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U.S. Dept. of justice  
Annual Report of the  
Attorney General of  
the United States

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For the Fiscal Year  
Ended June 30

1942

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REPORT OF THE ATTORNEY GENERAL

Department of Justice, Washington, D. C.

January 21 , 1943

To the Senate and House of Representatives of the United States  
of America in Congress Assembled:

I have the honor to report on the business of the Department of Justice for the year ended June 30, 1942.

Detailed summaries of the activities of the various offices, divisions and bureaus of the Department, prepared by their respective heads, are transmitted with my report.\* I also submit the Report of the Conference of Senior Circuit Judges which convened in Washington on September 29, 1942.

While my report is primarily concerned with the events of the fiscal year, I have to some extent referred to more recent occurrences, particularly in the field of legislation, and I have included a number of recommendations.

I

I wish at the start to express my appreciation of the cordial cooperation of the Congress in all matters affecting the Department of Justice. The great tradition of the Department rests in large part on the sympathy and understanding with which the Congress has considered the Department's recommendations and explored its recurrent problems. I am grateful for the constant manifestation of this spirit during the past year. To the Department as a whole it has been a source of inestimable strength in facing a difficult and, in some respects, unprecedented task.

II

The Department of Justice has been primarily concerned during the last fiscal year with matters which arose directly out of our preparations for defense and out of the war itself. These have included not only the maintenance of our internal security, but also countless other matters closely connected with defense and the prosecution of the war. Thus, a large number of requests have been received from other governmental agencies for legal advice on the complex questions of law which are involved in the planning and in the carrying out of our war program. The clarification of the law, both by formal opinions and by informal advice, for the many agencies engaged in vital war work has been one of our most important duties during the last year.

\* For reasons of economy these summaries are not being printed at this time. For the use of the Congress typewritten copies accompany this report. Other interested persons may review the summaries in the Main Library at the Department of Justice, Washington, D. C., where they are kept on file.

The Department has, of course, given close attention to the preparation of legislation needed for the safeguarding of our internal security. We have also assisted other agencies of the Government in studying, criticizing and drafting many other bills to promote the efficient prosecution of the war. Among such measures were the First and Second War Powers Acts, by which the Congress vested in the Chief Executive certain vitally necessary powers. The Department has also passed on the form and legality and has assisted in the preparation of Executive Orders and proclamations implementing the constitutional powers of the President and the statutory powers given to him by the Congress for the purpose of carrying on the war.

Internal Security. Enforcement of the criminal laws directly connected with the war and the maintenance of the national security has been one of the most important activities of the Department. This has involved the investigation, analysis, and preparation for trial of a great number of cases. During the present fiscal year, more than 200,000 national security matters were reported to the Federal Bureau of Investigation. During the same period more than 100,000 matters of this type, involving selective service, espionage, sabotage, sedition, treason, foreign agents, trading with the enemy and the like received the attention of the Criminal Division and the normal operating burdens of the United States Attorneys have necessarily been enormously increased. The investigating and prosecuting arms of the Department have cooperated closely in guarding against our internal enemies. So far there has been no large scale sabotage in this country during the present war, in contrast with our unfortunate experiences during the First World War. An illustration of the work of the Federal Bureau of Investigation in this field was the capture of the eight German saboteurs who landed on our shores from German submarines. Within a few days after their arrival, these men, who had been trained in a German school for sabotage and sent here by the German Government, were apprehended by agents of the Bureau and their far-reaching plans to sabotage our war effort were frustrated. 1/

Much care has been taken by the Department in the handling of sedition cases. These cases present problems calling for the exercise of careful judgment. This nation's traditions of freedom of speech and of the press must be preserved. These freedoms, however, have never been regarded as absolute and unqualified. They have always been subject to certain limitations, such as the law of criminal libel and slander. So also are they limited by the principle that the right of free speech does not protect utterances which are intended to endanger the safety of the nation or to hamper its war effort. Thus our laws rightly forbid the

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1/ After the end of the past fiscal year, the eight saboteurs were tried and convicted by a Military Commission appointed by the President. The jurisdiction of the Military Commission was sustained by the Supreme Court in a habeas corpus proceeding.

but not yet received. It is worthy of note that 250 of the men formerly assigned to camps have renounced their objections and entered the armed services and that an additional 422 have qualified their objections and entered the Army to do non-combatant work.

In handling cases involving failure to register or to report or to comply with the other requirements of the Selective Training and Service Act, the Department has viewed the Act, not primarily as a criminal statute, but rather as a statute designed to raise an army in a just and orderly fashion. It has been found in the vast majority of cases that the violation of the laws or regulations arose out of mistake or ignorance. When the delinquency was pointed out, the violator has in most cases immediately complied with the requirements. We have instituted criminal proceedings only in those cases in which the delinquency has been wilful.

Antitrust Laws. War has not lessened the necessity for the vigilant enforcement of the antitrust laws, where such enforcement does not interfere with the war effort. The Department, through its Antitrust Division, has sought not only to prevent the growth of monopoly under the guise of promoting the war effort, but has also contributed in many ways to the expansion of war production. Vigorous action has been taken to break the control exercised by Nazi-dominated international cartels over vital American industries. Restrictions on production and monopoly prices resulting from German influence have been eliminated, and thousands of patents, hitherto available only to a few selected concerns, have been made available to independent business enterprises.

On March 20, 1942, the Secretary of War, the Secretary of the Navy, the Assistant Attorney General in charge of the Antitrust Division and I submitted a memorandum to the President in which we outlined a procedure intended to defer those Antitrust prosecutions which would impede the progress of the war effort and at the same time to safeguard the rights of the Government in the enforcement of the Antitrust Laws. On the same day, the President approved the procedure outlined in the memorandum. Under this procedure, each pending and future federal court investigation, prosecution, and suit under the Antitrust Laws is carefully studied and examined with reference to its effect on the war effort. If the Attorney General, the Secretary of War, and the Secretary of the Navy come to the conclusion that the action will not seriously interfere with the prosecution of the War, the Attorney General then proceeds. If the Attorney General, the Secretary of War, and the Secretary of the Navy agree that the activity will seriously interfere with the war effort, the case is deferred until such time as that condition no longer exists. If after study and examination there is a disagreement as to the effect of the case on the war effort, the Attorney General places all the facts before the President for final determination. In each case, action finally taken under this procedure is made public. Twenty Antitrust cases have been deferred under this procedure upon the request of the Secretary of War or the Secretary of the Navy. The enactment by Congress of Public Law No. 740 (Chapter 589, 2d Session), suspending the running of any existing statute of limitations applicable to violations of the Antitrust Laws, has made certain that no one who has committed a violation of the Antitrust Laws shall escape ultimate investigation and prosecution.

The Division's intimate knowledge of industrial conditions and practices has enabled it to promote the utilization of small businesses in the war effort. In many cases this has been accomplished by discussions with procurement agencies whose traditional specifications have at times limited the source of supply to a few large corporations. Familiarity with industrial practices has also enabled the Division to handle expeditiously litigation arising from violations of orders of the War Production Board, the Office of Price Administration, and the Office of Defense Transportation relating to priorities, allocations, price ceilings, and transportation restrictions.

The Division's knowledge has also been utilized in aid of the war by the Economic Warfare Unit. This Unit obtains and furnishes industrial information of military significance to the Board of Economic Warfare, pursuant to an arrangement between the Department and the Board approved by the Bureau of the Budget. It has made extensive investigations concerning bombing objectives, the enemy potential, and foreign company connections. This information has been furnished through the Board of Economic Warfare to the various armed services.

During the past year the Division continued its policy of vigorous attack on abuses of the patent privilege. In addition, it cooperated with Congressional committees which were exploring the need for corrective legislation. I recommend that careful attention be given to legislation authorizing the compulsory licensing and condemnation of patents, for reasonable compensation, when such action is desirable to expand war production, and the prohibition of injunctions granted because of alleged patent infringements by producers of critical materials, where the restraint will interfere with war production.

War Frauds. Of vital importance in our war program is the vigorous and prompt prosecution of cases involving frauds under Government contracts. In February 1942, the Department established the War Frauds Unit to deal with this specific problem. This Unit prosecutes cases involving collusive bidding, criminally unjustifiable costs of materials or services, the furnishing of faulty or defective products, and similar fraudulent practices. Its personnel was drawn largely from the Antitrust and Criminal Divisions. 3/

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3/ On September 26, 1942, the War Frauds Unit, theretofore under the joint jurisdiction of the Antitrust and Criminal Divisions, was transferred to the War Division. Between February 4 and December 31, 1942, the Unit received and reviewed 1057 complaints; 46 indictments were returned, naming 16 firms and 89 individuals as defendants; grand jury proceedings were completed in eight other cases and authorized in 19 more; there were 11 pleas of guilty and two convictions; and 742 cases are presently under investigation.

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appropriate punishment under military law. But any persons whose acts seriously endanger the national security may not fall within the jurisdiction of a military court. The protection of the United States against secret warfare within our borders demands that all hostile acts be made criminal offenses punishable in the ordinary civil courts.

Recently I called the attention of the Congress to these defects in our existing law and suggested the enactment of a comprehensive statute dealing with hostile acts in time of war. I wish to recommend once more that speedy action be taken in this field; the present state of the law is a constant source of danger.

#### IV

#### THE ALIEN PROBLEM

The alien registration conducted in 1940 disclosed the presence of almost 5,000,000 aliens in the United States. When this country entered the war, over 900,000 of these were immediately classified as enemy aliens. The term "enemy alien" is a description of a person's citizenship, or if he is stateless, of his last citizenship. I have never doubted that the great majority of these aliens are loyal to the United States. Immediately after the attack on Pearl Harbor, however, it was necessary to take every step possible to protect the United States against the possible hostile activities of that small number of enemy aliens who are actively disloyal to the United States. The Department was prepared to take the necessary measures. The Federal Bureau of Investigation had collected a great amount of information concerning possible subversives and had compiled a list of Axis nationals who might prove dangerous to the national security. This information had been carefully analyzed by the Special War Policies Unit and potentially dangerous aliens classified and catalogued. On the night of December 7, 1941, the most dangerous of the persons in this group were taken into custody; in the following weeks a number of others were apprehended. Each arrest was made on the basis of information concerning the specific alien taken into custody. We have used no dragnet techniques and have conducted no indiscriminate, large-scale raids.

A statute dating back to 1798 confers authority on the Government in time of war to apprehend, restrain, secure, and remove enemy aliens. This law does not require any hearing before the internment of an enemy alien. I believed that, nevertheless, we should give each enemy alien who had been taken into custody an opportunity for a hearing on the question whether he should be interned. Over a hundred Enemy Alien Hearing Boards were created in the various judicial districts to conduct these hearings and make recommendations to me. The boards are composed of outstanding members of the community who serve without compensation. They have performed a patriotic service, working with care and intelligence, and have been of great assistance to me in making the final determination.

All enemy aliens, immediately after Pearl Harbor, were subjected by Presidential proclamations to certain restrictions on their movements

and were forbidden to have in their possession such articles as radios, cameras, and weapons. Under the authority of these proclamations and on the advice of the War Department I designated, as places from which enemy aliens were excluded, over a hundred areas on the West Coast which might be used for enemy landing operations or which contained military installations. In a larger area on the West Coast the movement of enemy aliens was restricted and a curfew was imposed. It was later felt that military security required the removal of all persons of Japanese ancestry from this area. Since only the Army had the facilities required to handle such a large-scale migration, the responsibility for dealing with this problem was placed upon the Secretary of War and the commander of the Pacific Coast military area.

While it is clear that most enemy aliens do not constitute a source of danger to our national security, it was deemed wise to impose the restrictions to which I have referred because of that undetermined small group who are not loyal to the United States. It is our aim and hope that these restrictions may be eased, and that groups of enemy aliens may be freed from all restrictions as we become more and more certain that we have apprehended and interned all those who are actually disloyal. 4/

V

NATURALIZATION

I have pointed out that the alien registration of 1940 disclosed the presence in the United States of almost 5,000,000 aliens. Since then many of these aliens have become citizens; many are anxiously awaiting the time when they will be eligible to become citizens; and many have already filed their applications and are awaiting action on their petitions. It seemed clear that aliens serving honorably in the United States armed forces should be entitled to citizenship with a minimum of delay and formality. The Congress, in Title X of the Second War Powers Act, 1942, therefore waived with respect to aliens in the armed forces many of the normal requirements, such as the educational test, length of residence, and legality of entry, and authorized naturalization through administrative processes and outside of the United States. Another class of aliens whose naturalization has been expedited by statute are American men who enlisted in the Canadian or British Armies before the United States entered the war and who lost their American citizenship by complying with the requirement, since abolished, of an oath of allegiance to the King. These men, who deserved to regain their American citizenship in an easy and speedy manner, were accorded special treatment by an act approved April 2, 1942.

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4/ On October 19, 1942, those Italian enemy aliens who had not been interned were freed from these restrictions. Only 228 out of approximately 600,000 had been interned.

During the last year, I made certain legislative recommendations on naturalization matters, upon which action had not been completed by the Congress at the close of the session. Among the recommendations were a bill designed to facilitate the naturalization of alien parents of citizen children serving in the land or naval forces of the United States; a bill designed to waive the certificate of arrival requirements for aliens serving honorably in our armed forces who otherwise would be entitled to a speedy naturalization; and a bill to preserve for naturalization purposes the residence of aliens in the United States who go abroad to assist in the allied war effort and who return within a year after the end of the war. These proposals I commend to the consideration of the new Congress.

At my request, the Immigration and Naturalization Service is making a thorough investigation of the possibility of strengthening our efforts to make certain that only worthy aliens become citizens, while at the same time making the naturalization process more expeditious, efficient and just, with emphasis on the elimination of unnecessary paper work.

## VI

### THE ADMINISTRATION OF JUSTICE

Concentration of our efforts during the last fiscal year on matters connected with internal security and the prosecution of the war have not led us to neglect the important peace-time functions of the Department of Justice. We have given continuing attention to the problem of making more equitable and efficient the administration of justice in the federal courts. Indeed, the demands of the war on our entire civilian life have emphasized forcefully the importance of efficiency in the administration of justice. In like measure, the purposes which underlie our vast war effort constantly remind us of our duty to strive for greater equity and fairness in our legal system.

