Cl. Gen'l. N-

EMBASSY OF THE
UNITED STATES OF AMERICA

Habana, October 7, 1940

AIR MAIL

Telg 8 oct.

Dr. D. N. Heineman
Suite 1700,
50 Broadway,
New York City.

Dear Friend:

I have been giving careful attention to the memorandum which you gave me concerning the desire of certain persons born in Russia who now desire visas to proceed to the United States for permanent residence. I find that, so far as the Russian quota is concerned, the status of the waiting lists etc., is such that persons who are chargeable to that quota need not experience any long waiting period to secure visas if they can satisfy the requirements of our immigration laws. It would seem to me that Mr. and Mrs. Gunzbourg and their governess, Helen Douglas, should have little difficulty in securing visas, in view of the fact that you state they have ample means to support themselves in the United States.

It is, of course, important that aliens applying for a visa be able to satisfy the requirements of our law under the "public safety" clause, under which aliens applying for visitors or immigration visas must overcome any presumption which may exist that they might not be desirable residents of the United States in every way. In other words, they must be able to show that politically they have not been engaged in any activities which, from our point of view in the United States, would be considered undesirable or that they hold views personally which are not in accord with the policies and sentiments of the United States.

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I gather that Mr. and Mrs. Gunzbourg should have no difficulty in this connection.

From your memorandum, I note that when you last heard of Mr. and Mrs. Gunzbourg they were residing in Vichy. The only consular establishments of our Government issuing visas now in France are, I understand, the Consulate General in Marseille and the Consulate General in Bordeaux. There is no information in the memorandum which you gave me indicating whether Mr. and Mrs. Gunzbourg and their governess, Helen Douglas, have made applications for visas at an American Consulate in Belgium before leaving that country, or in France since arriving there. There is no indication whether they have the appropriate affidavits of support or what data they can give, lacking these, as to their ability to support themselves in the United States.

There is little need for, and I see no useful purpose to be gained in, taking up this matter in Washington, as the Department of State does not intervene in individual visa cases unless it may be asked for clarifying instructions from the Consul before whom the application is pending. I can, of course, write directly to the Consul General at Marseille, and to the Consul General at Bordeaux, but before doing so, it would be well to know whether there is any information concerning Mr. and Mrs. Gunzbourg having made applications in Belgium for an immigration visa before leaving there, also whether you have any information as to whether they have made an application for a visa at the Consulate General in Marseille or at Bordeaux.

If you have no information that Mr. and Mrs. Gunzbourg have made an application for an immigration visa, I think it would be well for you to execute a so-called affidavit of support. This will be helpful to the Consul before whom the application will be made or has been made, even though the Gunzbourgs may have funds of their own

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in the United States. If you will have someone get in touch with the immigration office of the Bureau of Immigration and Naturalization in New York, they will give you a form indicating the nature of such an affidavit of support. The affidavit should be executed on behalf of Mr. and Mrs. Paul Gunzbourg and of the governess, Helen Douglas. In order to facilitate the safe arrival of these affidavits in the appropriate Consulate in France, it perhaps would be better if you would send them to me so that I can forward them by safe channels.

I do not believe that the cases can be facilitated by cable communication and that it would be possible to look after this matter better by letter. As soon as I hear from you as to the above observations, I will be in a position to write to the appropriate Consulate in France. The important thing to know is whether they have already made an application and, if so, where.

With reference to the other persons mentioned in your memorandum, Mr. and Mrs. Rotvand, Mr. Zolotnigny and his nephew Boris, I will write you further. It would be interesting in their cases to know whether you have any information as to whether they have made applications for visas at a particular Consulate in France or elsewhere.

Although I can give no assurances, it would seem that there is a good prospect of these persons being able to secure visas in due course in view of the fact that they were born in Russia, the quota of which seems to be fairly open.

With all good wishes,

Cordially yours,

George S. Messersmith