• Browder, Earl + Raissa

Subject File

PSF

Box [redacted] 118

56042/24 - New York

December 2, 1943.

In re: RAISSA IRENE BROWDER

DEPORTATION PROCEEDINGS

BOARD: Thos. G. Finucane, Chairman, Leigh L. Nettleton, Robert M. Charles, Martin F. Smith and Jack Wasserman.

IN BEHALF OF RESPONDENT: Carol King and Edward I. Aronow, Counsel.

APPLICATION: Reopening and Suspension of deportation.

The respondent, through her attorneys, has applied for a reconsideration and reopening of her case and has requested that an order be entered suspending the existing deportation warrant entered in this matter, pursuant to Section 19 (c) (2) of the Immigration Act of 1917, as amended.

Mrs. Browder is a native of the Union of Soviet Socialist Republics. She last entered the United States in November 1933 by train from Canada at an unspecified border station. At that time she intended to remain in the United States permanently although she was not in possession of an immigration visa entitling her to admission to the United States. In 1940 deportation proceedings were instituted and a hearing was accorded to the alien. She testified that she was the wife of a native born American citizen, Earl Browder, general secretary of the Communist Party and one time presidential candidate on that party's ticket, that she was married to him in 1926 in Moscow, and that three children have been born of this marriage, two in 1927 and 1931 in Moscow, and one in 1934 in New York City. The respondent further testified that she assisted her husband as a secretary and by doing research for his writings and speeches, that she was not a member of any political party in the United States, that she did not interest herself in the aims of the Communist Party but confined her efforts to historical work, and that she never gave any thought to subscribing to the tenets of the Communist Party.

On October 29, 1940, this Board found that the subject was deportable and decided that her application for suspension of deportation or voluntary departure in lieu of deportation should not be granted. With reference to her statements above noted, we observed that "Such answers

coming from the wife of the leading representative of the Communist Party in this country and from an individual, furthermore, who, according to her own testimony, has assisted him actively in preparing his articles and speeches, are hardly credible." We held that the record before us did not establish that the Communist Party of the United States advocated the violent and forcible overthrow of the Government nor that the respondent was a member of the Party. On the other hand, we adverted to the doubts which existed as to the Communist Party's aims, the doubts which were present as to the respondent's probable affiliation with that organization, and the fact that her testimony denying membership and affiliation appeared to be evasive in the extreme. Until these doubts and evasions were clarified by the respondent, we felt that the exercise of discretionary relief should be denied.

Attorney General Robert H. Jackson approved the Board's decision on October 30, 1940, stating:

> "On this record I am unable to make the findings required by the statute if I were to grant the respondent's application. This is so even with respect to the privilege of voluntary departure which does not require a report to the Congress. It is doubly so with respect to suspension of deportation which requires a full report to the Congress with a statement of reasons.
>
> "The question thus arises whether it now devolves upon the Government to explore more fully in a reopened hearing the legal question of the respondent's eligibility under the terms of the statute. In the circumstances of the case I do not believe that it does. For apart from the question of the respondent's legal eligibility there is the further question as to whether discretion should be exercised in her favor. The doubt as to the respondent's eligibility, her failure to make any effort to remove it, and the evasive character of her testimony generally are all reasons why, on this record, it should not be.
>
> "If respondent desires to come forward and produce evidence to dissipate the doubts induced by the present record, she may, at any time prior to deportation, move to reopen the hearing. But so long as those doubts remain, her application must be denied."

A warrant of deportation issued but has not been effectuated because of difficulties in arranging for the respondent's return to her native land and because of the hazards of present-day oceanic transportation. On November 11, 1943, an informal request was made to reopen the case. By letter that day the respondent's attorney was advised that a motion to reopen "should be supported by an allegation of new and material evidence in the nature of law or facts directly bearing

upon the facts at issue, and that the nature of the evidence should be outlined and be appropriately supported by affidavits."

In the light of the foregoing, we examine the respondent's present application. She has filed Forms I-55 and I-255, two affidavits, one signed by her attorney and another by Paul John Bauerberg, which state that she is of good moral character, and a formal motion requesting reopening and suspension. The motion papers allege that there is a new Attorney General, that the above forms have been filed, and that "the only Court decision rendered since the previous decision in this case * * * indicated that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute." Form I-55 executed by the alien contains statements that she is a graduate of the law school of the University of St. Petersburg, that she taught and did research from 1930 to 1933 at the Moscow University, Central Cooperative Society, that she is a member of the International Workers Order, and that she is not a member of any subversive organization. No explanation is given nor is any offer made to explain her former testimony which we designated as hardly credible.

Changes in personnel of the executive branch of the government administering the deportation laws are not a sufficient basis for inducing a reconsideration of a case. The deportation statutes involved herein contain the same language and are in the same form (with minor exceptions not pertinent here) as they were in October 1940. Their proper administration calls for the same conclusion reached at that time unless new rules of law, administrative determination or judicial opinion require a different result. The instant application states that since the previous decision in this matter a court decision has been rendered holding that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute. That is not the issue before us at this time. It is, therefore, unnecessary to decide the effect the case of Schneiderman v. United States, 87 L. Ed. 1249 (October Term, 1942, decided June 21, 1943), might have in determining whether relief should be exercised in favor of the applicant. We are here concerned with a matter of discretion which is exercised with extreme /care and only in the most deserving and meritorious cases. Before this discretion is exercised we require a full and frank disclosure by the applicant of conduct and activities past and present so that a certification may be made to Congress of worthiness and good moral character. Allegations of new and material evidence, clarifying the issues previously raised herein, have not been offered nor appropriately supported by affidavits. The doubts and evasions mentioned in the opinion of Attorney General Jackson and in our former opinion have not been dispelled nor has there been any proffer of evidence which might tend to dispel them. The respondent has persisted in her

56042/24 - New York

failure to remove these doubts and evasions. For this reason, we must again deny her application.

ORDER: It is ordered that the motion to reopen be denied without prejudice to a reapplication in conformity with the foregoing opinion.

JW/vbe

Chairman

PM 12/13/43

Letter to the President

This is a copy of a letter sent to the President:

PM 12/13/43

Dear Mr. President:

I was shocked when I saw in this morning's papers that the Board of Immigration Appeals had refused to set aside the deportation order against Raisa Browder. The attempt by the Government to separate a wife and mother from her family would be dreadful at any time, but it is particularly so now when the Iran conference has emphasized the underlying need for decent treatment toward citizens of all the United Nations.

As far as I can make out, Mrs. Browder's "evasiveness" consisted in her refusal to attack the Soviet Government under which she had lived for many years, and to defame her husband and the American Communist Party of which he is the general secretary. In these days of close co-operation with the Soviet Union, many Americans had come to feel that the Government no longer would resort to persecuting individuals who refused to malign our gallant ally and the Communist Party in this country.