I propose to make to the Congress the following legislative recommendations, each of which, I feel, would constitute an important improvement in our system of administering justice:

(1) The present method of imposing fixed sentences in criminal cases in the federal courts has been the subject of thorough consideration by this Department and by the Committee on Punishment for Crime appointed by the Conference of Senior Circuit Judges. This Committee, headed by Honorable John J. Parker, Senior Circuit Judge for the Fourth Circuit, has made a comprehensive examination of this subject, and submitted a report recommending the enactment of legislation to establish a Federal Board of Corrections which would assist the district judges in determining the punishment to be imposed on persons convicted of crime in the federal courts. A definite sentence would be imposed by the trial judge only after a careful observation of the defendant and a study of all the pertinent factors made under the supervision of the Board. I concur in the recommendations made by the Committee and join in suggesting the enactment of legislation to effectuate them.

(2) Unlike most state courts, the federal courts still lack a system of official salaried reporters. This creates a serious difficulty in the administration of justice. A bill carefully drafted after a thorough study of the subject by a Committee appointed by the Judicial Conference, in cooperation with this Department and the Bureau of the Budget, provides for the creation of a system of official salaried reporters in the district courts. I recommend its enactment.

(3) I reiterate my earlier recommendation—a recommendation made also by several of my predecessors—that provision be made for public defenders to protect the rights of indigent defendants in criminal cases in the federal courts.

(4) As recommended by the President to the Congress in his special message of January 14, 1942, legislation should be enacted to authorize administrative adjustment and judicial determination of tort claims against the United States. Sovereign immunity from liability for the common-law torts of government employees, in the words of my predecessor, Attorney General (now Mr. Justice) Jackson "does not seem to be warranted either as a matter of principle or as a matter of justice"; it has, furthermore, resulted in the costly procedure of private claim bills, which consumes an inordinate amount of congressional and presidential time and energy. Remedial legislation was passed in the Seventy-seventh Congress by the Senate and was reported favorably by the House Committee on the Judiciary, but died with the close of the Congress. I urge that this legislation be given speedy consideration by the new Congress.

(5) The present system of paying referees in bankruptcy proceedings on a fee basis should be supplanted by a system of full-time salaried referees. A bill to accomplish this, H. R. 7814, was reported favorably by the House Judiciary Committee on November 30, 1942. This bill has the unanimous endorsement of every important group interested in bankruptcy administration throughout the country. I urge that such a bill be accorded careful consideration.

## VII

### DEPARTMENTAL ORGANIZATION

Considerable attention was devoted during the past year to improving the efficiency of departmental operations, particularly with respect to war matters. In some instances, special units were created to perform new duties of the Department which arose out of the war. Thus the Alien Enemy Control Unit was created to handle matters relating to alien enemies residing in the United States. The Alien Property Unit was established to conduct litigation arising out of the Trading with the Enemy Act. The War Frauds Unit was organized to deal with cases involving attempts to defraud the Government in connection with war contracts. All these units, together with the Special War Policies Unit which was established about two years ago, have now been grouped together into a single division called the War Division.

VIII

LEGISLATIVE RECOMMENDATIONS

For the convenience of the Congress, I shall list the more important legislative recommendations made in this report:

(1) That the compulsory licensing and condemnation of patents be authorized when necessary for the expansion of war production, and that the stopping of war production by injunctions in patent infringement suits be prohibited.

(2) That the system of condemnation proceedings be modified so as to simplify existing notice requirements, to expedite the distribution of funds to property owners, and to eliminate the commissioner system.

(3) That comprehensive legislation be enacted to make all hostile acts against the United States criminal offenses punishable in the civil courts.

(4) That the naturalization system be modified so as to meet certain classes of cases presented by the war, and be simplified in some particulars.

(5) That legislation be enacted to change the present system of imposing fixed sentences in criminal cases in the Federal courts in accordance with the recommendations of the Committee on Punishment for Crime appointed by the Judicial Conference.

(6) That a system of official salaried reporters be created in the district courts.

(7) That a system of public defenders for indigent defendants in criminal cases be created in the district courts.

(8) That a system of administrative adjustment and judicial determination of tort claims against the United States be created.

(9) That the present system of referees in bankruptcy be supplanted by a system of salaried referees.

Respectfully submitted,

Francis Biddle  
ATTORNEY GENERAL

ANNUAL REPORT  
OF  
HONORABLE THURMAN W. ARNOLD  
ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE ANTITRUST DIVISION  
FOR THE FISCAL YEAR ENDING JUNE 30, 1942

In order to meet the changed economic conditions caused by the war, the Antitrust Division has developed both a long-term and a short-term program. The long-term program is devoted to an effort to prevent the full production engendered by the war from falling into the hands of a few powerful members in each industry with the power to shut it off after the war. The short-term program is concerned with rendering all possible aid to the successful prosecution of the war by making available to war agencies the special skills and investigative techniques of Division personnel.

The Long-Term Program

Prior to the war our economic system tended in large measure to preserve the security and income of established and dominant groups. New productive enterprise was stifled through restriction of production and the fixing of prices. Industry failed to expand because of the fear of future competition and future surpluses. Control was achieved either by combinations to eliminate so-called "distress" production, or by securing combinations of patents so that new producers could be shut out. International cartels were formed to exclude foreign production.

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Smaller business groups followed the same pattern. Trade associations were organized for the purpose of stabilizing production, distribution, and price. Labor followed industry in thinking that high wages were impossible without restrictions on production and high fixed prices. Unions claimed the right to dilute unemployment by forcing business to pay for useless and unnecessary work. Since the farmer had to buy goods in a market where production was restricted for the purpose of price stabilization, he felt that the only solution was legislation raising farm prices.

The tremendous increase in production caused by the war, if permitted to continue after the war, will go far toward solving our monopoly problem. There will be no surpluses because an oversupply in one commodity can be traded for an oversupply in another. Goods will distribute themselves at reasonable and competitive prices. Volume distribution at low prices will sustain full production and create additional purchasing power for consumers. This in turn will create new jobs because of the increased demand for luxury goods.

The war is creating new production and hence new competition within each basic industry. It is also creating competition between industries which previously did not compete. For example, competition is developing in the aluminum field by the introduction of new capital and new concerns. Competition is also developing between aluminum and magnesium for use in the same products. These two products will compete in the building and transportation industries

established within the Division for the purpose of maintaining close liaison with the Board and to obtain the desired information without delay. This Unit has worked closely with the various Field Offices of the Division and has drawn heavily on the expert knowledge acquired by the Division, particularly in the field of foreign cartels. The information supplied is pursuant to specific requests received from the Board of Economic Warfare, and covers a wide range of subjects. The work of this Unit affords an extremely active and important contribution to the war effort.

Of particular importance has been the Division's testimony before Congressional Committees, especially that before the Truman Committee and the Patent Committee of the Senate relating to foreign cartels and patent abuses in the following industries vital to our war effort: synthetic rubber, magnesium, zinc, aviation gasoline, beryllium, titanium, plastics, dyestuffs, tungsten carbide and electrical equipment.

As a result of these investigations Senator Lucas introduced a bill designed to correct existing patent abuses and to free American industry from the strait-jacket in which it had been placed by foreign cartel agreements, and to eliminate restrictions on production by those using the patent privilege as an instrument of business policy rather than for its constitutional policy of promoting the progress of science and the useful arts.

Two antitrust cases decided by the Supreme Court during its last

term, United States v. Masonite Corporation, 316 U. S. 265 and United States v. Univis Lens Co., 316 U. S. 241, go far toward sustaining the principle that the patent privilege cannot be used as an instrument of business policy.

As a result of the Division's program to free war industries from illegal restraints, decrees have been entered against concerns controlling vital war materials, thereby making those products available in the amount necessary to our war program. Investigation disclosed that the controlling influence in many of the cartel cases was the German Chemical Trust, I. G. Farbenindustrie, which was using restraints of trade to cripple our war effort. The pattern of most of these cartels imposed upon us a policy of high price and low turnover in return for a system of protected markets which, in effect, gave crucial sections of the world economy to Germany. A partial list of products involved in the cartel program of the Division indicates the extent of German penetration: oil, synthetic rubber and the hydrocarbon field, including alcohol, toluol, aviation gasoline, and TNT; pharmaceuticals, ethical drugs, anti-shock serums and hormones; airplane precision instruments and parts; tungsten carbide, magnesium, dyestuffs, photographic materials, acids and heavy chemical explosives; plastics, including Plexiglas and Lucite.

Removal of restraints in these fields has permitted American industry to participate more fully in the war production program. In those cases concluded by decrees, literally thousands of patents have

been made available to independent business enterprise and German cartel control has been severed completely.

Since transportation is so vital to the successful prosecution of the war, a separate Transportation Unit was set up to study policies and practices, which, in the past, have hampered the development of competitive and alternative forms of transportation. Such practices have resulted in an almost complete suppression of air freight transport; trucking operations have been severely hampered; the development of strategic highways has been blocked, and the completion of certain pipelines has been obstructed. The major direction of the Division's new transportation program is toward maintaining competition among competing types of transportation such as rails, motor carriers, air lines and water systems, and among competing units in the same field.

The Division has been quite active in the field of civilian necessities, particularly in food and drugs. Approximately 60 indictments were returned against various food manufacturers and processors for non-competitive buying practices adversely affecting producers, and for price-fixing agreements among competitors in the sale of processed products at both wholesale and retail, thus unnecessarily raising prices not only to civilians but to those in the armed services.

In achieving the long-run aims of the Antitrust Division it is necessary that major prosecutions be conducted in such a way that

REPORT OF ASSISTANT ATTORNEY GENERAL FRANCIS M. SHEA  
IN CHARGE OF THE CLAIMS DIVISION

The Claims Division is charged with responsibility for all civil suits and claims, for and against the Government, not otherwise specially assigned. The diversified list of litigated and legislative matters handled by the Division includes: (1) the defense of suits against the Government upon claims (other than Indian and tax), whether for legal or equitable relief, founded upon the Constitution, any law of Congress, or any regulation or order of an Executive Department; (2) the protection of Federal property, programs, and transactions from illegal interference by private persons or State or local governments, as well as all cases, other than tax, involving intergovernmental immunities; (3) all shipping and admiralty matters in which the Government is interested, including cases arising out of the operation of naval vessels and the war shipping activities of the Government; (4) suits based upon contracts, express or implied, with the United States and suits in contract and tort against cost-plus war contractors for which the Government may ultimately be liable; (5) the defense of suits for injunction, mandamus, or damage against Government officers, including military and naval personnel, arising out of activities performed in an official capacity; (6) collection of sums (other than taxes) due the United States, including all war fraud civil actions, sums due the United States under the Litvinov Assignment, and the collection of defaulted loans referred by the Federal Housing, Farm Credit and Farm Security Administrations; (7) all patent, copyright and bankruptcy cases, and certain civil matters formerly handled by the Bond and Spirits Division; (8) interventions in constitutional cases under the Act of August 24, 1937; (9) cases arising out of the requisition of ships, tools, and all property other than land; (10) briefs and arguments in the Supreme Court on assignment from the Solicitor General, and special assignments from the Attorney General. During the fiscal year, in addition, the Bureau of War Risk Litigation was made responsible to the Assistant Attorney General in charge of the Claims Division.

The variety of matters assigned to the Claims Division has led to its division into six sections, namely, the Admiralty and Shipping, Patent, Court of Claims, District Court, Supreme Court, and Miscellaneous Claims Sections, apart from the Bureau of War Risk Litigation.

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PATENT SECTION

All civil work in connection with patents and copyrights is assigned to the Claims Division and is handled in the Division by the Patent Section.

In pursuance of this assignment of duties, the Patent Section is charged with the defense of the very important litigation against the government arising out of alleged unauthorized use of patents belonging to others; the preparation and filing of applications for patents for government inventors, including appeals to the courts from adverse decisions; the conduct of interference proceedings on behalf of the government and government inventors to determine the right to a patent; the institution or defense of suits brought under E.S. 4915 or 4918 (U.S.C. Title 35 Secs. 63, 66), where such proceedings involve the rights of the government; the enforcement of civil penalties under the copyright laws, and other matters generally connected with copyrights.

Many miscellaneous matters pertaining to patents, trademarks and copyrights are submitted to the Department of Justice by other departments or independent establishments and are acted upon by the personnel of the Patent Section.

The Section also handles suits brought for the cancellation of patents on the grounds of fraud, accident or mistake to protect the people of the United States from illegal monopolies through improvidently issued patents. Several cases of large importance are being investigated now with a view to the institution of such cancellation proceedings.

In this time of national military emergency attempts have been made by various claimants for one purpose or another to elicit testimony in some cases as to the construction of devices of a highly important and secret military nature. These attempts have been made both in cases where the Government has been a defendant and in cases where government contractors were defendants. In these cases the Patent Section has appeared either directly, in representing the government as defendants, or by permission of the court in cases where contractors have been defendants, to protect such military secrets from disclosure. In all cases the appearances have been successful and the courts have refused to allow the secret matter to be divulged.

In other cases the Patent Section has appeared to request stay of proceedings where the defendant, whether the government or a government contractor, has been so occupied with war work that a continuance of such proceedings would constitute an interruption of and an interference with the war effort.

This request for stay of proceedings has been found exceedingly important where contractors for the government (some of whom have their plants working on war projects seven days a week and 24 hours a day) have been threatened with legal action which would impair the production of necessary war materials by requiring their key men to devote their time to questions involving litigation before the courts.

In addition to its own work, the Patent Section cooperates very extensively with other departments of the government which maintain their own patent sections. These departments do not attempt to conduct any litigation, their work being confined chiefly to applications for patents, the cooperation of their engineers with their own patent solicitors and the formulation of contracts based upon such inventions. When their matters involve problems of procedure or reach the stage of interference work in the Patent Office or before the Court of Customs and Patent Appeals, or court proceedings in general, these matters are referred to the Patent Section of the Claims Division.

At the close of the fiscal year 1941, there were 36 cases pending in the Court of Claims wherein the claimants alleged an invasion of their patent monopoly. Six of these cases did not assert the amount of damage sought, but the damage stated in the other cases amounted to \$65,199,354.32, exclusive of interest. During the fiscal year 1942 three new cases were filed in the Court of Claims. One charged unauthorized use of 15 patents but the petition did not state the amount sought as damages. The other two cases alleged a total damage of \$250,000.

