

A 12.03

67/14
C

Academy of Natural Sciences
Drexel University
Philadelphia, PA 19122
(215) 895-1200

77TH CONGRESS
2^D SESSION

H. R. 6416

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1942

Mr. DICKSTEIN introduced the following bill; which was referred to the Committee on Immigration and Naturalization

A BILL

To amend the naturalization laws of the United States with reference to persons in the military and naval forces of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That any alien, of the age of twenty-one years and upward,
4 who has enlisted, or may enlist, in the armies of the United
5 States, either the Regular or the Volunteer forces, and has
6 been or may be hereafter honorably discharged, shall be ad-
7 mitted to become a citizen of the United States, upon his
8 petition, without any previous declaration of his intentions to
9 become such; and he shall not be required to prove more
10 than one year's residence within the United States previous

1 to his application to become such citizen, and the court ad-
2 mitting such alien shall, in addition to such proof of residence
3 and good moral character, as now provided by law, be satis-
4 fied by competent proof of such person's having been honor-
5 ably discharged from the service of the United States.

77TH CONGRESS
2^D SESSION

H. R. 6416

A BILL

To amend the naturalization laws of the United States with reference to persons in the military and naval forces of the United States.

By Mr. DICKSTEIN

JANUARY 20, 1942

Referred to the Committee on Immigration and Naturalization

1 the requirements of the naturalization laws except that (1)
2 no declaration of intention and no certificate of arrival and
3 no period of residence within the United States or any State
4 shall be required; (2) the petition for naturalization may be
5 filed in any court having naturalization jurisdiction regardless
6 of the residence of the petitioner; (3) the petitioner shall not
7 be required to speak the English language, sign his petition
8 in his own handwriting, or meet any educational test; and
9 (4) no fee shall be charged or collected for making, filing,
10 or docketing the petition for naturalization, or for the final
11 hearing thereon, or for the certificate of naturalization, if
12 issued: *Provided, however,* That (1) there shall be included
13 in the petition the affidavits of at least two credible witnesses,
14 citizens of the United States; stating that each such witness
15 personally knows the petitioner to be a person of good moral
16 character, attached to the principles of the Constitution of
17 the United States, and well disposed to the good order and
18 happiness of the United States, and (2) the service of the
19 petitioner in the military or naval forces of the United States
20 shall be proved by affidavits, forming part of the petition, of
21 at least two citizens of the United States, members or former
22 members during the present war of the military or naval
23 forces of the noncommissioned or warrant officer grade or
24 higher (who may be the witnesses described in clause (1)
25 of this proviso), or by a duly authenticated copy of the

1 record of the executive department having custody of the
2 record of petitioner's service, showing that the petitioner is
3 or was during the present war a member serving honorably
4 in such armed forces. The petitioner may be naturalized
5 immediately if prior to the filing of the petition the petitioner
6 and the witnesses required by the foregoing proviso shall
7 have appeared before and been examined by a representative
8 of the Immigration and Naturalization Service.

9 "SEC. 702. During the present war, any person entitled
10 to naturalization under section 701 of this Act, who while
11 serving honorably in the military or naval forces of the United
12 States is not within the jurisdiction of any court authorized
13 to naturalize aliens, may be naturalized in accordance with
14 all the applicable provisions of section 701 without appearing
15 before a naturalization court. The petition for naturalization
16 of any petitioner under this section shall be made and sworn
17 to before, and filed with, a representative of the Immigration
18 and Naturalization Service designated by the Commissioner
19 or a Deputy Commissioner, which designated representative
20 is hereby authorized to receive such petition in behalf of
21 the Service, to conduct hearings thereon, to take testimony
22 concerning any matter touching or in any way affecting the
23 admissibility of any such petitioner for naturalization, to call
24 witnesses, to administer oaths, including the oath of the peti-
25 tioner and his witnesses to the petition for naturalization and

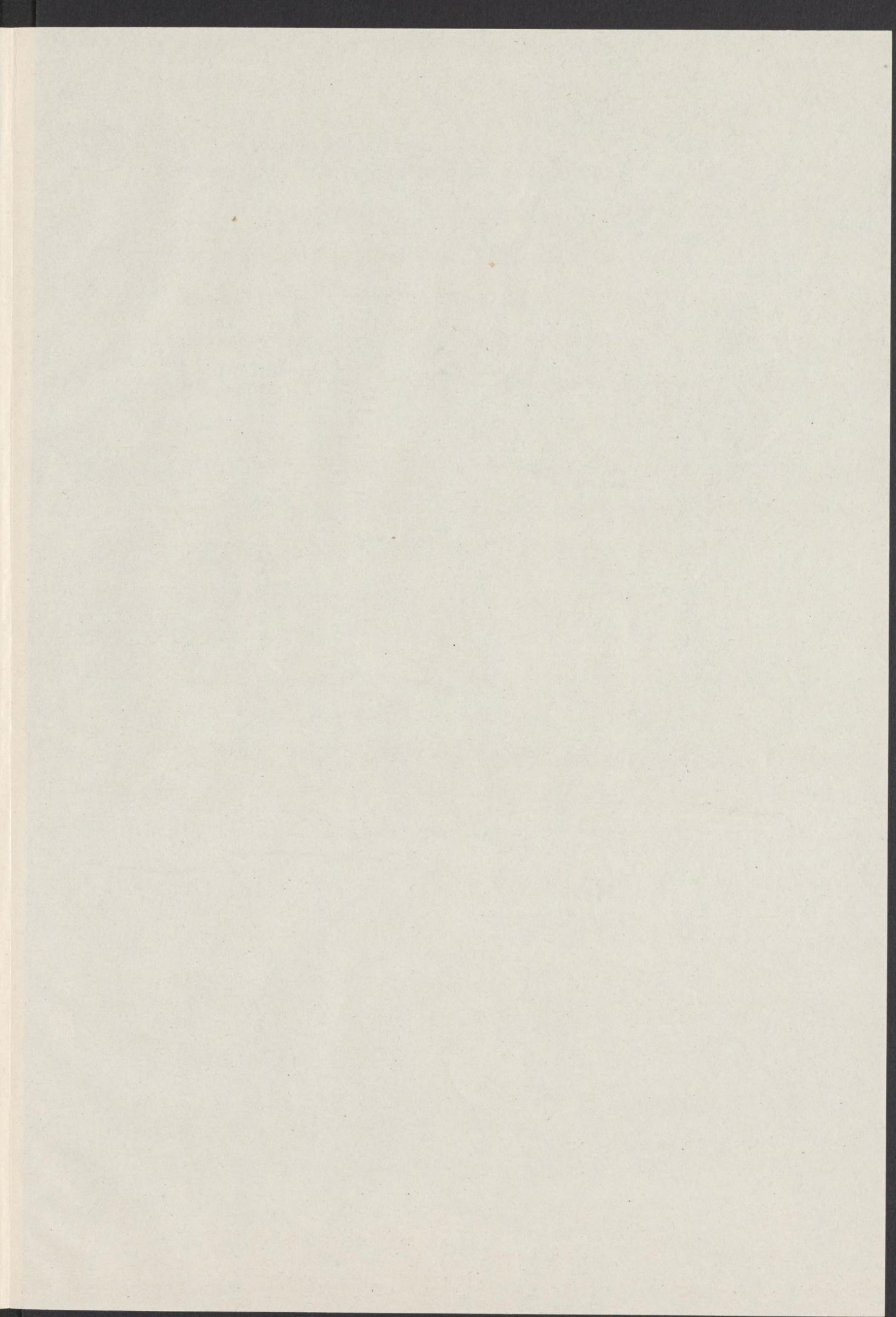
1 the oath of renunciation and allegiance prescribed by section
2 335 of this Act, and to grant naturalization.

