

EXECUTIVE
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UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AUG 11 1970

AND REFER TO THIS FILE NO.

CO 703.615

MEMORANDUM FOR: Honorable Egil Krogh, Jr.
Deputy Assistant to the President
for Domestic Affairs
The White House

Further reference is made to your memorandum of June 3, 1970 concerning Mrs. W. E. B. DuBois.

When Mrs. DuBois applied for a visa to visit the United States during the early part of this year, she was found to be inadmissible to this country by an American consular official of the Department of State because she has been affiliated with numerous Communist organizations. The primary purpose of her visit at that time was to speak on a number of American college campuses. Although there is a provision of law whereby the temporary admission of an inadmissible alien may be authorized, it was decided that the purpose of Mrs. DuBois' visit did not outweigh, from a national interest point of view, the factors which compelled the initial denial of her visa.

An invitation has now been extended to Mrs. DuBois to participate in the dedication of the Black Hall of Fame in New York during September 1970. She desires to participate in the dedication ceremonies and to attend to personal business in this country. The Department of State has recommended that her temporary admission for this purpose be authorized. In light of the reason for which Mrs. DuBois now wishes to visit the United States, this Service has concurred in the recommendation. Notification to this effect has been given to the Department of State so that the consular officer in Cairo may begin to process Mrs. DuBois' visa application.

Sincerely,

Raymond F. Farrell
Raymond F. Farrell
Commissioner

EXECUTIVE

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THE WHITE HOUSE

WASHINGTON

June 24, 1970

ACTION

Mrs. W.E.B. DuBois - Visa to
enter the United States

MEMORANDUM FOR THE PRESIDENT

Not too long ago, Pat Moynihan wrote you indicating that Mrs. W.E.B. DuBois apparently wishes to return to the United States. She is being refused admission because she is presumed to be a communist.

You noted on Pat's memo that perhaps Mrs. DuBois would be a good case for clemency.

Consultations with the Justice Department developed the following information:

1. That Mrs. DuBois was denied a visa because of her activities in the communist movement and her affiliation with communist organizations.
2. That her file has been fully and carefully reviewed of late, and the Justice Department has concluded that her desire to return to the United States to speak to college campuses, including Fisk University, did not outweigh the initial reasons for denying her visa.
3. That Mrs. DuBois is still affiliated with thirty communist-controlled organizations with no change in view.

Based on this information, I recommend that we not permit Mrs. DuBois to enter the United States.

Approve _____ Disapprove _____

JOHN B. EHRLICHMAN

June 15, 1970

MEMORANDUM FOR KEN COLE

SUBJECT: MRS. W.E.B. DuBOIS

Mrs. W.E.B. DuBois was denied a visa by a Consular Officer in Cairo, Egypt because of her activities in the Communist movement and her affiliation with Communist organizations.

Her file has been fully and carefully reviewed of late, and a determination has been made by the Immigration and Naturalization Service of the Department of Justice that her desire to return to the United States to speak on college campuses, including Fisk University, did not outweigh the initial reasons for denying her visa.

The attached memorandum from Commissioner Farrell indicates that she is still affiliated with 30 Communist-controlled organizations with no change in view.

Comment:

While much has been written on campuses that the government should not prevent a speaker - regardless of political views - from coming on to campus, I do not think we gain anything in the present climate by permitting Mrs. DuBois to come back and lecture throughout the country. Clemency is not an issue here; it is simply whether or not we are going to grant her a visa to come back and talk to young people who currently are star-struck by representatives of the Third World and hard-core Communist revolutionaries. In addition, I don't see what benefit we will really gain either in the academic community or the liberal domain at large by permitting Mrs. DuBois to return. I do see a real disadvantage among our supporters - if I can use such a loose term - by letting such a renowned Communist back into our country.

RECOMMENDATION:

That John Ehrlichman convey to the President the conclusions of the Department of Justice and recommend that we not permit Mrs. DuBois to enter the United States.

Bud Krogh

Attachments

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON 25, D.C.

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

June 12, 1970

AND REFER TO THIS FILE NO.

CO 703.615

MEMORANDUM FOR: Honorable Egil Krogh, Jr.
Deputy Assistant to the President
for Domestic Affairs
The White House

Reference is made to your memorandum of June 3, 1970 concerning Mrs. W. E. B. DuBois.