Ten cases were acted upon by the court during the fiscal year, and in all of them the judgments were in favor of the government. In two of these cases the amount claimed was not stated, but in the remaining eight the petitioners had asked for damages amounting to \$14,385,000, exclusive of interest. There remained 29 cases pending on June 30, 1942, in which five did not state the amount of damage claimed. The 24 remaining cases allege a damage of \$44,734,354.32,\* exclusive of interest.

Among the more interesting cases in the Court of Claims may be mentioned the following:

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\* A reduction of \$6,330,000 in the amount involved in these cases has been occasioned by the amendment of 5 petitions during the year.

Some of the district court cases were submitted by the Register of Copyrights under Section 13 of the Copyright Act (U.S.C. Title 17, Sec. 13), for the enforcement of civil penalties, wherein the publishers failed to supply the best editions of their works to the Library of Congress. The publishers in many instances, after having been served with notice, arranged through the District Attorneys for a settlement by paying the statutory penalty, or a part thereof, and by promptly furnishing copies of their works to the Library of Congress.

There were pending on July 1, 1941 four cases in appellate courts. Nine more were received during the fiscal year, and four were terminated, leaving nine still pending at the end of the year.

The Patent Section has had particular experience in interference proceedings before the Patent Office. All interference cases are submitted to the Department of Justice from the other executive departments after the applications for patents have become involved in a contest with non-government inventors. Interferences are instituted by the Patent Office. Proofs must be taken, briefs prepared, and the facts and law argued before the tribunals of the Patent Office or the courts on appeal.

On July 1, 1941, there were 22 interference cases pending in the Patent Section. Seventeen new ones were received during the fiscal year and 18 were terminated, leaving 21 pending at the end of the year. In 13 of the 18 cases terminated the disposition was favorable to the government interests. The subject-matter of an interference proceeding is maintained secret in the Patent Office when the proceeding involves a contest between applicants for patents.

The patent application work heretofore mentioned has to do with inventions of employees which are believed to be of use to the government. A great proportion of these applications involve secret inventions of large importance to the war effort. This section prepares and prosecutes applications for patents for employees of those government departments which have no patent personnel. Such applications are forwarded to the Department of Justice under the provisions of the Act of March 3, 1883, as amended (U.S.C. Title 35 Sec. 45). In applications filed under this Act, the Government of the United States either obtains full title to the invention, or is granted a nonexclusive license thereunder.

REPORT OF THE DIRECTOR OF THE  
WAR DIVISION,  
CHARLES FAHY.

The War Division grew directly out of the war responsibilities of the Department of Justice. The Division was created by the Attorney General May 19, 1942, "in order more effectively and expeditiously to carry on the work of the Department of Justice relating to war planning, alien enemy control, and alien property control." Prior to May 19, 1942, there were three units in the Department devoted exclusively to problems relating to the war. These were the Special Defense Unit, the Alien Enemy Control Unit, and the Alien Property Division. By the Attorney General's order of May 19, 1942, the Special Defense Unit became known as the Special War Policies Unit and the Alien Property Division as the Alien Property Unit. The three units transferred to the newly created War Division were directed to carry on their functions and operations under the supervision and control of the Director of that Division. Accordingly the War Division, during the period covered by this report, is reflected primarily by the reports of the three units composing the Division, and these reports are now set forth.

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November 30, 1942

ANNUAL REPORT  
SPECIAL WAR POLICIES UNIT

The Special War Policies Unit is an outgrowth of the Neutrality Laws Unit, which was established by the Attorney General in April, 1940, to assist the Department in coping with the problems of internal security created by the expanding forces of war abroad. From its inception, the Unit's work has been devoted exclusively to the development of remedies for the special problems created by the war. As the United States moved from preparedness to defense and from defense to actual participation in the war, the country's problems of internal security have changed, increased, and intensified. Correspondingly, the work of the Unit has changed, increased and intensified. The modification and extension of the work of the Unit are reflected in its name, which in March of 1941 became the Special Defense Unit, and in March of 1942 the Special War Policies Unit. Before the end of the fiscal year the Unit had become a part—and the largest part—of the newly created War Division of the Department.

From the beginning of the Unit's work, the Unit has recognized that the nation's internal security problems could not be met solely by use of the ordinary formulae of indictment and prosecution. Modern warfare brings to bear not only modern tanks, planes, ships and explosives, but new and sophisticated techniques of propaganda and psychological sabotage, which can be countered only by a highly integrated adaptation of all available preventatives and legal remedies, in addition to that of prosecution. It has been the function of the Unit throughout its existence to assist the Department, and the Government as a whole, to prepare for and to deal with all potential dangers to internal security created by the war, and to this end to bring about all possible coordination of Governmental action against the enemy on the domestic front.

In discharging this function, the Unit does not duplicate but utilizes established investigatory functions, such as those performed by the Federal Bureau of Investigation. Nor does it encroach

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REPORT OF THE ALIEN PROPERTY UNIT

The Alien Property Unit was established by the departmental order of May 19, 1942, which created the War Division. It is responsible for the prosecution or defense of litigation arising under the Trading with the Enemy Act, as amended. Specifically, the Unit is charged with the exercise and performance of the functions and duties imposed upon the Attorney General and the Department of Justice by paragraph 5 of Executive Order 9142 of April 21, 1942, as amended, under which certain of the functions and duties of the Department of Justice which had been acquired in 1934 as the result of the abolishment of the old office of the Alien Property Custodian, were transferred to the new office of the Alien Property Custodian established in the Office of Emergency Management. Paragraph 5 of the Order provides that all litigation in which the Alien Property Custodian is interested shall be conducted under the supervision of the Attorney General and that the Attorney General shall render advice on legal matters to the Custodian. In addition the Unit will handle litigation resulting from the administration by the Secretary of the Treasury of the Foreign Funds control provisions of the Act. It also represents the Attorney General on the Interdepartmental Committee established under the President's Proclamation of July 17, 1941, for the preparation of "The Proclaimed List of Certain Blocked Nationals".

World War I Litigation

All litigation growing out of seizures by the Alien Property Custodian during World War I for which the Legal Section of the Alien Property Bureau had been responsible prior to Executive Order No. 9142 of April 21, 1942, came under the supervision of this Unit at the time of its creation. There were then ten principal cases in litigation. Noteworthy among these were the so-called Hackfeld cases arising out of the seizure by the Alien Property Custodian during World War I of the German enemy interests in H. Hackfeld & Co., Ltd., of Honolulu, and other Hawaiian enterprises.

In 1934, Fredrick Rodiek, Ancillary Executor of the Will of Johann Friedrich Hackfeld, filed a petition in the Court of Claims pursuant to a resolution of the United States Senate referring, for a report under Section 151 of the Judicial Code, a bill for an appropriation of \$3,000,000 as compensation for injuries allegedly sustained as the result of maladministration

of the property of the deceased by the Alien Property Custodian. As a consequence of its investigations in the defense of this proceeding, Congressional No. 17745, the United States brought an action against Rodiek, as Executor, in the United States District Court for the Southern District of New York for the restitution of 20% of the value of the property which had been returned to the decedent by the Alien Property Custodian in 1924. The Government claimed that Hackfeld had fraudulently induced the President to make an erroneous determination that he was an American citizen. The estate defended on the ground that the President's order under Section 9 of the Trading with the Enemy Act allowing Hackfeld's claim was not subject to judicial review. The trial court directed a verdict in the amount of \$1,604,632.45 for the Government on the ground that the President had made a mistake of law. The Court of Appeals affirmed, 117 F. (2d) 588 and 120 F. (2d) 760. By an equal division, the Supreme Court also affirmed, 315 U. S. 785. Pending finality of the judgment, proceedings in the Court of Claims had been held in abeyance and the case now awaits trial.

When suit was filed in the district court a claim for the amount sought as restitution was asserted against the Executor in the Surrogate's Court for New York County which has assets under administration approximately sufficient to satisfy the principal amount of the Government's claim. When the district court judgment became final the Executor was preparing to petition for a judicial settlement of his final account.

Pending in the United States District Court for the Northern District of California is a suit brought by the United States against H. H. and J. C. Pflueger for restitution of 20% of the value of the property returned to Professor H. H. Pflueger of Bonn University, Germany, by the Alien Property Custodian in 1930. The complaint alleges that the return was made as a result of mistakes of law and fact induced by the defendants' fraud. This case presents more clearly than the Hackfeld case the question of whether a determination by the President under Section 9(a) of the Trading with the Enemy Act is immune from judicial review because Professor Pflueger had made no attempt, as had the Estate of Hackfeld by the proceedings in the Court of Claims, to open up the Presidential determination by claiming additional payments.

Among the old cases pending is a suit in the United States District Court for the Southern District of New York

against the Irving Trust Company, individually and as executor of the Will of Hermann Sialcken, to vacate a decree entered in favor of two former partners of the deceased and against the Alien Property Custodian, the Treasurer of the United States and the Zentral Einkaufs Gesellschaft, a German corporation, for payment of an indebtedness of the latter to the partnership of \$716,-160.37 out of funds seized in the name of the German corporation. Restitution of the amount paid is sought on the ground that the decree was procured by collusion and fraud. In the Surrogate's Court, New York County, New York, the Government intervened to file objections to the account of the executor.

In the United States District Court for the District of Columbia the case of Swiss National Insurance Co. v. Crowley and Julian, is of importance as it presents the question of whether income earned by an enemy enterprise while licensed by the President is immune from seizure by the Custodian as enemy property.

World War II Litigation

From the date of the organization of the Unit to the expiration of the fiscal year, no suit was filed against the Alien Property Custodian, the Treasurer of the United States, the Secretary of the Treasury or the United States as the result of the administration of the Trading with the Enemy Act, as amended, during the present war.\* Several suits were brought against industrial enterprises in which the Secretary of the Treasury or the Alien Property Custodian had vested a controlling share interest, which suits involved the validity of administrative action taken by the Secretary of the Treasury or by the Alien Property Custodian. Although these actions occasioned considerable work in the way of conferences with counsel for the corporations and reviewing and commenting upon drafts of pleadings and briefs, the Government had not at the end of the fiscal year formally appeared in any of them.

Likewise several Anti-Trust proceedings, some civil and some criminal, are pending against corporations of which

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\* Two proceedings challenging administrative actions taken by the Secretary of the Treasury were filed prior to May 19, 1942, and were handled to conclusion by the Claims Division.

the Alien Property Custodian is now either the sole or the principal stockholder but again while considerable time of the staff has been consumed in conferences regarding these actions, the Unit has not formally appeared in them.

The Custodian was joined as a party plaintiff in Woburn Degreasing Company of New Jersey v. Spencer Kellogg & Sons, Inc., a patent infringement suit pending in the Western District of New York. The Custodian consented to be joined as a necessary party but expressly disclaimed joining in any except the formal allegations of the complaint and likewise disclaimed joining in any of the prayers for relief. This case is set for trial on November 18, 1942.

REPORT OF FRANCIS J. McNAMARA  
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL  
IN CHARGE OF THE ALIEN PROPERTY DIVISION  
DECEMBER 10, 1941 TO APRIL 21, 1942

By Supplement No. 11 to Department Order No. 2507, dated December 9, 1941, there was established in the Department of Justice a division to be known as the Alien Property Division to which were transferred all functions theretofore exercised by the Alien Property Bureau with respect to Alien Property matters, together with such personnel of the Alien Property Bureau as were necessary to carry out the functions transferred.

Many new problems concerning property of Axis Nationals, complex and of vital importance, had arisen as a result of the declaration of war upon the Axis Powers. Of paramount importance was the force and effect of the Trading with the Enemy Act of 1917 during this war; the rights, powers, functions and duties of the Attorney General, as successor to the Alien Property Custodian thereunder; and the rights and remedies of persons both in this country and in enemy territory growing out of contractual relations between such persons involving property or rights therein.

From December 9, 1941 to April 21, 1942, the Alien Property Division received letters, telegrams and telephone inquiries, the replies to which required a thorough familiarity not only with the Trading with the Enemy Act, but also with the laws and regulations relating to the freezing of property of foreign nationals, and with the regulations of the Attorney General governing the control of alien enemies residing in the United States.

Typical of several thousand questions from United States attorneys, private attorneys, public officials, judges of State and Federal Courts, corporations and business enterprises and others were:

- (1) Is the Alien Property Custodian prepared to accept delivery of property of an enemy?
- (2) What kind of form may be used for delivering the property?
- (3) What kind of receipt will be issued?
- (4) In whose name shall new stock certificates be issued?

- (5) Will the Alien Property Custodian accept service in probate proceedings or in suits against enemies before he seizes or vests in himself their interest?
- (6) Will claims against an enemy government be satisfied out of frozen property?
- (7) Will claims for salaries and other amounts owned by (a) an enemy and (b) a foreign national be promptly allowed?
- (8) Will the Alien Property Custodian assist in ascertaining the names and addresses of enemy heirs so that their shares in estates may be determined and the shares of American citizens may be distributed?
- (9) Will the Alien Property Custodian grant a license under Section 2(a) of the Act to permit attorneys to communicate with enemies for the purpose of ascertaining identity of heirs or to communicate with the Department of State in order to enlist its assistance?
- (10) May a corporation send notice of stockholders' meetings to stockholders residing in enemy territory?
- (11) Is the property of an alien enemy residing in the United States to be seized under Section 7(c) or vested under Section 5(b) of the Act?
- (12) How may a person who left property in the shop of a person subsequently interned as an alien enemy recover that property?
- (13) Where is the internee and how may he be communicated with?
- (14) May an internee testify in a civil suit?
- (15) May a suit be maintained by or against (a) an enemy (b) a foreign national (c) an internee?
- (16) May payment be made on account of an insurance policy to a resident alien enemy?

There were many requests for copies of statutes and regulations, and hundreds of citations from courts were received regarding interests of enemies in estates or choses in action.

During the same period the Research Section was engaged in the review of a carefully compiled record of investigations into prewar transactions in which enemies had been engaged and into the manipulation of enemy assets and property through various devices and subterfuges in an attempt to avoid seizure thereof.

The information contained in 295,000 Treasury Department TFR-300 Report Forms was analyzed by the Accounts Section, and the reports were recorded, classified and indexed to be used for the seizure of enemy property. Complete sets of forms were established for the seizure or vesting of property of enemy nationals.