3 "SEC. 703. The ninety days' notice required by subsec-
4 tion (b) of section 326 of this Act to be given by the clerk
5 of the naturalization court to the Commissioner may be
6 waived by the Commissioner in his discretion. In any peti-
7 tion in which such notice is waived, the Commissioner shall
8 cause the clerk of court to be notified to that effect.

9 "SEC. 704. The provisions of this title shall not apply
10 to (1) any person who during the present war is dishonor-
11 ably discharged from the military or naval forces or is dis-
12 charged therefrom on account of his alienage, (2) any con-
13 scientious objector who performed no military duty whatever
14 or refused to wear the uniform or (3) any person who is
15 under charges by the military or naval authorities, or who
16 has been convicted by a court martial and is under sentence
17 of such court martial.

18 "SEC. 705. The Commissioner, with the approval of the
19 Attorney General, shall prescribe and furnish such forms, and
20 shall make such rules and regulations, as may be necessary
21 to carry into effect the provisions of this Act.

22 "SEC. 706. This title shall take effect from the date of
23 its approval."



77TH CONGRESS
2^D SESSION

H. R. 6439

A BILL

To expedite the naturalization of persons who are not citizens, who have served or who hereafter serve honorably in the naval or military forces during the present war.

By Mr. REES of Kansas

JANUARY 22, 1942

Referred to the Committee on Immigration and Naturalization

77TH CONGRESS
2^D SESSION

H. R. 6450

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 1942

Mr. DICKSTEIN introduced the following bill; which was referred to the Committee on Immigration and Naturalization

A BILL

To amend subsection (c) of section 19 of the Immigration Act of February 5, 1917 (39 Stat. 889; U. S. C., title 8, sec. 155), as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the second sentence of subsection (c) of section 19 of
4 the Immigration Act of February 5, 1917 (39 Stat. 889,
5 U. S. C., title 8, sec. 155), as amended, is hereby amended
6 by striking out the words "within ten days after the begin-
7 ning of its next regular session".

8 SEC. 2. The fourth and fifth sentences of subsection (c)
9 of section 19 of the Immigration Act of February 5, 1917
10 (39 Stat. 889; U. S. C., title 8, sec. 155), as amended, are

1 hereby amended to read as follows: "If during the session
 2 of the Congress at which a case is reported, or if a case is
 3 reported less than thirty days prior to the close of the session,
 4 then during the next session of the Congress, the two Houses
 5 pass a concurrent resolution stating in substance that the
 6 Congress does not favor the suspension of such deportation,
 7 the Attorney General shall thereupon deport such alien in
 8 the manner provided by law. If during the session of the
 9 Congress at which a case is reported, or if a case is reported
 10 less than thirty days prior to the close of the session, then
 11 during the next session of the Congress, the two Houses do
 12 not pass such a resolution, the Attorney General shall cancel
 13 deportation proceedings upon the termination of such session,
 14 except that such proceedings shall not be canceled in the
 15 case of any alien who was not legally admitted for permanent
 16 residence at the time of his last entry into the United States,
 17 unless such alien pays to the Commissioner of Immigration
 18 and Naturalization a fee of \$18 (which fee shall be deposited
 19 in the Treasury of the United States as miscellaneous
 20 receipts).

RECEIVED
 H. R. 6420
 A BILL
 TO AMEND THE ACT OF SEPTEMBER 14, 1914, (38 STAT. 1001) RELATIVE TO THE DEPORTATION OF ALIENS
 DEPARTMENT OF JUSTICE
 SEP 20 1915

77TH CONGRESS
2D SESSION

H. R. 6450

A BILL

To amend subsection (c) of section 19 of the
Immigration Act of February 5, 1917 (39
Stat. 889; U. S. C., title 8, sec. 155), as
amended.

By Mr. DICKSTEIN

JANUARY 23, 1942

Referred to the Committee on Immigration and
Naturalization

77TH CONGRESS
2D SESSION

H. R. 6621

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1942

Mr. ELIOT of Massachusetts introduced the following bill; which was referred to the Committee on Immigration and Naturalization

A BILL

Permitting the naturalization of certain aliens having sons or daughters in the land or naval forces of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 326 (a) of the Nationality Act of 1940, as
4 amended (relating to the naturalization of enemy aliens), is
5 amended to read as follows:

6 “SEC. 326. (a) An alien who is a native, citizen, sub-
7 ject, or denizen of any country, state, or sovereignty with
8 which the United States is at war may be naturalized as a
9 citizen of the United States if—

10 “(1) such alien’s declaration of intention was made

1 not less than two years prior to the beginning of the
2 state of war;

3 “(2) such alien was at the beginning of the state
4 of war entitled to become a citizen of the United States
5 without making a declaration of intention;

6 “(3) such alien’s petition for naturalization shall at
7 the beginning of the state of war be pending and the
8 petitioner is otherwise entitled to admission; or

9 “(4) a son or daughter of such alien has served
10 honorably with the land or naval forces of the United
11 States at any time on or after December 7, 1941, and,
12 if separated from such service, was separated under
13 honorable conditions;

14 notwithstanding such petitioner shall be an alien enemy at
15 the time and in the manner prescribed by the laws passed
16 upon that subject.”

