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UNITED STATES DEPARTMENT OF JUSTICE

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**REGULATIONS**  
**CONTROLLING TRAVEL AND OTHER**  
**CONDUCT OF ALIENS OF ENEMY**  
**NATIONALITIES**



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1942

## REGULATIONS CONTROLLING TRAVEL AND OTHER CONDUCT OF ALIENS OF ENEMY NATIONALITIES

Pursuant to the Proclamations of the President of December 7 and 8, 1941, and January 14, 1942, covering the conduct of aliens of enemy nationalities, the following regulations are hereby prescribed:

**SECTION 1. Classes of persons controlled by these regulations.**—Except as hereinafter expressly excluded by Section 2, persons in the United States (including Puerto Rico and the Virgin Islands) required to comply with these regulations are as follows:

(a) All aliens of the age of 14 years or older who were or are natives, citizens, or subjects of Germany, Italy, or Japan.

(b) All aliens of the age of 14 years or older who at present are stateless but who at the time at which they became stateless were citizens or subjects of Germany, Italy, or Japan.

**SECTION 2. Classes of persons not required to comply with these regulations.**—Persons not required to comply with these regulations are as follows:

(a) Former German, Italian, or Japanese citizens or subjects who before December 7, 1941, in the case of former Japanese citizens or subjects, and before December 8, 1941, in the case of former German or Italian citizens or subjects became and are citizens or subjects of any nation other than Germany, Italy, or Japan.

(b) Austrians or Austrian-Hungarians (Austro-Hungarians) or Koreans who registered as such under the Alien Registration Act of 1940, provided that such persons have not at any time voluntarily become German, Italian, or Japanese citizens or subjects.

But these regulations shall not be construed as defining or limiting the classes of aliens of enemy nationalities subject to apprehension, detention, or internment or the other provisions of the aforesaid Proclamations.

**SECTION 3. Travel without special permission.**—An alien of enemy nationality subject to these regulations is hereby granted general permission to travel as follows:

(a) **Travel within a community.**—An alien of enemy nationality may travel or move about within the limits of the municipality, town, village, locality, or urban or rural community in which he resides or in which he has his regular place of business, from place to place and in such manner as will permit him to engage in the activities usual in his community. The limits of such community shall not necessarily be fixed by boundaries of municipalities, counties, States, or judicial districts, but shall include in each case the metropolitan or other community area in which the alien resides or has his regular place of business and shall include all that area generally thought of as constituting a greater city or metropolitan district or an urban or rural community.

(b) **Commuting to business.**—An alien of enemy nationality may commute between his home and his regular place of business.

(c) **Travel to places of worship, schools, or Government agencies.**—An alien of enemy nationality may travel between his home

and his usual place of religious worship, or the school, college, or institution of learning at which he may be in regular attendance, or between his home and any Federal, State, or local government agency with which he may be required by such agency to transact business.

(*d*) **Foreign travel.**—An alien of enemy nationality may complete a trip to or from a place out of the United States, provided however, that such alien complies with all regulations governing such foreign travel.

**SECTION 4. Occasional travel or trips.**—An alien of enemy nationality shall not travel or make trips or move from one locality to another except as herein provided:

(*a*) The alien of enemy nationality shall file in writing with the United States Attorney of the district of his residence, a statement setting forth the particulars hereinafter enumerated.

(*b*) Such statement shall be filed, together with at least two copies (and any additional copies required by the United States Attorney) with the United States Attorney at least 7 days prior to the intended departure except that the United States Attorney may, in exceptional cases and in the exercise of his discretion, waive all or any part of such 7 days' notice.

(*c*) Such statement and copies shall be prepared and filed personally by the alien desiring to make such trip at the office of such United States Attorney or at such place as he shall designate, except that, because of the distance between the place of residence of the alien and the office of the United States Attorney or other good and sufficient reason, the United States Attorney may permit such statement and copies together with a self-addressed stamped envelope to be mailed to him so as to be received at least 7 days prior to the intended commencement of the trip.

(*d*) Such statement and copies shall be made out upon forms to be prescribed by the Attorney General or in the absence thereof by the United States Attorney and shall contain the following information: (1) The name of the alien of enemy nationality; (2) the home address of the alien of enemy nationality and the telephone number, if any, of such place of residence; (3) the business address, if any, of such alien of enemy nationality and the telephone number, if any, of such place of business; (4) the alien enemy certificate of identification number of such alien of enemy nationality after it is obtained; (5) a detailed statement of the purpose for which the trip is to be made and the persons to be visited; (6) the proposed intermediate and final destinations of the trip; (7) the intended date of departure; (8) the intended date of return; (9) the address or addresses at which the alien of enemy nationality intends to be found while he is away from his permanent address; (10) the route to be followed to and from the point of destination; and (11) the common carrier or other means of transportation which the alien of enemy nationality intends to use.

(*e*) The United States Attorney shall retain the original of such statements in his files and shall forward copies thereof to the local office of the Federal Bureau of Investigation, and shall inquire of the F. B. I. for any facts indicating that the particular trip proposed by the particular alien of enemy nationality would in any manner endanger the national security.

(f) If, after such inquiry to the F. B. I., and such further investigation as the United States Attorney may see fit to conduct, the United States Attorney at any time within the 7 day period shall know of no reason why the particular trip would endanger the national security, he shall stamp or write an endorsement upon the remaining copy of the said statement that it was duly filed with him and shall deliver or mail to the alien enemy such endorsed copy of the statement.

(g) The alien of enemy nationality shall, at all times while he is so traveling, have with him on his person or in his immediate physical possession the endorsed copy of such statement.

The United States Attorney shall have, however, authority in any case to prohibit any particular trip, or to cancel any permission to travel granted by him if he shall deem it dangerous to the national security.

**SECTION 5. Frequent travel or regular business travel.**—An alien of enemy nationality accustomed to frequent or regular business travel (e. g. traveling salesmen, touring theatrical performers, drivers of trucks and busses and similar cases), instead of seeking permission pursuant to section 4 may apply for permission to travel as hereinafter provided:

(a) The alien shall present himself in person to the United States Attorney or to an assistant designated by him, for the district of his residence and shall file in writing an original and at least two copies (and any additional copies required by the United States Attorney) of a statement containing as full detail of all facts concerning himself, his business, and the time he has been engaged therein and his proposed travel, as the United States Attorney shall in the particular case require. This statement shall contain in as great particularity as shall be practicable a description of the travel intended, including the place or places and persons to be visited, dates of the proposed trips, and the route or routes to be followed.

(b) Such permission will not be granted unless the United States Attorney is satisfied that such travel is necessary and does not endanger the public safety and that requiring the alien to seek permission to travel for each trip under section 4 would impose an excessive hardship.

(c) In all cases in which the United States Attorney is satisfied that the applications warrant consideration, the United States Attorney shall forward copies of such statement to the F. B. I. and request to be advised whether facts are known indicating that such permission to travel would endanger or be detrimental to the public safety or national security.

(d) In those cases in which, after investigation, the United States Attorney is satisfied that such permission may properly be granted, he shall endorse such permission in writing on a copy of the statement and may note in the alien's certificate of identification that permission has been granted in such manner and form as he shall deem best suited to the particular case, provided that the permission to travel shall in no case be more general or extensive than the necessities of the particular case require.

(e) An alien enemy who has secured such permission to travel may thereafter travel in accordance with the terms of such permission without also having complied with the requirements of section 4 hereof, provided that before he makes any particular trip he shall

notify the United States Attorney who issued such permission in writing and by mail, of the designation, the route to be followed, the carrier to be employed, and the date of the commencement of the trip. If the intended journey will include intermediate destinations or stop-overs the full particulars as to each trip or part thereof must be included. Such information must be sufficient so that at all times the United States Attorney may know the whereabouts of such alien.

**SECTION 6. Travel by airplane.**—No alien of enemy nationality shall make any flight of any nature in an airplane or other aircraft.

**SECTION 7. Change of place of abode, employment, or name.**—

(a) No alien of enemy nationality shall change his place of abode or his place of employment unless he shall have at least 7 days previously filed with the United States Attorney for the district in which he resides a statement in writing containing the full particulars of such change.

(b) Whenever the holder of a Certificate of Identification changes his name under legal authority, residence address, or place of employment, written notices thereof shall immediately be given to (1) the Alien Registration Division of the Immigration and Naturalization Service, and (2) the Federal Bureau of Investigation at the office shown in the holder's Certificate of Identification.

**SECTION 8. Radio transmitters.**—No alien enemy shall use or operate or possess, or have under his custody or control at any time or place any radio transmitter. For this purpose the words "radio transmitter" are to be construed as including any apparatus designed to be used or capable of being used for the sending or transmitting of radio signals, communications or messages of any kind or nature whatsoever.

**SECTION 9. Short-wave radio receiving sets.**—(a) No alien of enemy nationality shall use or operate or possess or have under his custody or control at any time or place any short-wave radio receiving set, except where permission to do so is received as provided in paragraph (d) hereof. For this purpose the words "short-wave radio receiving set" are to be construed as including any apparatus designed to be used or capable of being used for the purpose of receiving signals, messages, or communications of any nature whatsoever, which signals, messages, or communications are transmitted by means of amplitude modulation radio waves of a frequency of 1,750 kilocycles or greater, or of a frequency of 540 kilocycles or less.

(b) A short-wave radio receiving set as defined in paragraph (a) hereof which is also capable of receiving standard-wave radio communications is deemed to be within the class of short-wave radio receiving sets prohibited unless the set is so altered or modified that short-wave radio communications or messages cannot be received by the said set, and further, unless the set is so altered or modified that it is impossible without the addition of more parts and the substantial rebuilding of the set to modify the set so that it will be capable of receiving short-wave radio communications.

(c) It shall be the duty of any alien of enemy nationality to ascertain whether or not any radio in his possession is prohibited, and he shall be held responsible for knowing whether or not such set is a short-wave radio receiving set.

(d) The several United States Attorneys are hereby authorized to grant permission in writing to any such alien to use, operate, possess or have in his custody or control short-wave radio receiving sets in cases where it appears to the satisfaction of the United States Attorney that the granting of the permission is needful to the applicant's regular and customary mode of earning a livelihood and it does not appear that the granting of permission will in any manner be detrimental to the national security. The alien shall make written application, stating his name, certificate of identification number after it is obtained, residence, business address, the specific equipment or, if that is impracticable the specific classes of equipment, with respect to which he desires to obtain permission, the reason for which such permission is desired, the respect in which the equipment is needed for his earning a livelihood, and the length of time during which he has earned his livelihood in such manner. Where granted, such permission shall be in writing and shall be expressly limited to fit the needs of the particular case and may, in the discretion of the United States Attorney, be further limited and restricted in any manner or respect which he shall deem to be in the interests of national security.

**SECTION 10. Cameras.**—(a) No alien of enemy nationality shall use or operate or possess or have under his custody or control at any time or place any camera except as hereinafter provided.

(b) Fixed cameras which are not readily transportable to the place of deposit designated by the local police authorities and which are customarily regarded as studio cameras and not as hand cameras may temporarily be retained, providing that any alien of enemy nationality having such camera in his possession, custody, or control shall make a written report thereof to the local police authorities. Such cameras, however, shall not be used except pursuant to permission obtained in accordance with the provisions of paragraph (c) hereof.

(c) The several United States Attorneys are hereby authorized to grant permission in writing to an alien of enemy nationality to possess or operate or have under his custody or control a camera, either fixed or otherwise, in cases where it appears to the satisfaction of the United States Attorney that the granting of the permission is needful to the applicant's regular and customary mode of earning a livelihood and it does not appear that the granting of permission will in any manner be detrimental to the national security. The alien shall make written application stating his name, certificate of identification number after it is obtained, residence, business address, the specific equipment, or if that is impracticable, the specific classes of equipment, with respect to which he desires to obtain permission (if telescopic or other special equipment is to be used such facts shall be stated in detail), the reason for which such permission is desired, the respect in which the equipment is needed for his earning a livelihood, and the length of time during which he has earned his livelihood in such manner. Where granted, such permission shall be in writing and shall be expressly limited to fit the needs of the particular case and may, in the discretion of the United States Attorney, be further limited and restricted in any manner or respect which he shall deem to be in the interests of national security.

**SECTION 11. Firearms and other prohibited articles.**—(a) No alien of enemy nationality shall use or operate or possess, or have

under his custody or control at any time or place any firearm except as provided in paragraph (c) hereof.

(b) No alien of enemy nationality shall use or operate or possess, or have under his custody or control at any time or place any article (other than radio equipment, cameras, and firearms herein above provided for), the use, operation, or possession of which article is prohibited by paragraph 5 of the regulations of the Presidential proclamations of December 7 and 8, 1941, except as provided in paragraph (c) hereof.

(c) The several United States Attorneys are hereby authorized in extraordinary and exceptional cases to grant permission in writing to an alien of enemy nationality to possess or to have under his custody or control firearms or other prohibited articles if the United States Attorney after thorough investigation is satisfied that the granting of such permission will in no manner be detrimental to the national security.

**SECTION 12. Deposit of prohibited articles.**—(a) It shall at all times hereafter remain the duty of every alien of enemy nationality (required by the present or prior regulations to deposit prohibited articles with the police) to deliver immediately to the local police authorities in the community in which he resides or is present all short-wave receiving sets, cameras, firearms, and other articles prohibited by the proclamations of December 7 and 8, 1941, which are at the time of the promulgation of these regulations or at any time thereafter in his possession.

(b) Every alien of enemy nationality who, for any reason, has at any time or shall hereafter have failed to comply with the Presidential proclamations and regulations, shall submit forthwith to the United States Attorney for the district in which he resides or is present, a statement in writing of the facts and the reasons for such failure.

**SECTION 13. Custody of prohibited articles.**—The United States marshal in each district shall, as soon as practicable, receive from the local police authorities in such district, all prohibited articles which have been or shall hereafter be deposited with such police authorities in accordance with the Attorney General's regulations. Each local police authority who has received or who shall hereafter receive the deposit of any such prohibited article shall forthwith notify the United States marshal of his district in writing that he has accepted custody of prohibited articles. Upon receipt of such notification the United States marshal shall make suitable arrangements for the inventory, transportation, and storage of such prohibited articles, and shall deliver to the local police authorities a suitable receipt. The United States marshal shall at all times keep current an inventory of all such prohibited articles in his possession and shall forward a copy of such inventory to the United States Attorney, a copy to the special agent in charge of the field office of the F. B. I. for his district, and a copy to the Alien Enemy Control Unit, Department of Justice.

**SECTION 14. Release of articles.**—The United States Attorney may authorize release of deposited articles as follows:

(a) Articles the deposit of which was not required by the Presidential proclamations and the regulations thereunder.

(b) Radio receiving sets, capable of being modified to be a non-prohibited article if the United States Attorney is satisfied that the

modification will be carried out and will in fact render the set a non-prohibited article.

(c) Articles which the United States Attorney has in writing permitted the alien to possess as provided in these regulations.

(d) The United States marshal shall, upon written authority from the United States Attorney for his district, deliver prohibited or deposited articles in his possession to the person who originally deposited the same or to his agent duly designated in writing upon presentation and surrender of the original receipt given upon the deposit of such article.

**SECTION 15. Prohibited and restricted areas.**—Notwithstanding the provisions of Section 3 the presence and conduct of an alien of enemy nationality are controlled in certain areas as follows:

(a) No alien of enemy nationality shall reside in, enter upon, remain in, or be found within any area designated heretofore or hereafter by the Attorney General of the United States as a prohibited area.

(b) No alien of enemy nationality shall reside in, enter upon, remain in, or be found within any area designated heretofore or hereafter by the Attorney General of the United States as a restricted area except that permits may be issued to such aliens to be in such restricted areas under prescribed conditions.

**SECTION 16. Violation of regulations.**—(a) Any alien of enemy nationality subject to these regulations who fails to comply with these regulations or any other regulations governing the conduct of aliens of enemy nationalities, is subject to apprehension, detention, and internment for the duration of the war.

(b) Any alien of enemy nationality who shall aid, abet, counsel, command, induce, or procure any other alien of enemy nationality to fail to comply with any of these regulations or any other regulations governing the conduct of aliens of enemy nationalities, is subject to apprehension, detention, and internment for the duration of the war.

(c) Any prohibited articles possessed in violation of the aforesaid Proclamations of the President, or of these regulations are subject to summary seizure and forfeiture.