The Litigation and Claims Section spent much of its time in the revision of a draft of a proposed new Trading with the Enemy Act, in analyzing Section 5(b) of the Trading with the Enemy Act, as amended on December 18, 1941, by the First War Powers Act, 1941, its relation to other sections of that Act, the licensing power under Section 3(a) of that Act, the coordination of the freezing controls with other controls under that Act, and many other questions of law presented by wartime conditions.

A section entitled "Property" in the pamphlet, "Questions and Answers on Regulations Concerning Aliens of Enemy Nationalities," published and circulated by the Department of Justice was prepared in this Division; also the press release concerning the right of resident alien enemies to sue in our courts.

#### Administration of World War I Property

Due to the restrictions against payments to others than citizens of the United States, there was little activity with respect to pending claims and none were paid within the period from December 10, 1941 to April 21, 1942.

Administrative procedure, however, continued with respect to certain claims and during the period mentioned items were segregated and held subject to call by the Secretary of the Treasury as provided by law. Interest earnings were transferred to the German Special Deposit Account and transfers of unclaimed property were made to the same account under the provisions of Section 25(d). Taxes paid to the Collector of Internal Revenue amounted to \$21,015.95.

Administrative Expense Fund

The Administrative Expense Fund on April 21, 1942 amounted to \$4,061,578.84.

Open Trust Property

At the close of business on April, 1942 the balance of open trust property amounted to \$9,060,091.01 consisting of:

Assets

Cash on deposit in United States Treasury	-----	\$9,014,305.51
Investments held for the account of open trusts	-----	45,785.50
Total open trust property as of April 21, 1942	-----	<u>\$9,060,091.01</u>

Trust Property Classification

Held for the account of 105 pending non-German claims and 564 pending claims of French nationals	-----	\$ 988,595.82
German accounts - Balance withheld on 2788 accounts	-----	5,924,661.50
Property administered to Extent permitted by Law, including unclaimed property other than German; Unpayable Balances-Claimants Unlocated; Payments Barred by Public Resolution 55; and claims of nationals of countries occupied or controlled by enemy forces - 2265 accounts	-----	1,968,250.54
Interest Reserves	-----	178,587.05
Reserve for Collection Fund	-----	16.50
Total Property accounted for as of April 21, 1942	-----	<u>\$9,060,091.01</u>

### German Special Deposit Account Funds

The total amount of funds transferred as of April 21, 1942 to the German Special Deposit Account under the Trading with the Enemy Act, as amended by the Settlement of War Claims Act of 1928 and covered by United States Treasury certificates evidencing such deposits, was \$55,203,923.51. In addition thereto as of April 21, 1942 Cash in the amount of \$970,498.29 was held subject to call by the Secretary of the Treasury for deposit into the German Special Deposit Account.

### Litigation

The following Alien Property litigation was pending on April 21, 1942:

1. Fredrick Rodiek, Ancillary Executor of the Will of John F. Hackfeld, deceased, v. United States, in the Court of Claims, Congressional No. 17745.

Petition was filed pursuant to a Resolution of the United States Senate referring a bill to pay a claim of the Estate to the Court of Claims for a report under section 151 of the Judicial Code. The petition asserts a claim in the amount of \$3,000,000 for a loss allegedly suffered by the decedent as a result of the seizure, and sale of his property by the Alien Property Custodian at less than its fair market value. Testimony has been taken and the Commissioner has filed two reports. The case has been held in abeyance pending a final judgment in the suit filed against the Estate by the United States in the United States District Court for the Southern District of New York.

2. United States v. Fredrick Rodiek, Ancillary Executor of Will of John F. Hackfeld, in the United States District Court for the Southern District of New York, Equity 82-375.

The Government's complaint demands restitution of 20% of the value of the property returned to J. F. Hackfeld by the Alien Property Custodian in 1924, on the ground that Hackfeld's claim was allowed pursuant to mistakes of law and fact induced by Hackfeld's fraud. Judgment was entered for the United States in the amount of \$1,604,632.45, which was affirmed on appeal, 117 F. (2d) 588 and 120 F. (2d) 760. On certiorari, the Supreme Court affirmed on March 2, 1942. The mandate went down from the Supreme Court on April 22nd.

3. United States v. Thompson, Ancillary Administrator, C.T.A. of the Estate of J. F. Hackfeld, Cook Trust Co. Ltd., as Receiver, et al., in the United States District Court for the Territory of Hawaii, Equity No. 715.

This suit was filed to reach the Hawaiian assets of the Estate on the same cause of action as is involved in the suit filed against the ancillary executor in the New York District Court. Proceedings have been held in abeyance awaiting the final decision in the New York case.

4. The Matter of the Estate of J. F. Hackfeld, in the Surrogate's Court, New York County, New York.

The United States filed its claim with the Surrogate in the amount for which suit was brought in the federal court against the ancillary executor. The matter is now pending awaiting the filing of the final account of the ancillary executor when hearings will be had upon the Government's claim and claims of various attorneys and other creditors of the Estate.

Inasmuch as the assets of the Estate (about \$300,000) are insufficient to satisfy the Government's claim, consideration has been given to a suit for damages against Reuben D. Silliman, attorney for the Estate, individually. He was the attorney for Hackfeld and the evidence abundantly establishes that he was largely responsible for Hackfeld's fraud.

5. United States v. H. H. & J. C. Pflueger, in the United States District Court for the Northern District of California, Civil No. 21726-R.

Complaint was filed December 15, 1940, for restitution of \$102,156.52, representing 20% of the value of property, with adjustments, returned to defendant H. H. Pflueger by the Alien Property Custodian, on the ground that the return was made as a result of mistakes of law and fact induced by the defendant's fraud. This case is on the trial calendar for June, 1942.

6. J. C. Isenberg v. Francis Biddle, Eq. No. 60744, in the District Court of the United States for the District of Columbia.

Suit was filed by the plaintiff for \$555,450.20 as "just compensation" due as a result of the Custodian's seizure and sale of the plaintiff's property at less than its fair market value. The Government counter-claimed to recover 20% of the moneys paid over to Isenberg on the ground that his claim was false and fraudulent and its allowance resulted from mistakes of law and fact. Judgment was entered dismissing the complaint and allowing the counterclaim in the amount of \$164,716.60. The Court of Appeals affirmed, 125 F. (2d) 741. Although the time for certiorari expired on March 15, 1942, the case may be considered pending since ancillary proceedings will have to be taken in the United States District Court for the Southern District of New York to enforce the judgment. A trust fund has been discovered in the possession of the Chase National Bank, which is thought to have been established, in part at least, from the funds for which restitution has been awarded.

7. In re Estate of Morris Littman, New York County Surrogate's Court.

This was a proceeding to establish the Attorney General's interest in certain funds under the Will of Morris Littman, who died in 1907. The proceeding arose when the contingent remainder failed after the death of a life tenant. On May 28, 1941 the Surrogate ruled in favor of the Government's claim. Distribution of the cash has been made to the Attorney General, but there remains the liquidation of his interest in mortgage participation certificates. There will presumably be further amounts coming to the Government when other life tenants die and where the contingent remainders over will fail.

8. The Matter of the Judicial Settlement of the Amount of Proceedings of Irving Trust Co., as Executor of the Estate of Hermann Sielcken, deceased, in the Surrogate's Court, New York County, New York.

The Government intervened to file objections to the account (3 N.Y.S. (2d) 795). The intervention is for the

purpose of asserting a claim against the Estate on the ground that an allowance to the Estate of an Alien Property claim by Attorney General Daugherty was without authority of law and was induced by fraud.

- 9. United States v. The Irving Trust Co., individually and as Executor of the Estate of Hermann Sielcken, deceased, et al., in the United States District Court for the Southern District of New York, Civil No. 14-172.

The Government filed a bill of review to vacate a decree entered on December 30, 1923 on the ground that it was procured by collusion and fraud. The decree directed the Custodian and the Treasurer to pay to surviving partners of the firm of Crossman & Sielcken the sum of \$716,160.27 out of funds seized in the name of the Zentral-Einkaufs-Gesellschaft, a German Government corporation. Restitution of the amount paid is sought.

- 10. Swiss National Insurance Co. v. Biddle, in the District Court of the United States for the District of Columbia, Eq. No. 53,851.

In a suit for an accounting, the Government interposed a counterclaim for restitution of sums illegally paid over to the plaintiff pursuant to a mistake of law in the allowance of an Alien Property claim. The Government filed a motion for judgment on the pleadings and stipulation. It was argued before the Court on October 30, 1941 and has not yet been decided.

Transfer of Alien Property Division to the Office of Alien Property Custodian

The Office of Alien Property Custodian was established in the Office of Emergency Management by Executive Order No. 9095 of March 7, 1942, and on the same date Leo T. Crowley was appointed Alien Property Custodian by the President. The Alien Property Division cooperate with the Office of Alien Property Custodian until April 21, 1942, when by Executive Order No. 9142, the functions, property and personnel of the Alien Property Division were transferred to the Office of the Alien Property Custodian, the order to remain in force during the continuance of the present war and for six months after the termination thereof.

*end*



Federal Bureau of Investigation  
United States Department of Justice  
Washington, D. C.

REPORT OF THE DIRECTOR OF  
THE FEDERAL BUREAU OF INVESTIGATION

JOHN EDGAR HOOVER

FOR THE FISCAL YEAR 1942

The Federal Bureau of Investigation during the fiscal year 1942 achieved its greatest success in the discharge of its many increasing duties to serve the American people and protect the home front from sabotage, espionage, foreign agents, and the criminal element. In carrying out its war work the keynote has been placed on preventive measures designed to enhance the internal security of the nation pursuant to the Presidential Directive of 1939 charging the FBI with the duty of coordinating the investigations of all national defense matters.

Greater service to the law enforcement agencies of the nation and other Federal Departments was rendered by the FBI through its many facilities. Civilian Defense and War Traffic Schools for Police and the continuation of Quarterly Police Conferences under the FBI Mobilization Plan for Law Enforcement have better prepared peace officers to discharge their wartime duties.

OUTBREAK OF WAR

Immediately upon the bombing of Pearl Harbor on December 7, 1941, the FBI went into action on a war basis for which it had fully prepared and the following steps were effected rapidly to safeguard the nation against internal trouble from our enemies:

1. The entire Service of the FBI was put on a 24-hour basis with the then 54 offices of the Bureau open for 24-hour work.
2. All annual leave for employees was cancelled in view of the war.
3. Protective guards were established at the Japanese Embassy and at all Japanese Consulates throughout the country.
4. The same action was taken in connection with the German and Italian Embassies and Consulates upon the declaration of war against these countries.



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5. Appropriate steps were taken to protect all commercial air lines from sabotage by any air traveller or through any air express package.

6. All industrial concerns having war contracts were immediately instructed by representatives of the FBI to be on the alert for any acts of espionage or sabotage or interference with the production of war materials.

7. Instructions were immediately issued to stop all press service to the countries with which we were at war.

8. Instructions were issued to stop all overseas telephone communications into or out of the United States and to prevent the departure of any enemy Nationals from the country.

9. Instructions were issued and immediately put into effect to take into custody all Japanese who had been recommended by the FBI to the Attorney General for custodial detention.

10. Immediately upon the declaration of war with Germany and Italy the same action was taken in connection with the enemy aliens of those nationalities.

In general every precaution was taken to prevent and forestall any possible damage to the war effort of the United States by enemies living within the continental limits of the United States or the Possessions of Hawaii, Alaska and Puerto Rico as well as the Virgin Islands.

SUMMARY OF ACCOMPLISHMENTS

During the year, 7,448 convictions resulted from FBI investigations with sentences imposed totalling 1 death, 8 life, 17,163 years, 6 months and 4 days. Of these convictions 1,473 were for violations of National Defense Statutes as compared with 412 such convictions during the previous fiscal year.

Convictions were secured in 97 per cent of the cases investigated by the FBI which were brought to trial during the year.

Special Agents of the FBI during the year located and apprehended 3,827 Federal fugitives from justice and 7,506 fugitives were located for state, county and municipal law enforcement agencies when their fingerprints were identified by a search through the fingerprint files of the FBI.

The total savings, fines imposed and recoveries effected in

the cases investigated by the FBI during the fiscal year 1942 totalled \$17,732,881.45.

INTERNAL SECURITY

The attack on Pearl Harbor on December 7, 1941, found the FBI completely mobilized on a wartime basis. The trained personnel of the FBI was increased almost twofold during the past fiscal year to meet the many increasing duties of the preparedness and war programs and every facility of the FBI has been taxed to the utmost during this period. During the fiscal year ending June 30, 1942, 218,734 national security matters were reported to the FBI for investigative activity as against 68,368 for the previous year and 16,885 for the fiscal year 1940.

In the five-year period preceding 1938 the FBI handled an average of 35 defense matters a year while during the fiscal years 1938 and 1939 a total of 250 and 1,651 investigative matters pertaining to national security were handled.

While prosecutions in Federal Courts have resulted in 1,473 convictions the principal aim of the FBI has been the prevention of espionage and sabotage or any other activity which might endanger or impair the war effort. Effectiveness of intelligence work cannot be judged entirely by the number of arrests or convictions as in the case of kidnappings, bank robberies and other types of crimes. The FBI since the inception of the emergency in 1939, has followed the policy of ascertaining the identities of enemies within the country, their sources of information and methods of communication. Thus it has been possible in many instances to gain control of sources of information and communications completely, immobilizing groups of foreign agents.

POLICE COOPERATION

In the effective discharge of the responsibilities of the FBI in Internal Security matters the local, city, county and state law enforcement officers have rendered a most efficient service to their country. Immediately after the President in 1939 designated the FBI to serve as the clearinghouse and coordinating agency to handle law enforcement activity in security matters the FBI placed into operation the FBI Law Enforcement Officers Mobilization Plan for National Defense.

Periodic conferences with local enforcement officers were held throughout the United States, Hawaii, Alaska and Puerto Rico to afford instruction to officers in the investigative techniques and problems arising out of espionage, sabotage and other cases bearing on the security of the nation. During the year 1942, detailed instructions on all phases of war duties of police have been furnished

to law enforcement agencies to assist them in carrying out their responsibilities.

In addition two specialized courses of instruction were made available to peace officers in every section of the country. A series of Civilian Defense Courses for Police Executives and Police was instituted in the fall of 1941 designed to educate American officers in all problems of home defense, at the request of the Office of Civilian Defense.

