939	1940	1941	1942	1943	Total
All districts.....	2,475	3,284	5,009	1,985	1,749	14,502	24	38	97	73	64	296
Boston, Mass.....	26	34	149	18	-	227	-	-	-	-	-	-
New York, N. Y.....	2,226	2,594	2,640	833	167	8,460	21	10	71	46	9	157
Philadelphia, Pa.....	-	-	18	2	2	22	-	-	-	-	-	-
Baltimore, Md.....	1	-	8	9	4	22	-	-	-	-	-	-
Miami, Fla.....	10	28	89	187	288	602	-	-	-	1	1	2
New Orleans, La.....	7	16	31	113	28	195	-	-	-	1	4	5
San Francisco, Calif.....	64	149	375	195	8	791	-	-	1	9	13	23
St. Albans, Vt.....	7	148	1,157	193	329	1,834	-	16	24	11	2	53
Buffalo, N. Y.....	13	15	83	64	106	281	-	6	-	5	3	14
Detroit, Mich.....	25	54	77	80	149	385	-	2	-	-	-	2
St. Paul, Minn.....	2	8	19	18	101	148	-	-	-	-	-	-
Spokane, Wash.....	6	6	3	3	27	45	-	2	-	-	-	2
Seattle, Wash.....	24	62	63	26	-	175	-	-	-	-	-	-
San Antonio, Tex.....	3	28	25	109	180	345	-	-	-	-	-	-
El Paso, Tex.....	6	2	7	19	75	109	-	-	-	-	-	-
Los Angeles, Calif.....	37	84	207	45	41	414	-	-	-	-	32	32
San Juan, P. R.....	1	8	21	39	244	313	-	-	-	-	-	-
Honolulu, T. H.....	17	48	37	32	-	134	3	2	1	-	-	6

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*Taken by Mr. L... ..*  
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000710

EARL G. HARRISON  
COMMISSIONER

Department of Justice  
Immigration and Naturalization Service  
Philadelphia

September 7, 1944.

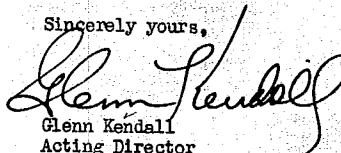
Mr. J. W. Pehle, Executive Director  
Executive Office of the President  
War Refugee Board  
Washington 25, D. C.

Dear Mr. Pehle:

The new edition of the Immigration and Nationality Laws and Regulations has just come from the press. In response to your request of June 28, 1944, we are sending you a copy of this edition (March 1, 1944) for filing in the library of your organization.

The paper shortage as well as the cost of printing serve to drastically curtail the number of copies available for free distribution; therefore personal copies are not available. Anyone desiring such copies may obtain them from the Superintendent of Documents, Government Printing Office, Washington, D. C., at \$3.00 per copy.

Sincerely yours,



Glenn Kendall  
Acting Director  
Research and Educational Services



000711

EXECUTIVE OFFICE OF THE PRESIDENT  
WAR REFUGEE BOARD

To: *Files* *4405 A*  
(1) ..... (Room) (Bldg.)  
(2) ..... (Room) (Bldg.)  
(3) ..... (Room) (Bldg.)

From: *Acqu* ..... (Date)  
*2030* ..... (Room) (Bldg.)

000712



August 26, 1944

Mr. Lesser

B. Aksia

On August 23, after a telephone conversation with Shaughnessy, I wired you as follows:

"Phoned Shaughnessy who forwarded satisfactory memorandum to Philadelphia main office and expects approval within day or two Step Will keep me informed Step I will mail it to New York in time for meeting Step Approached by Jim regarding additional invitations to meeting John decided against."

This morning, not having heard from Shaughnessy since my first telephone conversation with him, I called him up, but couldn't reach him until early afternoon. He informed me that the Philadelphia office approved his memorandum orally over the telephone, but that the written approval will not arrive before Wednesday, the 30th. He further told me that he still has to get State's approval, but does not anticipate any difficulties from that side.

