

November Twenty-Third
1938

Honorable Cordell Hull
Secretary of State
Washington, D. C.

My dear Secretary:-

It is my understanding that you have before you the case of Mrs. Gustal Berkowitz and her daughter of Worms A/ Rhine.

It has been my good fortune to know the husband and the three sons of this woman for a number of years. They would be very happy and pleased to have the mother and daughter come to this country were they can be amply provided for.

I shall be deeply grateful for your earnest consideration of their request.

With kindest regards and heartiest best wishes, believe me to be,

Sincerely yours,

Member of Congress

MICHAEL J. KIRWAN
19TH DISTRICT OHIO

ROBERTA G. MESSERLY
SECRETARY

PAUL O. GILLINGHAM
CLERK

HOME ADDRESS:
YOUNGSTOWN, OHIO

COMMITTEES:
PUBLIC BUILDINGS AND GROUNDS
ENROLLED BILLS

Congress of the United States
House of Representatives
Washington, D. C.

DEPARTMENT OF STATE * WASHINGTON
November 29th, 1938

In reply refer to
VD 811.111 Berkowitz , Gusta Mrs.

My dear Mr. Kirwan:-

In the Secretary's absence I have your letter of November 23, 1938 concerning your interest in the cases of Mrs. Augusta (Gusta) Berkowitz and her daughter Frieda (Freda), who are anxious to obtain visas in order to enter the United States.

The Department's file on these cases indicates that visas have been withheld from Mrs. Berkowitz and her daughter on several occasions at the Consulate at Stuttgart for the reason that they were certified by the examining officers of the United States Public Health Service attached to the Consulate to be mentally defective and, therefore, mandatorily excluded from admission into the United States under the Act of February 5, 1917. The last examination on which the Consul General reported to the Department was given in June 1937.

Under date of November 18, 1938 the Consul General at Stuttgart was asked to advise the Department of the results of any subsequent examination which may have been accorded Mrs. Berkowitz and her daughter. It was also suggested to the Consul General at that time that if the intending emigrants had not recently been reexamined, he consult the Public Health officers regarding the advisability of inviting them for a further examination. Immediately upon hearing from the Consul General I shall communicate further with you.

Sincerely yours,

A. M. Warren
Chief, Visa Division

December Eighth
1938

Mr. Joseph Berkowitz
c/o Strauss-Hirshberg
Youngstown, Ohio

Dear Joe:-

Immediately upon receipt of your call to the office, I wrote to the Honorable Cordell Hull, as you suggested.

The enclosed letter, which is self-explanatory, has been received. Just as soon as I am in receipt of additional information, I shall be happy and pleased to forward it to you.

With kindest regards and heartiest best wishes, believe me to be,

Sincerely yours,

Secretary to
Hon. Michael J. Kirwan

December Ninth
1938

.....SK
Mr. Clarence Strauss
c/o Strauss-Hirshberg Co.
Youngstown, Ohio

Dear Mr. Strauss:

For your information, your letter received from the Department of State with regard to the relatives of Joseph Berkowitz.

"In the Secretary's absence I have your letter of November 23, 1938 concerning your interest in the case of Mrs. Augusta (Gusta) Berkowitz and her daughter Frieda (Freda), who are anxious to obtain visas in order to enter the United States.

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December Ninth
1938

#2.....

Mr. Clarence Strouss

Strouss-Hirshberg Co.

Yonkers, N.Y.

I have forwarded the original letter

Joseph.

With kindest regards and heartiest wishes, believe me to be,

Sincerely,
For your information, the letter received from the Department of State with regard to the relatives of Joseph Berkowitz.

In the Secretary's letter of November 23, 1938 concerning your interest in the case of Mrs. Augusta (Gatz) Berkowitz and her daughter Frieda (Frieda), who are anxious to obtain visas in order to enter the United States.

The Department's file on these cases indicates that visas have been withheld from Mrs. Berkowitz and her daughter on several occasions at the Consulate at Stuttgart for the reason that they were certified by the examining officers of the United States Public Health Service attached to the Consulate to be mentally defective and, therefore, mandatorily excluded from admission into the United States under the Act of February 5, 1917. The last examination on which the Consul General reported to the Department was given in June 1937.