In February, 1942, a series of War Traffic Schools was inaugurated on a nation-wide basis to give officers specialized training in the problems arising out of increased traffic occasioned by the war.

A total of 438 Civilian Defense and War Traffic Schools were conducted attended by 39,658 police executives and officers representing over 7,000 police agencies.

COORDINATION WITH MILITARY AND NAVAL INTELLIGENCE  
SERVICES AND OTHER GOVERNMENTAL AGENCIES

Close cooperation and a free interchange of information pertaining to the national security have continued between the Military and Naval Intelligence Services and the FBI. Conferences are held weekly between officials in charge of these three services and have resulted in the continuance of a close coordination of all endeavors. Weekly conferences attended by the field representatives of these agencies are held throughout the United States and serve to unify the efforts of the Military and Naval Intelligence Services and the FBI.

A close relationship has existed between the United States Office of Censorship and the FBI. Through this coordination the FBI receives information with respect to international communications pertaining to espionage, sabotage and other national security matters and the FBI furnishes to the Office of Censorship information in its possession which would be of assistance in carrying out the censorship functions.

The FBI has cooperated with all government agencies by furnishing general intelligence data to assist in their activities as they are related to the war effort. Hundreds of thousands of requests have been handled by the FBI for other governmental departments.

COOPERATION OF THE PUBLIC

Private citizens individually and through patriotic organizations such as civic clubs, American veterans' organizations, and fraternal organizations have been most cooperative during the year by reporting national security matters to the FBI. At the request of

getting men in the armed forces rather than in jail. During the fiscal year 1942, 37,486 delinquent registrants were located and complied with the provisions of the act and thus became available for service in the armed forces.

However, in other cases prosecutive action was necessary and resulted in 1,083 convictions with the imposition of sentences totaling 1,876 years, 5 months and 20 days.

In addition to the criminal investigations the FBI conducted 2,757 investigations to determine the good faith of persons claiming exemption as conscientious objectors.

#### ALIEN ENEMY CONTROL

Following the entry of the United States into the war the President of the United States issued a proclamation prescribing regulations for aliens of enemy nations and directed the apprehension of alien enemies deemed dangerous to the public peace and safety.

From the outbreak of war on December 7, 1941, until the close of the fiscal year 1942, 9,405 alien enemies were apprehended by the FBI and cooperating law enforcement officers. Four thousand, seven hundred and sixty-four were Japanese, 3,120 were Germans and 1,521 were Italians.

The regulations prohibit alien enemies from having in their possession, custody or control or to use or operate certain articles such as firearms, weapons or implements of war, ammunition, bombs, explosives, cameras, short wave radio receiving and sending sets, signalling devices, and codes. Large amounts of prohibited materials were seized by the FBI assisted by the local police in searches of homes of many alien enemies. This contraband included 3,008 guns, 209,767 rounds of ammunition, 2,016 short wave radio receiving sets and 13 short wave radio transmitting sets, 522 other signalling devices and 2,454 cameras. Among explosives obtained were 1,652 sticks of dynamite, 2,529 dynamite caps and 3,472 feet of dynamite fuse. In addition, hundreds of photographs, maps, charts and documents containing confidential information were seized.

#### RE-REGISTRATION OF ALIENS

Under regulations issued by the Attorney General on January 22, 1942, all aliens of enemy nationalities 14 years of age or over were required to register and carry on their persons a certificate of identification. Upon application of the alien a certificate of identification containing a description, photograph and finger impression

was issued. A prerequisite to this application was previous compliance with the Alien Registration Act of 1940.

A copy of each application is sent to the field office of the FBI covering the territory wherein the alien resides. These applications are indexed and filed and the accuracy of the information furnished by the alien is verified. At the close of the fiscal year 1942, checks had been completed by the FBI in over 300,000 alien registration cases and it is expected that this work will pyramid during the coming fiscal year.

This program requiring the aliens of enemy nationality to report each change of address and employment has been of inestimable value in the safeguarding of strategic war areas and war industries in continental United States, Puerto Rico and the Virgin Islands.

#### MISCELLANEOUS

At the request of the State Department the Federal Bureau of Investigation conducted investigations of German and Italian Consulates and evidence was secured which resulted in the closing of the Consulates on July 15, 1941.

As a result of investigations performed by the FBI, 35 aliens were deported from the United States and its possessions during the fiscal year 1942. These aliens were engaged in violations ranging from Selective Service irregularities to espionage.

The Plant Survey work of the Federal Bureau of Investigation was discontinued January 5, 1942, when the War and Navy Departments assumed the responsibility for the surveys of protective facilities of plants manufacturing war materials. By January 5, 1942, the FBI had surveyed the protective facilities of 2,287 of the major plants having contracts for the production of war materials and furnished advice to thousands more. During the fiscal year 1942, 928 of the plant surveys were completed by the FBI.

In addition to the regular investigative work the FBI was directed by Congress in the 1942 appropriations bill to investigate Federal employees "who are members of subversive organizations or advocate the overthrow of the Federal government." During the year 4,454 cases of this type were handled by the Bureau.

The FBI has also conducted thousands of investigations of applicants for vital positions in other government war agencies. In each instance detailed and factual information was furnished the employing agency.

During the past year more than 125,000 pages of foreign language material have been handled in the Translation Section of the FBI.

R E P O R T  
of  
LEMUEL B. SCHOFIELD  
Special Assistant to the Attorney General  
in charge of  
The Immigration and Naturalization Service

This report covers the second year of operation of the Immigration and Naturalization Service as a part of the Department of Justice.

The year can be divided into two periods: the first five months; the last seven months, after "the day of infamy," December 7, 1941.

The first period was marked by further expansion of the Service and the carrying forward of the reorganization program begun the year before in order to increase its efficiency, to conform to the higher standards set for it, and to carry out its enlarged responsibilities because of the part assigned to it in connection with the national defense. The second period saw the Service confronted with many new duties suddenly thrust upon it, and it was necessary to expand further, quickly and smoothly, so that it could carry out efficiently and without delay its full important part in the activities of the Nation at war.

The Service met these added responsibilities fully and promptly, without interruption of its normal functions. During the past year it played a larger part in the activities of government and operated on a larger scale, at the same time with greater efficiency, than during any other period in its history.

The normal primary functions of the Service are as follows:

1. It must examine all persons who seek to enter this country, either at seaports or land border ports, to determine whether they are (a) American citizens, who have the right to enter, or (b) aliens, who, under proper circumstances, may have the right to enter for permanent residence or temporarily.
2. It must examine all aliens seeking to enter at designated ports of entry, to determine their

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admissibility under the immigration laws.

3. It must prevent the illegal entry of aliens across the land borders and along the coasts.

4. It must enforce the departure of aliens illegally here.

5. It must locate and keep track of all aliens who are here (Alien Registration).

6. It must examine all applicants for naturalization to determine whether they are qualified to become citizens under existing law and make appropriate recommendations to the courts as to all who seek citizenship.

These normal responsibilities, important at any time, became even more so during the past year. Greater vigilance and increased personnel were required at ports of entry and along the borders and coasts, because of the greater incentive for dangerous aliens to attempt to gain entrance, either surreptitiously or with papers apparently proper on their face. Greater care was required as to all applicants for naturalization, lest aliens bent on activities harmful to the security of our country obtain the protective cloak of American citizenship. At the same time the great increase in the volume of naturalization work, started the year before, continued unabated because of the requirements of Government employment and of defense industry, and the awakening of so many thousands of aliens to the blessings and advantages of United States citizenship.

At the same time the Service was called upon to furnish, in ever increasing numbers, information to other government agencies, particularly the Army and Navy, with respect to aliens who were being considered for employment in defense plants so that it could be determined whether they could qualify for exception under the discretion allowed by law to the Secretary of War and the Secretary of the Navy; with respect to persons who, though born abroad, claimed citizenship by derivation; and with respect to many others as to whom the records of the Service could be helpful in determining their loyalty to this country. At times requests for such information came to the Service and were complied with by full reports, to the extent of nearly

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5,000 per week.

Also during this period the Service increased its efforts to enforce the Alien Registration Act of 1940, for it became more important than ever to discover and investigate aliens who registered falsely or who failed to register or to report their whereabouts when moving from one part of the country to another, so that prompt and vigorous prosecution could follow as to all whose failure to comply with the law was intentional and involved danger or potential harm to this country.\*

Likewise, during this period the processing of the Alien Registration records, obtained principally during the registration period in 1940, was completed, so that complete records of all aliens, kept currently up to date, were and are available for the Congress and all government departments and officials authorized to use them, with the corresponding statistical information as to geographical distribution, sex, age groups, employment, race, citizenship, and nationality, and including an alphabetical index showing the name, address, and nationality of over 5,000,000 aliens.

With the advent of war, the Service was called upon to extend itself still further. Certain definite duties were assigned to it in connection with the war effort, most of which had to do with the enemy alien program which was quickly put into effect in accordance with prearranged plans formulated in case such an emergency should arise. Under laws already existing and Presidential proclamation pursuant thereto, all German, Italian, and Japanese aliens became enemy aliens, subject to the conditions of travel, conduct, and behavior laid down for them, and any or all subject to apprehension and internment or limited liberty in the discretion of the Attorney General, depending upon their observance of the regulations, their past activities, and potential danger as it affected or might affect the national security.

There were at the time over 600,000 registered Italian

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\* As of June 30, 1942, approximately 25,000 such cases had been submitted to United States Attorneys.

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aliens, over 300,000 Germans, and about 90,000 Japanese\* in the United States, all enemy aliens after December 7th. Some months later, similar proclamations were issued as to other nationalities--Hungarians, Roumanians, and Bulgarians.

The Immigration and Naturalization Service was designated to hold in custody all enemy aliens apprehended by the Federal Bureau of Investigation, or other agency, or taken into custody by the Service itself, until each case was determined. Civilian Hearing Boards under the supervision of the various United States Attorneys were set up throughout the country, which hear the evidence, including the alien and his witnesses, and make recommendations to the Attorney General, who in turn after review, issues his order directing internment, parole under proper sponsorship and appropriate conditions, or release. The Service was charged with holding in its custody for the duration all female enemy aliens and children ordered interned; all males ordered interned are turned over to the Army. The Service was also charged with the supervision of all enemy aliens, both male and female, who are ordered paroled, including the selection of sponsors, subject to the approval of the United States Attorneys, and the supervision of the conduct of the aliens after they are placed on parole, including periodic reports by them and their sponsors and the necessary investigations and checkups.

The determination of many of these cases required considerable time, in order that the safety of the country be fully protected and at the same time to insure, as far as possible, that no injustice be done to any "loyal enemy alien." Consequently, the Service was required to hold a large number for many months.

Facilities for their detention had to be provided immediately throughout the country in sufficient numbers and in locations proximate to the various Hearing Boards. It was also necessary to conform to the requirements of the Geneva Convention of 1929, the provisions of which International Treaty having been adopted by this Government as the standard of treatment for civilian internees, and which governed housing, food, health, space requirements.

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\* Including Hawaii.

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of the year there were 6,187 still in detention.\* (In the tables which follow will be found an analysis of these figures, by disposition, sex, nationality, etc.)

The Service was also called upon by the State Department to assist in its repatriation program and furnished guards and Border Patrol details at various points where diplomatic and consular delegations of enemy nationality were being held pending repatriation, as well as for transportation parties to points of embarkation. It also furnished for that Department similar details to assist in bringing to this country enemy aliens from South and Central America and held in its custody considerable numbers of such persons, men, women, and children, pending their repatriation. At the close of the year there were 1,329 aliens in this category held by the Service, principally at Kennedy, Texas, and Seagoville, Texas.

During February, 1942, all German, Italian, and Japanese enemy aliens were required to apply for Certificates of Identity. The purpose was to provide a better and up-to-date insignia of identification and also to permit a comparison and checkup with the registration of 1940. The applications were made to and the certificates issued by the Post Office Department at post offices throughout the country, but this Service assisted and the records thus obtained were processed, tabulated and compared by its Alien Registration Division.

The entrance of this country into the war brought into operation certain provisions of the Nationality Act of 1940 and led to the adoption of new measures which required enlarged activity on the part of the Service. Certain alien enemies can be naturalized in time of war but it is the duty of this Service to see that all the safeguards provided by the statute have been complied with and particularly that no enemy alien is recommended for citizenship until his loyalty and dependability have been thoroughly ascertained and his application cleared by every agency of the Government in a position to help determine that the safety and

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\* This figure includes enemy aliens apprehended on Presidential warrants and also those held awaiting deportation and pending repatriation.

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security of the Nation will not be jeopardized.

One change in the law facilitates the naturalization of aliens serving in the armed forces of the United States, waiving many of the peacetime requirements as to education, length of residence, legality of entry, etc. which apply to other aliens. With the cooperation of Army commanding officers and the judges of the United States Courts, officers of the Immigration and Naturalization Service installed the necessary procedure throughout this country and effected the naturalization of many such alien soldiers in the various camps and military establishments.

The law also provided, for the first time in the history of this country, that such aliens serving abroad could be naturalized administratively by officers of this Service. Pursuant to this new provision, arrangements were made to put the procedure into effect at an early date by sending representatives to this country's military forces overseas so that the alien soldiers of our army on our many distant fronts can fight and, if need be, die, as citizens of the country in whose defense they took up arms.

Because of the war and the resultant increased dangers which beset the sea, the problem of the deserting neutral alien seaman, always a troublesome one even in times of peace, became more acute. An alien seaman, granted shore leave, is a temporary visitor in this country and must depart at a given time like any other visitor. If he does not, and deserts his ship or fails to "re-ship foreign," he is deportable. So many of these desertions occurred that it began to make it difficult to man outgoing ships, a threat to the vital necessity of getting supplies and food to our own forces and our allies abroad. It was not practical to hold seamen on board their vessels while in American ports, and deportation, both trans-Atlantic and trans-Pacific, had perforce practically stopped, a fact well known to the seamen.

The problem was solved to a large degree by the close cooperation of this Service with the Maritime Commission, the State Department, and the diplomatic and commercial representatives of the neutral nations involved. A considerable number of such deserting alien seamen were persuaded by this Service to reship—a total of 685 during the period from the start of the program to the end of the year. Many who refused were taken into custody. Some

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were held for a considerable length of time and some are still in custody. Some were actually deported, principally to England where provisional governments of most of the neutral nations concerned had been set up.

