

Statement of D. S. Myer before a Subcommittee of the House Judiciary Committee Regarding H. R. 5004, that would amend the Nationality Act of 1940 to grant the privilege of naturalization to all immigrants having a legal right to permanent residence, not dated, after 1946. Papers of Dillon S. Myer.

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Mr. Chairman, the comments I have to make regarding the proposed legislation under consideration grow out of my experience as Director of the War Relocation Authority for a period of four years from 1942 to 1946. As you know, the War Relocation Authority was responsible for the maintenance and operation of relocation centers for the people of Japanese ancestry who were evacuated from the West Coast early in 1942, and for providing assistance in the ultimate relocation of these evacuees.

In my final report relating to the work of the War Relocation Authority in 1946, I made the following statement regarding the naturalization laws of the United States:

"The history of the naturalization laws in this country is little known and widely misunderstood. One of the commonest errors, for example, is to assume that Japanese aliens were declared ineligible for naturalization in 1924 and because of that fact were subsequently barred from immigration. Precisely the reverse is true. Japanese aliens have never been eligible for naturalization as American citizens and it was this fact of ineligibility which was used to exclude them for immigration under the 1924 statute. Until the period immediately after the

Civil War, the privilege of naturalization in the United States was confined exclusively to 'free white persons.' Then in 1870 the statute was broadened to include 'persons of African descent or African nativity.' No further change was made until 1940, when the privilege was extended to 'members of races indigenous to the Western Hemisphere.' In 1943 the previous absolute bar against all Orientals was lowered in the case of the Chinese. It still continues, however, in the case of all other Orientals.

"There are a great many reasons why this purely racial restriction should be removed from our naturalization laws. But perhaps the most important is that it has been used by racist elements in various Western States as the basis for discriminatory legislation which severely hampers thousands of people from making a living merely because their ancestors happened to be Japanese or Filipino or Hindu. The so-called 'alien land laws,' for example, are nearly all phrased so that their provisions apply to 'aliens ineligible for naturalization.'
..... Thus in these particular States, the Japanese alien, whose whole background and training may be agricultural, is prevented from engaging in farming except as a paid laborer despite the fact that he may have had sons in the American armed forces who have given up their lives for their country.

"WRA believes that this situation is wholly indefensible and recommends the passage of legislation which would extend the privilege of naturalization equally to members of all the races of the world."

Since this statement was written, in early 1946, additional changes have been made in the immigration laws to grant the opportunity for immigration and naturalization to Filipinos and to people from India. Furthermore, there has been recent court action relating to the alien land law in California which has had the effect of protecting Japanese-Americans of United States citizenship against the loss of their property.

In spite of the progress that has been made since 1946, I feel very strongly that the legislation under consideration is badly needed, both from the standpoint of principle and practice.

During the existence of the War Relocation Authority, those of us connected with it were in a position to experience the great complex of problems which resulted from the exclusion policy which was adopted in 1924; and in particular, the serious results of the much older policy which prevented immigrants of Oriental ancestry from becoming citizens of the United States through the process of naturalization. This policy laid the basis for a series of discriminatory laws which were passed in certain of the Western States, including the so-called "alien land laws" which excluded anyone who was not eligible for American citizenship from owning land.

Because of the adoption of this policy and the resulting discriminatory laws, the Japanese-American soldiers who fought as Americans in

the last war could not, if they owned interest in lands in certain of the Western States, designate their alien fathers and mothers as beneficiaries in case of death because these alien parents were not eligible to own land. Many of these young Americans of Japanese ancestry volunteered for service in the American Army, either for intelligence work in the Pacific or as members of the 442nd combat team, with the knowledge that their parents could not fall heir to any lands they might own, in case they were killed in battle. Japanese aliens in relocation centers, many of whom had lived in this country for 30 or 40 years or more, dared not swear allegiance to the United States during the period of war for fear of losing their Japanese citizenship, with full knowledge that they could not attain American citizenship under our laws. Many of these same aliens rendered outstanding and essential war services, and while doing so they recognized the possibility that they might be returned after the war to their native country because of the fact that they could not obtain American citizenship.

There is a sizable group of people in this country who came in under special permits as students or Ministers, and who have raised American families here, but are not eligible to remain in this country under the present laws, and they cannot attain American citizenship.

The legislation under consideration should, in my opinion, be passed. A great democracy such as ours should not continue to deny minimum quotas for immigration to any nation or area, based upon consideration of race. I further believe that anyone who is allowed to live permanently in the

United States should be allowed the opportunity to qualify as a United States citizen in order to avoid the many complex problems which the present policy has made evident throughout the years. These problems are not only problems of the individuals affected, but they are problems which affect the country as a whole.

As a final word, I should like to state for the record what I learned, while I was Director of the War Relocation Authority, about the persons of Japanese ancestry who are living in the United States. The war-time evacuation from the West Coast came to them as a sudden and terrible blow. More than 100,000 persons -- men, women and children -- were suddenly asked to leave their homes, their jobs and their schools, and to take up residence in temporary assembly centers, and later in relocation centers, all under military guard. The War Relocation Authority called upon the evacuees to cooperate with the United States Government in this undertaking, and the evacuees responded magnificently. There were, of course, a few disturbances, both in the assembly centers and in the relocation centers, but the overwhelming majority of the evacuees accepted the burden that their Government asked them to carry, and complied peacefully with the requirements laid upon them. I am frank to state that the War Relocation Authority owes much of its success in the peaceful maintenance of the relocation centers, and in the subsequent relocation of the entire population of the centers, to the patient and loyal cooperation of the evacuees with their Government.

During my four years in office, I visited the centers very frequently and I came to know these people rather well. I was impressed, as almost all other observers have been, with the thorough-going Americanism of the majority of the nisei, who were born in the United States. They very fully demonstrated their loyalty in their exploits in this country's fighting forces. In addition, I unhesitatingly express my confidence that the Japanese aliens in this country are, in general, a hard-working, well disciplined and law-abiding group of people. Those who could qualify would do credit to their citizenship if the privilege of naturalization were extended to them.

