MEMORANDUM

1. The quota law permits the entry into the United States during the Government's fiscal year of 125,774 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 1933.

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 Occupied 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 Occupied 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 move to the area 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.
B. The so-called "costage policy" prevented the exit of refugees overseas in a large number of cases. The Department of State took the position that visa applicants who had close relatives in enemy countries or occupied by the enemy might be held as hostages if it appeared that the entry of the enemy. They had close relatives in the United States.

C. A considerable number of visa applicants were denied advisory approval, reasons on the theory that they were in countries like England, France, or Spain, were apparently safe from racial, political, or religious persecution and were not imminent danger. This theory held so long as the area refugees in territory were they were in danger of life, liberty, or specific persecution on religious, racial, or other ground. And who could be gotten, this no longer holds true.

D. A considerable number of advisory approvals were denied in cases 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, part of them entering Spain and later Portugal. The Department in such cases raised the question of how the refugees reached Spain or Portugal. These aliens got into Spain or Portugal either by smuggling themselves across the border or perhaps in some cases bribing their way over. The American relatives or others interested in securing the information of those 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 has no evidence in each case; but, any 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 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. Treasury Department (Intelligence)
4. Federal Bureau of Investigation, Dept. of Justice
5. Immigration & Naturalization Service, Dept. of Justice
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. Remains 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 present the quotas are not exhausted, and every refugee
in Europe, Spain, Cuba, Canada, South America, Palestine, etc.,
could be admitted, and yet only a small part of the entire quote
would be exhausted. If the refugees in these countries would be
evacuated, no doubt the countries involved would very likely per-
mit others to enter. Unfortunately, most of the applicants are
Jews. Perhaps if there were a greater number of non-Jews, the
total advisory approval granted and aliens admitted as immigrants
would be larger.
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.
## DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Philadelphia

Nonimmigrant aliens admitted during the years ended June 30, 1939 to 1943, as temporary visa holders 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.

<table>
<thead>
<tr>
<th>District or port of arrival</th>
<th>Admitted as visitors during-</th>
<th>Admitted as transients during-</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1939</td>
<td>1940</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>All districts</td>
<td>2,476</td>
<td>8,284</td>
</tr>
<tr>
<td>Boston, Mass.</td>
<td>26</td>
<td>34</td>
</tr>
<tr>
<td>New York, N. Y.</td>
<td>2,226</td>
<td>8,604</td>
</tr>
<tr>
<td>Philadelphia, Pa.</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Baltimore, Md.</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>Miami, Fla.</td>
<td>5</td>
<td>16</td>
</tr>
<tr>
<td>New Orleans, La.</td>
<td>64</td>
<td>148</td>
</tr>
<tr>
<td>San Francisco, Calif.</td>
<td>7</td>
<td>149</td>
</tr>
<tr>
<td>St. Louis, Mo.</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>Buffalo, N. Y.</td>
<td>26</td>
<td>54</td>
</tr>
<tr>
<td>Philadelphia, N. Y.</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Washington, D.C.</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Seattle, Wash.</td>
<td>24</td>
<td>62</td>
</tr>
<tr>
<td>San Antonio, Tex.</td>
<td>3</td>
<td>23</td>
</tr>
<tr>
<td>El Paso, Tex.</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Los Angeles, Calif.</td>
<td>37</td>
<td>84</td>
</tr>
<tr>
<td>San Juan, P. R.</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>Honolulu, H.</td>
<td>17</td>
<td>40</td>
</tr>
</tbody>
</table>

10-2-43

File 34-1943
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,

[Signature]

Glenn Kendall
Acting Director
Research and Educational Services
August 26, 1944

Mr. Lesser
B. Austin

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

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

This morning, not having heard from Shaughnessey 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 a copy has to be returned to Shaughnessey.

Shaughnessey told me over the telephone, and you will also note at this point on pages 3 and 4 of the Shaughnessey 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,

[Signature]

Enclosure

M. H.

Baltimore 8/26/44
August 16, 1944.

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

FROM: Lawrence S. Leaser

Pursuant to our telephone conversation yesterday afternoon, there is attached a copy of a letter from Assistant Secretary of State Sibell dated August 8, 1944.

You will note that the procedure therein outlined envisages the filing of non-quotas and preference quota petitions prior to the filing of applications for visas and the notification of enemy governments that, subject to qualifications under the law, visas are available for persons whose non-quotas or preference status has been established by the approval of the Department of Justice in 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 could be advised promptly of the action taken on 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.

L.S.Lesser/1nsh 8-16-44
Mr. J. W. Pehle, Executive Director
Executive Office of the President
War Refuges Board
Washington 25, D. C.

My dear Mr. Pehle:

Your letter of June 29, 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
Editor
JUN 28 1944

My dear Commissioner:

In connection with the work of the War Refugees 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,
February 10, 1944

To: Mr. Buhl
From: E. S. Lesser

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

<table>
<thead>
<tr>
<th>Country</th>
<th>Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>1,202</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>220</td>
</tr>
<tr>
<td>Czechoslovakia</td>
<td>7,972</td>
</tr>
<tr>
<td>Denmark</td>
<td>1,181</td>
</tr>
<tr>
<td>Estonia</td>
<td>118</td>
</tr>
<tr>
<td>Finland</td>
<td>130</td>
</tr>
<tr>
<td>France</td>
<td>2,096</td>
</tr>
<tr>
<td>Germany</td>
<td>275,270</td>
</tr>
<tr>
<td>Greece</td>
<td>307</td>
</tr>
<tr>
<td>Holland</td>
<td>3,152</td>
</tr>
<tr>
<td>Italy</td>
<td>5,382</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>1,707</td>
</tr>
<tr>
<td>Latvia</td>
<td>238</td>
</tr>
<tr>
<td>Lithuania</td>
<td>165</td>
</tr>
<tr>
<td>Norway</td>
<td>3,377</td>
</tr>
<tr>
<td>Poland</td>
<td>6,324</td>
</tr>
<tr>
<td>Portugal</td>
<td>440</td>
</tr>
<tr>
<td>Roumania</td>
<td>377</td>
</tr>
<tr>
<td>Russia</td>
<td>2,712</td>
</tr>
<tr>
<td>Spain</td>
<td>252</td>
</tr>
<tr>
<td>Sweden</td>
<td>27,134</td>
</tr>
<tr>
<td>Switzerland</td>
<td>1,707</td>
</tr>
</tbody>
</table>

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