Aside from the unfortunate political aspects of this case, its human aspects are at least equally deplorable. I have referred to the breaking up of the Browder family. Because such results had come to be regarded as tragic and unnecessary, Congress recently passed a law authorizing the abandonment of deportation proceedings against alien members of American families where the only charge against them was their alleged failure to comply with technical entry requirements. Apparently, it is only in the case of Mrs. Browder that these humane provisions have been disregarded and the principle of equal protection of the laws ignored.

I appeal to you as the Chief Executive, Mr. President, to see that the laws are applied impartially, and that Mrs. Browder be permitted to live unmolested with her family in the United States.

New York PAUL ROBESON

85 Bedford St.
New York City 14

December 19th 1943

Dear Molly,

You were so fine and generous and truly liberal when Earl Browder was in prison two years ago that I am turning to you again with an SOS.

Another terrible blow has fallen upon that family who are dear friends of ours. Irene Browder came to the United States exactly 10 years ago with Earl and their two little boys registered as American citizens, although they were born in the Soviet Union. Their father is an American of Revolutionary (American Revolution!) stock.

Irene just arrived in time before little Billy was born. He

will be 10 years old within a month now.

They are a most devoted and happy family - all three boys doing splendidly at school in Yonkers; the oldest on the debating team, really brilliant.

Irene was born in France, grew up in Russia, but has completely Americanized herself. She lives for her husband, her three boys, and her household. If she comes to the city for an errand, or to meet us for luncheon, she calls up her household on the telephone at noon to be sure the boys are all right.

This is the mother whom the U. S. government has now announced it will take away from her family and try to deport. Of course she had no regular visa in 1933. As the wife of a Communist leader she could not get one at that time.

But as Paul Robeson points out

in his letter, a copy of which is enclosed, the government is not separating people from their families now because of their alleged failure to comply with technical entry requirements. To tear away a decent, home-loving devoted wife and mother from her American family would be a crime against the democracy our soldiers are fighting to defend.

The President has the power to cancel this deportation order at this time - once and for all.

A word from you to him or to Mrs. Roosevelt would help greatly in bringing the matter to his attention.

All good wishes to you and Polly,

Affectionately,
Grace Hutchins

171 WEST 12TH STREET
NEW YORK CITY

Dec. 21. 1943

Dear Eleanor,—

This certainly is a case for no technicalities and a moment for none also. How stupidly men can act.

The question of Browder was one large thing and when it was decided to let him out of prison

that was a point on
which I had no opinion –
but his wife! General
amnesty on Today!

My love
Moky

Merry Xmas!
I am going to Cast[illegible] for
a month in 5 min.

(2233)
hms

THE WHITE HOUSE
WASHINGTON

3997

January 3, 1944.

MEMORANDUM FOR

THE ATTORNEY GENERAL: x10

FOR PREPARATION OF A MEMORANDUM FOR MRS. ROOSEVELT. 10772

F.D.R.

x

Telegram from Florence Albert, Blanch Meyer Berger, Annette NanPearl, Milwaukke, Wisconsin, 12/29/43, to Mrs. Roosevelt, protesting deportation of Raissa Browder.

#

THE WHITE HOUSE
WASHINGTON

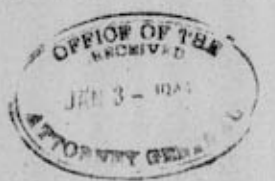
January 3, 1944.

MEMORANDUM FOR

THE ATTORNEY GENERAL:

FOR PREPARATION OF A MEMO-
RANDUM FOR MRS. ROOSEVELT.

F.D.R.



(2284)

3997

THE WHITE HOUSE
WASHINGTON

January 3, 1944.

PERSONAL
MEMORANDUM FOR
THE ATTORNEY GENERAL:

Will you let me have a memorandum on this?

F.D.R.

Letter from Molly Dewson, 171 West 12th St., NYC, 12/21/43, to Mrs. Roosevelt, enclosing newspaper clipping written by Paul Robeson and letter which Miss Dewson received from Grace Hutchins, in re deportation of Raisa Browder.

THE WHITE HOUSE
WASHINGTON

January 3, 1944.

PERSONAL

MEMORANDUM FOR

THE ATTORNEY GENERAL:

Will you let me have a memorandum on this?

F.D.R.

The White House
Washington

DEC 30 7 42 AM 1943

WB2 NL

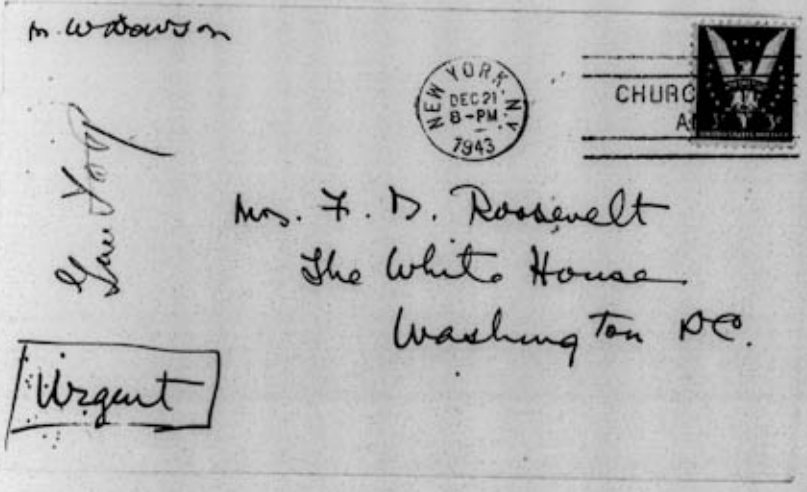
MILWAUKEE WIS DEC 29 1943

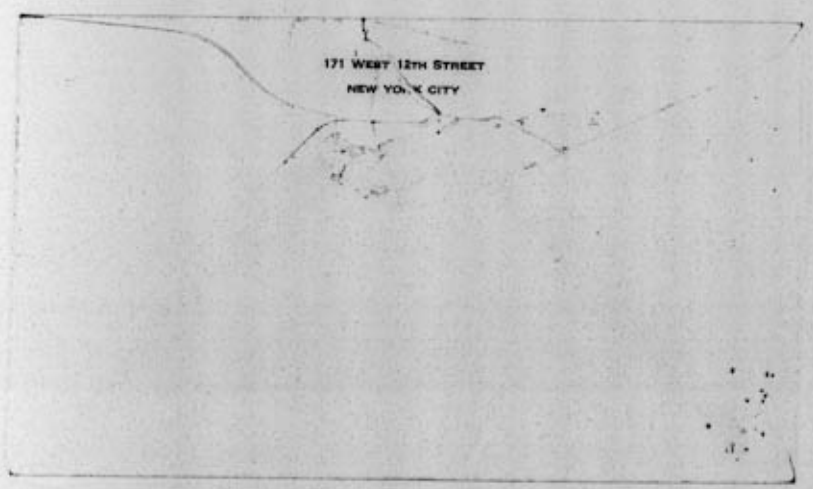
MRS ELEANOR ROOSEVELT

WHITE HOUSE

DEPORTATION OF RAISSA BROWDER WILL SEPARATE WIFE AND MOTHER FROM HUSBAND AND FAMILY WITHOUT EVIDENCE OF CRIME OR UNPATRIOTIC CONDUCT ONLY PRESIDENTS ACTION CAN PREVENT THIS UNPRECEDENTED ACT TOWARD CITIZEN OF FRIENDLY ALLY ASK YOUR HELP IN GETTING DEPORTATION ORDER REVOKED

