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COMMITTEE FOR EQUALITY IN NATURALIZATION

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COMMITTEE FOR EQUALITY IN NATURALIZATION
Washington, D. C.

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S.B.

March 21, 1951

Dear Member:

The letter quoted below and the attached statement were submitted by Edward J. Ennis to a joint committee of the House and Senate subcommittees conducting hearings on omnibus bills revising and codifying existing immigration, naturalization, and nationality laws. These omnibus bills include the principle of equality in naturalization and immigration contained in the Judd bills which CEN supported in previous congresses (H. R. 5004, 80th Congress, and H. R. 199, 81st Congress).

For the added information of members of the CEN Executive Board, a copy of the statement of the Japanese American Citizens League is enclosed. Mike Masaoka submitted this statement and gave oral testimony before the joint committee on March 7.

* * * *

March 17, 1951

Mr. Richard Arens
Staff Director, Subcommittee on
Immigration and Naturalization
Committee on the Judiciary
United States Senate
Washington, D. C.

Dear Mr. Arens:

I thank you for your letter of March 5, 1951, granting me permission to appear at the session of the joint hearings beginning at 2:00 P.M. March 20, 1951, to testify in support of the provisions in the omnibus bills eliminating certain racial discrimination from the immigration and naturalization laws.

In view of the general support which these provisions have received at the hearings and in view of the difficulty there must be to give time to all the organizations which wish to be heard on some controversial provisions, it seems the fair thing for me to do to surrender the time which you have so graciously given me. I enclose a written statement on behalf of this Committee and I shall appreciate it if you will make it part of the record.

With best personal wishes.

Sincerely,

Edward J. Ennis, Chairman
COMMITTEE FOR EQUALITY IN NATURALIZATION

165 Broadway
New York 6, N.Y.

3-26-51

Statement of

Edward J. Ennis, Chairman
COMMITTEE FOR EQUALITY IN NATURALIZATION
Washington, D.C.

In Support of Provisions of S. 716, H.R. 2379, and H.R. 2816
Removing Certain Racial Discrimination from the Immigration
and Naturalization Laws

submitted to

Joint Hearings of Senate and House Subcommittees on
Immigration and Naturalization

The Committee for Equality in Naturalization is an unincorporated independent organization of American citizens supporting the proposed federal legislation which will eliminate the present provisions of law which prohibit thousands of law-abiding resident aliens from becoming citizens solely because of their Asiatic ancestry. The membership of this Committee includes citizens recognized as leaders in their chosen fields of activity. The roster of the Committee is appended to this statement. Other witnesses have supplied the statistical and other factual material concerning the resident aliens, principally Japanese nationals, who will be offered the privilege and opportunity of citizenship by the proposed legislation. The facts disclose them to have been a remarkably industrious and law-abiding minority who have contributed greatly to the prosperity and social stability of the American community. This information has also been submitted at hearings before congressional committees which considered similar legislation during prior sessions of Congress (hearings on H.R. 5004 before the Subcommittee on Immigration and Naturalization of the House Judiciary Committee, April, 1948). In the circumstances the present statement is restricted to the relationship between the proposed legislation and national security. My qualifications to consider this aspect of the problem are based on the fact that during World War II, I was

Director of Alien Enemy Control of the Department of Justice and immediately prior thereto I was General Counsel of the Immigration and Naturalization Service. Insofar as the resident Japanese minority is concerned I have had ample opportunity to become familiar with them not only through the enemy internment program but also as the representative of the Department of Justice directly concerned with evacuation of persons of Japanese ancestry from the West Coast, and with continuation of martial law in the Territory of Hawaii.

It is my firm conviction after a long and careful study of this aspect of the problem that there is no security problem whatever involved in making naturalization, and the accompanying minimal immigration provisions on a national origin basis, available without racial discrimination. On the contrary, the outstanding record of racial minorities discriminated against under the present law, the great majority of whom are Japanese, is a complete refutation of any unsupported suggestion that naturalization and immigration should not be open to these people. The Attorney General of the United States and the Director of the Federal Bureau of Investigation both had occasion to point out during World War II that even in Hawaii, where the opportunities for sabotage were great immediately after Pearl Harbor, there was no evidence of any sabotage whatever by the resident Japanese population. Throughout the country as a whole no minority of enemy national origin had so fine a record of cooperation with our Government as the Japanese.

