

9 November 1943

Memorandum for Director, Central Division

Subject: Determination of Navy's Policy Relative to Employment of U.S. Citizens of Japanese Ancestry in Naval Establishment, and as Seamen on Merchant Vessels Under Control of the United States.

Op-16-1
Op-16-1-F
Op-16-1
Op-16-1-F

1. It is requested that steps be taken to determine the Navy's policy relative to the employment of U.S. citizens of Japanese ancestry in the Naval Establishment and as seamen on Merchant Vessels under control of the United States.

Op-16-FE
Op-16-1-B
Op-16-B

2. Execution of the program of the War Relocation Authority of releasing such citizens from the various Relocation Centers, the request of the War Shipping Administration and the need for maximum utilization of man power available throughout the nation generally have brought this question forward to a point where it is deemed advisable that a determination of policy be made as a guide for future action.

Op-16-B-5

3. Factors involved include:

- Op-16-B-7
Op-16-B-7-0
- (a) Determination of the loyalty of such citizens to the U.S.
 - (b) Action of the Japanese-American Joint Board in releasing certain persons in this category for employment in plants and facilities important to the war effort.
 - (c) Presence of combat units of such citizens in the U.S. Army and employment of such persons in the Military Establishment in civilian capacities.
 - (d) The ruling of the Passport Division of the State Department that such citizens shall not ship foreign in vessels of the Merchant Marine when not in physical possession of a valid seaman's passport. (State has so far not issued seaman's passports to any one - Japanese or otherwise.)
 - (e) The desire of WSA to utilize all available persons to man vessels under its control.

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- (f) The announced policy of the President of avoiding discrimination against American citizens on racial grounds.
- (g) The attitude of U.S. Naval Commanders of Forces Afloat, especially in active war operation areas, toward permitting such persons serving in Merchant vessels which perform must be in intimate contact with the Fleet and over-seas Naval Shore Bases.
- (h) The possibility of such persons being inducted by Selective Service and being allotted to fill Navy's quota of enlisted men.
- (i) The fact that some persons in this category have shipped and are shipping for coast-wise voyages in merchant vessels.
- (j) The possible danger of persons in this category being subjected to pressure from enemy agents in foreign ports, which might be ports of call for vessels not in foreign trade but which might be diverted in accordance with the needs of Fleet service.
- (k) The fact the Civil Service Commission is certifying such persons for employment in Federal War Agencies.
- (l) The fact the Civil Aeronautics Authority (Dept. of Commerce) permits them to work on certain airport projects.

4. It has not been brought directly to issue in the courts, but Supreme Court decisions on collateral issues indicate that agencies barring such persons from activities in which other loyal U.S. citizens engage solely on the grounds of ancestry would have a heavy burden of proof to bear in defending a challenge brought in the civil courts.

5. In view of the problem having ramifications affecting so many units of the Navy, it is recommended that a general conference be had on the subject. Navy units most directly affected are, of course, Op-30, Op-16, Bureau of Naval Personnel, Cominch, and Shore Establishments Division, Secretary's Office, (a - A USCG)

Dictated 9 Nov. 1943
 Dictated By Capt. Wharton
 Typed by R.B. Jackson

R.K. Schuirmann
 Rear Admiral, U.S. Navy
 Director of Naval Intelligence