FLORENCE ALPERT BLANCH MEYER BERGER ANNETTE NANPEARL.


M. W. Dawson
NEW YORK N.Y.
DEC 21
8-PM
1943
CHURC
AI
Mrs. F. D. Roosevelt
The White House
Washington D.C.
Urgent


171 WEST 12TH STREET
NEW YORK CITY

January 6, 1944

MEMORANDUM FOR THE PRESIDENT

In re: Mrs. Raissa Berkman Browder

As requested in your two memoranda of January 3, 1944, I am attaching a memorandum for you and one for Mrs. Roosevelt.

The correspondence which you sent me is returned herewith.

Respectfully,

Attorney General

Office of the Attorney General
Washington, D.C.

January 6, 1944

MEMORANDUM FOR MRS. ROOSEVELT

In re: Mrs. Raissa Berkman Browder

This will acknowledge receipt of the President's memorandum of January 3, 1944, requesting a statement for you concerning the deportation case of Mrs. Raissa Berkman Browder.

Mrs. Browder, a native of Russia, graduated from the law school of the University of St. Petersburg, taught at Moscow University and engaged in research work at the Central Cooperative Society in Russia.

In November of 1933, she entered the United States from Canada, without inspection and without an immigration visa, required by law. During her residence here, she was a member of the International Workers Order. Deportation proceedings were instituted on August 7, 1940, and Mrs. Browder was found deportable on the ground that she had entered the country without an immigration visa. Her deportability on this ground is admitted.

The principal issue presented was whether we should grant Mrs. Browder's request to permit her to depart voluntarily from the United States to any country of her choice and at her own expense in lieu of deportation, or to report her case to Congress with a recommendation that her deportation be suspended. These are two types of relief provided for aliens deportable on technical grounds by the Alien Registration Act of 1940.

The former, called voluntary departure, permits aliens to leave the country and, if visa approval is secured from the State Department, to reenter the United States legally and thereby adjust their status. The latter type of relief is dependent upon Congressional approval and is known as suspension. In effect it cancels the deportation of aliens and legalizes their residence. However, under the law, relief may not be granted to an alien who is a member of or affiliated with an organization advocating the overthrow of the government by force and violence or who believes in such doctrine. This provision raised the problem as to whether Mrs. Browder was a member of or affiliated with the Communist Party (or believed in its doctrine) and whether the Communist Party at the time of her connection with it advocated the forceful overthrow of the government. At the hearing in 1940, Mrs. Browder testified that her husband was general secretary of the Communist Party in the United States and that she regularly assisted him as a secretary and in research for his speeches and writings. She denied that she was a member of any political party and when asked whether she was familiar with the aims of the Communist Party as a result of her work for her husband she replied: "I do not interest myself. My version is to do historical work." When asked whether she subscribed to the aims of the Communist Party, she replied merely: "I never gave it any thought."

The case was reviewed by the Board of Immigration Appeals on October 29, 1940, and it decided that Mrs. Browder's request for relief should be denied. Attorney General Jackson approved this decision the following day in a formal opinion which stated that the foregoing testimony given by the wife of a leading representative of the Communist Party was hardly credible, that Mrs.

Browder had not supported her prayer for relief with any demonstration or attempted demonstration that she was not a member of the Communist Party or affiliated with its work, and that until she took steps to remove the doubts and evasions reflected by the record, her request for relief should not be granted.

By petition dated November 12, 1943, Mrs. Browder requested that he case be reopened and that a recommendation be made to Congress for suspension of deportation. Her previous request for voluntary departure was abandoned. Her application merely alleged that the present Attorney General had not had an opportunity to pass upon the case, and that a recent Supreme Court decision ruled that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute. On December 2, 1943, the Board of Immigration Appeals denied this application without prejudice to reapplication. The Board's opinion stated that suspension recommendations are a matter of discretion, exercised with extreme care and only in deserving and meritorious cases, and that a full and frank disclosure by the applicant of conduct and activities past and present is required so that a certification may be made to Congress of worthiness and good moral character. In view of the applicant's failure to remove the doubts and evasions in the record in conformity with Attorney General Jackson's order, the Board's conclusion was the only logical result which could have been reached.

Copies of Attorney General Jackson's opinion and the Board's decisions are annexed for your convenience.

Sincerely,

Francis Biddle

January 8, 1944

MEMORANDUM FOR MRS. ROOSEVELT

In re: Mrs. Raissa Berkman Browder

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The principal issue presented was whether we should grant Mrs. Browder's request to permit her to depart voluntarily from the United States to any country of her choice and at her own expense in lieu of deportation, or to report her case to Congress with a recommendation that her deportation be suspended. These are two types of relief provided for aliens deportable on technical grounds by the Alien Registration Act of 1940.

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The case was reviewed by the Board of Immigration Appeals on October 29, 1940, and it decided that Mrs. Browder's request for relief should be denied. Attorney General Jackson approved this decision the following day in a formal opinion which stated that the foregoing testimony given by the wife of a leading representative of the Communist Party was hardly credible, that Mrs.

Browder had not supported her prayer for relief with any demonstration or attempted demonstration that she was not a member of the Communist Party or affiliated with its work, and that until she took steps to remove the doubts and evasions reflected by the record, her request for relief should not be granted.

By petition dated November 12, 1943, Mrs. Browder requested that he case be reopened and that a recommendation be made to Congress for suspension of deportation. Her previous request for voluntary departure was abandoned. Her application merely alleged that the present Attorney General had not had an opportunity to pass upon the case, and that a recent Supreme Court decision ruled that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute. On December 2, 1943, the Board of Immigration Appeals denied this application without prejudice to reapplication. The Board's opinion stated that suspension recommendations are a matter of discretion, exercised with extreme care and only in deserving and meritorious cases, and that a full and frank disclosure by the applicant of conduct and activities past and present is required so that a certification may be made to Congress of worthiness and good moral character. In view of the applicant's failure to remove the doubts and evasions in the record in conformity with Attorney General Jackson's order, the Board's conclusion was the only logical result which could have been reached.

