

July 11, 1942

EMPLOYMENT OF ALIENS IN NATIONAL WAR INDUSTRIES

In order to clarify the policy of the Government in regard to the employment of aliens and other persons of foreign birth, the President today issued the following statement:

1. Persons should not hereafter be refused employment, or persons at present employed discharged, solely on the basis of the fact that they are aliens or that they were formerly nationals of any particular foreign country. A general condemnation of any group or class of persons is unfair and dangerous to the war effort. The Federal Government is taking the necessary steps to guard against, and punish, any subversive acts by disloyal persons, citizens as well as aliens.

2. There are no legal restrictions on the employment of any person (a) in non-war industries, and (b) even in war industries, if the particular labor is not on "classified" contracts, which include secret, confidential, restricted, and aeronautical contracts.

The laws of the United States do provide that in certain special instances involving Government contracts an employer must secure from the head of the Government department concerned permission to employ aliens. Section 11 (a) of the Act of June 28, 1940 (Public No. 671, 76th Congress, 3rd Session) contains a provision that:

"No aliens employed by a contractor in the performance of secret, confidential, or restricted Government contracts shall be permitted to have access to the plans or specifications, or the work under such contracts, or to participate in the contract trials, unless the written consent of the head of the Government department concerned has first been obtained...."

The Air Corps Act of 1926 has a similar provision:

".....no aliens employed by a contractor for furnishing or constructing aircraft parts or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the Department concerned."

There are no other Federal laws which restrict the employment of aliens by private employers in national war industries. There are no Federal laws restricting the employment of foreign born citizens of any particular national origin.

3. Where, under the law, permission to employ aliens is required from the War and Navy Departments, the alien shall go to the nearest office of the United States Employment Service, which will furnish him with application form, and assist him in filling it out. The completed form will then be submitted by the alien to the employer who will fill out the reverse side of the form, and then immediately forward same to the Department concerned. Upon receipt of the application, the Department will act promptly thereon, in the normal case within forty-eight hours, and give its approval or disapproval, either of which shall be subject to change at any later time.

4. In passing upon application for permits, the Department will give special and expedited consideration to nationals of United Nations and friendly American Republics, and any other aliens, including enemy aliens, who come within the following categories:

A. Aliens who have served in the armed forces of the United States and have been honorably discharged.

B. Aliens who have, or who have had, members of their immediate family in the United States military service.

C. Aliens who have resided in the United States continuously since 1916 without having returned to the country of origin within the last ten years.

D. Aliens who have married persons who, at the time of marriage, were citizens of the United States and who have resided in the United States continuously since 1924 without having returned to the country of origin within the last ten years.

E. Aliens who have declared their intention to become citizens of the United States and who had filed petitions for naturalization before December 7, 1941.

5. Any inquiries or complaints by aliens, pertaining to specific instances of discrimination, or intentional failure to carry out the above procedure, should be referred directly to the Committee on Fair Employment Practice, Washington, D.C. This Committee will consider the complaints and take such action as may be warranted in the particular case.

6. Any information concerning disloyal activities in war industries or elsewhere, or indications of disloyalty on the part of persons employed in war industries, should be reported immediately to the nearest office of the Federal Bureau of Investigation. Employees have the same duty in this matter as have employers.

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