

NOTICE TO THE INTERNEES FROM LATIN AMERICA

Your attention is directed to the "Memorandum" which is also posted on this Bulletin Board. This memorandum has been communicated to the Governments of Bolivia, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama and Peru, all of which deported alien enemies to the United States during the course of hostilities in Europe.

You will want to notice especially the following points in the memorandum:

- a. If the country which deported you to the United States requests the return to its territory of all the aliens whom it deported to the United States, the United States Government will agree to that request and arrangements will be made for your return to that country.
- b. Otherwise, the United States Government will continue with its present program as announced in the State Department's press release of November 2. That is, the State Department will after examination of the facts of your case decide either (1) to release you from internment or (2) to hold you for possibly deportation. In case (2), you will be given an opportunity for hearing and the country which deported you to the United States will be consulted before a final decision is reached.
- c. In making its decision, it is the policy of the State Department to give great weight to the factor of

native American family ties"; it is prepared to disregard that factor only in those cases where the alien appears to have been guilty of espionage or sabotage, or has been a key figure in Nazi or other enemy activity." (This means, for example, that if you have a wife who is a Latin American citizen or a minor child born in the Americas, you can expect to be released unless you were a spy, saboteur, or a leader in Nazi or other enemy activity.)

The Department of State has received a number of letters from individual internees, many of them containing information with respect to those individuals and some of them containing questions. In general, it has not been possible for the State Department to answer or even acknowledge these letters since, with so many internees, the Department wished to concentrate on the task of disposing of the individual cases. However, the information contained in any such letter is filed together with other information on the individual and is considered in reaching a decision in his case. Some of the questions raised in inquiries to the Department are answered below:

Question: By what authority am I being held in custody?

Answer: You are being held in custody under the authority of the Alien Enemy Act (Sections 4067-4070 of the Revised Statutes of the United States) which gives the President of the United States power to confine and deport

natives or citizens of an enemy country in time of war. You will note that a state of war still exists between the United States and its enemies, since no peace has yet been signed.

Question: The State Department has announced that it will not deport anyone without a hearing. Why have I not been given a hearing?

Answer: No hearings have yet been given because the State Department wished to concentrate first on the review of the individual files so as to release from internment as quickly as possible all those who did not appear to be dangerous. If it should be decided that you cannot be released, you will be given ample opportunity to request a hearing. Hearings will probably begin noon after February 1, 1946.

Question: If I am released, may I remain in the United States?

Answer: No. Your entry into the United States was not made under the immigration laws, and you must therefore depart from the United States promptly. If thereafter you wish to reenter the United States, you should apply to an American Consulate.

Question: Is it necessary for me to retain a lawyer in order to obtain my release?

Answer: No. You are privileged to hire a lawyer if you wish to do so, but your case will receive the same individual attention whether or not you have a lawyer. It so happens

that the majority of those aliens who have already been released were not represented by lawyers.

Question: Is it necessary for me to file a petition for habeas corpus in order to be released?

Answer: No. It is true that some individuals who have been released had filed habeas corpus petitions, but everyone of these would have been released in any event by the State Department. A petition for habeas corpus challenges the legal authority of the United States Government to hold you in custody. If you wish to raise this question, you may file such a petition with the United States District Court. The legal authority of the United States Government to intern enemy aliens brought from Latin America has already been challenged and the question is now before the United States District Court in the Southern District of New York.

Question: How long will I have to wait for a decision in my case?

Answer: It is difficult to say exactly. Any man who is to be administratively released or who is to be returned to the country from which he came with the rest of those deported from that country will probably be out of the internment camp within two months. Those who are held for deportation proceedings will probably remain in internment for a number of months unless they earlier consent to deportation.

Question: May I be paroled pending a decision
in my case?

Answer: In general, no. However (1) if you were
paroled previously and are not on the Proclaimed List of
Certain Blocked Nationals, or (2) if you are not a citizen
of an enemy country and were not born in an enemy country,
you may apply for a parole. Address such applications to:
State Department (A-Br/A), Washington, D. C.

Department of State Washington,

January 4, 1946.

A-Br/A; JBBingham; mf

C

O

P

Y