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Sincerely,

Francis Biddle

January 6, 1944

MEMORANDUM FOR THE PRESIDENT

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I have been informed by the Director of the Federal Bureau of Investigation that the Communist Party has sponsored a campaign to send letters and telegrams protesting Mrs. Browder's deportation, and many protests have been received here which give clear indication of being inspired by that organization or its affiliates.

Copies of Attorney General Jackson's opinion and the Board's decisions are annexed for your convenience.

Respectfully,

Attorney General

(1234.7)

3997

THE WHITE HOUSE
WASHINGTON

January 10, 1944.

MEMORANDUM FOR

THE ATTORNEY GENERAL

Your memo of January sixth is very interesting -- but it does not tell me what to do! Do please suggest an "out", a "modus vivendi" or something really brilliant which will go down into history as a judgment of Solomon!

F. D. R.

Transmitting memorandum which the President received from the Attorney General, 1/6/44, in re case of Mrs. Raissa Berkman Browder.

(1944)
Mrs

THE WHITE HOUSE

WASHINGTON

January 14, 1944.

MEMORANDUM FOR THE ATTORNEY GENERAL:

I think this Mrs. Browder business is getting into the silly stage. Of course, her husband was an American Communist who was for many years very much under the thumb of the Commintern. Of course his wife was in exactly the same position. She was a Russian. That is true. But her husband is an American and they have three children born in this country.

Please let me know before any action is taken by the Board or by you. Common sense can, in my judgment, lead to only one conclusion.

F.D.R.

No papers accompanied the original of this memorandum to the Attorney General.

THE WHITE HOUSE

WASHINGTON

January 14, 1944.

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F.D.R.

THE WHITE HOUSE

Mrs. Roosevelt,

The White House.

MEMO FOR GRACE:

Mr. Latta suggests that the President might want to send the memo from the A.G. (with suggested reply) to Mrs. Roosevelt, in view of his memo to her of this date on the same subject.

dot

THE WHITE HOUSE
WASHINGTON

January 13, 1944.

MEMORANDUM FOR

MRS. ROOSEVELT

I suggest you ask the Attorney General about this. I honestly don't know.

F. D. R.

THE WHITE HOUSE
WASHINGTON

January 14, 1944.

MEMORANDUM FOR

MRS. ROOSEVELT:

This is very confidential to the Attorney General.

F.D.R.

Transmitting copy of the President's memorandum of 1/12/44 to the Attorney General, in re case of Mrs. Raissa Browder.

~~Clear to Secy~~

3-44

PSF: Brownell

THE WHITE HOUSE
WASHINGTON

January 14, 1944.

MEMORANDUM FOR

MRS. ROOSEVELT:

This is very confidential to the Attorney General.

F.D.R.

ANNA LOUISE STRONG
871 PARTRIDGE AVENUE
MENLO PARK, CALIF.

JAN 8 - 1944

January 4, 1944

Dear Mrs Roosevelt,

I hate to bother so busy a person as you about a matter of individual political persecution, as the ordered deportation of Mrs. Earl Browder. I do so only because, I know how very badly it would affect the respect in which the common people of Russia now hold the United States.

Raissa Browder came to this country from Russia over ten years ago as Earl Browder's wife. She gave up her Soviet citizenship to do so, and that country will probably not take her back. She has borne three American sons...Nothing has ever been alleged against her character..Three years ago she was ordered deported--during the anti-Soviet feeling--on the ground that she entered without proper visa, as about half a million of other residents have done...At the time when she came ---the Hoover Administration-- there was practically no chance for a Soviet citizen to get a visa from the USA.

Since that time Congress has passed a law xxxx authorizing such persons to remain if they have American family ties..Mrs Browder is the only person against whom the deportation order is still affirmed, the reason being that, when she was asked to denounce the Soviet Union and her husband husband's activities, she "evaded".

ANNA LOUISE STRONG
872 PARTRIDGE AVENUE
MENLO PARK, CALIF.

This is clear political persecution and everyone will know it as such...It deprives three American boys of a mother against whom no want of character has ever been alleged...My own interest stems not only from the fact that I have met Mrs Browder but that I know that the news of such a deportation on such grounds will seem to millions of Russian citizens, if and when they learn of it, as a deliberate slap in the face, since unillingness to denounce the Soviet Union is held reason for deportation.

I have written the President about it and I hope very much he can do something to see that our regulations are applied equally, instead of favoring confessed Gestapo agents like Jan Valtin and penalizing decent mothers like Raissa Browder,

With regards,

Anna Louise Strong

THE WHITE HOUSE
JAN 13 1 18 PM '44
RECEIVED
PSF:
Browder

Office of the Attorney General
Washington, D.C.

January 12, 1943

MEMORANDUM FOR THE PRESIDENT

In re: Mrs. Raissa Berkman Browder

I construed your first memorandum to ask me to be informative and not brilliant. Evidently I made good on both scores.

Mrs. Browder is admittedly deportable because of illegal entry. The statute which authorizes suspension of deportation (subject to Congressional sanction in each case) makes such relief available if the Attorney General finds, among other things, that the deportee does not advocate or believe in the overthrow of our government by force and violence.

The Board of Immigration Appeals (twice) and Attorney General Jackson have decided that the record does not permit such a finding. Mrs. Browder and her attorney have been advised that the case will be reopened whenever they have evidence to present which they believe will remove our doubts.

In its present state, the matter is one for negative action by you. I recommend that you do nothing, using for that purpose the enclosed form.

Respectfully,

Francis Biddle

Attorney General

Dear ———

Your letter concerning the case of Mrs. Browder has been received.

Under the law, final authority in these matters rests in the Department of Justice, subject only to review by the Congress if the action of the Department is favorable to the deportee. I am informed by the Attorney General that Mrs. Browder's petition for suspension of deportation has been considered three times and denied in each instance. The decisions state the reasons for denial, and my suggestion would be that if evidence is available to meet them, it should be promptly presented to the Board of Immigration Appeals of the Department of Justice. I am sure that the Board will reopen the case to receive and consider it.

Sincerely yours,

Office of the Attorney General
Washington, D.C.

THE WHITE HOUSE
JAN 7 4 20 PM '44
RECEIVED

January 6, 1944

MEMORANDUM FOR THE PRESIDENT

In re: Mrs. Raissa Berkman Browder

As requested in your two memoranda of January 3, 1944, I am attaching a memorandum for you and one for Mrs. Roosevelt.