During the year applications to import alien labor, principally Mexican, greatly increased. All such requests during the preceding year had been denied, after surveys revealed that domestic labor was sufficient to meet the demand. But with the heavy drain on the Nation's manpower caused by the war, it became apparent that, for the first time since World War I, it would be necessary to recruit labor beyond the borders in order to plant and harvest the crops, particularly in the sugar beet fields and in the cotton and vegetable growing districts of the Southwest and the Rio Grande Valley. Under the immigration laws, the Attorney General has discretion in such cases, but so that all angles of the national economy could be considered, this Service sought the advice and assistance of all other governmental agencies interested in the problem, including the War Manpower Commission, the United States Employment Service, the Departments of Agriculture, State, and Labor, the War Relocation Authority, and the administration of the Selective Service Act. Not only the need for such labor was involved, but also such questions as working and living conditions, transportation, wages, duration of stay, location, and the important question of proper assurances that the aliens would be returned to their native country after the emergency was over.

With the close cooperation of all concerned, a comprehensive program was worked out. By the end of the year, permission had been granted by the Attorney General for the entry of a relatively small number but plans had been completed to permit adequate numbers to come in thereafter to bolster this country's manpower needs in relation to its food and other agricultural requirements.

At about the beginning of the fiscal year under new authority granted by the Congress, the procedure governing the issuance of visas to aliens seeking entry to this country from Europe was changed by requiring American consuls abroad before they granted a visa to refer the application to the Secretary of State. To advise the Secretary a system of boards, primary and review, was created, consisting of representatives of the Department of State,

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Military and Naval Intelligence, the Federal Bureau of Investigation, and the Immigration and Naturalization Service. There is also an Appeal Board consisting of two members appointed by the President. Every possible bit of information concerning the applicant, his sponsors, connections, and activities is collected and considered by these boards to determine whether any danger might result if permission to enter were granted.

This Service performed its full share in this work, furnishing all information available in its files and records, and participating in the decision in every case. Many applications were denied and only those granted which were clear of doubt. The system, still in operation, has provided an immigration screen with a finer mesh than ever before in the history of America.

Toward the end of the year it became apparent that closer scrutiny should be given to American citizens returning from abroad, especially those native born who had resided in foreign countries for long periods of time and who might have become expatriated, and particularly those who were born abroad, but claimed citizenship because of the operation of the nationality laws. Some such persons asked admission though they had never been in this country, could not speak the language, were educated and lived in countries now hostile to ours, and in many instances had family and other ties in the land of our enemies. Many such individuals were coming to our shores in repatriation vessels and otherwise; none of them should be allowed to enter if their presence here would involve a threat to our internal security.

Under a coordinating officer designated by the Attorney General, the Army and Navy Intelligence Services, the Department of State, the Federal Bureau of Investigation, the Coast Guard, the Customs Service, and the Immigration and Naturalization Service cooperated in a plan whereby all incoming passengers, both aliens and those claiming United States citizenship, were carefully investigated, including individual interrogation by panels made up of the various investigating agencies. Their relatives, associates, and sponsors in this country or those to whom they were destined, were thoroughly checked, and every precaution was taken to protect the interests of this country. Whenever possible, passenger lists were obtained in advance, in some instances flown from foreign ports, and no one was permitted

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to enter until his loyalty had been determined. In complicated cases and those requiring extended investigation, this Service held the passengers in its detention facilities until a decision was reached by the Secretary of State, to whom authority to act had been delegated by the Act of Congress.

To perform these new duties and carry out these enlarged responsibilities additional personnel was required. Supervisory officials, clerical personnel, inspectors, examiners, guards, and more Border Patrolmen were necessary in the Field, and a corresponding number of employees in the Central Office to carry the increased administrative load. During the year, the total personnel increased from 6,885 to 8,500, practically all recruited under the rules and regulations of the Civil Service Commission.

The personnel problem was a particularly difficult one, due to the many replacements made necessary because of the operation of the draft and voluntary enlistments in the armed forces. No deferments were requested except for the members of the Border Patrol, where young, active men of perfect physical fitness are required.

The in-Service training program, initiated the year before, was continued and extended. New inspectors and examiners, and those promoted to new positions, were instructed in the laws, regulations, and practices of the Service, in regular courses conducted principally in the Central Office.

The reorganization of the Service was continued and the reclassification of positions in the Central Office was carried forward and extended to the Field.

During the year the National Citizenship Education Program was initiated, under the sponsorship of the Immigration and Naturalization Service. With the cooperation of the Work Projects Administration and the United States Office of Education, the program was designed to prepare noncitizens for citizenship, principally through the public-school system by increasing the adult naturalization classes in those States which were already engaged in the work and extending them to localities where none had existed; to supply the teachers with more and better materials, prepared on the various educational levels; and to encourage more candidates for citizenship to attend.

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is maintained with the Department of Justice and other government departments and agencies and with the Congress by a small office in Washington, adequately staffed and equipped with direct telephone connections and teletypes to Philadelphia.

The foregoing is designed to give a general account of the principal operations of this Service during the past fiscal year. Much of this report must of necessity deal with statistics. What has been said and what is said hereinafter in explanation of the figures it is hoped will make it easier to understand the immense volume and the nature of the widely varied activities of this Service; to appreciate the important responsibilities which it must discharge; and to appraise the manner in which it has carried out its duties.

It has been the aim of this Service to administer the immigration and naturalization laws prescribed by the Congress fairly, impartially, and vigorously. It has not been overlooked that the immigrant has contributed much to make this country great and strong; nor that first and above all else always must come the safety and security of our own native land.

## I

### IMMIGRATION AND EMIGRATION

War conditions made it necessary, during the past year, to assume control over the departure of persons from the United States as well as entries into the country. Accordingly, this Service was called upon, beginning December 1, 1941, to enforce the entry and departure regulations with respect to all aliens, and with respect to all citizens except those who departed by water at a seaport or by air.

As an incident to this control, it became necessary for this Service to determine with respect to each person, including a citizen of the United States, who applied for permission to enter or depart, whether he was in possession of the proper documents and whether his entry or departure, as the case may have been, would be prejudicial to the interests of the United States. With respect to each male alien attempting to depart, it was essential to determine whether he was subject to military service and, if so,

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whether he had permission of his local board to depart. It also became a duty to determine, with respect to each alien attempting to depart, whether such alien had registered as such if required to do so.

The great decrease in immigration and emigration, particularly from and to European countries, as compared with the years prior to the beginning of the present war, is due, of course, to the lack of transportation and other causes growing out of the war. However, the examination of persons departing from the United States and the application of the entry regulations to those entering the United States from nearby countries has added greatly to the work of this Service which, in turn, has been greatly affected by the large turnover in experienced personnel.

#### 1. Entries and departures of aliens

Volume.—Officers of the Immigration and Naturalization Service passed upon 44,899,283 alien and citizen entries into the United States during the fiscal year 1942, of which 43,679,900 were across the land borders. This latter number includes 5,253,535 alien entries and 12,227,188 citizen entries from Canada, and 15,721,746 alien entries and 10,477,431 citizen entries from Mexico. The total alien entries across both borders were 20,975,281 and total citizen entries across both borders were 22,704,619. These figures compare with 40,424,972 alien and citizen entries in 1941, including 38,974,008 across the land borders. The 1941 entries across the land borders were made up of 4,096,470 alien entries and 11,357,962 citizen entries from Canada, and 14,521,163 alien entries and 8,998,413 citizen entries from Mexico. The officials of the Immigration and Naturalization Service must satisfy themselves that the claim of United States citizenship made by every alleged citizen who is an applicant for entry is valid, and that every alien has the necessary documents and has complied in all other respects with the requirements of law.

Quota immigration to the United States for the fiscal year 1942 was 14,597 as compared with 36,220 in 1941, a decrease of 21,623, or 59.7 percent. The permissible annual quota for the year was 153,774. But 82,457 nonimmigrants were admitted in the past year, as compared with 100,008 in 1941, a drop of 17,551, or 17.5 percent.

Entries into the United States are principally by

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vessel, railroad, bus, automobile, airplane, and on foot. There were 40,653 steamships boarded during the year by immigrant inspectors, in addition to 11,465 aircraft, each and every arrival counted separately.

It is interesting to note that during the latter part of this fiscal year, more persons arrived and departed via Miami, Florida by air than by sea.

As compared with a total of 111,238 immigrants and nonimmigrants admitted during the year just closed, there were 7,363 emigrant and 67,189 nonemigrant departures, a total of 74,552 departures, making an excess of entries of 36,686.

A detailed report of aliens arriving and departing during the year are shown in tables I to VI, inclusive, and comparative statistics for the past five-year period are shown in tables VII to IX, inclusive.

The sources of immigration and the number of immigrants arriving during the country's history beginning in 1820 are shown in table X.

Quota Limitations.—The Immigration Quota Law of 1924 and the Quota Proclamation of the President of 1938 set up annual immigration quota limitations for all countries from which aliens may be admitted to the United States except those of the Western Hemisphere. Immigration visas under the quotas are controlled entirely by the United States Consular Service of the Department of State under the direction of that Department. Visas are granted only to such aliens as are found otherwise to be admissible, on the basis of the country of birth and not of present citizenship. Certain groups, such as the alien wives and children of United States citizens, alien husbands married to citizens of the United States before July 1, 1932, professors, and ministers of religion, do not require quota positions.

Immigrant occupations.—An analysis of the claimed professions, trades, or occupations of immigrants arriving during the fiscal year 1942, shown in table III, indicates that only 11.0 percent of the immigrants admitted were classified as skilled workers, and 1.9 percent as common laborers, while 58.4 percent (mostly women, children,

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and old people) claimed no occupations and were therefore noncompetitive. Only 254 immigrants were farmers.

Petitions for immigration visas.—The Immigration Act of 1924 establishes the policy of family reunion by giving nonquota or preferential quota status to certain near relatives of citizens of the United States. The nonquota group includes the wives and unmarried minor children under 21 years of age of citizens of the United States, and the husbands of citizens where the marriage occurred prior to July 1, 1932. Aliens who are the fathers and mothers of citizens of the United States who are 21 years of age or over, or are the husbands of citizens by marriages occurring on or after July 1, 1932, are accorded preference under the quota.

In 1942, 2,248 petitions for the issuance of nonquota or preference quota visas were filed with the Commissioner of Immigration and Naturalization, and 2,279 involving 2,371 prospective immigrants, were approved. In this way American citizens secured priority for 1,417 aliens in the nonquota class and 954 in the preference quota class, including 989 wives, 188 unmarried minor children, and 240 husbands in the nonquota group, and 127 fathers, 202 mothers, and 625 husbands as quota preference beneficiaries.

During 1941, 6,945 such petitions were received and 6,461 of them, involving 7,220 prospective immigrants, were approved. The decrease in the 1942 figures was due to the conditions brought about by the war.

Petitions to reapply for admission.—Aliens deported from the United States are barred from returning to this country unless prior to their journey they receive permission from the Attorney General to reapply for admission. During 1942 there were received approximately 2,500 such applications as compared with 1,739 in 1941.

The law also provides that aliens excluded from admission to the United States are barred for a period of one year from the date of exclusion from reapplying for admission unless they have first obtained permission of the Attorney General to reapply. In 1942 there were approximately 1,000 such applications received as compared with 755 during the fiscal year 1941.

Preexaminations.—Resident aliens who had not met the

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and security personnel.

In addition, a considerable number of patrol officers were engaged continuously in guarding or transporting to the United States members of diplomatic missions of enemy countries, while awaiting repatriation under exchange agreements. Shortly after the outbreak of the war, the State Department engaged the Greenbrier Hotel at White Sulphur Springs, West Virginia, for the detention of the diplomatic staffs and other personnel of the German and Italian Embassies and the Hungarian Legation, as well as other nationals of these countries having semi-official status. For the purpose of detaining the same classes of Japanese nationals, the State Department took over the Homestead Hotel at Hot Springs, Virginia. Border Patrol officers were responsible for guarding the aliens at these two hotels. Toward the close of the year it became possible, because the majority of these aliens had been repatriated, for the State Department to discontinue the use of the Homestead Hotel and to engage a smaller one at Asheville, North Carolina, at which place Border Patrol officers performed the same guard functions.

A number of government officials and certain other nationals of enemy countries were brought to the United States from Canada and Latin American countries by patrol officers for detention pending their repatriation through United States ports. On three occasions detachments of Border Patrol officers were sent to South America for the purpose of bringing such groups to this country. They were held at the detention camps at Kennedy and Seagoville, Texas.

Frequently over 200 patrol inspectors were simultaneously engaged guarding enemy aliens, transferring them to detention camps, or conveying them to exchange vessels at seaports. This number does not include approximately 200 patrol officers who were regularly assigned at the detention camps and other detention facilities. Insofar as it was practicable, guards were recruited through Civil Service to augment the patrol force engaged in this work.

#### IV

#### DETENTION AND PAROLE OF ENEMY ALIENS

It had been decided that in the event of war this

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Service would hold in custody all enemy aliens apprehended pending the disposition of their cases by the Attorney General. Male enemy aliens ordered interned would be subsequently turned over to the Army; women and children would be continued in custody by this Service for the duration. Those ordered paroled would be under the supervision of this Service.

Notwithstanding the suddenness of the outbreak of the war, considerable preparatory work for the detention of enemy aliens had been done and within a matter of days temporary detention facilities had been established, equipped and staffed, in all of the major centers of enemy alien population throughout the country. Regular immigration detention facilities were made suitable for the detention of enemy aliens and, as the number of enemy alien arrests required and when it was decided to remove them from certain areas on the West Coast, additional camps were established at Tuna Canyon and Sharp Park, California, Santa Fe, New Mexico, and Kennedy, Texas. Detention camp capacity was provided in good time for approximately 8,000 detainees. On June 30, 1942, there were facilities in the camps, the temporary detention stations and the regular immigration detention stations for approximately 11,000 persons.

The number of enemy aliens in detention reached its peak on May 4, 1942, on which date there were 6,813 enemy aliens in custody. This number includes 275 German seamen at Ft. Lincoln, and 990 Italian seamen at Ft. Missoula who had already been in detention at these camps for some months prior to the outbreak of the war. It also includes 403 members of the crew of the S. S. Columbus, which was scuttled to prevent capture by a British naval vessel in the Atlantic in December 1939, and seamen taken from German and Italian vessels which had been seized in ports of the continental United States and the Canal Zone. It also includes 972 enemy aliens from Central and South America to be repatriated.