Dated: February 5, 1942.

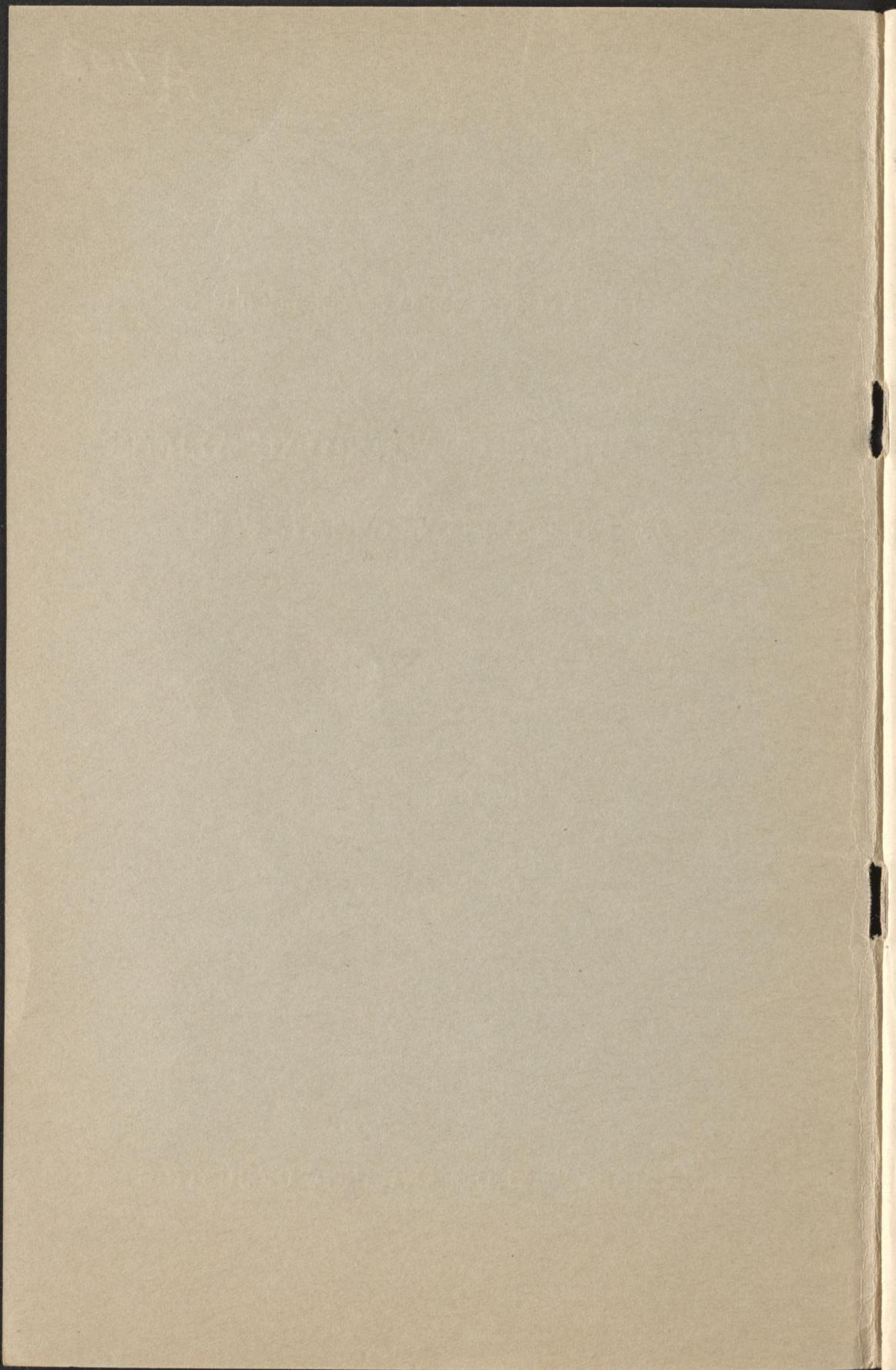
FRANCIS BIDDLE  
*Attorney General.*

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**QUESTIONS AND ANSWERS**  
**ON**  
**REGULATIONS CONCERNING ALIENS**  
**OF ENEMY NATIONALITIES**

**UNITED STATES DEPARTMENT OF JUSTICE**



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WASHINGTON, D. C.

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WASHINGTON : 1942

**DEPARTMENT OF JUSTICE**

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DIRECTOR OF THE ALIEN ENEMY CONTROL UNIT

## INTRODUCTION

By authority of Presidential Proclamations of December 7 and 8, 1941, and January 14, 1942, a series of regulations have been issued by the Department of Justice affecting the conduct of aliens of enemy nationalities living in the United States.

In general, these regulations place restrictions on the travel and possessions of such aliens, and control their presence and conduct in areas which are designated as prohibited or restricted areas. The regulations also require aliens of enemy nationalities to notify the proper authorities of changes in their place of employment and place of residence and to carry Certificates of Identification with them at all times.

It should be noted that, aside from the specific restrictions prescribed by the regulations, aliens of enemy nationalities are permitted to pursue their normal, everyday activities. The Department of Justice is apprehending only those who are considered dangerous to the national safety. Aliens who comply with the regulations and against whom there is no suspicion of disloyalty need not fear apprehension.

The regulations have given rise to numerous questions as to what aliens of enemy nationalities may and may not do. This pamphlet, arranged in question and answer form, attempts to answer the questions about the regulations which have been asked most frequently. It is solely intended as a guide and makes no pretense of being a complete interpretation of the regulations.

Persons who wish additional or more detailed information should inquire at the nearest United States Attorney's office or write Mr. Edward J. Ennis, Director, Alien Enemy Control Unit, Department of Justice, Washington, D. C.

FRANCIS BIDDLE,  
*Attorney General.*

MAY 15, 1942.

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#### NOTE

The laws and regulations discussed in this pamphlet are applicable to any group of aliens within the United States who are citizens or subjects of any foreign nation or government against which the existence of a state of war has been declared. As this pamphlet goes to press, the Government of the United States has recognized the existence of a state of war with Germany, Italy, and Japan. Should the Government of the United States declare war against any other foreign nation or government, these regulations will be applicable to aliens within the United States who are citizens or subjects of such foreign nation or government.

## DEFINITIONS OF "ALIEN ENEMIES"

*1. What aliens in the United States are required to comply with the regulations prescribed for aliens of enemy nationalities?*

A. The following classes of aliens living in the United States are required to comply with such regulations:

- (a) All aliens 14 years of age or older who were on December 7, 1941, or are citizens or subjects of Germany, Italy, or Japan, and
- (b) All aliens 14 years of age or older who at present are stateless but who at the time they became stateless were citizens or subjects of Germany, Italy, or Japan.

(See questions 2, 10, 11, and prefatory Note.)

*2. Must aliens of enemy nationalities living in Alaska, Hawaii, the Virgin Islands, and Puerto Rico comply with the regulations?*

A. Aliens of enemy nationalities living in the Virgin Islands and Puerto Rico are subject to the regulations prescribed by the Department of Justice which are discussed in this pamphlet. Aliens of enemy nationalities living in Alaska and Hawaii are under the jurisdiction of the United States War Department and must comply with its regulations.

*3. Does the fact that an alien of enemy nationality has his "first" or "second" naturalization papers exclude him from the category of alien enemies?*

A. No. Until he is sworn in as a citizen of the United States he is still an "alien enemy" and must comply with the regulations prescribed for such aliens. (See question 1.)

**4. Does long residence in the United States exempt an alien of enemy nationality from the category of alien enemies?**

A. No. Regardless of how long an alien of enemy nationality has lived here, he is technically an "alien enemy" if he has not been granted final United States citizenship. (See questions 1, 3, 10.)

**5. If a citizen or subject of Germany, Italy, or Japan came to this country to escape persecution or because he did not like the political system there, is he considered an "alien enemy"?**

A. Yes. If he is a citizen or subject of Italy, Germany, or Japan, he is technically an "alien enemy" and must comply with the prescribed regulations. (See questions 1, 9, 10.)

**6. If an alien of enemy nationality has a son in the armed forces, is such an alien considered an "alien enemy"?**

A. Yes. (See questions 1, 10.)

**7. Is an alien of enemy nationality who marries or is married to an American citizen considered an "alien enemy"?**

A. Yes, unless the person is a woman who acquired United States citizenship by marriage before September 22, 1922. (See questions 1, 10.)

**8. Is an alien of enemy nationality whose children are American-born citizens considered an "alien enemy"?**

A. Yes. (See questions 1, 10.)

**9. If a person is of enemy nationality but is not a citizen of any country, is he considered an "alien enemy"?**

A. A person who is stateless but who was a citizen or subject of Germany, Italy, or Japan at the time he lost all citizenship is considered an "alien enemy" and is subject to the regulations prescribed for alien enemies. (See questions 1, 10.)

10. *What classes of aliens are specifically exempted from the "alien enemy" regulations?*

- A. (1) Aliens who are not citizens or subjects of Germany, Italy, or Japan.
- (2) Former Japanese subjects who, before December 7, 1941, and former German or Italian citizens who, before December 8, 1941, became citizens of any nation or country other than Germany, Italy, or Japan—provided that they have not, by a special license or otherwise, retained their status as German, Italian, or Japanese citizens or subjects.
- (3) Subjects or citizens of Italy who were, prior to August 6, 1924,
- (a) Turkish subjects or persons of Greek extraction, and
  - (b) Habitual residents of the Aegean or Dodecanese Islands, or islets dependent thereon, provided that such aliens have not at any time voluntarily become German, Italian, or Japanese citizens or subjects, and
  - (c) Aliens who became subjects or citizens of Italy by virtue of marriage or relationship to the person described in above paragraphs (a) and (b), provided that such aliens have not at any time voluntarily become German, Italian, or Japanese citizens or subjects.
- (4) Aliens of enemy nationalities during their term of military service in the armed forces of the United States.
- (5) Austrians, Austro-Hungarians, and Koreans who registered as such under the Alien Registration Act of 1940—provided that they have at no time since registration voluntarily become German, Italian, or Japanese citizens or subjects. (See questions 1, 11, 12.)

11. *Are Austrians, Austro-Hungarians, or Koreans who mistakenly or involuntarily registered under the Alien registration Act of 1940 as citizens or subjects of Germany, Italy, or Japan subject to the regulations?*

- A. Yes, until their citizenship status has been corrected on the registration records, they must comply with the "alien enemy" regulations. (See question 10.)

*12. Are Austrians, Austro-Hungarians, or Koreans who are registered as such under the Alien Registration Act of 1940 exempted from all regulations prescribed for aliens of enemy nationalities?*

A. Although such aliens are not required to observe any of the regulations prescribed for aliens of enemy nationalities, they are subject to arrest and detention as "alien enemies" if, at any time, the apprehension of any of them is deemed necessary to maintain the national security.

*13. Are citizens or subjects of countries conquered by Germany, Italy, or Japan considered "alien enemies"?*

A. No, not unless they have voluntarily become or acted as citizens or subjects of Germany, Italy, or Japan, or registered as citizens or subjects of any of those countries under the Alien Registration Act of 1940. (See questions 1, 10, 11.)

*14. What is the status of aliens with double nationalities; that is, persons who became German, Italian, or Japanese citizens or subjects but retained their original citizenship?*

A. Generally, their present status depends on citizenship stated under the Alien Registration Act of 1940. If they registered as German, Italian, or Japanese citizens or subjects, they are in the "alien enemy" category and must comply with the prescribed regulations. (See question 11.)

*15. If an American citizen is living with a parent or relative who is an alien of enemy nationality, does he retain his rights as an American citizen?*

A. Yes.

*16. Does the fact that an alien who is not a citizen or subject of Germany, Italy, or Japan is married to an alien of enemy nationality change his status?*

- A. Unless an alien has become an "alien enemy" by virtue of marriage that person is not obliged to comply with the regulations. The spouse who comes within the definition of "alien enemy," however, must comply with the regulations. (See questions 1, 10.)

**17. *Is the wife or husband of an alien of enemy nationality required to comply with the regulations for "alien enemies"?***

- A. If he or she is not a citizen or subject of Germany, Italy, or Japan, there is no necessity for compliance with the regulations prescribed for alien enemies. However, joint custody or control of articles such as firearms is not permitted. (See questions 15, 16, 112.)

**18. *Is an alien of enemy nationality who is adopted by an American citizen exempted from the category of "alien enemies"?***

- A. No. If such an alien is 14 years of age or older at the time of adoption he is still considered an "alien enemy" and is required to comply with the regulations. (See question 1.)

**19. *Are former residents of Danzig, the Sudetenland, and Slovakia considered "alien enemies"?***

- A. Such aliens are not considered "alien enemies" unless they voluntarily became or acted as citizens or subjects of Germany, Italy, or Japan, or registered as citizens or subjects of any of those countries under the Alien Registration Act of 1940. (See question 13.)

**20. *Are persons of Bulgarian, Rumanian, Hungarian, or Finnish nationality considered "alien enemies"?***

- A. No, not unless they have voluntarily become or acted as citizens or subjects of Germany, Italy, or Japan. The President's Proclamations of December 7 and 8, 1941 involve only Germany, Italy, and Japan. (See prefatory Note.)

**REGULATIONS CONCERNING ALIENS OF ENEMY NATIONALITIES**

**21. *Do the same regulations apply to all aliens of enemy nationalities?***

A. Yes. All aliens of enemy nationalities living in the United States are required to comply with them. (See questions 1, 10, 11.)

**22. *What is the general nature of the regulations prescribed for aliens of enemy nationalities?***

A. In general, regulations for aliens of enemy nationalities place restrictions on their travel and their possessions and control their presence and conduct in areas designated as prohibited or restricted areas. The regulations also require aliens of enemy nationalities to notify the proper authorities of changes in their place of employment and place of residence, and to carry a Certificate of Identification with them at all times.

**23. *What is the penalty for failure to comply with any of the regulations prescribed for aliens of enemy nationalities?***

A. Interment for the duration of the war.

**24. *Where does an alien of enemy nationality write for advice or information about the regulations or other matters concerning "alien enemies"?***

A. Information on matters pertaining to "alien enemies" may be obtained from any United States Attorney or by writing the Alien Enemy Control Unit, Department of Justice, Washington, D. C.

**25. *Where can an alien determine the name and address of the United States Attorney in his judicial district?***

A. From his local Postmaster or by writing The Assistant to the Attorney General, Department of Justice, Washington, D. C.

26. *How can an alien of enemy nationality learn about the regulations and instructions regarding his conduct during the war period?*

A. A summary of the regulations and instructions governing the conduct of aliens of enemy nationalities may be obtained at any post office or at the office of any United States Attorney, or from the Alien Enemy Control Unit, Department of Justice, Washington, D. C.

27. *Who prescribed the regulations for aliens of enemy nationality?*

A. The Attorney General, by authority of Presidential Proclamations dated December 7 and 8, 1941, and January 14, 1942.

28. *Do the regulations apply to naturalized American citizens who were formerly citizens or subjects of Germany, Italy, or Japan?*

A. No. (See questions 1, 10.)

29. *Are there any restrictions on aliens who are citizens or subjects of countries other than Germany, Italy, and Japan?*

A. No. (See question 14.)

30. *Are all persons who are aliens of enemy nationalities subject to arrest?*

A. Technically, all aliens of enemy nationalities are subject to apprehension without recourse to court procedure. However, the Department of Justice is apprehending only those aliens of enemy nationalities who are considered dangerous to the national safety. Aliens who comply with the regulations and against whom there is no suspicion of disloyalty need not fear apprehension.

**31. *What Government agency has the power to arrest aliens of enemy nationalities who do not comply with the regulations or who are considered dangerous to the national safety?***

A. The Federal Bureau of Investigation of the Department of Justice is authorized to apprehend aliens of enemy nationalities. Sometimes the Federal Bureau of Investigation obtains the cooperation of local police or other officials in making apprehensions. (See question 30.)

**32. *By what authority can the Federal Bureau of Investigation or its authorized agents apprehend an alien of enemy nationality who has not complied with the regulations or who is considered dangerous to the national safety?***

A. By the written authority of a United States Attorney or of the Attorney General of the United States. (See question 30.)