The correspondence which you sent me is returned herewith.

Respectfully,

Francis Biddle

Attorney General

Office of the Attorney General
Washington, D.C.

January 6, 1944

MEMORANDUM FOR THE PRESIDENT

In re: Mrs. Raissa Berkman Browder

This will acknowledge receipt of your memorandum of January 3, 1944, requesting a statement concerning the deportation case of Mrs. Raissa Berkman Browder.

Mrs. Browder, a native of Russia, graduated from the law school of the University of St. Petersburg, taught at Moscow University and engaged in research work at the Central Cooperative Society in Russia.

In November of 1933, she entered the United States from Canada, without inspection and without an immigration visa, required by law. During her residence here, she was a member of the International Workers Order. Deportation proceedings were instituted in August 7, 1940, and Mrs. Browder was found deportable on the ground that she had entered the country without an immigration visa. Her deportability on this ground is admitted.

The principal issue presented was whether we should grant Mrs. Browder's request to permit her to depart voluntarily from the United States to any country of her choice and at her own expense in lieu of deportation, or to report her case to Congress with a recommendation that her deportation be suspended. These are two types of relief provided for aliens deportable on technical grounds by the Alien Registration Act of 1940. The former, called

voluntary departure, permits aliens to leave the country and, if visa approval is secured from the State Department, to reenter the United States legally and thereby adjust their status. The latter type of relief is dependent upon Congressional approval and is known as suspension. In effect it cancels the deportation of aliens and legalizes their residence. However, under the law, relief may not be granted to an alien who is a member of or affiliated with an organization advocating the overthrow of the government by force and violence or who believes in such doctrine. This provision raised the problem as to whether Mrs. Browder was a member of or affiliated with the Communist Party (or believed in its doctrine) and whether the Communist Party at the time of her connection with it advocated the forceful overthrow of the government. At the hearing in 1940, Mrs. Browder testified that her husband was general secretary of the Communist Party in the United States and that she regularly assisted him as a secretary and in research for his speeches and writings. She denied that she was a member of any political party and when asked whether she was familiar with the aims of the Communist Party as a result of her work for her husband she replied: "I do not interest myself. My version is to do historical work." When asked whether she subscribed to the aims of the Communist Party, she replied merely: "I never gave it any thought."

The case was reviewed by the Board of Immigration Appeals on October 29, 1940, and it decided that Mrs. Browder's request for relief should be denied. Attorney General Jackson approved this decision the following day in a formal opinion which stated that the foregoing testimony given by the wife of a leading representative of the Communist Party was hardly credible, that Mrs. Browder had not supported her prayer for relief with any demonstration or attempted demonstration that she was not a member of the Communist Party or affiliated with

its work, and that until she took steps to remove the doubts and evasions reflected by the record, her request for relief should not be granted.

By petition dated November 12, 1943, Mrs. Browder requested that her case be reopened and that a recommendation be made to Congress for suspension of deportation. Her previous request for voluntary departure was abandoned. Her application merely alleged that the present Attorney General had not had an opportunity to pass upon the case, and that a recent Supreme Court decision (Schneiderman) ruled that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute. On December 2, 1943, the Board of Immigration Appeals denied this application without prejudice to reapplication. The Board's opinion stated that suspension recommendations are a matter of discretion, exercised with extreme care and only in deserving and meritorious cases, and that a full and frank disclosure by the applicant of conduct and activities past and present is required so that a certification may be made to Congress of worthiness and good moral character. In view of the applicant's failure to remove the doubts and evasions in the record in conformity with Attorney General Jackson's order, the Board's conclusion was the only logical result which could have been reached. Furthermore, we cannot overlook the policy considerations attendant upon the certification to Congress of as controversial a matter as the Browder case.

I have been informed by the Director of the Federal Bureau of Investigation that the Communist Party has sponsored a campaign to send letters and telegrams protesting Mrs. Browder's deportation, and many protests have been received here which give clear indication of being inspired by that organization or its affiliates.

Copies of Attorney General Jackson's opinion and the Board's decisions are annexed for your convenience.

Respectfully,

Francis Biddle

Attorney General

THE WHITE HOUSE
WASHINGTON

January 10, 1944.

MEMORANDUM FOR

THE ATTORNEY GENERAL

Your memo of January sixth is very interesting -- but it does not tell me what to do! Do please suggest an "out", a "modus vivendi" or something really brilliant which will go down into history as a judgment of Solomon!

F. D. R.

U. S. DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS
WASHINGTON

ADDRESS REPLY TO BOARD OF IMMIGRATION APPEALS AND REFER TO FILE NUMBER

56042/24 - New York

Dec. 2, 1943.

In re: RAISSA IRENE BROWDER

DEPORTATION PROCEEDINGS

BOARD: Thos. G. Finucane, Chairman, Leigh L. Nettleton, Robert M. Charles, Martin F. Smith and Jack Wasserman.

IN BEHALF OF RESPONDENT: Carol King and Edward I. Aronow, Counsel.

APPLICATION: Reopening and Suspension of Deportation.

The respondent, through her attorneys, has applied for a reconsideration and reopening of her case and has requested that an order be entered suspending the existing deportation warrant entered in this matter, pursuant to Section 19 (c) (2) of the Immigration Act of 1917, as amended.

Mrs. Browder is a native of the Union of Soviet Socialist Republics. She last entered the United States in November 1933 by train from Canada at an unspecified border station. At that time she intended to remain in the United States permanently although she was not in possession of an immigration visa entitling her to admission to the United States. In 1940 deportation proceedings were instituted and a hearing was accorded to the alien. She testified that she was the wife of a native born American citizen, Earl Browder, general secretary of the Communist Party and one time presidential candidate on that party's ticket, that she was married to him in 1926 in Moscow, and that three children have been born of this marriage, two in 1927 and 1931 in Moscow, and one in 1934 in New York City. The respondent further testified that she assisted her husband as a secretary and by doing research for his writings and speeches, that she was not a member of any political party in the United States, that she did not interest herself in the aims of the Communist Party but confined her efforts to historical work, and that she never gave any thought to subscribing to the tenets of the Communist Party.

On October 29, 1940, this Board found that the subject was deportable and decided that her application for suspension of deportation or voluntary departure in lieu of deportation should not be granted. With reference to her statements above noted, we observed that "Such answers coming from the wife of the leading representative of the Communist Party in this country and from an individual, furthermore, who, according to her own testimony, has assisted him actively in preparing his articles and speeches, are hardly credible." We held that the record before us did not establish that the Communist Party of the United States advocated the violent and forcible overthrow of the Government nor that the respondent was a member of the Party. On the other hand, we adverted to the doubts which existed as to the Communist Party's aims, the doubts which were present as to the respondent's probable affiliation with that organization, and the fact that her testimony denying membership and affiliation appeared to be evasive in the extreme. Until these doubts and evasions were clarified by the respondent, we felt that the exercise of discretionary relief should be denied.