On June 30, 1942, this Service had handled 11,107 enemy aliens. Of this number 1,854 had been originally taken into custody by the Immigration and Naturalization Service under immigration proceedings. One thousand, seven hundred and twelve had come from Central and South America, and the remainder, 7,541, were arrested on Presidential warrants by the Federal Bureau of Investigation.

The use of the excellent new facility at Seagoville,

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Texas, with a competent staff of women expert in the care and supervision of women detainees was secured from the Bureau of Prisons for the detention of women and children. At the close of the fiscal year, 505 aliens were being held at Seagoville. This number, for the most part, comprised family groups who were brought to the United States for repatriation from several Latin American countries.

Facilities for the permanent internment of women were also established at Gloucester City, New Jersey, and Sharp Park, California.

Shortly after the outbreak of the war the Government of the United States declared to the other belligerents its intention of applying the provisions of the Geneva Convention of 1929, relating to prisoners of war, to civilian internees as well. The provisions of this Convention concerning treatment to be accorded to prisoners are very specific and high standards are required. Strict compliance with the terms of the Convention has been observed throughout.

Decisions by the Attorney General concerning the disposition of cases of enemy aliens have been given effect with all possible dispatch. Where the decision has been to release the alien, the release has usually taken place within a few hours. Paroles are effected as soon as sponsors are selected and found qualified. Internments are accomplished as rapidly as the transfer from the Service to the Army can be made.

Paroles have been effected by one of two methods:

1. With the assistance of volunteer Civilian Parole Officers termed "sponsors," selected by the Hearing Board in cooperation with the local representative of this Service. Every effort is made to maintain close observation of the parolee to assure exact compliance with the regulations applicable to those of the individual's nationality.
2. In the cases of Japanese aliens residing in the West Coast States, parole is effected with the assistance of the officers in charge of the relocation centers in which these aliens are located pursuant to the evacuation program.

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UP TO JULY 1, 1942 (Continued)

	<u>Japanese</u>	<u>Italian</u>	<u>German</u>	<u>Others</u>	<u>Total</u>
Awaiting Decision:					
In Custody ----	2,135	214	698	19	3,066
On Interim Pa- role -----	191	49	180	14	434

V

ALIEN REGISTRATION

The Alien Registration Division of the Service was established in the previous year to administer the Alien Registration Act of 1940. The initial registration was completed in that year, but registration of aliens continues as new ones arrive. Also the records must be kept up to date as changes occur, such as removals, deaths, departures, naturalizations, etc.

The work of the division may be divided into three principal parts:

1. The inventory-taking of the alien population of the United States;
2. The processing, integrating, and co-ordinating of the information obtained; and
3. The utilization of the information.

1. The inventory-taking

Except for new arrivals and keeping the records up to date as changes occur, this part of the work was finished during the preceding year. A total of 4,921,452 aliens registered.

2. Processing, integrating, and co-ordinating of the information

In order to process, integrate and co-ordinate the information, all registrations and the supplementary documents had to be first thoroughly examined, coded, and then key-punched on tabulating cards. This part of the work was

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completed by approximately the end of July, 1941. The Alien Registration Division was then in possession of the complete information from the 1940 registration translated on to tabulating cards. From that point on, it was in a position to alphabetize and tabulate the information for the purpose of integrating and co-ordinating it prior to its utilization. The plan for this phase of the program called for certain major objectives. These were:

A. To produce, organize, and maintain a system of records, indexes, and files for aliens.

B. To verify the accuracy of information obtained during the registration.

C. To compile the current changes of status of alien population; to integrate these with the existing records, and to keep the records current.

D. To produce certain factual data needed in the administration of the Immigration and Naturalization Service.

E. To assist other governmental agencies with factual information pertaining to the alien population.

Point A. In order to accomplish the objectives under Point A, the plan called for:

1. Sorting and tabulating the information to produce the total of all registered aliens by States, counties, cities, and municipalities.

2. Sorting and tabulating the information to produce the total of all registered aliens by individual national groupings by States, counties, cities, and municipalities.

3. Sorting and tabulating the information to produce geographic distribution of the alien population: by national groupings; major occupational classifications; sex and age; country of birth; country of citizenship; year of birth; city, county, and State of residence; marital status; race; port of entry; day, month, and year of arrival; method of arrival; whether coming as passenger, crew member,

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stowaway, or otherwise; whether entering for the purpose of permanent residence, visitor, student, treaty merchant, seaman, or official of foreign government; employee of foreign government, or transient; the expected length of stay in the country; military service information; steps taken toward naturalization; relatives in the United States; memberships or affiliations, if any; arrests or criminal records; literacy; etc.

4. To produce and establish a complete flex-o-line, alphabetical soundex index of 5,000,000 registered aliens, 85 percent of whom had alternate names (making a grand total of 9,300,000 names).

Items 1, 2, and 4 above were accomplished during the year, but only a certain portion of item 3. It is being rapidly completed.

Point B. In order to accomplish the objectives under Point B, the Service is engaged in the work of the verification of statements made by the registrants regarding the manner and legality of their entry into this country. Thus far, these entries have been verified for 2,070,000 registrants.

Point C. For the purpose of accomplishing the objectives under Point C, it was necessary:

1. To code, key-punch, and inter-file 1,610,000 change of address reports received.
2. To code, key-punch, and integrate 51,000 death reports.
3. To code, key-punch, and integrate 47,000 departure reports.
4. To code, key-punch, and integrate 443,000 naturalization reports.

Coding, key-punching, and inter-filing change of address reports were accomplished during the year and are kept current. Death, departure, and naturalization reports were coded and key-punched, but had not been finally integrated at the close of the year.

Points D and E. Throughout the year the information contained in the records has been available in individual cases or in statistical form for the use of the Service and other governmental agencies, particularly the Army and Navy.

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### 3. Utilization of the information

The information is being constantly used by the Service itself in naturalization cases, warrant cases, and many other phases of its work. Many of the agencies that are concerned with the prosecution of the war, national defense, and internal security have recognized the value of the registration records, and depend on the Service for the supply of much needed information. During the year information has been supplied to the Army, the Navy, the Selective Service System, the Treasury, the Federal Communications Commission, the Civil Aeronautics Authority, and the Federal Bureau of Investigation. During that period 59 requests were received from these and other agencies for lists of names, addresses, and other significant factors of registered aliens, representing twelve different national groups and involving 2,862,313 names. These requests were all complied with promptly. In addition, there have been received, during the same period, 587,469 requests for information in individual cases, including the furnishing of photoprints of records. All these requests were also promptly complied with.

In connection with the National Citizenship Education Program, the division was requested to sort out and tabulate a list of names and addresses of prospective candidates for naturalization. It was necessary to determine those who were racially eligible for citizenship, legally admitted for permanent residence, and without criminal record or other similar disqualification. The request was complied with and a list of approximately 2,500,000 names was prepared and furnished to the Field Offices of the Service.

The division was also called upon to prepare two sets of tabulating cards for all registered aliens for the use of the various Field Offices of the Service. One set of the cards shows the name of the registrant, together with the registration number and all characteristics of the person, in codes. The other set gives the full name of the registrant, full address, registration number, and certain other significant factors. One set is segregated by national groups and arranged alphabetically within each national group for those within the jurisdiction of each of the Immigration and Naturalization district offices. The other set is arranged in numerical sequence of registration within the jurisdiction of each district office. One set was completed during the year and approximately 30 percent of the other.

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## VI

## NATURALIZATION

Certificates of arrival and preliminary applications for naturalization.--Preliminary applications to obtain certificates of arrival and to file declarations of intention were received during 1942 from 171,266 aliens, in comparison with 323,985 received in 1941. There were also received in 1942 preliminary applications for certificates of arrival and for petitions for naturalization from 343,718 aliens, as compared with 455,373 in 1941. While there was a considerable decrease in the total number of preliminary applications for naturalization papers received in 1942 as compared with 1941, the number of such applications received in 1942 was substantially more than those received in 1933, during which year only 87,921 preliminary applications for declarations of intention and 105,469 for petitions for naturalization were received. There was a total of 514,984 preliminary applications received in 1942, as compared with 779,358 in 1941. In 1942 there were 248,915 applications received for the issuance of certificates of arrival to be used as a basis for filing declarations of intention or petitions for naturalization, as compared with 487,216 in 1941.

Naturalization examiners at hearings.--Naturalization examiners in the course of their administrative hearings, examined or reexamined 410,780 petitioners in person, and 11,223 by correspondence, as compared with 330,312 and 16,880, respectively in 1941. They also questioned 705,080 witnesses in person, as compared with 573,348 last year; and 17,280 by correspondence, as compared with 27,114 in 1941. Twenty-three thousand, four hundred ninety-nine depositions were taken by naturalization examiners in 1942, as compared with 20,388 in 1941. The examiners attended 4,833 court hearings in the past year as compared with 5,587 in the preceding year. The naturalization courts canceled 640 certificates of naturalization for various causes, compared with 1,055 in 1941.

Naturalization declarations, petitions, and admissions.--Declarations of intention were filed in naturalization courts by 221,796 aliens, of whom 121,101 were males and 100,695 were females, as compared to 224,123

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in 1941. During 1942, 343,487 aliens--143,830 males and 199,657 females--filed petitions for naturalization, as compared with 277,807 petitions filed in 1941. The courts admitted 270,364 aliens to citizenship during the fiscal year 1942, as compared with 277,294 in the fiscal year 1941. In 1942, the courts denied 8,339 petitions for naturalization.

Detailed statistics on the applications for naturalization papers received, declarations of intention and petitions filed, petitions denied, and aliens naturalized, during the years ended June 30, 1940 to 1942, by months are shown in table XIII:

Countries of former allegiance of persons naturalized.--The principal nations to which aliens admitted to citizenship during the years 1937 to 1941, inclusive, renounced allegiance are shown in table XIV. These data for the fiscal year 1942 are not yet available.

Naturalization certifications.--The Central Office issued, in 1942, 16,815 duplicate naturalization certificates, as compared with 13,921 in 1941, and 2,550 new declarations of intention, as compared with 3,493 in 1941, to replace originals that had been lost, mutilated, or destroyed. During 1942, 10,235 certificates of derivative citizenship were also issued, as compared with 3,102 in 1941. Also during the year, 543 other documents of various kinds were issued.

Cancellation of certificates of naturalization.--Statistics show that 640 certificates of naturalization were canceled during the year. These were the usual type of cancellation, based on fraudulent statements, after discovered evidence showing that the requirements for naturalization had not been complied with, etc.

In addition to such cases, the Service during the year completed a detailed and comprehensive investigation and study of the German-American Bund, which had been undertaken at the direction of the Attorney General. As a result, it recommended that cancellation proceedings be started at once against all naturalized citizens, particularly those of German origin, who were or had been members of the Bund, on the ground that membership and activity therein demonstrated continued adherence to the principles of our enemy, were inconsistent with renouncement of all foreign allegiance.

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and were evidence that the oath of allegiance to the United States was taken with reservations and citizenship obtained by fraud. As to many such naturalized members of the Bund, there was also evidence of particular activities which supported this position.

Accordingly a program of this kind was instituted by the Attorney General. The prosecution of the cases was assigned to the various United States Attorneys throughout the country under the supervision of the Criminal Division of the Department and based on investigations made by the Federal Bureau of Investigation. This Service cooperates in the preparation and presentation of the cases and furnishes the information contained in its files.

By the end of the year only three cases were completed, resulting in the cancelation of the certificates in each, but the program was well under way. It is regarded as an important phase of national defense, since such persons are beyond the reach of the law unless positive proof of definite acts of treason, sabotage, or other illegal acts could be obtained, so long as they remain protected by the cloak of citizenship. Once stripped of that, they become enemy aliens and, if potentially dangerous, can be interned for the duration of hostilities, and, in many instances, held for deportation.

Naturalization of enemy aliens. --The law provides for the naturalization of enemy aliens under certain safeguards and conditions. One whose declaration of intention was made not less than two years prior to the beginning of the state of war, or was at the beginning of the state of war entitled to naturalization without making a declaration of intention, or who had a petition for naturalization pending at the beginning of the state of war, may proceed toward naturalization after a special ninety-day notice period, provided the Commissioner does not object. The Service conducts a thorough investigation in these cases, including clearance with the various investigational agencies, to determine the loyalty of the applicant. Only cases free from doubt in this respect are recommended for citizenship. The Commissioner, under authority of law, may waive the ninety-day waiting period in meritorious cases where the investigation is completed and loyalty established. Approximately 110,000 enemy alien naturalization cases were awaiting completion of investigation at the close of the year.

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Special legislation was passed during the year providing for the expeditious naturalization of noncitizens serving in the armed forces of the United States, both here and abroad. Naturalization officers cooperate with military officials in the naturalization of qualified noncitizens serving in the armed forces of the United States. Approximately 1,329 of such persons were naturalized in 1942, within the United States, and arrangements made to naturalize those noncitizens serving abroad.

Registry of aliens.—By the Act of March 2, 1929, as amended August 7, 1939, an alien of good moral character not ineligible to citizenship and not subject to deportation, who entered the United States prior to July 1, 1924, and who had resided in the United States continuously since, in whose case there was no record of admission for permanent residence, might apply to the Commissioner of Immigration and Naturalization to make a registry of his arrival for immigration and naturalization purposes. Upon proof of the required facts, the registry was made and such alien was deemed to have been lawfully admitted to the United States for permanent residence as of the date of his entry.

This law was repealed by the Nationality Act of 1940, but the same provisions were incorporated therein.

During the fiscal year 1942, 20,634 applications for registry were received, as compared with 34,634 in 1941. Twenty-seven thousand and thirty-one were finally disposed of in 1942 by the Central Office after investigation by the naturalization examiners. Of these latter, 24,335 were granted, 2,531 were denied, and 165 withdrawn.

## VII

### EDUCATION FOR CITIZENSHIP

The National Citizenship Education Program is a combination of the naturalization work of the Immigration and Naturalization Service and the Work Projects Administration, with the cooperation of the United States Office of Education. The program provided for the advisory coordination of the work of the three agencies with respect to the preparation and education of candidates for citizenship.