77TH CONGRESS
2D SESSION

H. R. 6621

A BILL

Permitting the naturalization of certain aliens
having sons or daughters in the land or
naval forces of the United States.

By Mr. ELIOT of Massachusetts

FEBRUARY 18, 1942

Referred to the Committee on Immigration and
Naturalization

77TH CONGRESS
2^D SESSION

S. 2293

IN THE SENATE OF THE UNITED STATES

FEBRUARY 19 (legislative day, FEBRUARY 13), 1942

Mr. STEWART introduced the following bill; which was read twice and referred to the Committee on Immigration

A BILL

To provide for taking into custody certain persons who are citizens or subjects of, or owe allegiance to, any nation or country with which the United States is at war.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That whenever there is a war between the United States and
4 any foreign nation or government, the Secretary of War is
5 authorized and directed to take into custody and restrain, to
6 the extent deemed by him to be necessary in the interest of
7 the national defense, any person who, notwithstanding the
8 fact that he may have been born in the United States, (a)
9 (1) is considered, by the laws of any such foreign nation
10 or government, to be a citizen or subject of or to owe

1 allegiance to any such foreign nation or government, and (2)
2 is of a race or nationality ineligible to naturalization as a
3 citizen of the United States, or (b) has in any way hereto-
4 fore acted or hereafter acts as a citizen or subject of any such
5 foreign nation or government.

6 SEC. 2. (a) Any person taken into custody, under the
7 authority of this Act, may be released from custody when-
8 ever the Secretary of War believes that such release will not
9 be inimical to the interests of the national defense or to the
10 welfare of the United States.

11 (b) The Secretary of War may require, as a condition
12 to any such release, that such person report personally at
13 such times and places, to such military authorities, as the
14 Secretary of War shall designate.

15 (c) The Secretary of War is authorized to utilize the
16 services of the armed forces of the United States to enforce
17 the provisions of this Act.

77TH CONGRESS
2D SESSION

S. 2293

A BILL

To provide for taking into custody certain persons who are citizens or subjects of, or owe allegiance to, any nation or country with which the United States is at war.

By Mr. STEWART

FEBRUARY 19 (legislative day, FEBRUARY 13), 1942
Read twice and referred to the Committee on
Immigration

Union Calendar No. 679

77TH CONGRESS
2^D SESSION

H. R. 6717

[Report No. 1904]

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 1942

Mr. REES of Kansas introduced the following bill; which was referred to the Committee on Immigration and Naturalization

MARCH 16, 1942

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

A BILL

To provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 323 of the Act of October 14, 1940 (54 Stat.
4 1149), entitled "An Act to revise and codify the nationality
5 laws of the United States into a comprehensive nationality
6 code", is hereby amended to read as follows:

7 "SEC. 323. A person who, while a citizen of the United
8 States and during the first or second World War, entered the
9 military or naval service of any country at war with a

1 country with which the United States was or is at war, who
 2 has lost citizenship of the United States by reason of any
 3 oath or obligation taken for the purpose of entering such
 4 service, or by reason of entering or serving in such armed
 5 forces, may be naturalized by taking before any naturaliza-
 6 tion court specified in subsection (a) of section 301, or before
 7 any diplomatic or consular officer of the United States abroad,
 8 the oaths prescribed by section 335. For the purposes of this
 9 section, the second World War shall be deemed to have com-
 10 menced on September 1, 1939, and shall continue until such
 11 time as the United States shall cease to be in a state of war.

RECEIVED

RECEIVED
 DEPARTMENT OF JUSTICE
 DIVISION OF INVESTIGATION
 WASHINGTON, D. C.
 SEP 11 1941

RECEIVED
 DEPARTMENT OF JUSTICE
 DIVISION OF INVESTIGATION
 WASHINGTON, D. C.
 SEP 11 1941

Union Calendar No. 679

77TH CONGRESS
2D SESSION

H. R. 6717

[Report No. 1904]

A BILL

To provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship through service with the allied forces of the United States during the first or second World War.

By Mr. REES of Kansas

MARCH 3, 1942

Referred to the Committee on Immigration and Naturalization

MARCH 16, 1942

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

1 SEC. 2. The Immigration and Naturalization Service
2 shall, in accordance with rules and regulations, which it shall
3 prescribe, require any alien subject to supervision or deten-
4 tion under this title (1) to appear from time to time before
5 an officer of the Service for identification and examination;
6 (2) to submit to medical and psychiatric examination and
7 treatment; (3) to give information under oath as to his
8 circumstances, habits, associations, and activities; and (4) to
9 conform to such reasonable written restrictions on his conduct
10 or activities as the Service may prescribe.

11 SEC. 3. The Immigration and Naturalization Service
12 shall detain pending deportation, without bail, but not at
13 hard labor, any alien against whom a valid warrant of de-
14 portation is outstanding, for a period of not more than ninety
15 days from the date on which the alien is taken into custody
16 under the warrant: *Provided*, That if at the termination of
17 such period of ninety days it appears to the Service that it
18 will be possible to effect deportation within a reasonable time,
19 the alien may be detained for such additional time not to ex-
20 ceed sixty days: *Provided further*, That any alien detained
21 hereunder, who is released from detention, during the course
22 of habeas corpus proceedings or otherwise, prior to the ex-
23 piration of the period herein specified, may, unless the deten-
24 tion shall be finally adjudged to have been illegal in such
25 habeas corpus proceedings, be detained again for a period

1 which when aggregated with the duration of his previous
2 detention under the provisions of this section shall not exceed
3 the period herein specified.

4 SEC. 4. The Immigration and Naturalization Service
5 shall detain, pending deportation, without bail, but not at hard
6 labor, for a period not exceeding one year from the date on
7 which the alien is taken into custody under the warrant, any
8 alien not subject to detention under title II of this Act, who
9 is subject to supervision and detention under this title whose
10 deportation is based in whole or in part upon conviction, or
11 admission by the alien of the commission, of a crime: *Pro-*
12 *vided*, That if at the termination of such period of one year
13 it appears to the Service that it will be possible to effect de-
14 portation within a reasonable time, the alien may be detained
15 for an additional time not to exceed three months: *Provided*
16 *further*, That any alien detained hereunder, who is released
17 from detention, during the course of habeas corpus proceed-
18 ings or otherwise, prior to the expiration of the period herein
19 specified, may, unless the detention shall be finally adjudged
20 to have been illegal in such habeas corpus proceedings, be
21 detained again for a period which when aggregated with the
22 duration of his previous detention under the provisions of this
23 section shall not exceed the period herein specified.