Attorney General Robert H. Jackson approved the Board's decision on October 30, 1940, stating:

> "On this record I am unable to make the findings required by the statute if I were to grant the respondent's application. This is so even with respect to the privilege of voluntary departure which does not require a report to the Congress. It is doubly so with respect to suspension of deportation which requires a full report to the Congress with a statement of reasons.
>
> "The question thus arises whether it now devolves upon the Government to explore more fully in a reopened hearing the legal question of the respondent's eligibility under the terms of the statute. In the circumstances of the case I do not believe that it does. For apart from the question of the respondent's legal eligibility there is the further question as to whether discretion should be exercised in her favor. The doubt as to the respondent's eligibility, her failure to make any effort to remove it, and the evasive character of her testimony generally are all reasons why, on this record, it should not be.
>
> "If respondent desires to come forward and produce evidence to dissipate the doubts induced by the present record, she may, at any time prior to deportation, move to reopen the hearing. But so long as those doubts remain, her application must be denied."

A warrant of deportation issued but has not been effectuated because of difficulties in arranging for the respondent's return to her native land and because of the hazards of present-day oceanic transportation. On November 11, 1943, an informal request was made to reopen the case. By letter that day the respondent's attorney was advised that a motion to reopen "should be supported by an allegation of new and material evidence in the nature of law or facts directly bearing upon the facts at issue, and that the nature of the evidence should be outlined and be appropriately supported by affidavits."

In the light of the foregoing, we examine the respondent's present application. She has filed Forms I-55 and I-255, two affidavits, one signed by her attorney and another by Paul John Bauerberg, which state that she is of good moral character, and a formal motion requesting reopening and suspension. The motion papers allege that there is a new Attorney General, that the above forms have been filed, and that "the only Court decision rendered since the previous decision in this case * * * indicated that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute." Form I-55 executed by the alien contains statements that she is a graduate of the law school of the University of St. Petersburg, that she taught and did research from 1930 to 1933 at the Moscow University, Central Cooperative Society, that she is a member of the International Workers Order, and that she is not a member of any subversive organization. No explanation is given nor is any offer made to explain her former testimony which we designated as hardly credible.

Changes in personnel of the executive branch of the government administering the deportation laws are not a sufficient basis for inducing a reconsideration of a case. The deportation statutes involved herein contain the same language and are in the same form (with minor exceptions not pertinent here) as they were in October 1940. Their proper administration calls for the same conclusion reached at that time unless new rules of law, administrative determination or judicial opinion require a different result. The instant application states that since the previous decision in this matter a court decision has been rendered holding that the 1938 Constitution of the Communist Party did not bring that organization within the proscription of the deportation statute. That is not the issue before us at this time. It is, therefore, unnecessary to decide the effect the case of Schneiderman v. United States, 87 L. Ed. 1249 (October Term, 1942, decided June 21, 1943), might have in determining whether relief should be exercised in favor of the applicant. We are here concerned with a matter of

discretion which is exercised with extreme care and only in the most deserving and meritorious cases. Before this discretion is exercised we require a full and frank disclosure by the applicant of conduct and activities past and present so that a certification may be made to Congress of worthiness and good moral character. Allegations of new and material evidence, clarifying the issues previously raised herein, have not been offered nor appropriately supported by affidavits. The doubts and evasions mentioned in the opinion of Attorney General Jackson and in our former opinion have not been dispelled nor has there been any proffer of evidence which might tend to dispel them. The respondent has persisted in her failure to remove these doubts and evasions. For this reason, we must again deny her application.

ORDER: It is ordered that the motion to reopen be denied without prejudice to a reapplication in conformity with the foregoing opinion.

(Sgnd.) Thos. G. Finucane

October 30, 1940

In re: RAISSA BERKMAN BROWDER, 56042/24

Before the Attorney General in deportation proceedings.

The Board of Immigration Appeals has found that the respondent is deportable on the ground that she is in the United States in violation of the Immigration Act of 1924, since she was not at the time of her entry in possession of an unexpired immigration visa. The basis of this finding is the respondent's own testimony describing her surreptitious entry in 1933. The respondent does not challenge either the Board's findings of fact concerning the circumstances of her entry or its conclusion of law that she is subject to deportation.

The sole question for decision arises upon the respondent's application for a favorable exercise of the discretion conferred upon the Attorney General by Section 19(c) of the Immigration Act of 1917, as amended by Title II of the Alien Registration Act, 1940. This application the Board of Immigration Appeals has denied. But since this is the first case to be decided under the discretionary provisions of Title II of the Alien Registration Act, 1940, the Board has referred the case to me as one involving a question of difficulty.

Section 19(c) of the Immigration Act of 1917, as amended, provides as follows:

> "In the case of any alien (other than one to whom subsection (d) is applicable) who is deportable under any law of the United States and who has proved good moral character for the preceding five years, the Attorney General may (1) permit such alien to depart the United States to any country of his choice at his own expense, in lieu of deportation, or (2) suspend deportation of such alien if not racially inadmissible or ineligible to naturalization in the United States if he finds that such deportation would result in serious economic detriment to a citizen or legally resident alien who is the spouse, parent, or minor child of such deportable alien."

If the deportation of any alien is suspended under the provisions of the second clause of this subsection for more than six months, the Attorney General is required to report all of the facts and pertinent provisions of law to the Congress within ten days after the beginning of its next regular session, with the reasons for such suspension. The suspension becomes final, and the Attorney General is authorized to cancel the deportation proceedings, only if the two houses fail during such session to pass a concurrent resolution stating in substance that the Congress does not favor the suspension of deportation.

Before the Attorney General is authorized to grant the privilege of voluntary departure under the first clause of Section 19(c), as amended, two findings are requisite: First, that the alien is not one to whom Section 19(d) is applicable; and second, that the alien has proved good moral character for the preceding five years. Before the Attorney General is authorized to suspend deportation under the above clause, two additional findings must be made: First, that the alien is not racially inadmissible or ineligible to naturalization in the United States; and second, that the deportation of the alien would result in serious economic detriment to a citizen or legally resident alien who is the spouse, parent, or minor child of the deportable alien.

The making of these findings is a condition precedent to the Attorney General's exercise of the leniency authorized. But even if the findings are or can be made, it does not follow that favorable action should automatically be taken. Plainly the statute contemplates that, within the permitted limits, discretion shall be exercised. Particularly is this so with respect to the cases which are to be reported to the Congress.