**33. *Does an alien of enemy nationality who has been apprehended have the right to be tried by regular court procedure?***

A. No. An apprehended alien of enemy nationality has no recourse to regular court procedure. (See questions 30, 34, 36.)

**34. *What happens to an alien when he is apprehended as an "alien enemy"?***

A. He is turned over to the Immigration and Naturalization Service for temporary custody. He is then given a hearing before an Alien Enemy Hearing Board consisting of prominent citizens from his own community. On the basis of the hearing, he is either interned for the duration of the war, paroled, or released unconditionally.

**35. *Who makes the final decision as to the disposition of an "alien enemy's" case?***

A. All final decisions regarding disposition of "alien enemy" cases are made by the Attorney General. The Alien Enemy Hearing Boards make their recommendations to him, and he decides what final disposition should be made of each case.

## HEARING BOARDS

**36. *Does the law entitle aliens of enemy nationalities who have been apprehended to hearings?***

- A. All aliens of enemy nationalities may be detained and interned for the duration of the war without hearings. However, hearings have been provided, not as a matter of right, but in order to permit aliens to present facts in their own behalf. (See questions 33, 34, 35.)

**37. *How can relatives or friends of an alien of enemy nationality who has been apprehended determine his whereabouts?***

- A. By making inquiry of the United States Attorney of his district or at the nearest office of the Immigration and Naturalization Service. (See question 25.)

**38. *May friends or relatives of aliens who are being held in custody visit them?***

- A. Yes, but only by obtaining the permission of the Immigration and Naturalization Service.

**39. *May an alien of enemy nationality who is being held in custody conduct telephone conversations with friends and relatives?***

- A. Yes, but only under close supervision of officials of the Immigration and Naturalization Service.

**40. *May an alien of enemy nationality who is being held in custody send or receive letters?***

- A. Yes, but such letters are subject to censorship by supervisory officials.

**41. *Are the names of aliens of enemy nationalities who have been apprehended made public?***

- A. No. The policy of the Department of Justice is to treat all information concerning apprehended "alien enemies" as confidential.

**42. *Are the hearings conducted by Alien Enemy Hearing Boards open to the public?***

A. No. (See question 41.)

**43. *How are Alien Enemy Hearing Boards selected?***

A. The Attorney General appoints three persons who are prominent citizens in their community to serve on each Board. Members of the Boards become part of the Department of Justice personnel and serve without pay.

**44. *Is there an Alien Enemy Hearing Board in each of the Nation's 85 judicial districts?***

A. Yes. There are several Boards in judicial districts which are heavily populated by aliens.

**45. *Who supervises the hearings conducted by the Alien Enemy Hearing Boards?***

A. The United States Attorney of the judicial district in which the apprehended alien resides, or his representative.

**46. *May an apprehended alien be represented by a lawyer when his case comes up before the Alien Enemy Hearing Board?***

A. The alien may be accompanied at his hearing by an adviser, who may be a friend or relative, but the adviser will not be permitted to object to questions or otherwise act as an attorney. While there is no objection to the alien's having an attorney act as his adviser, it should be understood that an attorney does not render legal service when he is acting as an adviser before a Board. (See questions 33, 47.)

**47. *May an alien submit evidence in his own behalf when his case comes up before an Alien Enemy Hearing Board?***

A. Yes, either in the form of affidavits or through witnesses. (See question 46.)

*48. How many witnesses may an alien present in his own behalf?*

A. The Board determines the number of witnesses that should be heard for each case. (See question 47.)

*49. Will all aliens who are apprehended have their cases heard before Alien Enemy Hearing Boards?*

A. Yes, unless they are released after preliminary examination by the United States Attorney. (See question 50.)

*50. Is there any particular order in which cases of apprehended aliens of enemy nationalities are heard?*

A. They are usually heard in the order in which aliens were apprehended in their particular district. However, the order of the hearings may depend on the nature of individual cases and circumstances of hardship.

*51. What happens to an alien of enemy nationality who is ordered to be interned?*

A. He is turned over to the Army for internment for the duration of the war.

*52. What happens to an alien who is placed on parole?*

A. He is required to report at set intervals to a citizen-sponsor and also to the nearest parole officer of the Immigration and Naturalization Service. Any infraction of the parole requirements may result in immediate internment for the duration of the war. (See questions 55, 56.)

**53. How is a citizen-sponsor selected?**

- A. By the Alien Enemy Hearing Board on the basis of his reputation as a loyal citizen. He may or may not know the paroled alien personally. (See question 52.)

**54. Is a paroled alien permitted to suggest the name of some citizen who would be qualified to act as his citizen-sponsor?**

- A. Yes. However, all final selections are made by the Alien Enemy Hearing Board, with the assistance of a District Parole Officer of the Immigration and Naturalization Service.

**55. How often is a paroled alien required to report to his citizen-sponsor?**

- A. Usually twice a week. (See question 52.)

**56. Is a paroled alien also required to report to the District Parole Officer of the Immigration and Naturalization Service?**

- A. Yes, usually once a week. (See question 52.)

**57. May the parole of an alien of enemy nationality be terminated during the war period?**

- A. Yes, on the order of the Attorney General the alien may be given an unconditional release. If he does not comply with the conditions of his parole, he may be interned for the duration of the war.

**58. Is an alien who has been unconditionally released by the Department of Justice still considered an "alien enemy"?**

- A. Yes, he is still classified as an "alien enemy" and must comply with the regulations.

## TRAVEL

59. *What restrictions have been placed on the travel of aliens of enemy nationalities?*

- A. An alien of enemy nationality who plans to make trips outside of his home community is required to file a statement with the United States Attorney in his district at least 7 days prior to his departure. The alien may not travel unless he has a copy of the statement in his possession bearing the endorsement of the United States Attorney. (See questions 63, 66.)

60. *Is an alien of enemy nationality permitted to travel anywhere within the boundaries of his home community without having to notify the United States Attorney?*

- A. Yes. He may also commute from his home to his place of business. He may travel between his home and place of religious worship, schools, and other institutions of learning, or to any federal, state, or local government agency with which he is required to transact business. In none of these instances is it necessary for the alien to notify the authorities. (See question 61.)

61. *What is meant by the term "home community" in this connection?*

- A. In general, "home community" means the whole area of any city, town, or village, or any section of open country in which the alien lives and works and about which the inhabitants customarily move in pursuing their normal activities.

62. *Does the alien of enemy nationality require permission to visit the offices of the United States Attorney if those offices are not in the same city where the alien resides?*

- A. No. (See question 60.)

**63. *What information is the alien required to furnish the United States Attorney when he files a statement of his intention to travel?***

A. His name; his nationality; Certificate of Identification number; alien registration number; the purpose of his trip; destination; date of departure and return; route to be followed, and carrier (railroad, bus, automobile, etc.).

**64. *How far in advance should an alien apply to the United States Attorney for permission to travel?***

A. At least 7 days before his intended departure. (See questions 59, 63, 66.)

**65. *In the event the alien of enemy nationality cannot file his travel application with the United States Attorney a week in advance, is it possible for him to obtain permission to travel on shorter notice?***

A. In exceptional cases the United States Attorney may, at his discretion, waive all or any part of the 7 days' notice ordinarily required.

**66. *May an alien write to the United States Attorney for travel application statements?***

A. If there is a United States Attorney in the community where the alien resides, the alien is expected to obtain and fill out his travel statements in the office of the United States Attorney. If there is considerable distance between the alien's residence and the office of the United States Attorney or if the alien has some other good reason, the United States Attorney may permit copies of travel statements to be mailed to him. All travel statements, however, must be in the hands of the United States Attorney at least 7 days prior to the beginning of the trip. (See question 65.)

**67. *How will the United States Attorney indicate his endorsement of the alien's intended trip?***

A. If the United States Attorney, on investigation, knows of no reason why a particular trip would endanger the national safety, he will write his endorsement on a copy of the alien's statement and mail that copy to the alien. (See question 69.)

**68. *Must the alien carry the endorsed statement on his person while he is traveling?***

A. Yes, at all times during the period specified for his trip.

**69. *When a United States Attorney endorses the travel of an alien of enemy nationality, should that endorsement appear in the alien's Certificate of Identification?***

A. If the endorsement covers frequent travel or regular business travel, it should be noted in the alien's Certificate of Identification by the United States Attorney. In cases where the endorsement is for a single trip, no record of the endorsement is made on the alien's Certificate of Identification. (See questions 73, 74.)

**70. *How many copies of the travel statement is the alien required to fill out?***

A. The alien is required to file in writing an original and at least 2 copies (additional copies may be required by the United States Attorney) of his travel statement. (See questions 63, 66.)

**71. *May the United States Attorney prohibit an alien from making a trip?***

A. Yes, the United States Attorney has the authority to prohibit any particular trip or to cancel any permission to travel granted by him, if he deems it detrimental to the national safety.

**72. *If an alien does not know whether he is required to obtain permission for a particular trip, where can he find out?***

A. From the United States Attorney in his district. (See question 25.)

**73. *Must an alien of enemy nationality who is engaged in an occupation or business which requires frequent or regular travel obtain permission for each trip he makes?***

- A. The regulations make it possible for such aliens to apply for a blanket endorsement of frequent or regular travel. However, this permission will not be granted unless the United States Attorney is satisfied that such travel is necessary and does not endanger the public safety.

**74. *What is the procedure for obtaining the United States Attorney's permission for frequent or regular travel?***

- A. The alien is required to present himself in person before the nearest United States Attorney in his district and file in writing an original and at least 2 copies of a statement containing full details of all facts concerning himself, his business, and his proposed travel. The statement must also contain details of the travel intended, including places and persons to be visited, dates of the proposed trips, and routes to be followed. The United States Attorney may require any other information which may help to establish the advisability of granting such permission. (See questions 69, 73.)

**75. *If an alien of enemy nationality has a son in the United States armed forces, is he permitted to visit his son at an army camp or other military place?***

- A. Yes, provided he obtains permission from the United States Attorney to travel there. (See question 59.)

**76. *If an alien of enemy nationality arrives in the United States from another country and is on his way to visit relatives or business associates in an inland community, is it necessary for him to secure a travel endorsement from the United States Attorney at the port of entry before proceeding?***

- A. No. An alien of enemy nationality making a continuous trip from a point outside the United States to a point in the United States is not required to secure the endorsement of the United States Attorney for such travel.

**77. *If an alien of enemy nationality who is living in a community near the Mexican border has friends or relatives in Mexico whom he visits occasionally with the permission of the Immigration and Naturalization Service, is he required to obtain the permission of the United States Attorney for such trips?***

A. Yes. (See questions 59, 63, 66.)

**78. *May an alien of enemy nationality travel outside the United States?***

A. An "alien enemy" may complete a trip to or from a place out of the United States, provided, however, that he complies with all regulations governing such foreign travel. Information regarding such travel regulations may be obtained from the State Department, Washington, D. C. He must also obtain the permission of the United States Attorney to make a trip to a place outside of the United States.

**79. *Are aliens of enemy nationalities permitted to travel by plane?***

A. No alien of enemy nationality is permitted to make any flight of any nature in an airplane or other aircraft.

**80. *If an alien of enemy nationality is a migratory or itinerant worker, must he apply to the United States Attorney for travel endorsement in going from one place of work to another?***

A. Yes. (See questions 63, 64.)

**81. *May an unemployed alien of enemy nationality travel to another city in search of work?***

A. Yes, provided he obtains the endorsement or permission of the United States Attorney in his district for such travel. (See questions 63, 64.)

**82. In the event an "alien enemy" is offered a job in another city and is asked to fill it without delay, can he obtain the necessary travel endorsement from the United States Attorney without giving 7 days' notice?**

**A. Yes.** (See question 65.)

**83. In the event an alien of enemy nationality wishes to live in another city, must he secure permission from the United States Attorney to travel there?**

**A. Yes.** (See questions 63, 64.)

#### **EMPLOYMENT**

**84. May an alien of enemy nationality continue working at the same job he had before the United States entered the war?**

**A. Yes.**

**85. Are there any federal laws prohibiting the employment of aliens of enemy nationalities in defense industries or other private industries?**

**A.** It is the stated policy of the Federal Government that there shall be no discrimination in the employment of workers in defense and other industries because of race, creed, color, or national origin. As to the law, there is only one restriction: In the case of secret, confidential, or restricted government contracts and in the case of contracts for aircraft parts or accessories, the employer must secure permission from the head of the federal department concerned for the employment of aliens. (See question 86.)

**86. If an alien of enemy nationality is discharged from his job on the grounds that he is an "alien enemy", is there anything he can do about it?**

A. He is advised to send the particulars of his case to the President's Committee on Fair Employment Practice, Social Security Building, Washington, D. C.

**87. *What is an alien of enemy nationality required to do when he changes his place of employment?***

A. First, he must give notice to the United States Attorney in the district of his residence of his intention to change his place of employment at least 7 days before the change takes place. In filing such notice he is required to submit a statement in writing giving full particulars. As soon as he has changed his place of employment, he must also give notice of the change to:

(1) The Alien Registration Division of the Immigration and Naturalization Service, Department of Justice, Philadelphia, Pennsylvania.

(2) The Federal Bureau of Investigation at the office shown in the holder's Certificate of Identification.

(See question 153.)

**88. *Must an alien of enemy nationality obtain permission from the United States Attorney before changing his place of employment?***

A. No. The alien is not required to obtain permission for changing his employment. However, he is required to submit a statement in writing giving full particulars of his change of employment place at least 7 days before such a change takes place. (See question 87.)

**89. *If an alien of enemy nationality is offered a job which he is required to fill in less than a week's time, may he accept the job?***

A. The alien may accept the employment, provided he immediately notifies the United States Attorney of his change of employment and explains the circumstances. (See question 87.)

90. *Are aliens of enemy nationalities who are migratory or itinerant workers required to submit statements of each change of employment?*

A. Yes, to the United States Attorney in the district of each residence. (See questions 87, 88, 89.)

91. *Must an alien of enemy nationality notify the United States Attorney in his district when he leaves a job if he has no immediate prospect of obtaining other employment?*

A. No. However, he must notify the United States Attorney when he finds a new place of employment. (See questions 88, 89.)

92. *Must the alien's change of place of employment be recorded in his Certificate of Identification?*

A. Yes, by the United States Attorney, to whom the change is reported.

93. *May an alien of enemy nationality live in one town and work in another?*

A. Yes. (See question 60.)

94. *In the event an alien of enemy nationality changes his job without changing his employer, is he required to submit a statement of the change to the United States Attorney?*

A. No, only when he changes his place of employment is he required to submit a statement of the change to the United States Attorney.

95. *May an alien of enemy nationality work in a factory which manufactures short wave transmitters, cameras, firearms, or other articles designated by the regulations as prohibited articles?*

A. Yes.

96. *May an alien of enemy nationality be employed in a store which sells articles prohibited to aliens of enemy nationalities?*

A. Yes, provided the store is under the supervision of a person who is not an alien enemy.

97. *Are aliens of enemy nationalities permitted to hold office in labor unions?*

A. There is no government regulation forbidding aliens of enemy nationalities from holding office in labor unions.

98. *Are aliens of enemy nationalities permitted to retain membership in labor unions?*

A. Yes.

99. *Are aliens of enemy nationalities permitted to participate in strikes called by the unions to which they belong?*

A. There is no government regulation forbidding aliens of enemy nationalities from participating in strikes.

100. *May an alien of enemy nationality who is at present unemployed accept employment?*

A. Yes. (See question 85.)

101. *Are aliens of enemy nationalities entitled to unemployment insurance?*

A. Yes.

## CHANGE OF ADDRESS

*102. What is an alien of enemy nationality required to do when he changes his place of residence?*

A. First, he must submit a statement concerning his change of residence to the United States Attorney in his district. Such statements must be filed at least 7 days before the change of address takes place. Following the change of address, the alien is required to give written notice of the change to:

(1) The Alien Registration Division of the Immigration and Naturalization Service, Department of Justice, Philadelphia, Pennsylvania.

(2) The Federal Bureau of Investigation at the office shown in the holder's Certificate of Identification.

(See questions 105, 153.)

*103. What information is the alien required to submit to the United States Attorney before he changes his place of residence?*

A. His name, Certificate of Identification number, alien registration number, old address, new address, and telephone number. The United States Attorney may request further information in connection with the change. (See question 102.)