The basic law under which the Service operates is the Immigration and Nationality Act of 1952. The United States, as a matter of sovereign right, exercises control over aliens seeking to enter, pass through, or remain in this country. The purpose of the controls is to protect the national interest and the continuing good order and well-being of the nation. These controls have been spelled out by the Congress in the Immigration and Nationality Act.

R Aliens may, because of their political activities, or because of membership in or affiliation with certain organizations, render themselves ineligible to receive visas and subject themselves to exclusion from the United States under section 212(a)(28) of the Immigration and Nationality Act, 8 U.S.C. 1182. A United States Consular Officer of the Department of State, in Cairo, Egypt, found Mrs. DuBois to be ineligible for a visa under that section of law when she applied to visit the United States in February 1970. This decision was based, according to that Department, on her activities in the Communist movement and her affiliation with Communist organizations.

While there is a provision in the law whereby under certain conditions the temporary admission of such an alien into the United States may be authorized, a decision was made that the exercise of this extraordinary authority in the case of Mrs. DuBois would not be in the best interests of this country although the Department of State made a favorable recommendation in her behalf.

It was decided, after a full and careful review of her file, that the reasons advanced by Mrs. DuBois, primarily a wish to speak on a number of United States college campuses, including Fisk University, did not outweigh, from a national interest view, the factors in her background which compelled the initial denial of the visa.

Mrs. DuBois, a native of Indianapolis, Indiana, voluntarily renounced her United States citizenship at the American Embassy at Accra, Ghana, on October 4, 1963. She has been affiliated with over thirty Communist-controlled organizations, in many of which she held leadership positions, and there is no evidence of any change in her views.

Attached is a list of persons and organizations who have inquired concerning this matter. They were furnished substantially the same information by the Service as contained in this letter.

Sincerely,

Raymond F. Farrell
Commissioner

Enclosure

INQUIRIES RECEIVED IN THE CASE OF MRS. W. E. B. DuBOIS

MEMBERS OF CONGRESS

Honorable George Murphy
Honorable Edward W. Brooke
Honorable Jacob Javits
Honorable John Conyers, Jr.
Honorable Phillip Burton
Honorable Charles C. Diggs, Jr.
Honorable Shirley Anita Chisholm
Honorable Glenn M. Anderson

OTHER INTERESTED PERSONS

Roy Wilkins, Executive Director, N.A.A.C.P., New York, N. Y.
Charles Belle, President, San Francisco Chapter, N.A.A.C.P.
Arnold C. Tovell, Editor-in-Chief, Beacon Press, Boston, Mass.
Charles Hightower, Director, American Committee on Africa, Wash., D. C.
Pan-African Congress, Detroit, Mich.
World-Fellowship, Inc., New Haven, Conn.
Howard P. Rawlings, UMBC, Black Student Union, Baltimore, Md.
Cecil Canton, Chairman, Black Representation Organization,
Teachers College, Columbia University, New York, N. Y.

THE WHITE HOUSE

WASHINGTON

June 3, 1970

MEMORANDUM FOR

COMMISSIONER RAYMOND FARRELL

SUBJECT: MRS. W.E.B. DuBOIS

Would you please give me a rundown on the status of Mrs. DuBois' request to return to the United States to visit.

I'm not sure exactly what the background is, but I'd like to know what the current Service position is.

Thanks very much.

Egil Krogh, Jr.
Deputy Assistant to the President
for Domestic Affairs

May 27, 1970

MEMORANDUM FOR

BUD KROGH

Pat Moynihan has sent a memorandum to the President indicating that Mrs. W. E. B. DuBois apparently wishes to return to the United States to visit, or to die, or whatever (she is now very old). The U.S. Government either is, or is being accused of refusing her a passport (or again whatever it is required to enter the country) on the presumed grounds that she is a communist.

Pat goes on to say that he doubts she is but wonders if it makes any difference anyway.

The President's reaction to Pat's suggestion was that perhaps this would be a good case for clemency.

Would you please speak with the Attorney General about this and advise John Ehrlichman of your recommendations so that he in turn can advise the President.

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KEN COLE

cc: John Ehrlichman
Pat Moynihan