Administration on the State level.—It was the plan to set up the program State by State according to the

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U. S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE, PHILADELPHIA

TABLE II.--

Immigrant aliens admitted, year ended June 30, 1942, by principal races and countries of last permanent residence

Last permanent residence	Number admitted	Bohemian Moravian	Cuban	Dutch and Flemish	English	French	German	Greek	Hebrew	Irish	Italian	Magyar	Negro	Polish	Portuguese	Russian	Scandinavian	Scotch	Spanish	Spanish American	West Indian	Other races
All countries..	28,781	110	551	386	3802	2363	800	263	10608	1707	146	131	171	436	201	269	594	1649	292	1132	127	3043
Europe.....	11,153	68	1	159	354	514	370	184	8134	120	35	54	-	168	147	98	290	61	144	13	-	239
Belgium.....	346	-	-	39	6	25	1	-	256	-	-	1	-	-	-	2	-	-	1	-	-	15
Czechoslovakia..	137	32	-	-	-	-	-	-	93	-	-	1	-	-	-	1	-	-	-	-	-	10
France.....	4,430	11	1	37	51	416	97	5	3597	7	6	11	-	31	1	58	10	6	28	2	-	55
Germany.....	2,150	2	-	-	-	-	73	1	2067	-	1	3	-	-	-	-	-	-	-	-	-	2
Great Britain...	907	7	-	9	269	8	26	17	424	35	2	4	-	23	-	6	4	54	1	2	-	16
Greece.....	174	-	-	-	1	2	-	156	11	-	-	-	-	-	-	-	1	-	-	-	-	3
Hungary.....	186	2	-	-	-	1	5	-	148	-	-	26	-	1	-	-	-	-	-	-	-	3
Ireland (Eire)..	70	-	-	-	-	-	-	-	4	65	-	-	-	-	-	1	-	-	-	-	-	-
Italy.....	103	-	-	3	2	1	20	1	52	3	17	-	-	1	-	-	-	-	-	-	-	3
Netherlands.....	139	1	-	51	1	-	4	-	82	-	-	-	-	-	-	-	-	-	-	-	-	-
Norway.....	72	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	69	-	-	-	1	-
Poland.....	343	1	-	-	-	-	-	-	256	-	-	1	-	79	-	2	-	-	-	-	-	4
Portugal.....	437	-	-	3	7	10	1	-	234	-	-	3	-	20	146	3	1	-	2	3	-	4
Rumania.....	67	1	-	-	-	-	-	-	46	-	-	2	-	-	-	-	-	-	-	-	-	18
Spain.....	234	2	-	5	2	7	3	-	90	-	-	-	-	1	-	1	-	-	112	2	-	1
Sweden.....	205	4	-	1	2	-	12	-	83	-	-	1	-	-	-	-	100	-	-	-	-	2
Switzerland.....	585	1	-	9	4	41	103	1	393	1	9	1	-	5	-	2	1	-	-	3	-	11
Yugoslavia.....	73	-	-	-	-	-	1	1	36	-	-	-	-	-	-	3	-	-	-	-	-	32
Other Europe....	495	4	-	2	9	3	24	2	260	9	-	-	-	6	-	19	96	1	-	-	-	60
Canada.....	10,450	25	-	142	2925	1732	365	45	977	1513	95	52	51	189	6	86	241	1520	10	8	2	466
Mexico.....	2,378	-	6	9	48	11	6	6	58	7	4	5	-	3	1	9	15	13	24	21	-	2132
West Indies.....	1,599	5	540	19	100	23	9	4	478	4	3	4	93	12	10	4	6	7	64	57	123	34
Other America....	1,950	6	4	8	189	30	23	3	337	45	5	9	23	52	32	8	22	16	42	1033	2	61
Asia.....	564	3	-	15	61	20	15	11	255	5	2	7	-	5	4	59	10	19	1	-	-	72
Other countries..	687	3	-	34	125	33	12	10	369	13	2	-	4	7	1	5	10	13	7	-	-	39

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TABLE III.--Immigrant aliens admitted, year ended June 30, 1942, by principal races, occupations, sex, age groups, and marital status

Occupation, sex, age, and marital status	All races	English	French	German	Greek	Hebrew	Irish	Italian	Scandinavian	Scotch	Other races
Number admitted.....	28,781	3,802	2,363	800	263	10,608	1,707	146	594	1,649	6,842
OCCUPATION											
Physicians.....	305	57	38	16	-	48	44	-	6	18	78
Lawyers.....	146	2	8	3	2	110	-	1	1	1	18
Physicians.....	290	17	6	12	3	175	7	1	2	12	55
Professors and teachers..	645	72	198	35	2	110	52	1	7	37	131
Other professional.....	2,110	420	134	87	9	632	206	13	63	203	343
Merchants and dealers....	1,822	62	32	34	30	1,398	19	8	14	26	199
Other commercial.....	931	78	47	16	9	572	39	4	10	43	113
Farmers.....	254	44	19	12	2	49	29	1	16	11	71
Unskilled workers.....	3,179	414	200	78	83	1,048	228	16	135	201	776
Domestic servants.....	782	111	154	30	5	33	86	8	14	103	238
Unemployed.....	547	45	42	9	1	26	42	6	10	24	342
Miscellaneous.....	962	185	103	23	49	174	81	9	48	68	222
Total occupation.....	16,808	2,295	1,382	445	68	6,233	874	78	268	902	4,263
SEX											
Female.....	12,008	1,216	728	288	209	5,041	573	57	314	531	3,051
Male.....	16,773	2,586	1,635	512	54	5,567	1,134	89	280	1,118	3,798
AGE GROUP											
Under 11 years.....	2,299	339	196	58	10	851	116	5	49	113	562
11 to 20 years.....	4,015	502	384	89	11	1,270	168	30	70	194	1,297
21 to 30 years.....	6,585	1,106	729	214	62	1,282	561	60	167	543	1,861
31 to 40 years.....	5,988	708	479	206	123	2,088	352	26	156	312	1,538
41 to 50 years.....	4,216	457	284	103	48	1,939	203	12	81	198	891
51 to 60 years.....	2,894	304	146	70	5	1,643	134	7	47	133	405
Over 60 years.....	2,784	386	145	60	4	1,535	173	6	24	156	295
MARITAL STATUS											
Single.....	11,279	1,414	1,113	331	118	3,634	727	66	249	669	2,958
Married.....	15,073	2,057	1,125	408	143	5,844	829	73	323	819	3,452
Widowed.....	2,005	282	108	37	2	947	132	3	14	139	341
Divorced.....	424	49	17	24	-	183	19	4	8	22	98

Includes chiefly women and children and men of advanced age.

U. S. DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE, PHILADELPHIA

TABLE IV. -- Migrant aliens admitted, year ended June 30, 1942, by classes under the Immigration Act of 1924, and countries of birth

Country of birth	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Natives of nonquota countries	Wives and children of natives of nonquota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes
All countries.....	28,781	14,597	223	904	135	12,554	42	136	54	80	56
Europe.....	14,881	13,839	189	628	77	-	34	54	42	18	-
Belgium.....	428	415	-	10	-	-	-	2	1	-	-
Bulgaria.....	14	14	-	-	-	-	-	-	-	-	-
Czechoslovakia.....	598	568	8	17	1	-	-	2	2	-	-
Denmark.....	122	106	5	9	2	-	-	-	-	-	-
Estonia.....	28	27	-	-	-	-	-	-	1	-	-
Finland.....	81	58	3	18	-	-	-	2	-	-	-
France.....	1,151	1,058	9	44	17	-	1	4	13	5	-
Germany.....	4,945	4,885	6	29	8	-	-	2	14	3	-
Great (England.....	1,117	962	36	81	4	-	17	6	2	9	-
Brit.. (Scotland....	284	244	6	27	-	-	2	5	-	-	-
ain (Wales.....	41	36	1	4	-	-	-	-	-	-	-
Greece.....	216	199	6	10	1	-	-	-	-	-	-
Hungary.....	306	284	1	16	3	-	-	-	2	-	-
Ireland (Eire).....	182	161	5	10	-	-	1	4	1	-	-
Italy.....	69	59	2	7	-	-	1	-	-	-	-
Latvia.....	111	105	1	5	-	-	-	-	-	-	-
Lithuania.....	152	126	2	19	-	-	-	4	1	-	-
Netherlands.....	224	213	6	3	1	-	-	1	-	-	-
Northern Ireland....	73	64	1	2	-	-	2	4	-	-	-
Norway.....	118	100	6	10	2	-	-	-	-	-	-
Poland.....	2,376	2,203	36	122	6	-	2	7	-	-	-
Portugal.....	190	143	5	27	14	-	1	-	-	-	-
Rumania.....	317	282	5	22	1	-	1	6	-	-	-
Soviet Russia.....	800	724	13	57	-	-	-	3	3	-	-
Spain.....	243	175	9	37	14	-	5	1	2	-	-
Sweden.....	124	111	5	8	-	-	-	-	-	-	-
Switzerland.....	250	235	3	9	1	-	1	-	-	1	-
Yugoslavia.....	126	107	6	13	-	-	-	-	-	-	-
Other Europe.....	195	177	3	12	2	-	-	1	-	-	-
Asia.....	432	345	4	54	14	-	2	10	2	1	-
China.....	88	59	2	21	2	-	-	2	2	-	-
Japan.....	20	7	-	4	2	-	-	7	-	-	-
Palestine.....	62	51	1	3	7	-	-	-	-	-	-
Other Asia.....	262	228	1	26	3	-	2	1	-	1	-
Canada.....	8,519	-	12	99	17	8,213	-	63	5	57	53
Newfoundland.....	179	-	-	1	-	176	-	1	1	-	-
Mexico.....	2,182	-	2	18	-	2,156	-	2	1	2	1
West Indies.....	978	153	5	30	24	758	2	3	1	1	1
Central America.....	711	6	-	6	-	699	-	-	-	-	-
South America.....	572	8	2	4	1	552	1	2	-	1	1
Africa.....	142	126	4	7	1	-	2	-	2	-	-
Australia & New Zealand	129	82	4	41	-	-	1	-	-	-	-
Other countries.....	56	38	1	16	1	-	-	-	-	-	-

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V.-- Grant aliens admitted, year ended June 30, 1942, by classes under the Immigration Act of 1924, and races or peoples

Race or people	Number admitted	Quota immigrants	Husbands of citizens	Wives of citizens	Children of citizens	Natives of nonquota countries	Wives and children of natives of non-quota countries	Ministers and their wives and children	Professors and their wives and children	Women who had been citizens	Other classes.
All races.....	28,781	14,597	223	904	135	12,554	42	136	54	80	56
American.....	61	51	-	5	-	5	-	-	-	-	-
American and Moravian....	110	92	2	8	-	7	-	1	-	-	-
American, Serb. & Mont'n	23	18	-	2	-	3	-	-	-	-	-
American.....	13	-	-	10	-	-	-	1	2	-	-
American and Slovenian...	37	21	4	5	-	7	-	-	-	-	-
American.....	551	1	-	1	-	547	-	-	1	-	1
American and Flemish.....	386	239	5	19	-	117	-	3	1	1	1
American.....	3,802	1,001	46	161	19	2,485	20	32	4	33	1
American.....	18	9	1	6	-	2	-	-	-	-	-
American.....	78	50	3	14	-	9	-	2	-	-	-
American.....	2,363	555	11	57	13	1,685	1	9	18	14	-
American.....	800	413	7	38	5	310	-	14	9	4	-
American.....	263	219	5	20	2	17	-	-	-	-	-
American.....	10,608	9,760	52	189	28	546	4	15	9	5	-
American.....	1,707	249	11	33	5	1,381	4	16	2	6	-
American.....	146	41	1	12	-	91	1	-	-	-	-
American.....	7	-	-	-	-	-	-	7	-	-	-
American.....	64	36	2	11	-	12	-	3	-	-	-
American.....	131	85	2	16	3	22	-	2	1	-	-
American.....	171	60	2	8	11	89	-	-	-	1	-
American.....	436	278	10	34	3	109	-	2	-	-	-
American.....	201	128	5	31	14	23	-	-	-	-	-
American.....	84	51	1	7	-	21	-	4	-	-	-
American.....	269	166	3	30	2	66	-	-	2	-	-
American (Russniak).....	80	5	1	5	-	69	-	-	-	-	-
American (Norwegians, Swedes, and Swedes).....	594	348	18	35	6	175	-	10	-	2	-
American.....	1,649	285	8	48	4	1,279	3	11	2	9	-
American.....	102	73	5	9	-	14	-	-	-	1	-
American.....	292	167	9	42	14	52	5	1	2	1	-
American.....	1,132	9	2	7	-	1,110	3	-	-	1	-
American.....	94	38	1	7	-	45	-	1	-	2	-
American.....	18	15	1	1	-	1	-	-	-	-	-
American.....	88	25	2	4	-	57	-	-	-	-	-
Indian(except Cuban)	127	40	-	5	6	76	-	-	-	-	-
Other..... (1/)	2,151	2	2	16	-	2,105	1	2	1	1	1
Other..... (2/)	145	67	1	8	-	17	-	-	-	-	52

Chiefly Natives of Mexico. 2/ Albanians, Estonians, Latvians, Persians, etc.

Report of T. D. Quinn, Administrative Assistant  
to the Attorney General

The Administrative Division, under the direction of the Administrative Assistant to the Attorney General, handles administrative and fiscal matters of the Department generally, including the budget; accounting and auditing; supplies; mail and files; personnel transactions; printing; buildings and space etc.

With the administrative work of the Department centralized in this Division the impact of the war and the tremendous expansion of departmental activities thrown on this Division can well be imagined.

In the past year the personnel of the Department grew from some 20,000 persons on July 1, 1941, to approximately 30,000 on June 30, 1942. Most of this growth was in connection with the activities of the Federal Bureau of Investigation, the Immigration and Naturalization Service and the Lands and War Divisions.

Naturally, any increase in the personnel or work of the Department is immediately felt in the Administrative Division.

As for the District Attorneys' and Marshals' offices any diminution in the regular litigation or work in the offices has been more than offset by work flowing from the present emergency. Lands matters, Selective Service and Conscientious Objector cases, alien enemy matters, war frauds and other matters pertaining to the internal security of the country have increased the activity of these offices with a resultant increase in administrative matters to be handled.