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Marian Schibsky
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ENEMY ALIENS

Supplement No. II

Below are copied three press releases which were issued by the Attorney General on December 10th, 11th and 14th respectively. The first release seeks to mitigate the uncertainty and confusion which now exist among alien groups and asks the cooperation of the American public in preventing injustice and undue hardship; the second contains information as to the procedure to be followed in internment cases; the third aims to clear up confusion in regard to war-time naturalization of enemy aliens. In connection with the problems of enemy aliens and their treatment, these statements by the Attorney General are of considerable interest and importance.

"Department of Justice

December 10, 1941

"The United States is now at war. Every American will share in the task of defending our country. It is essential at such a time as this that we keep our heads, keep our tempers - above all, that we keep clearly in mind what we are defending.

"The enemy has attacked more than the soil of America. He has attacked our institutions, our freedoms, the principles on which this nation was founded and has grown to greatness. Every American must remember that the war we wage today is in defense of these principles. It therefore behooves us to guard them most zealously at home.

"There are living in the United States today aliens who make up only $3\frac{1}{2}$ percent of our total population. These aliens for the most part are here legally and are loyal to this country's institutions. Many of them are 'aliens' in the technical sense of the word only. Four out of five of them have family ties in this country - in most cases, American-born children. Forty percent of those eligible for citizenship have already taken steps to become American citizens. A substantial number of our aliens are ineligible for citizenship either because they are under eighteen years of age or because they have been here for less than the 5 years' residence required of citizenship applicants, or for other technical reasons.

"The great majority of our alien population will continue to be loyal to our democratic principles if we, the citizens of the United States, permit them to be. As a matter of justice and out of duty to our country and to our

own institutions we must, therefore, foster their loyalty and give it our encouragement. We must remember, especially, that most of those who came here from other lands did so because they revere and respect the freedoms which America is able to offer them.

"So long as the aliens in this country conduct themselves in accordance with law, they need fear no interference by the Department of Justice or by any other agency of the Federal Government. They may be assured, indeed, that every effort will be made to protect them from any discrimination or abuse. This assurance is given not only in justice and decency to the loyal non-citizens in this country but also in the hope that it may spare American citizens in enemy countries unjust retaliation.

"Inevitably, there are some among our alien population who are disloyal. The Federal Government is fully aware of the dangers presented not only by such persons but also by disloyal citizens. The Government has control of the activities of these elements. At no time, however, will the Government engage in wholesale condemnation of any alien group.

"The Department of Justice believes that an alert and vigilant citizenry can aid in the defense of the nation against hostile elements. The Department is convinced, however, that it is against the best interests of the nation for citizens to attempt themselves to apprehend or punish real or fancied violators of the law. Citizens should transmit all evidence of hostile activity either to the nearest office of the Federal Bureau of Investigation or directly to the Department of Justice in Washington.

"The Department also urges that State and local authorities take no direct action against suspected aliens in their communities but instead consult with representatives of the Department of Justice, which is qualified by law and experience to handle any situation threatening the interests of the nation.

"The defense of our country will be hurt, not helped, by any persecution of our non-citizens. If we create the feeling among aliens and other foreign-born that they are not wanted here, we shall endanger our national unity. Such an impression could only give aid and comfort to those enemies whose aim it is to infect us with distrust of each other and turn aliens in America against America. To do this would be to defeat what we ourselves are defending."

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Detention and Internment Procedure

"Department of Justice

December 11, 1941

"Attorney General Francis Biddle today announced that under instructions sent to all United States Attorneys those enemy aliens who have been apprehended by the Federal Bureau of Investigation, under recent Presidential proclamations, may confer at the place of confinement with their attorneys or with members of their families or friends, under proper safeguards.

"The instructions also provide that the enemy aliens in confinement may send and receive letters, subject to censorship by supervisory officials, and may conduct telephone conversations under close supervision.

"Specifically prohibited, however, are visits by the press, photographers and the general public.

"All enemy aliens apprehended by the FBI are now in the temporary custody of the Immigration and Naturalization Service. Whereabouts of individuals may be ascertained by members of the family or friends upon inquiry of any one of the following three agencies:

- "1. The United States Attorney;
- "2. The local office of the FBI;
- "3. The nearest office of the Immigration and Naturalization Service.

"It was emphasized, however, that no lists of names of enemy aliens now under detention will be made public at this time.

"Arrangements for hearings to determine disposition of individual cases are now being made. The hearings will be conducted under the supervision of United States Attorneys in each judicial district with the aid of civilian boards appointed by the Attorney General. Actual determination will rest with the Attorney General to whom the hearing boards may recommend that the enemy alien be (a) released, (b) paroled under certain conditions, or (c) turned over to the Army for further detention.

"Governing decisions in all cases, the Attorney General emphasized, will be the previously announced policy of detaining enemy aliens only when their confinement is regarded as necessary to the peace and safety of the country. Only when there is strong reason to fear for the internal security of the country, the Attorney General said, will an enemy alien be interned for the duration of the war.

"Pending determination of their cases, all enemy aliens apprehended will remain in the custody of the Immigration and Naturalization Service."

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Naturalization of Alien Enemies

"Department of Justice

December 14, 1941

"The joint resolutions of Congress declaring that a state of war exists between the United States and Germany and Italy have brought into operation provisions of the Nationality Act of 1940 (Sec. 326) which govern conditions under which enemy aliens may become naturalized American citizens. There appears to be some misunderstanding as to the effect of these provisions, particularly a mistaken impression that a non-citizen who is technically an enemy alien cannot become a citizen of the United States for the duration of the war.

"That is definitely not true. While some restrictions must now, under the law, be placed upon the naturalization of German and Italian aliens, their sole purpose is to enable the Government to weed out the relatively few enemy aliens of the subversive classes.

"A German or Italian alien may still be naturalized if, on December 8, 1941, he:

"(1) Had made a declaration of intention (first papers) at least two years but not more than seven years before that date; or

"(2) Was entitled to apply for citizenship without making a declaration of intention (for example: the husband or wife of an American citizen);

"(3) Had his petition for naturalization pending in court.

"The law provides, however, that all applications of such aliens be thoroughly investigated by the Immigration and Naturalization Service in view of war conditions. The Immigration and Naturalization Service is therefore given 90 days in which to conduct an investigation and to submit an objection to the court if he feels that the individual case warrants it.

"If objection is entered by the Service, naturalization cannot take place until the objection is withdrawn.

"It was in accordance with these provisions that all naturalization petitions pending on December 8, 1941, for German and Italian aliens were postponed for 90 days. This does not mean that the aliens affected may not be naturalized; it means that final action on their petitions has been delayed for 90 days to enable the Immigration and Naturalization Service to make the investigation required by law.

"If German or Italian aliens do not fall within one of the three above mentioned classes, they cannot be naturalized unless the President of the United States has exempted them from the enemy alien classification. In such instances, of course, the Department of Justice is required to make an investigation and submit a report to the President. Until this is done and their loyalty established without question, such aliens cannot be naturalized.

"The vast majority of our non-citizen population may rest assured that neither the Department of Justice nor any other agency of the Government will interfere with them so long as they conduct themselves in accordance with law. This nationality procedure is simply one example of the manner in which the Federal Government is acting to protect itself as well as our alien population."

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