24 SEC. 5. Any alien detained under the authority of any
25 provision of this title may secure his release upon a showing

1 that bona fide arrangements for his departure from the United
2 States have been made and upon complying with such reason-
3 able conditions as may be prescribed by the Immigration and
4 Naturalization Service to assure his departure. Should any
5 such alien return to the United States after having departed,
6 he shall be excluded, or if that be not legally possible, he shall
7 again be taken into custody and detained without bail, in
8 accordance with the provisions of this title.

9 SEC. 6. Any alien against whom an order has been made
10 in accordance with the provisions of section 2 of this title
11 who willfully fails to appear, give information, or submit to
12 examination or treatment as required, or who knowingly gives
13 false information thereunder, or who knowingly violates a
14 reasonable restriction imposed upon his conduct or activity,
15 shall, upon conviction therefor, be fined not to exceed \$1,000
16 or imprisoned for not more than two years, or both.

17 SEC. 7. Any alien against whom a valid warrant of
18 deportation is outstanding, but who was not deported be-
19 cause his deportation was not feasible, and who is not in
20 custody of the Immigration and Naturalization Service, shall,
21 whenever it appears to the satisfaction of the Service that his
22 deportation has become feasible, be again taken into custody
23 for deportation, and an alias warrant of deportation shall
24 be issued, unless the alien shall establish by a preponderance
25 of the evidence, facts and conditions which have arisen since

1 the original warrant of deportation was issued which render
2 him no longer legally deportable. Any detention hereunder
3 shall be subject to the provisions of section 3 or 4 of this title.

4 TITLE II (c)

5 SEC. 201. Any alien subject to the provisions of this
6 title against whom a valid warrant of deportation is outstand-
7 ing, but whose deportation or departure from the United
8 States otherwise is not effectuated within ninety days after
9 the date the warrant of deportation shall have become
10 final, shall be detained by the Immigration and Naturalization
11 Service pending deportation, without bail, though not at
12 hard labor, until such time as deportation shall have become
13 feasible, or departure from the United States otherwise shall
14 have been arranged, or until the Service, upon sufficient evi-
15 dence of good cause, shall order the release of such alien,
16 temporarily or permanently, on such bond as may be required,
17 with or without the rescission of the warrant of deportation.

18 SEC. 202. This title shall apply only to those aliens
19 of one or more of the following described classes:

20 (a) Those aliens ordered deported under the Act of
21 October 16, 1918, entitled "An Act to exclude and expel
22 from the United States aliens who are members of the an-
23 archistic and similar classes", as amended;

24 (b) Those aliens who have been sentenced to imprison-
25 ment for a term of one year or more because of conviction

1 in this country of a crime involving moral turpitude, com-
2 mitted within five years after the entry of the alien to the
3 United States;

4 (c) Those aliens who have been sentenced more than
5 once to a term of one year or more of imprisonment be-
6 cause of conviction in this country of a crime or crimes
7 involving moral turpitude;

8 (d) Those aliens whose deportation in whole or in part
9 is based upon their having received, shared in, or derived
10 benefit from any part of the earnings of any prostitute or
11 having in any way assisted any prostitute by acting as a pro-
12 curer or otherwise promoting her business; or having pro-
13 tected or promised to protect any prostitute from arrest or
14 having imported or attempted to import any person for the
15 purpose of prostitution; or having engaged in any one or
16 more of such aspects of the business of prostitution;

17 (e) Those aliens ordered deported under the Act of
18 May 26, 1922, entitled "An Act to amend the Act entitled
19 'An Act to prohibit the importation and use of opium for
20 other than medicinal purposes', approved February 9, 1909,
21 as amended" (42 Stat. 596; U. S. C., title 21, sec. 175);
22 or the Act of February 18, 1931, entitled "An Act to pro-
23 vide for the deportation of aliens convicted and sentenced
24 for violation of any law regulating traffic in narcotics" (46
25 Stat. 1171; U. S. C., title 8, sec. 156 (a));

1 (f) Those aliens ordered deported because of conviction
2 of treason, misprision of treason, espionage, sabotage, kid-
3 napping, extortion, robbery of the mails, or of a bank or of
4 an officer or employee of the United States, murder, rape,
5 arson, or seditious conspiracy.

6 SEC. 203. Any alien detained under the authority of any
7 provision of this title or of title III may secure his release
8 upon a showing that bona fide arrangements for his departure
9 from the United States have been made and upon complying
10 with such reasonable conditions as may be prescribed by the
11 Immigration and Naturalization Service to assure his de-
12 parture. Should any such alien return to the United States
13 after having departed, he shall be excluded, or if that be not
14 legally possible, he shall again be taken into custody and de-
15 tained without bail, in accordance with the provisions of this
16 title.

17 SEC. 204. Notwithstanding the provisions of section 20
18 of the Immigration Act of February 5, 1917 (39 Stat.
19 889; U. S. C., title 8, sec. 156), the Immigration and Natu-
20 ralization Service or the Attorney General is authorized and
21 directed to detain aliens of the classes described in this Act
22 and authority to do so shall not be questioned except upon
23 petition filed with the circuit court of appeals for the circuit
24 in which the place of detention of the particular alien is lo-
25 cated, or by a petition for the writ of habeas corpus filed with

1 such circuit court, or by a writ of habeas corpus issued by
2 any district court of the United States, made returnable in
3 such circuit court; and for this purpose the circuit courts of
4 appeals are hereby invested with original and exclusive juris-
5 diction to hear such petitions and to try the issue presented
6 by such writs and determine the question of the legality of
7 the detention under this Act. The terms "circuit court of
8 appeals" and "circuit courts of appeals" as herein used include
9 United States Court of Appeals for the District of Columbia.