The present record is wholly inadequate as a basis for determining that the respondent is eligible for consideration under the statute. The critical question arises with respect to the first of the findings which the statute requires; namely, that the alien is not one to whom subsection (d) of Section 19, as amended, is applicable. Among the aliens who are excluded from consideration by subsection (d) are those who are deportable on the ground that they believe in or advocate the overthrow by force or violence of the Government of the United States or on the ground that they are or have been members of or affiliated with an organization which believes in or advocates such overthrow. Outstanding decisions of the federal courts hold that the Communist Party is such an organization. At the hearing the respondent testified, under questioning by the presiding inspector, that she is the wife of Earl Browder, a leading member of the Communist Party of the United States; that she met and married her husband in Russia in 1926 at a time when it is to be assumed he was domiciled there, since he had just obtained in a Russian court a divorce from his first wife; and that since coming to the United States she has assisted her husband in research in connection with the preparation of his speeches and writings. Asked whether she herself belonged to any political party, the respondent testified that she did not. Asked whether she subscribed to the aims of the Communist Party in the United States, she replied, "I never gave it any thought". There the matter rested. Although represented by able counsel, the respondent made no attempt to explain or add to these answers.

On this record I am unable to make the findings required by the statute if I were to grant the respondent's application. This is so even with respect to the privilege of voluntary

(OVER)

departure which does not require a report to the Congress. It is doubly so with respect to suspension of deportation which requires a full report to the Congress with a statement of reasons.

The question thus arises whether it now devolves upon the Government to explore more fully in a reopened hearing the legal question of the respondent's eligibility under the terms of the statute. In the circumstances of the case I do not believe that it does. For apart from the question of the respondent's legal eligibility there is the further question as to whether discretion should be exercised in her favor. The doubt as to the respondent's eligibility, her failure to make any effort to remove it, and the evasive character of her testimony generally are all reasons why, on this record, it should not be.

If respondent desires to come forward and produce evidence to dissipate the doubts induced by the present record, she may, at any time prior to deportation, move to reopen the hearing. But so long as those doubts remain, her application must be denied.

Attorney General

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

56042/24 - New York October 29, 1940

In re: RAISSA BERKMAN BROWDER

Before the Board of Immigration Appeals in DEPORTATION proceedings.

IN BEHALF OF RESPONDENT: Miss Carol King, attorney, 100 Fifth Avenue, New York, New York.

CHARGES:

Warrant: Act of 1924 - entry without an unexpired immigration visa; remained longer.

APPLICATION: Permission to depart voluntarily in lieu of deportation, or suspension of deportation.

DISPOSITION: Deportation ordered; case certified as involving a question of difficulty.

STATEMENT OF THE CASE: On August 7, 1940, a warrant for the arrest of the respondent RAISSA BERKMAN BROWDER was duly issued, charging that she had been found in the United States in violation of the Immigration Act of 1924 in that at the time of her entry she was not in possession of an unexpired immigration visa, and in that she has remained in the United States for a longer time than is permitted under the said Act or regulations made thereunder. The respondent having been duly served with this warrant, she was accorded a hearing on these charges on August 13, 1940, at Ellis Island before Presiding Inspector J. Auerbach. At the hearing the respondent was represented by counsel above mentioned. Both the Government and the respondent were afforded full opportunity at the hearing to adduce evidence bearing upon the issues. At the close of the hearing the presiding inspector served upon the respondent proposed findings of fact and conclusions of law in which, in substance, he proposed to find that the respondent is subject to deportation on the ground that at the time of her last entry into the United States she was not in possession of an unexpired immigration visa but that she is not subject to deportation on the ground that she has remained in the United States for a longer time than permitted. The presiding inspector proposed to order that the respondent should be deported to Russia at Government expense.

The respondent has filed exceptions to the proposed findings, conclusions and order of the presiding inspector in which she proposes certain additional findings of fact and conclusions of law which are discussed below.

DISCUSSION: The respondent testified that she is a native of Russia, of Russian parentage, 43 years of age (record p.3). She last entered the United States in the fall of 1933 by train from Canada at a point unknown to her (record pp. 6 and 7). She states that she entered the United States with the intention of remaining permanently here (record p. 11) and that she was not in possession of an unexpired immigration visa at the time of her arrival (record p. 6)

The presiding inspector in his proposed findings (2), (4) and (7) proposes to find that the respondent did not claim to be a citizen of any country other than Russia; that the respondent was not questioned by an immigration inspector at the time of her arrival; and that the respondent has in fact remained in the United States continuously since her arrival. These findings we are eliminating; the first two because they are not material to any issue in the case, and the last because it is redundant and unnecessary. The remaining findings of fact proposed by the presiding inspector we shall adopt.

The respondent through her counsel proposes that we should make in substance additional findings of fact, that the respondent is the wife of Earl Browder, a native-born citizen of the United States and is the mother of three American-born children. These proposed findings have no bearing upon the question of her deportability and we shall, therefore, not adopt them. The facts mentioned will, of course, be considered in connection with the possible exercise in favor of the respondent of the discretion vested in the Attorney General by Section 19(c) of the Immigration Act of 1917, as amended.

The respondent through her counsel further proposes that the conclusions of law should include a statement that in view of her marriage to an American citizen the petition of her husband that she be granted a nonquota visa and the privilege of preexamination should be granted and, further, that under the provisions of Section 19(c) of the Immigration Act of 1917 her deportation should be stayed. These proposals are not conclusions of law but prayers for relief and they are not adopted.

FINDINGS OF FACT: Upon the basis of all the evidence adduced at the hearing and upon the entire record of the case it is found:

(1) That the respondent is an alien and a native of the Union of Soviet Socialist Republics;

(2) That the respondent last entered the United States in November 1933 by train from Canada at an unspecified border station;

(OVER)

(3) That at the time of her arrival the respondent intended to remain permanently in the United States;

(4) That the respondent was not in possession of an unexpired immigration visa at the time of her arrival.

CONCLUSIONS OF LAW: Upon the basis of the foregoing findings of fact, it is concluded:

(1) That under Sections 13 and 14 of the Immigration Act of 1924 the respondent is subject to deportation on the ground that at the time of her entry into the United States she was not in possession of an unexpired immigration visa;

(2) That under Sections 14 and 15 of the Immigration Act of 1924 the respondent is not subject to deportation on the ground that she has remained in the United States for a longer time than permitted by this Act or regulations thereunder;

(3) That under Section 20 of the Immigration Act of 1917 the respondent is deportable to the Union of Soviet Socialist Republics at the expense of the Government.