*104. Must a change of address be recorded in the alien's Certificate of Identification?*

A. Yes.

*105. What is the easiest way of notifying the Alien Registration Division of a change of address?*

A. Notice may be given on a printed postcard (Form AR-11) which is available at all post offices. If the alien is here on a temporary visa, he is required to report his address every three months to the Alien Registration Division, regardless of whether or not he has changed it. (See question 102.)

*106. If an alien changes his residence by moving from one part of a building to another, is he required to notify the United States Attorney of such a change?*

A. No.

*107. If an alien of enemy nationality moves from one part of a city to another, does that constitute a change of residence?*

A. Yes. (See question 102.)

*108. If an alien of enemy nationality does not change his permanent place of residence but moves to the country or to another city to live temporarily, is he required to submit a statement of the change to the United States Attorney?*

A. Yes. (See questions 59, 102.)

*109. If an alien of enemy nationality wishes to live in another city but does not know what his new address will be, how can he comply with the regulations?*

A. By obtaining endorsement for such travel from the United States Attorney. On establishing his new residence, he will also be required to submit a statement of his new place of residence to the United States Attorney. (See questions 59, 102.)

*110. Is an alien of enemy nationality required to notify the authorities of any change in business address?*

A. Yes; a change of business address constitutes a change in place of employment and must be reported to the United States Attorney. (See questions 87, 88.)

*111. Are "alien enemy" migratory workers obliged to file statements for each new change of address?*

A. Yes, with the United States Attorney. (See questions 90, 102.)

## PROHIBITED ARTICLES

*112. What equipment and articles are prohibited to aliens of enemy nationalities by the regulations?*

- A. Aliens of enemy nationalities are forbidden to have any or all of the following articles and equipment in their possession: radio transmitters, short wave radio receiving sets; hand cameras; weapons or implements of war or their component parts; ammunition of all kinds; bombs; explosives or materials used in the manufacture of explosives; signal devices; codes or ciphers; papers, documents or books in which there may be invisible writing; drawings, maps or graphical representation of any military or naval installations or war equipment. (See questions 113, 114.)

*113. Have aliens of enemy nationalities been ordered to surrender prohibited articles in their possession?*

- A. Yes. The Department of Justice ordered aliens of enemy nationalities to surrender all prohibited articles to local police stations within certain specified periods of time. (See question 114.)

*114. If an alien failed to surrender any prohibited articles in his possession during the periods set by the Department of Justice, what should he do?*

- A. He should surrender them to the police authorities in his community at once. (See questions 112, 119.)

*115. Will the alien be penalized if he surrenders prohibited articles in his possession now?*

- A. Only if, at the discretion of the Attorney General, the alien's failure to surrender such articles during the periods set by law is considered wilful and dangerous to the national security. In such cases, the alien may be interned for the duration of the war.

**116. *What is the penalty for wilful failure to surrender prohibited articles?***

- A. Forfeiture of the articles and possible internment for the duration of the war. (See questions 112, 115.)

**117. *Will aliens of enemy nationalities who surrender articles to local police get them back?***

- A. Yes. Aliens who surrendered articles to local police authorities were given receipts for the articles. After the war they can regain possession of the articles by presenting their receipts to the proper authorities.

**118. *Do local police authorities store surrendered articles, or are they turned over to the federal authorities for safekeeping?***

- A. Surrendered articles of aliens of enemy nationalities are turned over to the federal authorities for safekeeping during the war. (See question 117.)

**119. *May an alien surrender prohibited articles to any police station in his community?***

- A. Prohibited articles should be surrendered to the police station in the community which has been designated to receive such articles.

**120. *If an alien of enemy nationality wishes to surrender equipment which cannot be readily transported to the local police station, what should he do?***

- A. The regulations make it possible for aliens of enemy nationalities to keep so-called "studio cameras" or other fixed cameras or equipment which are not readily transportable. However, aliens having such equipment are required to submit a written report to the local police authorities on the type of equipment owned. (See question 112.)

*121. If an alien of enemy nationality owns prohibited articles which are not in his immediate possession but are being used by a friend or relative who is not an "alien enemy," must he surrender such articles?*

A. Yes. (See questions 112, 114.)

*122. May an alien of enemy nationality loan prohibited articles in his possession to friends or relatives who are not aliens of enemy nationalities?*

A. No. (See question 121.)

*123. Is an alien of enemy nationality who makes his livelihood by the use of photographic equipment required to surrender such equipment?*

A. Yes. However, he may apply for a special permit which, if granted, would enable him to retain the use of the photographic equipment. Application for such permission must be filed with the United States Attorney in his district. (See question 120.)

*124. If an alien of enemy nationality makes his livelihood by the use of photographic equipment which he does not own, may he continue to use the equipment?*

A. Only with the consent of the United States Attorney. If the United States Attorney is satisfied that the granting of such permission is needful to the applicant's customary mode of earning a livelihood and does not endanger the national safety, written permission may be granted for using such equipment.

*125. Does an ordinary hand camera come within the category of prohibited articles?*

A. Yes. All cameras in the possession of aliens of enemy nationalities must be surrendered. (See question 112.)

**126. How do the regulations concerning prohibited articles define "radio transmitter"?**

A. Any apparatus capable of sending or transmitting radio signals or communications or messages of any kind whatsoever is defined as a radio transmitter and must be surrendered to the authorities. (See question 114.)

**127. What is the definition of "short wave radio receiving set" under the regulations concerning prohibited articles?**

A. A short wave radio receiving set is defined as any apparatus capable of receiving signals, messages, or communications of any nature whatsoever which are transmitted by means of amplitude modulation radio waves of a frequency of 750 kilocycles or greater, or of a frequency of 540 kilocycles or less. Short wave radio receiving sets coming within this definition must be surrendered. (See question 114.)

**128. Do the regulations prohibit aliens of enemy nationalities from possessing radio receiving sets containing short wave "bands"?**

A. Yes. Unless such sets have been so modified or altered so as to prevent reception of short wave radio communications, they come within the category of prohibited articles and must be surrendered. (See question 114.)

**129. May an alien of enemy nationality keep the short wave equipment he removed from his radio?**

A. No; he should dispose of it.

**130. Will aliens who claim ignorance about the short wave "bands" on their receiving sets be excused?**

- A. No. The Department of Justice has specifically stated that "No alien of enemy nationality who is found in possession of any short wave radio receiving set will be excused in any manner on the ground that he did not know that the set was a short wave receiving set." The responsibility for determining whether or not the radio set falls within the prohibited class of articles rests, under the regulations, with the alien only.

*131. May an alien of enemy nationality continue to board with a family possessing a short wave radio to which he would ordinarily have access?*

- A. An alien of enemy nationality is not permitted to use or own a short wave radio. If he is living in a place where he has access to one and the short wave "band" is not removed, he may be considered as having the radio in his control in violation of the regulations.

*132. May the citizen spouse of an alien of enemy nationality continue to keep a short wave radio receiving set to which the "alien enemy" would ordinarily have access?*

- A. The regulations only restrict the possessions of aliens of enemy nationalities. However, if an alien of enemy nationality has access to a short wave radio, he may be considered as having the radio in his control in violation of the regulations. (See question 131.)

*133. May a dentist or physician who is an alien of enemy nationality continue to use X-ray photographic equipment?*

- A. Yes. (See questions 123, 124.)

*134. May an alien of enemy nationality retain possession of field or opera glasses?*

- A. Yes, provided he does not use them in a manner considered detrimental to the national safety.

*135. If a local agency stored prohibited articles for aliens of enemy nationalities when the regulations were first announced, must this agency turn such articles over to the police authorities?*

A. It is the duty of aliens of enemy nationalities who have prohibited articles stored with any agency to surrender such articles to the local police authorities. (See questions 114, 119.)

*136. May an alien of enemy nationality own or work in a store or factory which deals with articles which are in the prohibited class?*

A. Yes. (See questions 95 and 96.)

*137. May Austrians, Austro-Hungarians, and Koreans regain the prohibited articles which they surrendered at police stations before they were exempted from the category of alien enemies?*

A. Yes, by applying to the United States Attorney in their district.

*138. By what authority can the Federal Bureau of Investigation or its authorized agents search the home of an alien of enemy nationality for prohibited articles?*

A. By the written authority of a United States Attorney or of the Attorney General of the United States.

#### CERTIFICATES OF IDENTIFICATION

*139. Who are required to carry Certificates of Identification?*

A. All aliens of enemy nationalities. (See question 1.)

**140. Is the alien of enemy nationality required to carry his Certificate of Identification with him at all times?**

A. Yes, at all times.

**141. Under what circumstances must an alien of enemy nationality show his Certificate of Identification?**

A. At the request of a police officer or other authorized government officer.

**142. Does the receipt of a Certificate of Identification relieve the alien from complying with regulations prescribed for aliens of enemy nationalities?**

A. No. The obligations which rest on him as an alien of enemy nationality are stated on the inside of the book cover of his Certificate of Identification.

**143. When an alien of enemy nationality reaches his 14th birthday, where can he apply for a Certificate of Identification?**

A. Immediately upon reaching his 14th birthday, he should apply in person for his Certificate of Identification at the local office of the Immigration and Naturalization Service or such other place that may be designated for the receipt of such applications. (See question 147.)

**144. Must aliens of enemy nationalities who are so aged or infirm as to be confined permanently to their place of residence or to institutions apply for Certificates of Identification?**

A. Not so long as they are physically incapable of making such applications in person.

**145. Are aliens of enemy nationalities who are inmates of asylums, jails, prisons, or penitentiaries required to have Certificates of Identification?**

- A. No, not as long as they remain inmates of these institutions. However, immediately upon their discharge from these institutions they must file applications for Certificates of Identification at the local office of the Immigration and Naturalization Service or such other place that may be designated for the receipt of such applications. (See question 147.)

**146. *Are aliens of enemy nationalities who were temporarily bedridden during the prescribed period for filing applications required to apply for Certificates of Identification?***

- A. Within five days of their recovery such aliens must apply for their Certificates of Identification at the local office of the Immigration and Naturalization Service or other designated place. (See questions 147, 150.)

**147. *When an alien of enemy nationality applies for a Certificate of Identification, what must he have with him?***

- A. (1) His Alien Registration Receipt Card.  
(2) Three clear, unmounted copies of a photograph of himself, with light background, size 2'' by 2'', on thin paper, showing the front of face, without a hat. These photographs must have been taken within 30 days previous to the alien's application.

**148. *Is the alien of enemy nationality required to file application for his Certificate of Identification in person?***

- A. Yes.

**149. *What is the penalty for wilful failure to apply for a Certificate of Identification?***

- A. Possible internment for the duration of the war.

*150. If an alien of enemy nationality applied for a Certificate of Identification but never received one, what should he do?*

A. He should report that fact to the nearest United States Attorney.

*151. If an alien of enemy nationality failed to apply for a Certificate of Identification within the prescribed application period, what should he do?*

A. He should report the fact to the nearest United States Attorney.

*152. If an alien of enemy nationality loses his Certificate of Identification, what should he do?*

A. He should report the circumstances of the loss to the nearest United States Attorney, giving his name, address, telephone number, registration receipt card number, and, if possible, his Certificate of Identification number.

*153. What must the holder of a Certificate of Identification do when he changes his place of residence, his employment, or his name?*

A. Whenever the holder of a Certificate of Identification changes his name under legal authority, his residence address, or his place of employment, he must give written notices of the changes immediately to (1) the Alien Registration Division of the Immigration and Naturalization Service and (2) the Federal Bureau of Investigation at the office shown in the holder's Certificate of Identification.

Statements of change of address or change in place of employment must also be submitted to the nearest United States Attorney at least 7 days before such changes take place. (See questions 87, 102.)

## PROHIBITED AND RESTRICTED AREAS

*154. What are the regulations concerning prohibited and restricted areas?*

- A. The presence and conduct of aliens of enemy nationalities are controlled in certain areas as follows:
- (a) No alien of enemy nationality may reside in or enter in any areas designated as "prohibited" areas.
  - (b) No alien of enemy nationality may reside in or enter any areas designated as "restricted" areas, except under conditions prescribed by the authorities.

Prohibited and restricted areas in military zones are supervised and controlled by the United States Army. Information regarding regulations for areas in military zones or information concerning evacuations of persons from such areas may be obtained from the United States War Department.

## NATURALIZATION

*155. Can an alien of German or Italian nationality become a citizen of the United States during wartime?*

- A. A German or Italian alien may be naturalized if, on December 8, 1941, he:
- (1) had made a declaration of intention ("first" papers) at least 2 years before that date, or
  - (2) was entitled to apply for citizenship without making a declaration of intention (for example: the husband or wife of an American citizen), or
  - (3) had his petition for naturalization pending in court.

The regulations provide, however, that all applications of German and Italian aliens be thoroughly investigated by the Immigration and Naturalization Service in view of war conditions. The Immigration and Naturalization Service is given 90 days in which to conduct an investigation (this period may be waived in the discretion of the Commissioner of the Immigration and Naturalization Service) and to submit an objection to the court if it feels that the individual case warrants it. If objection is entered by the Service, naturalization cannot take place until the objection is withdrawn. (See questions 158, 161.)

**156. Can an alien of German or Italian nationality whose case does not conform to any of the 3 conditions listed above (see question 155) become naturalized as a citizen of the United States during wartime?**

- A. Yes, provided that, for purposes of naturalization, the alien applies for and is granted exception from the classification of "alien enemy". An Executive Order of the President, dated March 21, 1942, excepts from the classification of "alien enemy" applicants for American citizenship whom the Attorney General, after investigation, certifies as loyal to the United States. Such investigation, however, will only be conducted when the applicant's final petition for naturalization is pending in court.

**157. May an alien of German or Italian nationality who filed his declaration of intention ("first" papers) less than 2 years before December 8, 1941, apply for a petition for naturalization ("second" papers)?**

- A. If the alien's declaration of intention is at least 2 years old and not more than 7 and if he meets the other naturalization requirements, he may apply for a petition for naturalization. Final naturalization, however, will not be granted to aliens of German or Italian nationality unless they obtain an exception from the classification of "alien enemy". (See questions 155, 156.)

**158. May an alien of German or Italian nationality who filed his declaration of intention ("first" papers) at least 2 years before December 8, 1941, apply for a petition for naturalization ("second" papers)?**

- A. Yes, at any time. Provided an alien's declaration of intention is at least 2 years old and not older than 7 years and provided that the alien meets the residence requirement and other naturalization requirements, he is eligible to apply for a petition for naturalization. In the cases of aliens of German or Italian nationality, final naturalization will be postponed 90 days to permit the Immigration and Naturalization Service to investigate and determine the alien's loyalty to the United States. (See question 155.)

**159. *May aliens of German or Italian nationality apply for "first" or "second" papers at any time during the war?***

- A. Yes. There is nothing to prevent any alien of German or Italian nationality who is eligible for naturalization from filing his "first" or "second" papers at any time during the war. The naturalization procedure is the same as it was before the United States entered the war, except for the fact that aliens of German or Italian nationality whose final petitions for naturalization are pending in court must now allow a period of time for investigation before final naturalization can be granted. (See questions 155, 156, 157, 158.)

**160. *May aliens of German or Italian nationality who are married to American citizens become naturalized during wartime?***

- A. Yes. An alien of German or Italian nationality who married a citizen of the United States after September 21, 1922, and before December 9, 1941, or whose spouse became a naturalized citizen of the United States during that period, is eligible for naturalization during wartime following a 90-day period of investigation of his case by the Immigration and Naturalization Service. (See question 155.)

An alien of German or Italian nationality who married an American citizen after December 8, 1941, or whose spouse became a naturalized citizen of the United States after that date must, in order to be naturalized, obtain exception from the classification of "alien enemy" when his final petition for naturalization is pending in court. (See question 156.)

Any alien who married a citizen of the United States after September 21, 1922, or whose spouse became a naturalized American citizen after that date need not file a declaration of intention and is eligible to apply for a petition of naturalization after a brief period of continuous residence in the United States. For more detailed information on this point consult the nearest office of the Immigration and Naturalization Service.

**161. *For purposes of naturalization are Austrians classified as aliens of German nationality?***

- A. Yes. Aliens of Austrian nationality who wish to become citizen of the United States are subject to the same conditions as aliens of German nationality. (See questions 155, 156.)

*162. Can an alien of Japanese nationality become a naturalized citizen of the United States?*

- A. An alien of the Japanese race is not eligible for naturalization unless such alien is serving or has served honorably in the armed forces of the United States during the Second World War.