During the war I observed the conduct of this minority at first hand. From the Japanese alien population of about 47,000, about 3,000 were ordered interned, not because of any crime, but solely as a wartime precaution always taken against members of any alien enemy class even remotely suspected of the possibility of hostile sympathies because of any statements or associations with suspected organizations. All but less than 1,000 of these internees were paroled or released before the end of the war. About 7,000 (including family members) were repatriated

to Japan at their own request. It is still a source of amazement to me, and also a source of profound respect for this minority, to recall that their record was one of complete cooperation with the Government even though the Government mistakenly forced them to suffer the hardship of evacuation which was placed upon no other minority. We must not overlook the fact that not one of the cases involving sabotage and treason conspiracies, such as the cases of the German saboteurs and the prosecutions of the persons who concealed them, involved any resident of Japanese ancestry, the largest racial minority now subject to discrimination under our immigration and naturalization laws.

Looking back on the evacuation with the advantage of hindsight, we cannot avoid the sad conclusion that it was a terrible mistake patriotically endured by the minority upon whom it fell. We now know that that patriotism was amply proved by the most extraordinary record made by the Japanese American members of our armed forces. Now that victory has dispelled the fear and panic which naturally resulted from the Pearl Harbor attack and accompanied our unpreparedness at the beginning of the war, we realize that there was no factual objective basis, outside of our fears, for the rigorous policy of evacuation. Indeed, the action taken in evacuation by the local military authorities on the west coast was not based upon any hostile acts by the minority of Japanese ancestry, but upon the bare possibility that such hostility might develop if there was an actual invasion of the west coast by enemy troops.

At the time, at the outbreak of the war, no official in Washington, from the President down, would take the responsibility for making the decision on evacuation because it was felt that in the last analysis the military measures necessary for the security of the west coast had to be left to the local military commander, General DeWitt. He concluded that every possible precaution must be taken, including the evacuation. There was no intention then to have evacuation include

any kind of an internment program. The interior States, however, struggling with their own problems of housing during wartime, would not or could not receive the evacuees and they went into relocation camps simply because there was no place else to go. Through no fault of their own the evacuees found themselves uprooted from their homes, losing everything, and they were compelled to spend the war years in these camps.

It has been said that dictators do not dare admit mistakes but that an outstanding feature of democratic government is that it can admit its mistakes and do something to rectify them. The people of the United States, through enactment of the Evacuation Claims Act to remunerate persons of Japanese ancestry for property losses suffered in evacuation, have taken one step in admitting that the evacuation was a mistake. Another step in the same direction would be the present proposed amendment of our laws to make it clear that loyalty to our form of Government is not a matter of color but of individual conviction. Persons who have that conviction and who, as long law-abiding residents have become citizens of the United States in everything but name and form, should now be given the opportunity to embrace the citizenship which many of them have desired for many years.

In addition to the positive reasons for this proposed legislation we may examine the arguments which might be raised against its enactment. In the nineteen twenties doubts were expressed concerning the loyalty and assimilability of our Oriental population. But our experience in World War II with residents of Japanese and other Oriental ancestry both in Hawaii and on the mainland, has completely dissipated earlier fears concerning their loyalty. These people are here to stay as Americans, and it is surely better for America to have them share the obligations of citizenship than to have the privilege of living here without that responsibility.

It should be beyond serious debate that in our country all of the persons

who are living here ought to have a chance to become citizens without being barred by their national origin or race. Of course, every man should be required to fulfill the highest personal standards in order to become a citizen. His moral character, his loyalty and devotion to the United States should be beyond any question. But he is entitled as an individual to prove his worth as an individual and not be barred as a member of a particular race or national group.

This law is not going to naturalize just anybody. It is not going to excuse any man from proving his loyalty to the United States before he can become one of our citizens. It is merely stating that if he is a lawful resident here he shall not be barred at the door simply because of the color of his skin or the apparent shape of his eyes. He should be given the chance to fulfill all personal requirements.