10 TITLE III

11 SEC. 301. Any alien who seeks to enter the United States
12 intending to act in behalf of any foreign government or
13 foreign political party or group or to act in conjunction with
14 any party, group, or organization itself acting in behalf of
15 any foreign government or foreign political party or group
16 or, without limiting the foregoing, to act in behalf of the
17 Communist Party of the United States of America, the
18 Kyffhaeuser Bund, the German-American Bund, or any
19 organization, foreign or domestic, successor to, or acting for
20 or in the place of, or in conjunction with any one of them
21 within or without the United States, shall be excluded from
22 admission unless the alien shall prove to the satisfaction of
23 the Immigration and Naturalization Service and the Service
24 shall find there is substantial reason to believe that such

1 proposed activities would inure to the benefit of the United
2 States: *Provided*, That no person shall be admitted to the
3 United States under the provisions of this section who is
4 subject to exclusion under any other provision of law.

5 SEC. 302. (a) Any alien who, at any time, and for
6 any time no matter of how short duration, shall act, or shall
7 have acted, in the United States in behalf of any foreign
8 government or foreign political party or group, or shall here
9 act, or shall here have acted, in conjunction with any party,
10 group, or organization acting in behalf of any foreign gov-
11 ernment or foreign political party or group, or, without
12 limiting the foregoing, shall here act, or shall here have
13 acted, in behalf of the Communist Party of the United
14 States of America, the Kyffhaeuser Bund, the German-
15 American Bund, or any organization, foreign or domestic,
16 successor to, or acting for on in the place of, or in conjunc-
17 tion with any one of them, within or without the United
18 States, shall be deported in the manner provided in the Immi-
19 gration Act of February 5, 1917; unless the alien shall
20 prove to the satisfaction of the Immigration and Naturaliza-
21 tion Service and the Service shall find there is substantial
22 reason to believe that such alien's activities are or were
23 beneficial to the United States: *Provided*, That no person
24 who is subject to deportation under any other provision of

1 law, shall be excused from, nor relieved of, the full effect of
2 the deportation mandate of this section by reason of any
3 other provision of this section.

4 (b) Any alien subject to the provisions of this title,
5 against whom a valid warrant of deportation is outstanding,
6 shall be detained in accordance with the provisions of section
7 201 of title II of this Act; and the question of the legality of
8 such detention shall be reviewed only as provided in section
9 204 of title II of this Act.

10 SEC. 303. Nothing in this title shall apply to an ac-
11 credited official of a recognized foreign government, his
12 family, attendants, servants, or employees, without express
13 approval of the Secretary of State.

14 SEC. 304. Nothing in this title shall be construed as
15 repealing any provisions of the Act entitled "An Act to
16 exclude and expel from the United States aliens who are
17 members of the anarchistic and similar classes", approved
18 October 16, 1918, as amended.

19 TITLE IV

20 The Nationality Act of 1940 is hereby amended by
21 inserting therein a new section immediately following section
22 316, to be known as section 316 (a) :

23 "SEC. 316. (a) A person born of alien parents in a
24 foreign country, who entered the United States as a minor
25 prior to July 1, 1924, and who on or before the effective

1 date of this Act was a registered voter in any State and a
2 bona fide resident in any State or of the District of Columbia
3 and who claims citizenship through the naturalization of a
4 parent, upon proof satisfactory to the Immigration and Nat-
5 uralization Service, of the naturalization of such parent, shall
6 be held to have been legally admitted into the United States
7 for permanent residence.”

77TH CONGRESS
2^D SESSION

H. R. 6915

A BILL

To authorize the supervision and to require the detention of certain aliens against whom valid warrants of deportation are outstanding; to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the question of the legality of the detention of any alien detained under title II or title III; and for other purposes.

By Mr. HOBBS

APRIL 9, 1942

Referred to the Committee on the Judiciary

P-6.503

77TH CONGRESS
2^D SESSION

S. 2352

IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, MARCH 5), 1942

Mr. REYNOLDS introduced the following bill; which was read twice and referred to the Committee on Military Affairs

A BILL

To provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That whoever shall enter, remain in, or leave any military
4 area or military zone prescribed, under the authority of an
5 Executive order of the President, by the Secretary of War,
6 or by any military commander designated by the Secretary
7 of War, contrary to the restrictions applicable to any such
8 area or zone or contrary to the order of the Secretary of
9 War or any such military commander, shall, if it appears
10 that he knew or should have known of the existence and

1 extent of the restrictions or order and that his act was
2 in violation thereof, be guilty of a misdemeanor and upon
3 conviction shall be liable to a fine of not to exceed \$5,000
4 or to imprisonment for not more than one year, or both, for
5 each offense.

77TH CONGRESS
2^D SESSION

S. 2352

A BILL

To provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, or leaving military areas or zones.

By Mr. REYNOLDS

MARCH 9 (legislative day, MARCH 5), 1942

Read twice and referred to the Committee on Military Affairs

1 of the United States because of race, shall, by reason of being
2 born in the United States, be a citizen of the United States
3 or any State thereof.

4 "SEC. 2. This article shall be inoperative unless it shall
5 have been ratified as an amendment to the Constitution by the
6 legislatures of three-fourths of the several States within seven
7 years from the date of its submission."

77TH CONGRESS
2^D SESSION

H. J. RES. 305

JOINT RESOLUTION

Proposing an amendment to the Constitution
of the United States.

By Mr. ANDERSON of California

APRIL 21, 1942

Referred to the Committee on the Judiciary

PUBLIC LAW 503

"TO PROVIDE A PENALTY FOR VIOLATION OF RESTRICTIONS
OR ORDERS WITH RESPECT TO PERSONS ENTERING, REMAINING
IN, LEAVING, OR COMMITTING ANY ACT IN MILITARY AREAS
OR ZONE

is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that whoever shall enter, remain in, leave, or commit any act in any military area or military zone prescribed, as prescribed under the authority of an Executive Order of the president, by the Secretary of War, or by any military commander designated by the Secretary of War, contrary to the restrictions applicable in any such area or zone or contrary to the order of the Secretary of War or any such military commander, shall, if it appears that he knew or should have known of the existence and extent of the restrictions or order and that his act was in violation thereof, be guilty of a misdemeanor and upon conviction shall be liable to a fine not to exceed \$5,000 or to imprisonment for not more than one year, or both, for each offense."

(Not printed at Government expense)



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, FIRST SESSION

Investigation of the Japanese in America

SPEECH

OF

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

February 23, 1943

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. JACKSON] is recognized for 15 minutes.