OTHER FACTORS: The respondent was married to Earl Russell Browder, a citizen of the United States, in Moscow in September 1926 (record p. 4). She has had three sons by her husband -- two born in 1927 and 1931 in Moscow, and one born in 1934 in New York City. They reside with her and her husband in Yonkers, New York (p. 5). Respondent further testified that her husband is the general secretary of the Communist Party of the United States and that she assists him as a secretary and by doing research for his writings and speeches, (p. 8). The record further reveals that she lived from 1919 to 1933 in Moscow under the Communist regime, (p. 3).

The proposed conclusions of law submitted to this Board by the respondent's counsel amount to a request either that respondent be granted the privilege of departure to any country of her choice at her own expense, in lieu of deportation, or that her deportation be suspended under the provisions of Section 19(c) of the Immigration Act of 1917, as amended. Section 19(d) of that Act, however, provides that:

> "The provisions of sub-Section (c) shall not be applicable in the case of any alien who is deportable under (1) the Act of October 16, 1918 (40 Stat. 1008; U. S. C., title 8, sec. 137), entitled 'An Act to include and expel from the United States aliens who are members of the anarchist and similar classes' as amended; . . . (4) any of the provisions of sub-Section (a) of this Section as relates to . . . anarchist and similar classes.

The Act of October 16, 1918, above referred to provides for the deportation -- among other groups -- of aliens who believe in or advocate the overthrow by force or violence of the Government of the United States or who are or have been members of or affiliated with any organization that believes in or advocates such overthrow. Section 19(a) of the Immigration Act of 1917 similarly provides for the deportation of any alien who believes in the overthrow of the Government of the United States by force and violence.

It has not been proven in this record that the Communist Party of the United States is an organization which believes in the overthrow of the Government by force and violence, or which in any other way falls within the classes described in the Act of October 16, 1918, as amended. Nor has it been proved that the respondent is a member of the Communist Party. We do not hold, therefore, that she is, by law, ineligible to the relief which she requests.

The Attorney General's discretion in these matters, however, is not lightly to be exercised. Even in the absence of proof that this alien is a member of a class ineligible to the favorable exercise of the Attorney General's discretion, we believe that a substantial doubt as to her eligibility arising from evidence in the record and unremoved by any proof introduced in her behalf, should lead this Board and the Attorney General to withhold such exercise.

A number of courts have held in the past that the Communist Party believes in the overthrow by force and violence of the Government of the United States; Ungar v. Seaman, 4 Fed (2d) 80; Skeffington v. Katzoff, 277 Fed. 129; Murdock v. Clark, 53 Fed. (2d) 155. There have been no judicial holdings to the contrary, and this respondent has offered no proof to offset the effect of these holdings.

This respondent, further, throughout her marital life and her secretarial and research work has been closely associated with the Communist Party and with its principal spokesman in the United States. In the face of the doubt to which these facts give rise she has so far failed to support her prayer for relief with any demonstration or attempted demonstration that she is not a member of the Party or at least affiliated with its work. On the contrary, her testimony on the question appears to this Board to have been evasive in the extreme. She made, indeed, a blanket denial that she was a member of any political party in the United States. But to the suggestion that she must be familiar with the aims of the Communist Party as a result of her work for her husband she replied: "I do not interest myself. My version is to do historical work." (p. 9). And to the question as to whether or not she subscribed to the aims of the Communist Party, she replied merely "I never gave it any thought". (p. 9).

Such answers coming from the wife of the leading representative of the Communist Party in this country and from an individual, furthermore, who, according to her own testimony, has assisted him actively in preparing his articles and speeches, are hardly credible.

Since the hearing the respondent has made no motion for a reopening of the case in order that she might prove that she is not deportable as a member of the Communist Party and explain away those factors in her situation which would lead ordinarily to the belief that she is a member. Under the rules of procedure governing this Board such a motion might have been made at any time after the course of the hearing and, indeed, may still be made at any time until the alien is actually deported. On the present record, however, and until such proof is made, we do not believe that the Attorney General's discretion should be exercised in her favor.

As this is the first time which this Board has passed upon the issue here presented, and in view of its importance as a matter of general policy, we shall certify this case to the Attorney General as involving a question of difficulty.

It is ORDERED that the alien be deported to the Union of Soviet Socialist Republics at Government expense on the charge:

> That she is in the United States in violation of the Immigration Act of 1924 in that at the time of her entry she was not in possession of an unexpired immigration visa.

/s/ Ralph T. Seward
Chairman, Board of Immigration Appeals

RTS/mkk

A question of difficulty having been found in this matter, the case is hereby referred to the Attorney General, pursuant to the provisions of Section 90.12, Title 8, Aliens and Citizenship, Chapter I, Subchapter D, as provided in General Order No. C-24.

/s/ Ralph T. Seward
Chairman, Board of Immigration Appeals

~~Gen Corr "B"~~
PSF: Browder

THE WHITE HOUSE

WASHINGTON

October 31, 1944.

MEMORANDUM FOR THE PRESIDENT:

The Attorney General called and wishes to get an answer from you within the hour on the following.

Senator Green who is Chairman of the Senate Investigating Committee on Campaign Expenses is holding a hearing at 2:30 today. He thinks it is important to put in the whole file concerning the pardon of Earl Browder. As that is a private Presidential matter, the Attorney General would not let him have it without White House approval. He feels it would be better to let Senator Green have it and use his judgment than to withold it and make it look as though something were being concealed.

What is your answer?

djb

Gen. Green "B"

PSF: Browder 3-44

Office of the Attorney General
Washington, D.C.

October 31, 1944

Miss Grace Tully

The White House

Dear Miss Tully:

I told Senator Green that without the President's approval I could not furnish him with the Browder file. This I am sending herewith. I talked to Sam Rosenman about it and suggest that you may wish to give it to him so that he can look over it and talk to the President about it.

The file is contained in three sections.

No. 1 contains Browder's application for Executive Clemency; a petition of a group headed by Professor Franz Boas, containing the names of outstanding citizens; and a comparative study of the Browder and other passport cases prepared by a Citizens Committee to Free Earl Browder, composed I should judge mainly of Communists or assumed Communists, - the correspondence with this Committee, showing its members, is also enclosed in this file; and other formal documents.

No. 2 contains letters in favor of the pardon. I enclose a list of those sponsoring the commutation of sentence, which includes such well-known men as Richard W. Hale, of Boston; George Wharton Pepper, of Philadelphia; John Haynes Holmes, of New York; Francis Fisher Kane, of Philadelphia; Ernest M. Patterson, President of the American Academy of

(File returned to atty Gen. 11/1/44 (T-409))

Miss Grace Tully

October 31, 1944

Political and Social Sciences; Professor Zachariah Chafee, Jr., of Harvard, Rabbi Stephen S. Wise, Senator Elbert D. Thomas, and Evans Clark, Director of the Twentieth Century Fund.

The third file contains letters of protest directed against any clemency.

Sincerely yours,

Francis Biddle