A question might be raised whether the religious affiliation of some of these prospective citizens might create a difficulty. Many Japanese immigrants to the United States were Buddhists when they came here, although a surprisingly large number had attended the schools of American missionaries in Japan and were professing Christians before they left their native land. But Buddhism, like Christianity and Mohammedanism, is a universal religion, and not to be confused with the Shintoism peculiar to Japan, or any other national religion. Concerning the relationship of Buddhism to loyalty a considered judgment has been expressed by Colonel C. W. Pence, battle commander of the 442nd Regimental Combat Team, composed of Japanese Americans, who is in a position to speak from first-hand experience of the most authoritative kind. Colonel Pence has said:

"I commanded the 442nd Combat Team from the date of its activation in February 1943 until February 1945. Among its enlisted personnel, all Japanese Americans, there was a considerable number of Buddhists. During my two years in command of this unit there was no observable difference in the valor or loyalty or other measurements of performance as between Buddhists and Christian members of the Combat Team. As a matter of fact, there was no occasion for me to inquire into the background of any particular individual since all did equally splendid work.

I feel that the Japanese American soldiers have earned the privilege of citizenship for their parents. Furthermore, their record in combat is proof that their parents reared them as good Americans."

It might be suggested that the inclusion of various organizations with Japanese names on the Attorney General's list of totalitarian, communist, and subversive organizations in respect of federal employment is an indication of a disloyal element among the Japanese. Such a conclusion would be wholly unwarranted. The list includes as "totalitarian" every Japanese organization of which there was any evidence at all that among its legitimate and social activities some of the members might be inclined to use the organization for propaganda purposes on behalf of Japan during the Sino-Japanese war and prior to Pearl Harbor. These organizations ceased to exist at that time. The listing of these defunct organizations, however, does not suggest either that they had any substantial activities in this country or any large membership, or even that their members knew that someone might possibly attempt to use them for hostile purposes. Certainly it has never been suggested that there was any Japanese organization here comparable to such an active pro-Nazi organizations as the German-American Bund prior to our entry into the war. The conclusive test of the intentions of the Japanese in America was the complete lack of any overt act detrimental to the American war effort, attendance at the Great Fuji Theater notwithstanding.

It is not asserted that every resident Japanese alien loved the United States more than Japan. Many Japanese, faced with the discrimination we practiced against them, decided that they would give up any attempt to live in this country and go back to Japan. Those who so chose have been sent back to Japan. There may be some among those remaining in the United States who continue to have nostalgic attachment to Japan, but, as I have already noted, the record is entirely clear that no resident of Japanese birth, before, during or after the war, performed any act of sabotage or espionage, but rather cooperated in exceptional manner with a program

that hurt them immensely.

It seems perfectly clear that passage of legislation would have very great moral force and would help immeasurably in building American prestige in the Far East and in combating Communist propaganda. This has been made clear by representatives of the Department of State and testimony of such experts as Congressman Judd and Joseph Grew, former Ambassador to Japan.

The extension of the privilege of naturalization, and limited immigration, to the remaining classes of Orientals now barred, will not increase the degree of communist or other subversive activity in the United States. In the first place effective subversive activity here has not come from this group but from groups which have always been racially eligible for naturalization and immigration. Moreover, there are ample provisions in the statutes, regulations and applicable procedures to weed out the few subversives who might be made eligible by these provisions.

In removing racial discrimination in respect of certain Oriental peoples care should be taken not to create new racial discrimination against other groups. It is submitted that the provisions of the proposed bills which would reduce the quotas applicable to colonies has no place in this legislation. This provision is essentially one of racial discrimination against the colored inhabitants of such English colonies as Jamaica who now immigrate under the English quota. Even as a practical matter, apart from the principle involved, the immigration from these Caribbean islands is not large enough to justify adoption of such a measure. These colonies should be left as they are under the quota of the home country or made non-quota like all independent countries in this hemisphere even though their populations are predominantly colored. Even in the absence of quota restrictions no great amount of immigration has occurred.

In conclusion it is submitted that finally and without delay racial discrimination should be eliminated as a bar to naturalization -- and even from immigration except to the extent that it is inherent in the national origin quota system.

Edward J. Ennis, Chairman
Committee for Equality in Naturalization

Dated: March 17, 1951

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