Upon my request, he agreed to let me have the attached copy of his memorandum to the Philadelphia office, so that you will have it in hand for the Monday meeting. You will note that <sup>the</sup> copy has to be returned to Shaughnessy.

Shaughnessy told me over the telephone, and you will also note <sup>at</sup> this point on pages 3 and 4 of the Shaughnessy memorandum, that no particular concession is involved in our request to handle relatives' petitions prior to the actual filing of the application for the visa by the prospective immigrant. It seems that this is done all along.

Regards,

Enclosure

*B.A.*

BAksia:ar 8/26/44

*Handwritten note: see B sample*

000713

August 16, 1944.

TO: Mr. Ed. Shaughnessy,  
Bureau of Immigration and Naturalization

FROM: Lawrence S. Lesser

Pursuant to our telephone conversation yesterday afternoon, there is attached a copy of a letter from Assistant Secretary of State Berle dated August 6, 1944.

You will note that the procedure therein outlined envisions the filing of non-quota and preference quota petitions prior to the filing of applications for visas and the notification of enemy governments that, subject to qualification under the law, visas are available for persons whose non-quota or preference status has been established by the approval of the Department of Justice of such petitions.

The Board proposes to advise appropriate private agencies of the substance of the attached letter, and it is assumed that in due course a number of such petitions will be filed with the Bureau. Since it will be necessary for us to take affirmative action, after the Department of Justice has approved such petitions, and time is of the essence, we would appreciate knowing as promptly as may be possible whether some procedure could be worked out whereby the Board would be advised promptly of the action taken on each such petition. As all petitions under this program would involve persons in enemy-controlled areas who have not as yet filed applications for visas, such petitions ought to be easy to segregate.

LSLesser:tmh 8-16-44

000714

EARL G. HARRISON  
COMMISSIONER

Department of Justice  
Immigration and Naturalization Service  
Philadelphia

July 1, 1944.

Mr. J. W. Pehle, Executive Director  
Executive Office of the President  
War Refugee Board  
Washington 25, D. C.

My dear Mr. Pehle:

Your letter of June 28, 1944, addressed to the Commissioner, has been referred to me for reply.

A new compilation of the Immigration and Nationality Laws and Regulations, as of March 1, 1944, is in the process of printing at this time, and we expect to have it ready for distribution about the first of August.

We have placed your name on our mailing list, and a copy will be forwarded to you as soon as it is ready for distribution.

Very truly yours,

*Edwina V. A. Avery*  
Edwina V. A. Avery  
Editor



000715

JUN 28 1944

My dear Commissioner:

In connection with the work of the War Refugee Board a need has been discovered for a handy compilation of all the laws affecting immigration and the regulations issued thereunder. I understand that your office has prepared such a compilation entitled "Immigration and Nationality Laws and Regulations as of January 1, 1942".

I would appreciate it very much if you would make available to the Board a copy of the same and of any supplements periodically issued to bring the compilation up to date.

Very truly yours,

J. W. Pehle  
Executive Director

Earl G. Harrison, Commissioner  
Immigration and Naturalization Service,  
Philadelphia, Pennsylvania.

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February 10, 1944

To: Mr. Fehle  
From: L. S. Lesser

The following is a statement of the quota of immigrants to the United States from various countries for the fiscal year ending June 30, 1944:

Belgium	1,304	} 869
Bulgaria	150	
Czechoslovakia	2,374	
Denmark	1,181	
Estonia	116	
Finland	569	
France	3,086	
Germany	27,270	
Greece	307	
Holland	3,153	
<i>Hungary</i> Italy	5,802	
Jugoslavia	1,707	
Latvia	236	
Lithuania	386	
Norway	2,377	
Poland	6,324	
Portugal	440	
Rumania	377	
Russia	2,712	
Spain	252	
Sweden	3,114	
Switzerland	1,707	

It should be borne in mind that the quotas relate to the immigrant's country of nativity rather than citizenship.

LSLesser:als 2/10/44

*Solomon for Mrs. Lesser  
files*

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