(By unanimous consent, Mr. JACKSON was granted permission to revise and extend his remarks.)

Mr. JACKSON. Mr. Speaker, I have today introduced a resolution, asking that a special committee of the House be set up to investigate Japanese activities in the United States and its possessions. I have requested that this committee direct an investigation into any and all activities of the Japanese in the United States, its Territories, and possessions, including their infiltration into American economic, political, and social life, with the end of preserving the security of the United States during the war and looking toward the establishment of a proper policy toward the Japanese residents of the United States, its Territories and possessions after the war.

We first heard much of Japanese infiltration tactics on Bataan and in the Philippines, but the Japanese had for many years practiced a different type of infiltration—infiltration into the vitals of our economic, political, and domestic structure. The disciples of Bushido, by insidious and indirect means, inserted themselves in a great many organizations in much the same fashion as the Nazis have utilized their front organizations. In our great Pacific coast cities they controlled much of the hotel and restaurant business although always there was a white manager who would front for them with the general public. They lowered prices to their own countrymen in the fresh produce and vegetable field, forcing out their white competition, only to raise prices as soon as they had monopolized this sphere of business. Always they had prominent civic leaders as their attorneys, paying them on a retainer basis. Whenever a situation came up in which they were interested, they had only to contact these individuals with their specious reasons to have them immediately come forward in their interest. Investiga-

519531—1766

tion will show that Japanese consuls in our large cities lavished expensive and sumptuous gifts on a great number of prominent citizens at Christmas and other appropriate occasions.

I wish to make it clear here that I do not intend to indict the great majority of these individuals because I am positive there was no disloyalty to their country in their minds. However, because their actions were unintentional, does not alter the fact that they were of great importance and value in the subtle propagandizing efforts of the Japanese nation and enabled them to exert an unbelievable amount of influence on the economic, political, and social life of the Pacific coast region.

After my study of this question, I wish to assure the Members of this House that there is not the slightest doubt in my mind but that the Japanese consul, taking his orders directly from Tokyo, ruled the Japanese colonies in our country with an iron and dictatorial hand; thus there was a society within a society and a race within a race. Every 2 years the Japanese consul in the large Pacific coast cities was changed and a new consul came in, bearing direct orders from the "Son of Heaven" in Tokyo. He directed the establishment of Japanese language schools; he managed the complicated Japanese financial system through the Japanese banks, owned and controlled in the land of the Samurai. The consulate office was the fountainhead from which flowed all directives to Japanese residents, both alien and native to this country, and was also the center of espionage and propaganda activity to which came all the data which the Japanese were able to gather regarding our Pacific coast line and the isles and inlets of the Alaskan Peninsula.

Let me outline briefly to you a few of the examples of Japanese infiltration tactics which have recently come to light. The most striking example, in my opinion, is a fact recently brought out by Miller Freeman, captain, U. S. N. R., retired, publisher of eight trade journals, and who is undoubtedly one of the greatest experts on the Japanese problem in our country. He points out that in the China Club of Seattle, Wash., which has an executive board composed of 29 members, 11 members are listed in the 1942 roster of officers and members of the Japan Society of Seattle. How ironic it is that with China and Japan having been at war for over 5 years such a large majority of the directors of the China

Club and the Japan Club should belong to both organizations.

I wonder also if you gentlemen know that immediately after Pearl Harbor, several Japanese organizations turned over to the American Red Cross a number of bandages, medical supplies, and other material fashioned by Japanese societies. They attempted to obtain wide publicity and made great fanfare about their patriotism at that time, neglecting, however, to mention that all their supplies up to that date had been forwarded to the Japanese military machine. They neglected, also, to mention that it was necessary for them to remove the bills of lading from the material which they donated to our Government because it had been addressed previously to Tokyo.

The War Relocation Authority and the Federal Reserve Bank Board now have all the information regarding the financial assets and economic enterprises of the Japanese in this country. Now that we are at war with Japan, we need not be concerned with diplomatic niceties. Is there any reason why this information should not be made available to the American people? Do not the American people, and particularly the residents of the Pacific coast, have the right to know the extent of the economic stranglehold possessed by Japanese residents on the domestic economy of our country? I for one must insist that the American people have a right to be fully informed on this subject.

Let me point out also here that these are not recent developments in Japanese strategy. The Japanese have used these tactics for many years. Over 20 years ago, our able colleague [Mr. WOODRUFF] called to the attention of Congress some information which he has recently again brought to light before this Seventy-eighth Congress. During World War No. 1, our so-called ally, Japan, owned two airplane plants in the State of New Jersey which were employed on Government contracts. These two plants were the Standard Aircraft Corporation and the Standard Aero Co., which were in the control of Mitsui & Co., the fiscal agents of the Japanese Government at that time. Japan, therefore, had access to our most advanced secret military information regarding that vital military weapon, the airplane. Under orders from Tokyo, this company actually shipped a number of complete airplane engines to Japan for study and imitation at the height of this war. It has even been reliably reported that Japanese emissaries applied at that time to

Thomas Edison, head of the United States War Invention Board, to share in all the technical military information available to this country.

Despite the enlightening exposé made by the gentleman from Michigan, Congressman WOODRUFF, and despite the fact further investigation showed the Japanese had not only stolen our military secrets but while so doing had milked the United States Treasury of over \$16,000,000, I can find no evidence to demonstrate that any successful effort was ever made to follow up these events and to receive an accounting from the Japanese nation.

Those who have read the White Paper of the State Department, outlining our Nation's course of diplomacy with Japan prior to Pearl Harbor, find it difficult to understand why the American people were left so much in the dark as to the actual trend of diplomatic events in that area. I venture to say that if the true facts are brought out regarding the inadequacy of our naval intelligence in the Pacific area the American public will find such a revelation even more astounding. I know conclusively that the facts regarding Japanese military preparations, the Japanese war psychosis, and Japanese plans for conquest were brought forcefully to the attention of our Naval Intelligence not once but many times in the years preceding Pearl Harbor.

Even the schoolboys in coastal cities on the Pacific coast who had observed Japanese merchant marine sailors, cameras slung over their backs, on their Sunday afternoon stroll over the waterfronts of our large cities were more aware of the crisis which might become imminent at any moment.