*163. Can aliens of enemy nationalities who are here as students or visitors change their status to that of permanent residents?*

- A. Generally, such aliens can change their status to that of permanent residents by departing to a foreign country and securing a suitable immigration visa from the American Consular office there. Further information regarding this point may be obtained from the State Department, Washington, D. C.

*164. Can a citizen or subject of Germany, Italy, or Japan who is outside the borders of the United States be admitted into the country?*

- A. Such persons may apply for admission in the United States in the usual manner. Further information concerning this point may be obtained from the State Department, Washington, D. C.

*165. Can aliens of enemy nationalities who are now serving in the armed forces of the United States become naturalized citizens of this country?*

- A. Yes. The naturalization procedure for aliens now serving in the armed forces of the United States has been simplified by the Second War Powers Act. Any such alien who is of good moral character, is attached to the principles of the Constitution of the United States, and meets other general requirements is immediately eligible to apply for a petition for naturalization.

*166. Are aliens of German or Italian nationality permitted to attend Americanization or citizenship classes?*

- A. Yes.

**167. *Where can an alien of enemy nationality obtain information about naturalization matters?***

- A. From the nearest office of the Immigration and Naturalization Service. There is an office of this Service located in nearly every large city.

## PROPERTY

**168. *Are aliens of enemy nationalities living in the United States subject to any restrictions on their property or on the conduct of their business?***

- A. Generally, no. While all aliens of enemy nationalities are prohibited from having certain articles in their possession, only a relatively few are subject to restrictions on their property and business. (See question 112.)

**169. *What aliens of enemy nationalities are subject to restrictions on their property and the conduct of their business?***

- A. Relatively few aliens of enemy nationalities are subject to such restrictions. They include (1) those subject to the provisions of the Trading with the Enemy Act and (2) those subject to the Freezing Order. (See question 168.)

**170. *What is the Trading with the Enemy Act?***

- A. It is an act which prohibits trade with an "enemy," provides for seizure of property owned by an "enemy," and contains certain other provisions.

**171. *Are aliens of enemy nationalities residing in the United States considered "enemies" within the meaning of the Trading with the Enemy Act?***

- A. As a rule, no. However, the President by proclamation may include certain classes of aliens of enemy nationalities within the term "enemy." To date the President has not issued such a proclamation.

*172. What persons are "enemies" under the Trading with the Enemy Act?*

- A. In general, an "enemy" under the Trading with the Enemy Act is an individual of any nationality who is within enemy territory or is trading within such territory.

*173. Where can information be obtained regarding the Trading with the Enemy Act?*

- A. From the Alien Property Custodian, Washington, D. C.

*174. What is the Freezing Order?*

- A. The Freezing Order is the popular name for Executive Order (No. 8389) of April 10, 1940, as amended, which prohibits, except under license, certain transactions on behalf of nationals of certain foreign countries and also transactions involving property in which such nationals have an interest.

*175. Are resident aliens of enemy nationalities subject to the provisions of the Freezing Order?*

- A. Nearly all resident aliens of enemy nationalities have been exempted from the provisions of the Freezing Order by virtue of General Licenses No. 42 and No. 68A, which apply to nearly all aliens of enemy nationalities residing continuously in the United States from June 17, 1940 to the present, and also to most of those residing in the United States on February 23, 1942, provided the latter have complied with certain requirements. (See question 176.) The licenses permit such aliens to trade in the same manner as American citizens, unless some restrictions have been retained by the Government. (General license 68A applies to eligible aliens of Japanese nationality; General license 42 applies to eligible aliens of all other nationalities.)

*176. If an alien came to the United States after June 17, 1940, what must he do in order to be exempted from the Freezing Order?*

- A. Aliens of all nationalities who arrived in the United States after June 17, 1940 are required to file general license form TFR-42 with their local Federal Reserve Bank. This indicates their name, address, current bank deposits, if any, and other financial data. If their property has a valuation in excess of \$1,000, they must also file Form TFR-300.

*177. May an alien of enemy nationality who is subject to the Freezing Order draw money from his bank account?*

- A. Aliens subject to the Freezing Order may draw up to \$500 per month from their bank account or similar sources for living, traveling, and similar living expenses incurred in the United States. (See question 175.)

*178. Is an alien of enemy nationality who does not come within the provisions of General licenses No. 42 or 68A subject to the Freezing Order?*

- A. Yes; such an alien can only transact business by obtaining a special license to do so from his local Federal Reserve Bank. However, he is permitted to draw up to \$500 per month from his bank account or similar sources without any special license. (See question 177.)

*179. How can further information be obtained regarding the Freezing Order?*

- A. By writing to the Foreign Funds Control Division of the Treasury Department, Washington, D. C., or to the nearest Federal Reserve Bank or any of its branches.

*180. Is an alien of enemy nationality who has been interned considered an "enemy" under the Trading with the Enemy Act?*

- A. Not unless the President includes such a person within the term "enemy" under that Act by means of a special proclamation. However, no such proclamation has been issued to date.

*181. Is an alien of enemy nationality who has been interned subject to the Freezing Order?*

- A. Not necessarily; his case is considered in the same light as that of an alien who has not been interned. Further information regarding this matter can be obtained from the Treasury Department or from the nearest Federal Reserve Bank or any of its branches. (See question 175.)

*182. If an alien of enemy nationality who is interned is not affected by the Trading with the Enemy Act or by the Freezing Order, may he dispose of his property?*

- A. Yes; subject, of course, to any restrictions regarding his personal activities which may be imposed by military authorities at the internment camp.

*183. May an alien of enemy nationality who has been interned conduct a business?*

- A. Only insofar as that may be possible through an agent or under the restrictions imposed upon his personal activities by military authorities of the internment camp.

*184. If the business or shop of an internee has been closed, how may he return property belonging to other persons left in his shop or place of business?*

- A. He may employ an agent for this purpose. He should communicate with the military authorities of the internment camp regarding this point.

*185. Should aliens of enemy nationalities dispose of their homes and automobiles or other property?*

- A. No. If they observe the regulations relating to aliens of enemy nationalities, their ownership and use of property will continue undisturbed.

*186. May an alien of enemy nationality pay and collect rents?*

A. In general, yes.

*187. May an alien of enemy nationality employ others to collect rents for him?*

A. In general, yes.

*188. May an alien of enemy nationality inherit property in the United States during the war?*

A. In general, yes, in accordance with the laws of the State where the estate is being administered.

*189. May an alien of enemy nationality execute a deed of conveyance of real property or lease real property to or from other persons?*

A. In general, yes.

*190. May an alien of enemy nationality execute a power of attorney or other legal papers?*

A. In general, yes.

*191. May an alien of enemy nationality accept payment of an insurance policy?*

A. In general, yes.

*192. May an alien of enemy nationality pay premiums due on insurance policies?*

A. In general, yes.

*193. Should an alien of enemy nationality withdraw bank balances or draw against cash surrender value of insurance policies?*

A. No. There is no need to do this.

*194. May an alien of enemy nationality engage in business?*

A. In general, yes. He can engage in any kind of business which he would ordinarily transact, subject only to the restrictions applying to all alien enemies. (See question 22.)

*195. If an alien of enemy nationality is employed by another person, can salary or wages be paid to him?*

A. In general, yes.

#### MISCELLANEOUS

*196. May an alien of enemy nationality use an assumed name?*

A. No alien of enemy nationality is permitted to use any other name than that given as his legal name in his Certificate of Identification, without the permission of the United States Attorney. Permission to use an assumed name may be granted when it appears that the granting of the permission is needful or useful to the applicant's customary mode of earning a livelihood and will not in any way be detrimental to the national security. (See question 197.)

*197. How can an alien of enemy nationality obtain permission to use an assumed name?*

A. By making written application to the United States Attorney in his district, stating his name, his Certificate of Identification number, his residence, business address, the specific assumed name for which he desires to obtain permission, the reason for which such permission is desired, and any prior use by the alien of the assumed name he wishes to use, or any other assumed name. (See question 196.)

*198. Are aliens of enemy nationalities permitted to sue or defend any suit brought against them?*

A. Generally, yes.

*199. May an alien of enemy nationality who has been interned or paroled bring suit against anyone or defend a suit brought against him?*

A. Generally, yes.

*200. May an alien of enemy nationality bring charges of criminal action against anyone?*

A. Generally, yes.

*201. May an alien of enemy nationality testify in court as a witness?*

A. Generally, yes.

*202. Are aliens of enemy nationalities permitted to hold office, attend meetings, or have membership in lodges, clubs, fraternal orders, or other organizations which consist largely of persons of German, Italian, or Japanese extraction?*

A. Yes. However, the alien's participation in such organizations will be judged in the light of the organizations' activities.

*203. Is it permissible for aliens of enemy nationalities to subscribe to foreign-language newspapers?*

A. Yes.

*204. May aliens of enemy nationalities speak in foreign languages or write letters in foreign languages?*

A. Yes.

205. *Is it permissible for aliens of enemy nationalities to write letters to persons in enemy countries?*

A. All regular mail service between the United States and enemy countries has been suspended.

206. *Is it permissible for an alien enemy of nationality to have a telephone in his home and make local and long-distance calls?*

A. Yes.

207. *May an alien of enemy nationality possess or use a typewriter?*

A. Yes.

208. *Are aliens of enemy nationalities permitted to hold positions on the editorial staffs of newspapers and other publications?*

A. Yes. (See question 202.)

209. *May an alien of enemy nationality write for publication?*

A. Yes.

210. *May aliens of enemy nationalities be drafted into the armed forces of the United States?*

A. All aliens registered under the Selective Service system are subject to be drafted into the armed forces of the United States. However, aliens may be disqualified for service if they are not considered acceptable.

*211. Are aliens of enemy nationalities permitted to buy or own war savings defense bonds and stamps?*

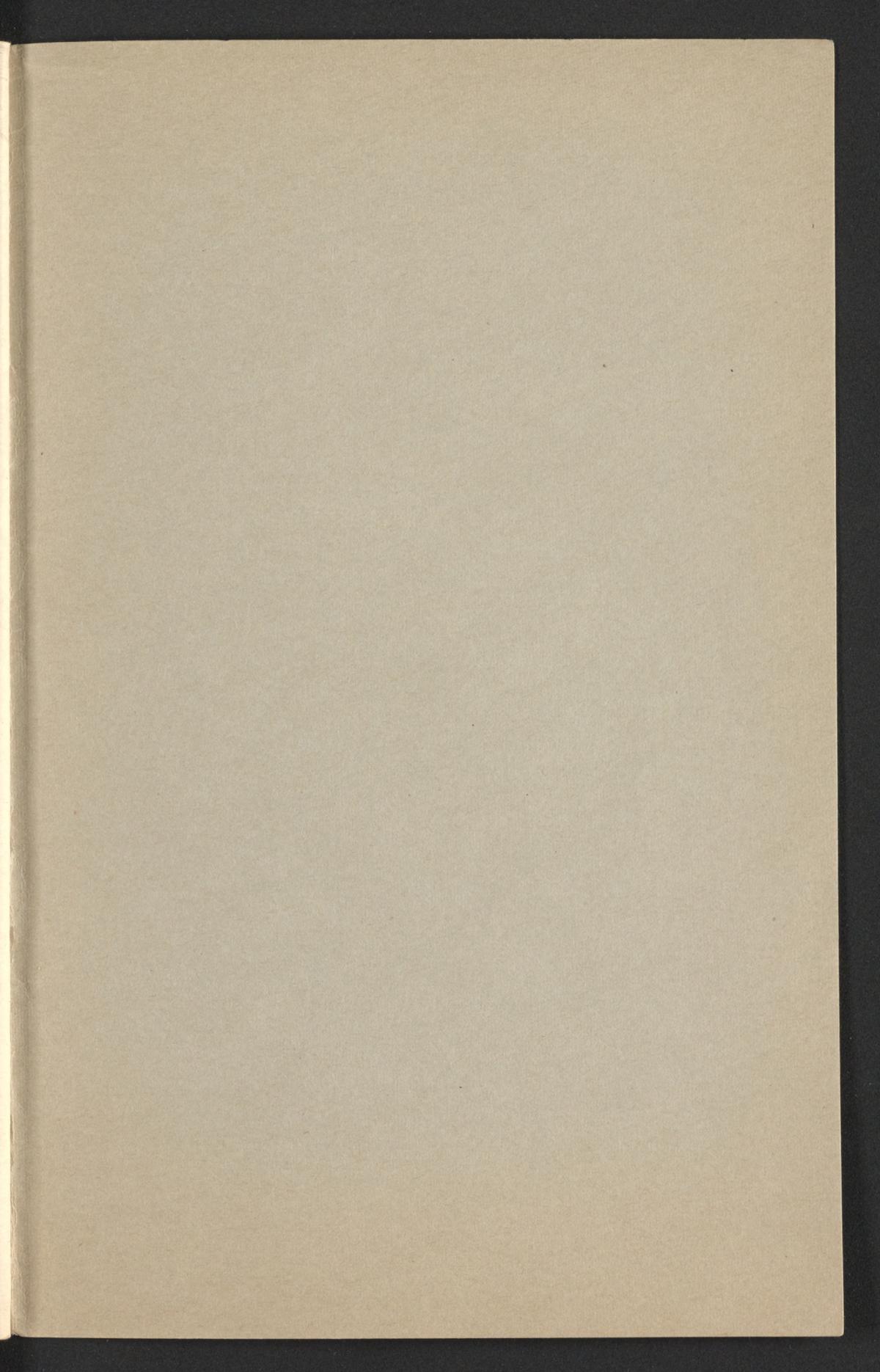
A. Yes.

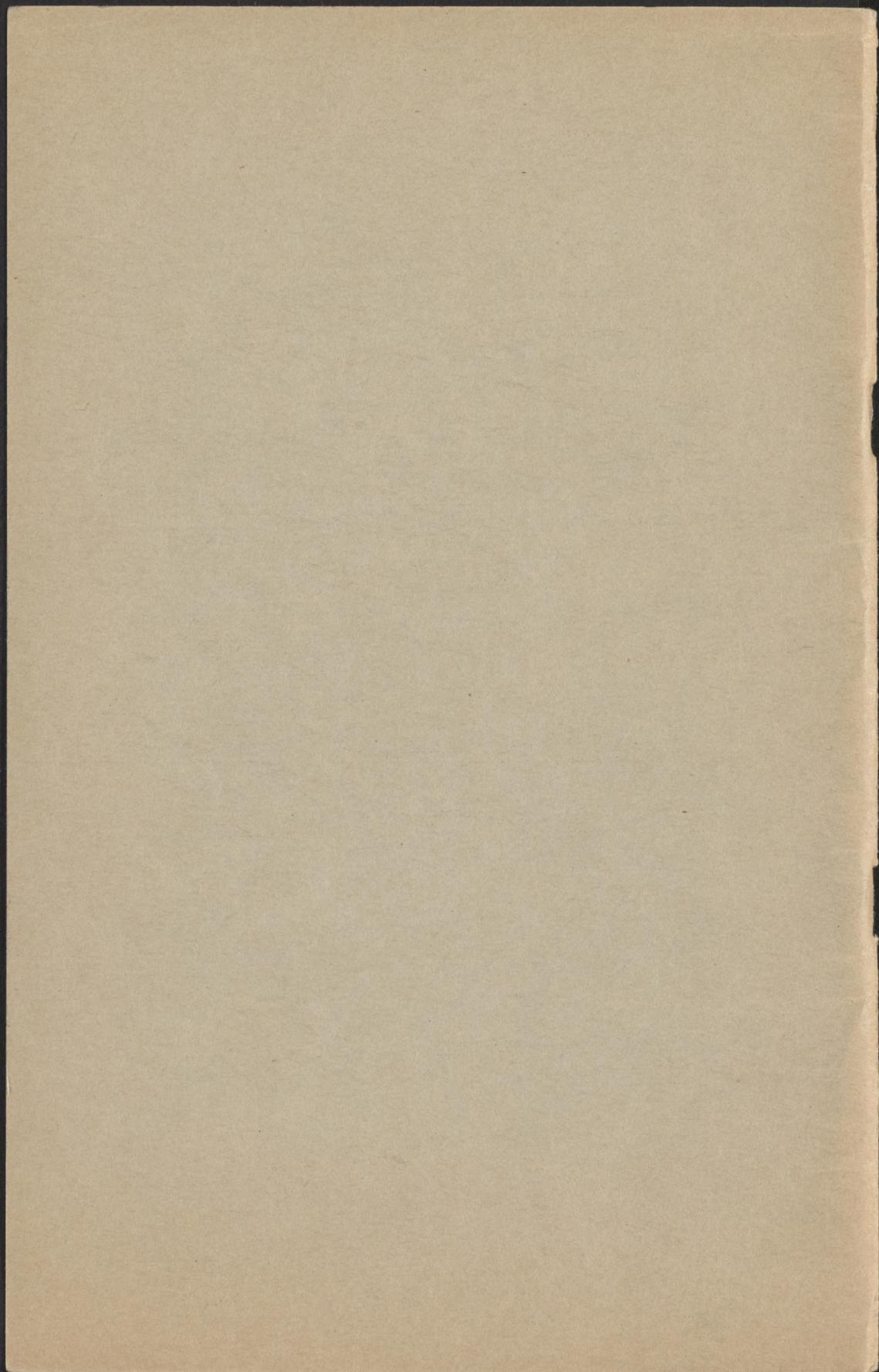
*212. Are defense training courses open to aliens of enemy nationalities?*

A. There is no regulation barring aliens from enrollment in the national defense training program. Persons wishing to enroll in such courses should obtain information from the nearest office of the United States Employment Service.

