

U. S. DEPARTMENT OF LABOR  
Bureau of Naturalization  
Washington

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Chief Naturalization Examiner,  
Naturalization Examiner.

I fear the impression has somehow been formed by some examiners that since the Supreme Court's decision in the Thind case the examiners are to take a different position before the courts in cases involving Syrians, Armenians, Persians and other Asiatic races (except Chinese, Japanese, Koreans and Hindus) than has theretofore been the practice.

I wish to make it entirely clear that until otherwise advised the instructions issued by the Department in 1909, which have never been changed, still govern. Those instructions were to the effect that the question of whether a particular alien of any given race or nationality is a "white person" is essentially a question of law for the determination of courts having jurisdiction to naturalize aliens and that the duties of naturalization examiners should extend no further than to see that the race or nationality of the petitioner is made known to the court, either on the record or at the hearing, and to advise the court of the existence of any prior judicial decisions in the premises.

A cancelation suit has been instituted at Portland, Oregon, to test out the eligibility for naturalization of an Armenian. There may be other cancelation suits instituted to test out the eligibility of Syrians, Persians and perhaps other Asiatic races. It is sufficient, however, to await the outcome of the final action in each of these test cases without attempting to thrash out the issue in each case that may arise involving members of these races.

Please see that all of your examiners fully understand the situation herein set forth and that the instructions given are adhered to.

Copy of this letter has been sent to each field station.



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