Certainly, the fishermen in the great Alaskan salmon industry, who had fought to expel Japanese floating canneries from our Alaskan waters, were well aware of the true facts. Certainly, too, it is no wonder that these same fishermen expressed their wonder in times past that not only did the State Department exert its influence against their efforts to expel the Japs from these regions, but even urged that their technical and student missions receive special courtesies in viewing this area. If anyone doubts the accuracy of the information which the Japanese have regarding the shores and inlets of the Alaskan Peninsula, I urge him to ask any experienced fishing skipper in those waters if he would not prefer to have the Japanese maps and sounding charts in preference to those obtained by the belated efforts of the United States Coast and Geodetic Survey.

In my mind there is no question but that the same pro-Japanese influences which existed in this country prior to Pearl Harbor still exist, although they have temporarily gone underground. I believe the investigation of Japanese activity during these many years in our

519531-1766

country will bring out a number of startling revelations which will materially assist us in the prosecution of the present war. Mme. Chiang Kai-shek quoted a Chinese proverb in her recent address to this House: "Know thyself; know thy enemy." I do not believe that either the American people, the Members of Congress, or even the military authorities can fully understand the Japanese conflict in all its aspects without knowing more fully what has been the history of pre-war infiltration and propagandizing in this country. If we fully study and analyze their mode of second-front activity in this country, we will better be able to conduct the present war to a successful and speedy conclusion. Armed with this information, we will realize the necessity for diverting a greater portion of our military might to the war in the Pacific before they have been able to consolidate the vast industrial and economic empire they have recently taken over.

Even a dilettante student of history knows Japan, although nominally one of our allies in World War No. 1, did practically nothing for the common cause in that conflict. They did manage, however, to take Tsingtao from the Germans, which they afterward retained along with the mandated isles, which they fortified strongly in abrogation of their solemn trust and which we must now reckon with in the war of the Pacific. By building up previous to the First World War a great stock pile of materials which they lacked, they also managed to grab a great part of world trade. In truth, the greatest factor in the modern economic development of Japan was the First World War. Japan felt no obligation to her allies in that war any more than she has given us any reason in World War No. 2 to believe she will assist Germany unless such help coincide with her own nefarious purposes. However, in the event Germany seems about to succumb to weight of combined Allied military might, may we not expect that she will attempt a diversion to save her own skin?

I submit, gentleman, in view of what has already transpired in the past and future eventualities we may anticipate, this investigation is an urgent and immediate necessity.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. ANDERSON of California. Mr. Speaker, I compliment the gentleman for bringing this subject to the attention of the House at this time. I think it is high time that we look into the status of the Japanese in this country not only during the war but after the war. Will the gentleman give the House his attitude on the present War Department project of developing a Japanese unit within our own armed services?

Mr. JACKSON. I might say to the gentleman that I have not gone into that matter in any great detail. We all know, however, that it is one which requires the greatest precaution. From what we have been able to gather up to date I think it is pretty clear that the Japanese we trusted most are those who often proved to be the most treacherous.

The SPEAKER. The time of the gentleman has expired.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of California. Does not the gentleman believe that the utmost care must be taken in separating the wheat from the chaff, so to speak, before any Japanese in this country are permitted to join our armed forces?

Mr. JACKSON. That is right. I do not see how it is possible for the War Relocation Authority or any other branch of the Government to determine the loyalty of the individual Japanese on the basis of the information we now have on hand.

Mr. ANDERSON of California. The gentleman comes from the Pacific coast and knows the reaction of the people out there just as I do.

Mr. JACKSON. That is right.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. HINSHAW. The gentleman knows that there are already a number of Japanese in the Army—several thousand who are there under operation of the Selective Service Act prior to our going into war with Japan.

Mr. JACKSON. That is right.

Mr. HINSHAW. They are now in the service.

Mr. JACKSON. That is right.

Mr. KEFAUVER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. KEFAUVER. The gentleman, I understand, is proposing a committee to make this investigation; is that correct?

Mr. JACKSON. Yes; I may say that it is for a study of the Japanese problem in all its aspects.

Mr. KEFAUVER. I believe the gentleman is proposing a very good line of inquiry, but I see the gentleman from Texas [Mr. DIES] present, and I wonder if this does not come within the purview of the work of the Dies committee.

Mr. JACKSON. I may say to the gentleman from Tennessee in that connection that what I propose is a study of the whole Japanese question, not just the matter of the subversive side of it with which the gentleman from Texas is interested. The committee that I propose is of much broader scope than that of the Dies committee.

(Not printed at Government expense)



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 77th CONGRESS, SECOND SESSION

The Japanese Question

SPEECH

OF

HON. HOMER T. BONE

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

September 10, 1942

Mr. President, there is one other matter to which I should like to refer, which may be a matter of more immediate concern to the people of the Pacific coast than to people of the east coast. It has to do with the viewpoint of a well-known citizen of my State and of the Pacific coast. His name is Miller Freeman. At one time Mr. Freeman was the Republican national committeeman from my State. He publishes seven journals devoted to business life on the coast. The Miller Freeman publications are as follows:

Pacific Fisherman, founded 1903: Devoted to the commercial fisheries of the Pacific. Leading fisheries journal of the world, and a recognized authority.

Pacific Motor Boat, founded 1908: Devoted to motor boat activities of the Pacific coast.

West Coast Lumberman, founded 1900: Devoted to the timber industries of the West. Largest and most successful journal of its kind in the world.

Pacific Pulp and Paper Industry: Devoted to the important pulp and paper activities of the Pacific slope, including Western Canada.

The Log: Devoted to the maritime interests of the Pacific. Founded 1920, catering particularly to the personnel, including masters, mates, pilots, and engineers. Largest circulation of any marine journal published in the Pacific area, with world-wide distribution.

Mining World: Champion of the mining and metallurgical industries of the West.

Western Canner and Packer, founded 1908: Devoted to the food processing and packing industries of the West.

Mr. President, this will give some idea of Mr. Freeman's interest, which is purely at present, and has been for many years past, in the business world. Mr. Freeman has for many years interested himself in the Japanese question. As far back as 24 years ago he was publicizing the Japanese question and writing editorials on the subject, and I should like to quote two or three paragraphs from an editorial he wrote back in 1908:

It is high time that the people of the Pacific coast cease their futile pursuit of that will-o'-the-wisp, the Japanese trade, which selfish interests have held dangling before their eyes, and realize to what goal this blind com-

mercialism is leading them. It is time they began to appreciate that, even were the dream of a big Japanese commerce to come true, some other things are just as much worth while.