Under date of November 18, 1938 the Consul General at Stuttgart was asked to advise the Department of the results of any subsequent examination which may have been accorded Mrs. Berkowitz and her daughter. It was also suggested to the Consul General at that time that if the intending emigrants had not recently been re-examined, he consult the Public Health officers regarding the advisability of inviting them for a further examination. Immediately upon hearing from the Consul General I shall communicate further with you.

MICHAEL J. KIRWAN
19TH DISTRICT OHIO

ROBERTA G. MESSERLY
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HOME ADDRESS:
YOUNGSTOWN, OHIO

COMMITTEES:
PUBLIC BUILDINGS AND GROUNDS
ENROLLED BILLS

Congress of the United States
House of Representatives

Washington, D. C.

Stuttgart, German, December 16, 1933

Subject: Berkowitz, Augusta and Frieda;
Immigration Visa Cases.

The Honorable
The Secretary of State
Washington

Sir:

I have the honor to acknowledge the receipt of the Department's instruction of November 13, 1933 (file no. 811.111 Berkowitz, Gusta, Mrs.), together with its enclosures, with further reference to the visa cases of Mrs. Augusta (Gusta) Berkowitz and her daughter Frieda (Freda) Berkowitz, from whom visas have been withheld because of their mental condition.

In my despatch no. 1142 dated April 25, 1933, concerning these cases, it was stated that "pursuant to the Department's request, Mrs. Berkowitz and her daughter have been scheduled for examination by the next medical board to be convened at Stuttgart at some time to be determined in the future". Since a medical board has not been convened at this office since that date, no further examination has been accorded the applicants.

In compliance with the Department's instruction under acknowledgment, the medical officers of the United States Public Health Service attached to this office have been

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#2.....

consulted with a view to ascertaining whether re-examination of the aliens at this time would be warranted. The following memorandum dated December 14, 1938, has been received from the Senior Officer.

"With reference to a request for reexamination in the case of Gustel Berkowitz and daughter Frieda, a review of the records in this case indicates that careful examinations of Mrs. Berkowitz and daughter were made on four occasions by an officer of the U. S. Public Health Service during a period of years from 1927 to 1933 and on each occasion the applicants were certified to be feeble minded and mentally defective and that a thorough reexamination of these cases on June 3, 1937 by a board of officers of the U. S. Public Health Service sustained the above mentioned certification.

In view of the fact that five examinations of these applicants have been made over a period of ten years by various officers of the U. S. Public Health Service and that the certified condition does not tend to improve with the passage of time, it is believed that further examinations of these applicants would be useless and that there is no likelihood that the applicants would be passed or the existing certification removed as a result of a reexamination."

In view of the exhaustive examinations to which Mrs. Berkowitz and her daughter have been subjected in the past, without finding any change in their mental condition, it would appear that these cases may now be regarded as closed.

Respectfully yours,

Samuel W. Honaker
American Consul General

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Congress of the United States
House of Representatives

Washington, D. C.

January Tenth
1939

January 9, 1939

My dear Mr. Kirwan:-

In refer to the Department's letter of November 29,
1938 regarding the cases of Mrs. Augusta (Gusta)
Berkowitz and her daughter, Frieda (Freda), who are
desirous of coming to the United States and enclose
a copy of a report which has been received regarding
the matter from our Consul General at Stuttgart. I
am sure you will appreciate, after reading the report
that the cases of Mrs. Berkowitz and her daughter have
been accorded every consideration and that the applicants
have been unable to obtain the desired immigration
visas solely for the reason that the existing laws and
regulations preclude their admission into this country.

Sincerely yours,

Eliot B. Coulter
Acting Chief, Visa Division

January Tenth
1939

Mr. Joe Berkowitz
c/o Strouss-Hirshburg Company
Youngstown, Ohio

Dear Joes-

Enclosed you will find letter received
from the Department of State, which I deeply regret.

With kindest regards and heartiest best
wishes, believe me to be,

Sincerely yours,

Roberta G. Messerly, Secretary to
Honorable Michael J. Kirwan

January Tenth
1939

Mr. Clarence J. Strauss
c/o Strauss-Hirshburg Company
Youngstown, Ohio

Dear Mr. Strauss:-

Supplementing my recent letter to you,
relative to the mother and sister of Joe
Berkowitz, I am enclosing copies of letters
received from the Department of State and the
American Consul General at Stuttgart, Germany.

With kindest regards and heartiest
best wishes, believe me to be,

Sincerely yours,

Roberta G. Messerly, Secretary to
Honorable Michael J. Kirwan