*213. May aliens of enemy nationalities participate in the civilian defense program?*

A. Generally, aliens are not permitted to become air-raid wardens, auxiliary firemen or participate in other similar activities of the United States Civilian Defense Corps. However, there are opportunities for voluntary work open in the civilian defense program which are not barred to aliens.





Office of the Attorney General

A 7.03

Department of Justice

Washington, D. C.



LETTER TO ALL STATE AND LOCAL POLICE AUTHORITIES

The President has, by his Proclamations of December 7 and 8, 1941, directed in the interests of national safety that alien enemies should not possess or use radio transmitting sets, short-wave radio receiving sets, or cameras. In order to carry out these regulations effectively it is necessary to require alien enemies to deposit such prohibited articles with law enforcement agencies.

In this emergency the cooperation of the local police authorities throughout the country is asked. Your assistance is urgently needed to make it possible to take up from alien enemies with the promptness and efficiency which is essential the prohibited articles which they now possess. There is no other group of public officers in the country so well qualified to carry out this work. For this reason I request that the officers in charge of the police in every area of the country (including the 48 States, the District of Columbia, Puerto Rico, and the Virgin Islands) immediately arrange to provide at such police stations, barracks, or other convenient places, facilities for receiving the prohibited radio sets and cameras from alien enemies.

It is believed that the most convenient manner of arranging for such deposit will best be worked out in each community as local conditions may require. For this reason I am not making detailed requests as to the manner in which the matter is to be handled. In general, however, I believe that it will be found most expedient for the chief officer of the police in each community to designate the time and places at which the alien enemies may deposit the prohibited articles and obtain proper receipts for them. Such designation should be given publicity in the press and over the radio and should also be prominently posted. In fixing the time for the deposit it should be remembered that the entire deposit must, in the interests of national safety, be completed before 11 p. m. Monday, December 29, 1941, in California, Idaho, Nevada, Montana, Utah, Oregon, and Washington, and before a date to be announced by the Attorney General in the remainder of the United States.

In arranging for this deposit I request all police officers to bear in mind the fact that most of the persons who will be affected by the regulations are law-abiding and loyal to our Government. For this reason I ask you to instruct all officers engaged in assisting in this work to use as much care as they reasonably can to assist the aliens in complying with the regulations. Insofar as possible the time, place, and manner of the deposit should be arranged so as to avoid unnecessary inconvenience or hardship to the alien. It is particularly important that the aliens be made to understand clearly that the property has not been confiscated but is merely being held until it is possible to return it to them. You will not be required to keep indefinitely prohibited articles delivered to you. Arrangements are being made for the prompt transfer of them to appropriate Federal authorities.

I am not asking you to assume the burden of enforcing the deposit regulations or of making sure that all property is deposited. The Federal authorities will continue to enforce the regulations and I ask that any information concerning violations be turned over by you to the Federal Bureau of Investigation.

For your information I have attached to this letter a copy of the rules which I have issued for the conduct of alien enemies who possess or use prohibited articles. These rules contain precise definitions of the prohibited articles and I urge you to refer to the regulations in determining any questions which may arise.

*Francis Biddle*

Attorney General.

December 27, 1941.

(OVER)

## RADIO AND CAMERA RULES

For the purpose of carrying out the Regulations prescribed in Paragraph 5 of the Proclamations of the President of December 7 and 8, 1941, relating to Japanese, German and Italian alien enemies, it is provided:

1. *Radio transmitters.*—(a) No alien enemy shall use or operate or possess, or have under his custody or control at any time or place any radio transmitter. For this purpose the words "radio transmitter" are to be construed as including any apparatus designed to be used or capable of being used for the sending or transmitting of radio signals, communications or messages of any kind or nature whatsoever.

2. *Short-Wave Radio Receiving Sets.*—(a) No alien enemy shall use, or operate or possess, or have under his custody or control at any time or place any short-wave radio receiving set. For this purpose the words "short-wave radio receiving set" are to be construed as including any apparatus designed to be used or capable of being used for the purpose of receiving signals, messages or communications of any nature whatsoever which signals, messages or communications are transmitted by means of radio waves of a frequency of 1,750 kilocycles or greater, or of a frequency of 540 kilocycles or less.

(b) A short-wave radio receiving set as defined in paragraph 2(a) hereof which set is also capable of receiving long-wave radio communications is deemed to be within the class of short-wave radio receiving sets prohibited unless the set is so altered or modified that short-wave radio communications or messages cannot be received by the said set, and further, unless the set is so altered or modified that it is impossible without the addition of more parts and the substantial rebuilding of the set to modify the set so that it will be capable of receiving short-wave radio communications.

(c) No alien enemy who is found in possession of any short-wave radio receiving set will be excused in any manner on the ground that he did not know that the set was a short-wave radio receiving set or that the set could be readily converted into a short-wave radio receiving set. It shall be the duty of any alien enemy to ascertain whether or not any radio in his possession is prohibited; and any alien enemy having in his possession any radio receiving set whatsoever shall be held responsible for knowing whether or not such set is a short-wave radio receiving set.

3. *Cameras.*—(a) No enemy alien shall use or operate or possess or have under his custody or control at any time or place any camera except as hereinafter provided.

(b) Fixed cameras which are not readily transportable to the local police station or stated place of deposit hereinafter described and which are customarily regarded as studio cameras and not as hand cameras may temporarily be retained, providing that any alien enemy having such camera in his possession, custody or control shall make a written report thereof to the local police authorities hereinafter referred to.

(c) The several United States Attorneys are hereby authorized in accordance with instructions which will hereafter be furnished to them to issue letters permitting specified alien enemies to possess photographic equipment in specified ways. Such permission will be granted, however, only where a compelling reason for such issuance is shown and after suitable investigation has been completed. While an application for such permission is pending an alien enemy may not retain any camera (except as heretofore provided). United States Attorneys will, however, give preferential attention to applications for permission to operate studio cameras, and will issue such permission unless they deem it to be dangerous to the public safety whenever they are satisfied that such camera or cameras cannot be readily transported.

4. *Deposit of Prohibited Articles.*—An alien enemy who shall have in his possession any radio transmitting set, short-wave radio receiving set or camera (except as provided in par. 3 (b)) shall, on or before 11 p. m., December 29, 1941, in the States of California, Oregon, Idaho, Nevada, Montana, Utah, and Washington, and on or before a date to be announced by the Attorney General, in the remaining States of the United States, the District of Columbia, Puerto Rico, and the Virgin Islands, deliver such set or camera to the local police authorities of the community in which he resides at the place designated by such local police authorities. In each case the police authorities shall issue a receipt to the alien suitably describing the set or camera. Local police authorities will return and release any camera upon production of the letter of the United States Attorney permitting the alien enemy to possess such camera.

5. *Penalties.*—(a) Any prohibited articles possessed in violation of paragraph 5 of the Regulations of the said Proclamations of the President or the provisions herein set forth are subject to seizure and forfeiture.

(b) In any case of a willful failure to comply with the Proclamations of the President or the provisions herein set forth, the United States Attorney may apply to the Attorney General for a warrant for the apprehension of the alien enemy.

*Francis Biddle*

Attorney General.

December 27, 1941.

A 703

UNITED STATES DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

**NOTICE TO ALIENS OF ENEMY NATIONALITIES**  
CERTIFICATES OF IDENTIFICATION

All natives, citizens, denizens or subjects of any foreign nation or government with which war has been declared, who are 14 years of age and older, and who are within the United States and who have not fully acquired United States citizenship, are required to apply at specified post offices for a Certificate of Identification.

Such Certificates are to contain the alien's photograph and must thereafter be carried by the person to whom issued.

Those who do not comply with these requirements are subject to severe penalties.

The Certificate of Identification will be a protection to you and will facilitate matters in connection with travel and other permits, passes, and exemptions which may, from time to time, be granted to individual persons in accordance with rules and regulations. The Certificate will serve different purposes than the Alien Registration Receipt Card heretofore issued to you.

In filing the Application for Certificate of Identification, you are merely giving current information concerning yourself and are complying with necessary war-time requirements of the United States Government. You are also giving evidence of your peaceful disposition and of your desire to cooperate and to conform to the laws of the United States.

These are the steps required of you:

(1) Look up your Alien Registration Receipt Card at once. You must have it, to avoid delay, when you apply for a Certificate of Identification. If you do not have it, write immediately to Alien Registration Division, Washington, D. C., stating (a) whether you lost it or never had one, and (b) your nationality and present address and where you registered—whether in the United States or outside the United States at a Consular Office, or as a seaman.

(2) Study the back of this notice. It shows the information you must have in order to file your application. Write out, or have someone write for you, the names, dates, places, or facts you will need.

(3) Obtain three unmounted photographs of yourself, with light background, 2 by 2 inches in size, on thin paper. These photographs must be taken not more than 30 days prior to presenting your application, and must clearly show a front view of the face without hat. Take the photographs with you when you go to the post office to make application for your Certificate of Identification.

(4) During such period as will be publicized in the press and on the radio, go to the first- or second-class or county-seat post office *nearest your place of residence*, taking with you the items mentioned in (1), (2), and (3). Be sure to go to the post office even if you do not have your Alien Registration Receipt Card. You may take a member of your family or a friend with you. If you cannot write, take someone with you who writes plainly. If you cannot get such a person, there will be clerks at the post office to help you with your application. But you must have the required information. You will be given application forms to fill out at the post office.

(5) Your Certificate of Identification must be delivered to you personally at your residence address unless different instructions are given at the post office. Cooperate in every way possible with the post-office carrier to facilitate delivery and acceptance.

These requirements should involve no expense to you except for the photographs. It is not necessary to pay any person or organization to assist you. The Government, through its post offices, will assist you as much as possible. Complete instructions and official regulations may be examined at the post office where you file your application.

Act early to file your Application for a Certificate of Identification. Then be sure to obtain your Certificate of Identification.

FRANCIS BIDDLE,  
*Attorney General.*

EARL G. HARRISON,  
*Special Assistant to the Attorney General.*

## INSTRUCTIONS AS TO APPLICATION FOR CERTIFICATE OF IDENTIFICATION

**Item 1. Name.**—Write or print your present legal name.

**Item 2. Registered name.**—This refers to the name (not aliases) under which you registered in accordance with the Alien Registration Act. If your present legal name is the same, write "Same." If different, give the name under which you registered and explain the reason for the difference, such as marriage, divorce, adoption, court proceedings, etc.

**Item 3. Present residence.**—(a) Give the location of your present residence, that is, your usual dwelling place. If you live in an apartment house or tenement, give the number. (b) Give your post-office address. If same as 3 (a), write "Same." (c) Give the location of other places at which you resided since January 1, 1941, and indicate after each the length of time, such as (3 months).

**Item 4. Employment.**—The names of employers you have had since January 1, 1941 must be stated; give in each case the address of the employer, the approximate dates of employment, and the capacity in which you were employed. The last-named employer must, of course, be your present employer, and the last entry under "Dates" must be "to date." If unemployed at present, so state. If you operated your own shop, business, or profession at any time since January 1, 1941, write the word "self," your business address, the period covered, and the business in which you were or are engaged.

**Item 5. Birth and citizenship.**—(a) Give your birth date in full. (b) Name the country of which you are a citizen or subject. If you have lost all foreign citizenship, write "None—last a citizen of \_\_\_\_\_," and name the country of which you were last a citizen or subject. If you wish to give any further explanations of your citizenship or subject status, write "See answer 15" and explain under item 15.

**Item 6. Relatives in the United States.**—Give the names, state the relationship, and give the addresses only of living parents, brothers or sisters, husband or wife, or children in the United States.

**Item 7.** Answer the question "Yes" or "No" as to whether you have any children actually serving in the military, naval, or other service in the armed forces of the United States, including the auxiliary arms of service. If the answer is "Yes," give their names and branch of service. It is not necessary to give addresses.

**Item 8. Relatives outside of the United States.**—(a) Give the names, state the relationship, and give the last known addresses only of living parents, brothers or sisters, husband or wife, or children outside the United States. (b) If any of the relatives mentioned in (a) above are, or when last known to applicant were, serving in the armed forces of a foreign nation, state this fact in the space reserved for "Address"—as "Serving in (army, navy, air corps, etc.) of \_\_\_\_\_," naming the country.

**Item 9. United States citizenship.**—(a) If you have applied for first citizenship papers or received them or petitioned for naturalization since August 27, 1940, write "Yes"

and state which and when and where. Otherwise, write "No." (b) Answer "Yes" or "No" whether you have ever been refused or denied naturalization in the United States. If "Yes," state the court, place, and reasons or causes given, and whether said reasons or causes have since been removed.

**Item 10. Foreign naturalization.**—If you have ever taken any steps toward naturalization in a country other than the United States, answer "Yes" and state the time and place and country. Otherwise, answer "No."

**Item 11. Oath of allegiance.**—If you, at any time, have ever taken an oath of allegiance to any country, state, or nation other than the United States, write "Yes" and state the time, place, and country. Otherwise, write "No."

**Item 12. Presidential Proclamations, and Regulations.**—A summary of the provisions of Presidential Proclamations, and Regulations concerning the conduct of aliens of enemy nationalities is available at post offices and may be obtained there. You should read such summary or have it read to you, and then state whether you have complied. If you have been granted any kind of exemption, you should so note.

**Item 13. Selective service.**—If you were registered for selective service, write "Yes," and state where and your number. Otherwise, write "No."

**Item 14. Organization affiliations.**—You must state the clubs, organizations, or societies of which you have been a member or with which you have been affiliated at any time during the past 5 years, either in the United States or abroad. If any listed membership or affiliation has ceased, state the approximate date. If you spent any part of said 5-year period outside the United States, include a statement of your foreign political party or national organization affiliation during such time.

**Item 15. Additional information.**—You are not obliged to write in any information under this item, and no penalty or prejudice attaches to your failure to do so. This item merely gives you an opportunity to make any voluntary, additional statement concerning yourself. These are suggested topics: (a) How you acquired your present foreign citizenship status (by birth, naturalization, decree, etc.); (b) brief history of your citizenship, whether you lost it by expatriation or decree; (c) whether you left your country of origin because of racial, religious, or political persecution or restriction, and, if so, when and under what circumstances; (d) names and addresses of not more than two persons, now living in the United States, who knew you in your country of origin or who know you here and will vouch for your loyalty. If you give any such names, however, you must accompany them with a written statement, under oath, substantially as follows: "I have neither given anything of value nor obligated myself in any manner whatsoever to obtain permission to use the above names." This must be so stated and must be the fact. If anyone attempts to influence you in any manner with respect to the use of his name as a reference, it should be reported to the Identification Official.