It would be a low order of patriotism indeed that seeks for a hollow trade supremacy at the cost of social welfare, perhaps at the cost of ultimate strife, and of all the basic principles which are the foundation of American home supremacy, of domestic integrity, and of national pride. And it is an even lower order of patriotism that will inflict these dangers and this deception upon an altogether too unconscious people, merely for the gratification of personal and corporate ambitions.

He winds up the editorial with this paragraph:

If we follow the false doctrines preached by pro-Japanese press, we will soon be making Japan a present of the Pacific coast in order to preserve our friendly relations and build up a large American-Japanese commerce for Nippon steamships to handle.

That expression of 34 years ago is typical of the viewpoint of Miller Freeman. Whether one agree with his economic or political views, or any other views he may cherish, one can only be constrained to regard him a prophet. He was pointing out those many years ago that we might pay a tragic price for our commercial relations with Japan.

Mr. President, those of us who have lived among the Japanese know that they are a very cold and hard and purposeful people. They do not deceive anyone who is realistic in his contemplation of the problem presented by this whole business of Japanese trade.

We know now to our sorrow what it meant to arm Japan by sending to her millions of tons of scrap iron and munitions of war at a time when we were professing friendship for poor China.

We are also learning, Mr. President, I may say parenthetically, that our altogether pleasant pre-war relations with Germany, represented by recently uncovered connections of big American business organizations, have come back to us, and will come back to us, in the form of blood and tears and ashes in our mouths, although some publications in this country are sturdily defending these business relations with the Hitler machine and the cartel crowd as though they were utterly sacrosanct. They say, on the one hand, that we cannot do business with Hitler, and in the next breath decry the fact that some of us are trying to show up these business relations which have been carried on, relations which, as I view them, have been

distinctly to our national disadvantage, since they meant a close relationship that vitally affected our military preparations.

Without attempting to evaluate Mr. Freeman's views, because they speak for themselves, it may be said, whether one agrees with his party philosophy or not, that he is a very able and patriotic man. He has written an editorial which will appear or already has appeared in his Pacific coast publications. It deals with the Japanese question. Because it is an interesting and forceful editorial, Mr. President, I ask unanimous consent that it be printed in the RECORD as a part of my remarks. I am sure that all those who are vitally interested in the Japanese question will find it to their advantage to read it.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The problem arising from the presence in the Western United States of some 300,000 persons of Japanese ancestry has been temporarily controlled, but it has not been solved.

This population is, and will continue to be, a growing, threatening, incubus upon the United States—unless the riddle which arises from it is accorded energetic and courageous attention.

The writer for many years challenged Japanese immigration and infiltration into the United States as jeopardizing the safety of this country. For this he has been pilloried by some, scoffed at by others—until Pearl Harbor silenced such critics in shame.

Before the Tolan Congressional Committee Investigating National Defense Migration the writer on March 2, 1942, uttered a statement which sought to enunciate certain considered principles touching the Japanese population, its position in this country, and America's attitude toward its people of Japanese ancestry.

The Tolan committee statement has been accorded no small measure of attention. Perhaps significantly, its opening sentence squares precisely with the control currently being exercised over Japanese in Pacific coastal areas. The sentence was: "It is my recommendation that all Japanese, both alien and American-born, be evacuated from the Pacific Coast States, and other defense areas, and kept in the interior under strict control for the duration of the war."

This present writing seeks to extend the statement made before the Tolan committee.

It enunciates a doctrine which the Miller Freeman Publications will espouse and support. It raises a standard to which we invite adherence in patriotism and tolerance.

By our blindness in the past we have brought upon ourselves and future generations the problem of the presence in this country of a prolific, insoluble Oriental race, already numbering some 300,000 persons.

For the safety of these people, and ourselves as well, we must recognize this problem, and seek its solution. We have currently controlled it; but the future will bring it back again, intensified by the bitter memories of war and perfidy.

Let no one cry "persecution." There is no taint of persecution in our doctrine. Rather it is conceived in tolerance, but in realistic recognition of the dangers and brutality of racial hatreds, and of the perils inherent in a national ambition which litters its history with the tattered shreds of its honor and its most solemn obligations.

We are not here considering our future relations with Japan and its people. Japan has taken the sword, and Japan must perish by the sword. To that end America fights in unity and with inflexible purpose.

We are concerned here with America's problem of the Japanese within her gates—most of them, by our own will, American citizens.

As a result of the strange vagaries of American law, the Japanese who are American citizens enjoy that status merely by the accident of birth.

485588—22663

They were born American citizens because they were born here. We have given them full rights with any American, and have exacted no obligation of them.

They did not ask to be Americans. They took no obligation to be Americans. They have not even foresworn the dual citizenship which Japan maintains for them.

Some American-born Japanese are loyal to America, but among their ranks are many who are not. Unfortunately, the loyal share the onus which treason and espionage and treachery have brought to all of them.

When the war is won, must the Japanese come back from the inland areas to bitterness, suspicion, and hatred won for them by traitorous elements among them and the failure of the loyal to prove their loyalty?

Solution must be found for this problem—and it should be sought most assiduously by those Japanese who are loyal Americans, aided by all who tolerantly and intelligently seek the welfare of the United States and future peace on and along the Pacific.

It is not enough for Japanese-Americans to buy bonds and prate of loyalty. Words spoken and oaths sworn by Japanese tongues

will bear little weight with the American people so long as Pearl Harbor reverberates in American memories.

The stain must be wiped out by actions.

Let Japanese who would enjoy American citizenship denounce the Japanese program for the enslavement of east Asia.

Let there be an end to Japanese-language schools dedicated to the training of American citizens in allegiance to Japan.

Let the loyal drive out those who bring shame upon them by traitorous activities.

Let every Japanese repudiate the doctrine of the divinity of the Emperor of Japan and denounce him as the dishonored foe of civilized mankind.

Let us on our part seek the means by which to prevent persons of alien heart from winning American citizenship based on birth alone and without assumption of those duties and obligations which that citizenship imposes.

This is not persecution—for persecution offers no solution to the problem.

Neither is the cry "persecution" an answer to the call to thoughtful, tolerant recognition and consideration of the problem.