

September 20, 1918.

MEMORANDUM

At a meeting held in the office of Mr. Leland Harrison of the State Department this afternoon, the following named gentlemen, representing the Government offices mentioned, respectively, being present, the two subjects described below were discussed with the results indicated:

Mr. Leland Harrison, State Department Secret Service; Mr. Edwin S. Puller, Foreign Permits Office, State Department; Mr. A. B. Bielaski and Mr. Pike, Bureau of Investigation, Department of Justice; Captain Koppel, Military Intelligence Office, War Department; Commissioner-General Caminetti and Law Officer Parker, Bureau of Immigration, Department of Labor.

(1) The policy to be pursued in enforcing the penal provisions of the passport Act of May 22, 1918, and Proclamation and regulations of August 8, 1918, regarding passports and permits, in applying those provisions to cases arising along the Mexican boundary. This question had been placed before the Department of State by letters addressed to the Secretary of State by the Attorney General and the Secretary of Labor, respectively.

After full discussion by all those present the consensus of opinion was that the policy which has heretofore obtained on the Mexican boundary in the enforcement of the Immigration Law of turning back into Mexico aliens who attempted to cross the boundary at places not regularly designated ports of entry and allowing the voluntary return of those who were apprehended in the immediate vicinity of the boundary after effecting surreptitious entry would be continued during the period of three weeks succeeding September 15 which had been allowed by the Foreign Permits Office as time during which the new regulations might be gradually put in force, aliens thus turned back, however, to be warned against committing a second offense of like nature; and that with the termination of said period a practice ought to be adopted under which cases of unlawful entry would be regarded as falling into two classes, (1) those in which the entry was unwitting and without malice, and (2) those in which the unlawful entry was made or attempted with a malicious ulterior motive; that in the first class of cases discretion ought to be given the immigration officials and the United States Attorneys acting together to determine how severe a penalty should be visited upon the offenders, a minimum and maximum to be agreed upon (consisting, perhaps, of twenty-four (24) hours and ten (10) days, respectively), such penalty to be visited upon the offending person by swearing out a complaint before a United States Commissioner and having him bound over for the grand jury, such complaint being dismissed after this action had resulted in keeping the alien in jail for the requisite period; that the second class of cases prosecution would be regularly instituted with the purpose of bringing about severe punishment as contemplated by the spirit as well as the letter of the statute.

Discussion of this subject closed with the understanding that the Department of State would reply to the Departments of Justice and Labor, respectively, substantially along the lines indicated.

(2) The apparent necessity for improving the guarding of the Mexican boundary so as to apprehend persons attempting to enter in violation of the passport law and regulations and to compel applicants for admission to present themselves at regular ports of entry and to undergo the requisite inspection. This subject had been discussed on several previous occasions at meetings of the same inter-Departmental committee, as well as at meetings of the larger inter-Departmental committee that meets weekly in the office of Special Assistant to the Attorney General O'Brian; and it had been arranged that at this meeting the Commissioner-General of Immigration should present his views to the committee.

After full discussion the consensus of opinion was that a proper enforcement of the law and regulations would require a considerable expansion of the Immigration Service on the Mexican boundary, especially through increasing the force of officers available for patrol duty; that at all vulnerable points, especially in the vicinity of the border cities and towns access to which from the interior of Mexico is possible by railroad, and in the "Big Bend" section, a patrol force should be established as promptly as possible and maintained continuously. The Commissioner-General also pointed out that an arrangement of a similar nature ought to be made on certain sections of the Canadian border, notably that part of the line extending from the Cascades to the sea.

The conclusion reached was that the representatives of the different Departments present at the meeting should report to their respective Departments with regard to the need for this patrol force by the Immigration Service; so that letters might be addressed by the respective interested Departments to the Department of Labor advocating the expansion of the force in the manner indicated.

A. W. P.

OFFICIAL COPY referred to SUPERVISING INSPECTOR, IMMIGRATION SERVICE,
EL PASO, TEXAS, for his information. Further correspondence on the same
subject will probably follow at an early date.

Commissioner-General.