(The above instructions indicate the information you will need to fill out the Application for Certificate of Identification. See other side for instructions as to where and how, and what you will need, to submit your application)

Key - as A 7.03

**SUMMARY OF PROCLAMATIONS OF THE PRESIDENT OF THE UNITED STATES OF DECEMBER 7 AND 8, 1941, AND JANUARY 14, 1942, AND OF REGULATIONS OF THE ATTORNEY GENERAL THEREUNDER 1942, PRESCRIBING THE CONDUCT TO BE OBSERVED BY ALIENS OF ENEMY NATIONALITIES.**

The Proclamations of the President of December 7 and 8, 1941, direct the conduct to be observed by aliens of enemy nationalities in the United States who have not been naturalized as citizens of the United States. The Proclamation of the President of January 14, 1942, requires that aliens of enemy nationalities shall apply for Certificates of Identification in the manner required by the regulations of the Attorney General. Under the authority of the Proclamations the Attorney General has issued revised regulations governing the possession of radios, cameras, firearms, and other prohibited articles and the travel of alien enemies and regulations requiring applications for certificates of identification at specified times. It is their duty to become acquainted with these regulations and to become familiar with any other regulations which are hereafter issued. For convenience and merely as a guide, a summary of these regulations follows but the summary does not take the place of the regulations.\*

1. The aliens of enemy nationalities required to apply for certifications of identification and to observe the regulations include all persons of the age of 14 years or over who are German, Italian or Japanese citizens or subjects or who are stateless but who at the time at which they became stateless were German, Italian or Japanese citizens or subjects.

2. Persons not required to apply for certificates of identification or to comply with the revised regulations include German, Italian and Japanese citizens or subjects who became citizens or subjects of any nation other than Germany, Italy or Japan, before December 7, 1941 in the case of former Japanese citizens or subjects, and before December 8, 1941 in the case of former German or Italian citizens or subjects, and also Austrians, Austrian-Hungarians and Koreans who registered as such under the Alien Registration Act of 1940.

3. Aliens of enemy nationalities are required to preserve the peace toward the United States and refrain from any hostility to the United States or from in any way aiding the enemies of the United States.

4. Aliens of enemy nationalities are prohibited from having in their possession, custody or control or from using or operating certain prohibited articles. These prohibited articles include among other things, radio transmitters, shortwave radio receiving sets, cameras and firearms.

5. The United States Attorney for the judicial district in which an alien enemy resides may, under certain specified conditions, grant permission to an alien of enemy nationality to use or operate or possess shortwave radios, cameras, or other prohibited articles. To obtain information as to the circumstances under which such permission will be granted, an alien of enemy nationality should consult the Attorney General's revised regulations and if he needs further information he should consult the United States Attorney.

6. Aliens of enemy nationalities are forbidden to make any flight in any type of airplane or aircraft and are forbidden from entering or being found in or upon any highway, waterway, airway, railway, subway, public utility or building not open and accessible to the public generally and not generally used by the public. All aliens of enemy nationalities are forbidden to enter or leave the United States except under the regulations in the Proclamation of the President of November 14, 1941 and all the regulations promulgated thereunder.

7. No alien of enemy nationality shall be found within any area which shall be designated by the Attorney General as an area within which alien enemies shall not be found and no alien enemies shall reside within an area which shall be designated by the Attorney General as an area within which alien enemies shall not reside.

8. No alien of enemy nationality shall change his place of abode or residence or his place of employment or of occupation without having at least one week before such a change filed with the United States Attorney for the judicial district in which he then resides, a written notice of intention to change his place of residence.

9. No alien of enemy nationality shall assume or use any other than his legal name except as authorized by or under law.

10. Whenever an alien of enemy nationality who is a holder of a Certificate of Identification changes his name, residence, address or place of employment, a written notice shall immediately be given to the Alien Registration Division of the Immigration and Naturalization Service and the local office of the Federal Bureau of Investigation shown in the holder's Certificate of Identification.

11. No alien of enemy nationality shall travel or move from place to place without having obtained permission of the United States Attorney for the judicial district in which he resides with the exception that such permission is not required for travel within the urban or rural community in which the alien resides, for commuting to business or for travel to places of worship or school, or to transact business with public officials. Such permission may be granted by the United States Attorney in accordance with the provisions of the Attorney General's revised regulations.

12. An alien of enemy nationality who fails to comply with the provisions of the Proclamations and regulations prescribing the conduct to be observed by alien enemies, is subject to apprehension, detention and internment for the duration of the war.

\*Additional information concerning these regulations and others issued by the Attorney General may be obtained in the office of the United States Attorney for your district or from the Director of the Alien Enemy Control Unit, United States Department of Justice, Washington, D. C.

*Francis Biddle*  
Attorney General.

A 7.03

December 9 1941

files  
~~MEMORANDUM FOR MR. L. M. C. SMITH~~  
~~-CHIEF, SPECIAL DEFENSE UNIT~~

There is returned herewith a copy of proposed instructions to United States Attorneys with reference to the ~~handling~~ of alien handling enemies taken into custody under the proclamation issued December 7, 1941, and succeeding proclamations.

You will observe that a number of changes have been suggested, most of which are mechanical and have to do with phraseology, form, and rearrangement of the material contained in the proposed instructions.

The provisions having to do with the appointment and functions of hearing boards are found to be particularly worthy of comment. In brief, these boards are made up of three citizen civilians appointed by the Attorney General, who will have the power to hear alien enemy cases and make a recommendation to the Attorney General as to whether the alien enemy is to be interned, released on parole, or released.

This procedure differs from the procedure in the handling of alien enemies in the World War, when the recommendation as to the disposition of the alien enemy's case was made by the United States Attorney.

Because of lack of time, the observations of the Criminal Division with reference to the proposed method will not be discussed in full but will be set forth in the briefest possible form.

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17 Title 50, Sec. 21 - 24, U. S. Code, is an anomaly in American law. The power granted is extraordinary in character not only because of the absence of statutory procedure but because of the settled judicial ruling that the exercise of this power is not open to judicial review or otherwise, except as to the one question of the status (alien enemy) of the petitioner. The proceeding is summary in nature and should remain so. John Lord O'Brian, after the last war, stated that "this statute was the most useful of all laws in preserving the safety of the country and preventing enemy activities", and stated further that "its importance cannot be exaggerated". It is believed that the summary character of the statute should be preserved without encrusting it with elaborate, expensive, and cumbersome procedures, especially when they are of little value.

2.7 In the last instance, as in the first, the responsibility is the Attorney General's. The three-man board serves only to add one more view and recommendation for submission to the Attorney General before he exercises this final responsibility. Further, the Attorney General, by setting up the board, places the power of recommendation in the hands of persons who are not responsible to him and who may act in their restricted field independently of him. This may result in unnecessary conflict in principle between the Department and the boards. Such conflict may make it difficult to formulate a unified judgment for the whole country as to the disposition of cases coming before boards of varying views and personalities in the many districts throughout the country.

37 The Attorney General is daily accepting the recommendations of his United States Attorneys in criminal cases involving American citizens, without the benefit of three-man hearing boards or transcripts.

47 In brief, this administrative practice takes the following form at the present time:

- (a). United States Attorney passes on facts prior to apprehension,
- (b). He submits his recommendation to the Department;
- (c). Department passes on the recommendation as to apprehension;
- (d). F.B.I. investigates the facts surrounding the case;
- (e). United States Attorney would thereupon pass upon the question of detention;
- (f). The Department would then pass upon the entire case as to detention, parole or release.

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5/ The mechanical details of the set-up of the boards have not been arranged and will require time, administrative detail, with its attendant delay. Such questions as the effect of the absence, sickness, and unavailability of members of the boards at times of hearings, etc., have yet to be passed upon.

6/ This method of procedure is expensive, cumbersome, and needless.

- (a). The hearing will unduly burden the time and facilities of the United States Attorneys' offices. In effect, the procedure makes the United States Attorney nothing more than a clerk for handling and transmission of forms in connection with the hearing by the boards and other proceedings.
- (b). With reference to the transcript of testimony, this facility is not granted in hearings by the appeal boards under the Selective Service Act.

7/ To sum up, one man responsible to the Attorney General, the United States attorney, can more expeditiously pass upon the question involved and enable the matter to be submitted to the Department without delay. We must not lose sight of the fact that the expeditious handling of these cases is a most important civil right, since it may be assumed that a large proportion of those apprehended will be released on parole. Under the present procedure an alien enemy will be detained at least four weeks before a decision as to his proper status is reached.

It is strongly suggested that the function of making a recommendation as to the disposition of alien enemy cases be entrusted to the United States Attorneys. The United States Attorney is the highest Federal executive officer in his district and his official duties continually require him to exercise analogous functions with respect to American citizens in the field of criminal law. The alien enemy is accorded full protection inasmuch as the recommendation in each case would be reviewed by the Department both at the time of apprehension and after complete investigation. The experience of the last war demonstrates that the United States Attorney can safely be invested with the limited authority to be granted. It is believed that the cases can be more expeditiously ~~handled~~, efficiently and economically handled by the United States Attorney functioning alone.

/s/ J.M. McInerney

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INSTRUCTIONS TO UNITED STATES ATTORNEYS

Re: Alien Enemies

1. General

Attached hereto is a copy of the President's Proclamation, dated December 7, 1941, proclaiming that an invasion has been perpetrated upon the territory of the United States by the Empire of Japan, and a copy of each of the two Presidential Proclamations, dated December 8, 1941, proclaiming that an invasion or predatory incursion is threatened upon the territory of the United States by Germany and Italy, respectively, and directing the conduct to be observed on the part of all natives, citizens, denizens, or subjects of the Empire of Japan, Germany and Italy, being of the age of fourteen years and upward who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized.

2. Responsibility of United States Attorneys

Primary responsibility for all matters affecting alien enemies within a given district rests upon the United States Attorney for that district. It will, therefore, be your function to coordinate the administration of the alien enemy program in your district.

3. Persons whose activities have been investigated and who were apprehended immediately upon the issuance of the Proclamation.

In pursuance of authority delegated to the Attorney General by said proclamation the Director of the Federal Bureau of Investigation was authorized and directed by a Presidential Warrant, signed by the Attorney General, to arrest and detain a large number of specified enemy aliens whom the Attorney General deemed dangerous to the public peace and safety of the United States.

4. Information obtained about alien enemies after the issuance of the Proclamation



### 5. Apprehension

The Federal Bureau of Investigation has been designated as the agency primarily responsible for the apprehension of alien enemies under Presidential warrants. Immediately following the apprehension of an alien enemy the Federal Bureau of Investigation will transmit two copies of the Alien Enemy Apprehension Report to your office, one copy of which should be retained by you and the other copy should be forwarded immediately to the Attorney General.

If the Federal Bureau of Investigation is not readily available ~~to~~ you will be so advised by the Federal Bureau of Investigation, following which you are authorized to call upon the ~~the~~ offices of the Immigration and Naturalization Service or the United States Marshal of your district to make such apprehension. In these instances, you will inform the Special Agent in charge of the local field office of the Federal Bureau of Investigation of your intention to call upon another agency to make apprehensions. If an apprehension is made by officers other than agents of the Federal Bureau of Investigation, it will be necessary that three copies of the Alien Enemy Apprehension Report be made out by the apprehending officer and filed by him with you. One copy of this report should be promptly forwarded to the Federal Bureau of Investigation and one copy to the Attorney General. The Third copy should be retained in your files.

Immediately after any apprehension under the President's Proclamations, ~~u~~ you should telegraph to the Attorney General ~~x~~ the name of the alien enemy apprehended, the date and place of apprehension, and the place of present detention.

### 6. Emergency cases

In an emergency case where reliable information is brought to your attention which clearly establishes that the activities of an alien enemy are dangerous to the interests of the United States and that irreparable damage to the United States may result unless he is immediately apprehended, you are

authorized to cause his apprehension without prior authorization, provided the circumstances of the case make it impracticable to communicate with the Department before taking such action. You are directed to communicate to the Department immediately full and complete information by telegraph with respect to the apprehension of such enemy alien and the basis therefore, including the date and place of apprehension and the place of present detention. You should identify the case as one of emergency by inserting the word ~~EX~~ "emergency" after the name of the alien enemy. Upon the receipt of such information, the Attorney General will issue a warrant and forward it to you immediately or transmit other appropriate instructions.

#### 7. Further investigation

The Federal Bureau of Investigation will make available to you all information contained in their files concerning each apprehended alien. After examining this information you may decide that further investigation is indicated. If so, you should request the Federal Bureau of Investigation to conduct such further investigation. Similarly, you may call upon the Immigration and Naturalization Services for information in its possession concerning the alien enemy.

#### 8. Temporary Detention

The alien enemies who have been apprehended for temporary detention to the Immigration and Naturalization Service where they will be held pending a final determination of their status. During such temporary detention it will be the duty of the Immigration and Naturalization Service to require each alien enemy to fill out an Alien ~~EN~~ Enemy Questionnaire, copies of which will be furnished to your office and to the Attorney General.

The Immigration and Naturalization Service has been instructed to segregate the alien enemies from persons in custody on criminal charges where it is necessary to use the same quarters.

#### 9. The Alien Enemy Hearing Board

In connection with the administration of the alien enemy program, the issue as to the future status of the alien enemy will be submitted to one or more alien enemy Hearing Boards in each district, the members of which will be appointed by the Attorney General. Each Board will consist of three members, one of whom should be an attorney and all members should be citizens of the United States and residents of the district in which the Board is convened. The alien enemy Board will be empowered to make a recommendation to the Attorney General as to the internment, release on parole, or release of the alien enemy based on the evidence and information submitted for its consideration. This Board will have the power to interrogate the alien enemy and generally to conduct the hearing. You will present each alien enemy's case to the Board with recommendations as to the disposition thereof. A representative of the Immigration and Naturalization Service and a Special Agent of the Federal Bureau of Investigation will assist you and the Board with respect to matters relating to the Immigration and Naturalization Service and the Federal Bureau of Investigation. You will act generally as the executive officer of the Board and upon you will devolve the responsibility for the transmittal of all the reports to the Department and for the completion of all steps relating to alien enemy procedure. It will be the duty of the Board to file with you for transmittal to the Attorney General a report containing recommendations on each alien enemy's case. You will promptly transmit this report to the Attorney General, together with copies of any investigative reports, other than reports of the Federal Bureau of Investigation, and a brief statement of any other governmental investigative agency, and additional information developed at the hearing or contained in the Alien Enemy Questionnaire.

#### 10. The Hearing

Every alien enemy's case should be presented to a Board as soon as

Practically ~~immediately~~ after the receipt of the information for the Federal Bureau of Investigation and the apprehension of the alien enemy, and in no case longer than ten days after his apprehension. This hearing, while not a matter of right, is nevertheless granted in order to give the alien enemy an opportunity to present information as to his citizenship status, age, loyalty, activities, etc. The alien enemy should be informed of the nature of the proceedings and ~~he~~ should be permitted to present any facts in his own behalf. A relative or friend or other advisor of the alien enemy may attend the hearing. Such person, however, will not be permitted to object to questions or make any argument concerning any evidence on any phase of the proceeding. The hearing will be conducted without the presence or availability of counsel for the alien enemy. Translators, if necessary, will be furnished by the Immigration and Naturalization Service.

11. Recommendation for Disposition of case.

~~At~~ the conclusion of the hearing, the Board should recommend (1) internment, (2) release on parole, or (3) release.

If, however, you feel that at the expiration of these ten days the facts are not sufficiently developed to warrant a presentation to a Hearing Board, you should so inform the Department, giving a full account of the evidence to date and your reasons for deferring presentation.

12. Review by Department

The recommendations of the Board, together with the information upon which it is based will be reviewed <sup>in</sup> ~~by~~ the Department and final decision as to the disposition of the cases will be made by the Attorney General. You will be notified of such decision within two weeks of the receipt of your recommendations and it will become your responsibility to see that the decision of the Department is carried out.

### 13. Parole

The responsibility for the administration of alien enemy parole has been placed by the Attorney General in the Immigration and Naturalization Service. Whenever the Attorney General determines that a particular alien enemy is to be paroled, you will be so advised and the Immigration and Naturalization Service will be directed to make the necessary arrangements for his release on parole.

### 14. Parole Violations

If you have reason to believe that a paroled alien has violated a condition of his parole, you should immediately notify the Federal Bureau of Investigation, which has the responsibility of investigations of reported parole violations. Where the violation appears to be serious and his remaining at large is a source of danger to the United States, you are authorized to cause his immediate ~~release~~ apprehension and detention pending a disposition of his case. If it appears upon investigation that there has been a violation you should present the facts to the Board who will make appropriate recommendations to the Attorney General. You will be promptly advised of the Attorney General's decision.

### 15. Internment

If the Attorney General determines that the alien enemy should be interned you will be so advised and the Immigration and Naturalization Service will be directed to deliver him into the custody of the War Department which will arrange for his subsequent detention.

### 16. Forms

As soon as possible there will be forwarded to you a supply of forms to be used in connection with the alien enemy program. These forms will be self-explanatory or precise instructions for their use will accompany them.

17. Personal Property of Alien enemies.

The Federal Bureau of Investigation and the Immigration and Naturalization Service have been advised that it is the duty of the officer making the apprehension to see that so far as possible any property of the person of an alien enemy or in his immediate possession at the time of his apprehension is protected against loss. If any complaint or other information comes to your attention indicating that this is not being done you are instructed to report such facts to the Attorney General.

18. Attorneys, visitors and communications

Alien enemies apprehended under the President's proclamation may, at your discretion or that of the Immigration and Naturalization Service, confer in the place of confinement with attorneys or with members of their families, under proper safeguards, and may send and receive letters provided the same are censored by the supervisory officials having custody of such alien/enemies. Telephone conversations may also be conducted under close <sup>sup</sup>supervision. Abuse of these privileges may result in their withdrawal.

19. Conclusion

The Attorney General is relying upon the United States Attorneys to administer the alien enemy program so as to protect the interests of the nation and of the alien, preserve the integrity of the proceedings and insure their confidential character. ~~ixix~~

It is extremely important that replies to the Department's letters ~~be forwarded~~ and telegrams with regard to alien enemies should be forwarded as soon as possible and that all actions with regard to alien enemies be expedited.

*re Alien Enemies*

*A 7.03*



BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

*#2525*

AUTHORITY

WHEREAS it is provided by Section 21 of Title 50 of the United States Code as follows:

"Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases,

*Plotted as every alien*

(OVER)

and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

and

WHEREAS by Sections 22, 23 and 24 of Title 50 of the United States Code further provision is made relative to alien enemies:

PROCLAMATION

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as PRESIDENT of the United States and as Commander in Chief of the Army and Navy of the United States, do hereby make public proclamation to all whom it may concern that an invasion has been perpetrated upon the territory of the United States by the Empire of Japan.

CONDUCT TO BE OBSERVED BY ALIEN ENEMIES

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the United States Code, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens or subjects of the Empire of Japan

being of the age of fourteen years and upwards who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized, who for the purpose of this Proclamation and under such sections of the United States Code are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof; and to refrain from actual hostility or giving information, aid or comfort to the enemies of the United States or interfering by word or deed with the defense of the United States or the political processes and public opinions thereof; and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President.

All alien enemies shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by Sections 23 and 24 of Title 50 of the United States Code, and as prescribed in the regulations duly promulgated by the President.

DUTIES AND AUTHORITY OF THE ATTORNEY GENERAL  
AND THE SECRETARY OF WAR

And, pursuant to the authority vested in me, I hereby charge the Attorney General with the duty of executing all the regulations hereinafter contained regarding the conduct of alien enemies within continental United States, Puerto Rico, the Virgin Islands and Alaska, and the Secretary of War with the duty of executing the regulations which are hereinafter set forth and which may be hereafter adopted regarding the conduct of alien enemies in the Canal Zone, the Hawaiian Islands and the Philippine Islands.

*Approved*  
Each of them is specifically directed to cause the apprehension of such alien enemies as in the judgment of each are subject to apprehension or deportation under such regulations. In carrying out such regulations within the continental United States, Puerto Rico, the Virgin Islands and Alaska, the Attorney General is authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies and municipalities thereof and of the District of Columbia as he may select for the purpose. Similarly the Secretary of War in carrying out such regulations in the Canal Zone, the Hawaiian Islands and the Philippine Islands is authorized to

use such agents, agencies, officers and departments of the United States and of the territories, dependencies and municipalities thereof as he may select for the purpose. All such agents, agencies, officers and departments are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of War, as the case may be.

REGULATIONS

And, pursuant to the authority vested in me, I hereby declare and establish the following regulations which I find necessary in the premises and for the public safety:

- (1) No alien enemy shall enter or be found within the Canal Zone and no alien enemy shall enter or leave the Hawaiian Islands or the Philippine Islands except under such regulations as the Secretary of War shall from time to time prescribe.

Any alien enemy found in the Canal Zone, the Hawaiian Islands, or the Philippine Islands in violation of any such regulations and any alien enemy

(OVER)

who enters or is found within any restricted area to be hereafter prescribed by the Military Commanders of each such territory in the Canal Zone, the Hawaiian Islands, and the Philippine Islands, may be immediately apprehended by authority of the Military Governors in each such territory, or if there be no Military Governor, then by authority of the Secretary of War, and detained until it is determined, under the regulations to be prescribed by the Secretary of War, whether any such alien enemy should be permanently interned following which such alien enemy shall either be released, released on bond, or permanently interned, as the case may be.

- (2) The exercise of the power to prescribe restricted areas and the power of arrest, detention and internment of alien enemies in the Canal Zone, the Hawaiian Islands or the Philippine Islands shall be under the jurisdiction of the Military Commanders of each such territory, each acting under such regulations as the Secretary of War shall hereafter prescribe.
- (3) No alien enemy shall enter or leave Alaska, Puerto Rico or the Virgin Islands except under such regulations as the Attorney General shall from time to time prescribe. Any alien enemy found in Alaska, Puerto Rico or the

Virgin Islands in violation of any such regulations and any alien enemy who enters or is found within any restricted area to be hereafter prescribed by the Military Commanders of each such territory in Alaska, Puerto Rico and by the Naval Commander in the Virgin Islands, shall be immediately apprehended by the authority of the Attorney General acting through the United States Attorney in each such territory and detained until it is determined, under the regulations to be prescribed by the Attorney General, whether any such alien enemy shall either be released, released on bond, or permanently interned, as the case may be.

(4) The Military Commanders in Alaska and Puerto Rico and the Naval Commander in the Virgin Islands shall have the power to prescribe restricted areas.

*mandatory*  
(5) No alien enemy shall have in his possession, custody or control at any time or place or use or operate any of the following enumerated articles:

- a. Firearms
- b. Weapons or implements of war or component parts thereof.
- c. Ammunition
- d. Bombs
- e. Explosives or material used in the manufacture of explosives

- f. Short-wave radio receiving sets
- g. Transmitting sets
- h. Signal devices
- i. Codes or ciphers
- j. Cameras
- k. Papers, documents or books in which there may be invisible writing; photograph, sketch, picture, drawing, map or graphical representation of any military or naval installations or equipment or of any arms, ammunition, implements of war, device or thing used or intended to be used in the combat equipment of the land or naval forces of the United States or of any military or naval post, camp or station.

All such property found in the possession of any alien enemy in violation of the foregoing regulations shall be subject to seizure and forfeiture.

- (6) No alien enemy shall undertake any air flight or ascend into the air in any airplane, aircraft or balloon of any sort whether owned governmentally, commercially or privately, except that travel by an alien enemy in airplane or aircraft may be authorized by the Attorney General, or his representative, or the Secretary of War or his representative in their respective jurisdictions, under such regulations as they shall prescribe.

(7) Alien enemies deemed dangerous to the public peace or safety of the United States by the Attorney General or Secretary of War, as the case may be, are subject to summary apprehension. Such apprehension shall be made in the continental United States, Alaska, Puerto Rico and the Virgin Islands by such duly authorized officer of the Department of Justice as the Attorney General may determine. In the Canal Zone, the Hawaiian Islands and the Philippine Islands, such arrests shall be made by the Military Commanders in each such territory by authority of the respective Military Governors thereof, and if there be no Military Governor, then by authority of the Secretary of War. Alien enemies arrested shall be subject to confinement in such place of detention as may be directed by the officers responsible for the execution of these regulations and for the arrest, detention and internment of alien enemies in each case, or in such other places of detention as may be directed from time to time by the Attorney General, with respect to continental United States, Alaska, Puerto Rico and the Virgin Islands, and by the Secretary of War with respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands, and there confined until he shall have received such permit as the Attorney General or the Secretary of War with respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands shall prescribe.

(OVER)

(8) No alien enemy shall land in, enter or leave or attempt to land in, enter or leave the United States, except under the regulations prescribed by the President in his Proclamation dated November 14, 1941, and the regulations promulgated thereunder or any proclamation or regulation promulgated hereafter.

(9) Whenever the Attorney General of the United States, with respect to the continental United States, Alaska, Puerto Rico and the Virgin Islands, or the Secretary of War, with respect to the Canal Zone, the Hawaiian Islands, and the Philippine Islands, deems it to be necessary, for the public safety and protection, to exclude alien enemies from a designated area, surrounding any fort, camp, arsenal, airport, landing field, aircraft station, electric or other power plant, hydroelectric dam, government naval vessel, navy yard, pier, dock, dry dock, or any factory, foundry, plant, workshop, storage yard, or warehouse for the manufacture of munitions or implements of war or any thing of any kind, nature or description for the use of the Army, the Navy or any country allied or associated with the United States, or in any wise connected with the national defense of the United States, or from any locality in which residence by an alien enemy shall be found to constitute a danger to the public peace and safety of the

*Excluded  
from areas*

United States or from a designated area surrounding any canal or any wharf, pier, dock or dry dock used by ships or vessels of a designated tonnage engaged in foreign or domestic trade, or of any warehouse, shed, elevator, railroad terminal, depot or yard or other terminal, storage or transfer facility, then no alien enemy shall be found within such area or the immediate vicinity thereof.

Any alien enemy found within any such area or the immediate vicinity thereof prescribed by the Attorney General or the Secretary of War, as the case may be, pursuant to these regulations, shall be subject to summary apprehension and to be dealt with as hereinabove prescribed.

- (10) With respect to the continental United States, Alaska, Puerto Rico, and the Virgin Islands, an alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Attorney General of the United States may, from time to time, make and declare; and the Attorney General is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies within the continental United States, Alaska, Puerto Rico and the Virgin Islands, as he may deem necessary in the premises and for the public safety.

*no  
change of  
address*

- (11) With respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands, an alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Secretary of War may, from time to time, make and declare; and the Secretary of War is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies within the Canal Zone, the Hawaiian Islands, and the Philippine Islands as he may deem necessary in the premises and for the public safety.
- (12) No alien enemy shall enter or be found in or upon any highway, waterway, airway, railway, railroad, subway, public utility, building, place or thing not open and accessible to the Public generally, and not generally used by the public.
- (13) No alien enemy shall be a member or an officer of, or affiliated with, any organization, group or assembly hereafter designated by the Attorney General, nor shall any alien enemy advocate, defend or subscribe to the acts, principles or policies thereof, attend any meetings, conventions or gatherings thereof or possess or distribute any literature, propaganda or other writings or productions thereof.

This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 7th day of December in the year of our Lord one thousand nine hundred and forty-one, of the independence of the United States of America the one hundred and sixty-sixth.

Franklin D. Roosevelt

By the President:

Cordell Hull

Secretary of State

A 7.03

REGULATIONS PERTAINING TO ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 21 of title 50 of the United States Code provides as follows:

"Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety.";

1)  
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 as  
 being alien

WHEREAS by sections 22, 23, and 24 of title 50 of the United States Code further provision is made relative to alien enemies;

WHEREAS by Proclamation No. 2525 of December 7, 1941, and Proclamations Nos. 2526 and 2527 of December 8, 1941, I prescribed and proclaimed certain regulations governing the conduct of alien enemies; and

WHEREAS I find it necessary in the interest of national defense to prescribe regulations additional and supplemental to such regulations:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the United States Code, do hereby prescribe and proclaim the following regulations, additional and supplemental to those prescribed by the aforesaid proclamations of December 7, 1941, and December 8, 1941:

All alien enemies within the continental United States, Puerto Rico, and the Virgin Islands are hereby required, at such times and places and in such manner as may be fixed by the Attorney General of the United States, to apply for and acquire certificates of identification; and the Attorney General is hereby authorized and directed to provide, as speedily as may be practicable, for the receiving of such applications and for the issuance of appropriate identification certificates, and to make such rules and regulations as he may deem necessary for effecting such identifications; and all alien enemies and all other persons are hereby required to comply with such rules and regulations. The Attorney General in carrying out such identification procedure, is hereby authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies, and municipalities thereof and of the District of Columbia as he may select

for the purpose, and all such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of this regulation when acting by the direction of the Attorney General. After the date or dates fixed by the Attorney General for completion of such identification procedure, every alien enemy within the limits of the continental United States, Puerto Rico, or the Virgin Islands shall at all times have his identification card on his person.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of January in

the year of our

Lord nineteen

hundred and

forty-two,

and of the

Independence

of the United

States of

America the one

hundred and sixty-

sixth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

The Secretary of State.

C O P Y

A7.03

AMENDING PROCLAMATIONS RELATING TO ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

*Should a  
War Dept.*

WHEREAS Proclamations No. 2525 of December 7, 1941, and Nos. 2526 and 2527 of December 8, 1941, relating to alien enemies, charge the Attorney General with the duty of executing all the regulations therein prescribed regarding the conduct of alien enemies within Alaska, and confer certain authority upon him with respect to such duty; and

WHEREAS it appears that it would be desirable for administrative purposes to transfer such duty and authority to the Secretary of War:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as President of the United States and as Commander-in-Chief of the Army and Navy of the United States, do proclaim that the duty imposed upon the Attorney General by the aforesaid proclamations of executing all the regulations therein prescribed regarding the conduct of alien enemies within Alaska, and the authority conferred upon him with respect to such duty, are hereby transferred to the Secretary of War.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at

this 29th day of December in the

year of our Lord nine-

teen hundred and

forty-one, and

of the indepen-

dence of the

United States of

America the one hun-

dred and sixty-sixth.

By the President:

CORDELL HULL (Signed)

Secretary of State.

(Signed) FRANKLIN D. ROOSEVELT

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

January 16, 1945

CIRCULAR NO. 3589  
Supplement No. 23

TO ALL UNITED STATES ATTORNEYS

Re: Travel to the West Coast, change of residence  
and possession of contraband by Japanese aliens.

Public Proclamation No. 21 of Major General H. C. Pratt, Commanding General, Western Defense Command, dated December 17, 1944, and effective January 2, 1945, terminates the mass exclusion of persons of Japanese ancestry from the West Coast Military exclusion area consisting of California and the western parts of Washington, Oregon and Arizona. The Western Defense Command has substituted a program of individual exclusion orders for the mass exclusion.

If aliens of Japanese ancestry apply to you for permission to travel into the West Coast exclusion area you are advised to pass upon such applications under the alien enemy travel regulations in the same manner as in the cases of other alien enemies subject to the regulations with the one additional requirement that the individual alien should be required to state in his application that he has not been notified of an individual exclusion order against him. You may notify the Alien Enemy Control Unit of the Department of all such Japanese aliens to whom such travel permission has been granted so that the name may be checked against the individual exclusion list. It will not be necessary, however, to withhold travel permission until such notification to the Department is made and an answer is received by you. Any Japanese alien who conceals the fact of his individual exclusion is subject to summary apprehension as an alien enemy.

Public Proclamation No. 21 rescinds Public Proclamation No. 3 dated March 24, 1942, prohibiting citizens, as well as aliens, of Japanese ancestry from possessing firearms, radios and other contraband. Upon this rescission the Attorney General's regulations governing possession of such articles by aliens of enemy nationality are applicable.

FRANCIS BIDDIE  
Attorney General

1042

108

A 7.03

Handwritten red scribbles and a triangle at the bottom left of the page.

WAR RELOCATION AUTHORITY

Washington

January 29, 1945

ADMINISTRATIVE NOTICE NO. 209

Subject: Travel permits for return of relocated  
aliens to West Coast

Distribution: A

On the reverse side is a copy of instructions issued on January 16, 1945, by the Department of Justice to the United States Attorneys informing them of the procedure to be followed in the case of Japanese aliens applying for permission to travel into the West Coast exclusion area. You will note that the United States Attorneys are instructed to accept the statement of the individual alien that he has not been notified of an individual exclusion order against him and that it is not necessary for a United States Attorney to withhold travel permission until the Department of Justice checks the alien's name against the individual exclusion list.

/s/ D. S. Myer

Director