NOTE ON ABBREVIATIONS

The Commission’s report is based upon hearings, archival research and secondary sources. Some of the more than 750 witnesses composed written testimony to augment their oral statements; other persons submitted written statements but did not testify. Notes therefore cite personal statements and materials under three heads: “testimony” (for oral statements before the Commission), “written testimony” and “unsolicited testimony.”

Abbreviations that designate material from major archives and research libraries appear below. The thousands of documents and secondary sources assembled by the Commission required an internal locator system indicated by “CWRIC” followed by a page number. In the Aleut chapter, some CWRIC citations refer to separate files on the war and evacuation in Alaska, cited as “CWRIC AL”. At this writing, it is anticipated that, no matter which archive houses Commission files, the locator system will be useful, so it has been included. Other abbreviations include:

Bancroft Library: University of California, Berkeley; collection on Japanese American evacuation and resettlement. To locate individual documents see catalog of this material by Edward N. Barnhart (Berkeley: University of California General Library, 1958).

DOJ: Department of Justice records, Washington, DC; subsequent numbers indicate DOJ files.

FBI: Federal Bureau of Investigation records, Washington, DC.

FDRL: Franklin Delano Roosevelt Library, Hyde Park, NY.

HR: U.S. House of Representatives reports.


NARS, RG: National Archives and Records Service, Washington, DC; Record Group.

Sterling Library: Yale University, New Haven, CT; Henry L. Stimson Papers, Manuscript Group No. 465.
Before Pearl Harbor

2. In re Ah Yup, 1 Fed. Cases 223 (Cir. Ct., D. Calif. 1878) (decision of Circuit Judge Sawyer).
4. At the time of the First World War, it appeared that citizenship was promised to aliens who volunteered to serve in the American military forces; although Japanese aliens volunteered, they were not given citizenship when the courts came to review the law. Bill Hosokawa, Nisei: The Quiet Americans (New York: William Morrow & Co., 1969), p. 91; see In re Charr, 273 Fed. 207 (W.D. Mo. 1921).
6. In 1849, the Supreme Court decided in the Passenger Cases that regulation of immigration was the exclusive domain of the federal government. Smith v. Turner and Norris v. The City of Boston, 48 U.S. 282 (1849).
12. Ibid., pp. 2–4.
15. Ibid., pp. 6–7.
17. Daniels, Politics of Prejudice, p. 1 and Appendix A.
19. Daniels, Politics of Prejudice, p. 13; see also Leonard Broom and Ruth


27. Remarks quoted from the San Francisco Examiner and San Francisco Chronicle, both for May 8, 1900, set out in Daniels, Politics of Prejudice, p. 21.

28. Daniels, Politics of Prejudice, pp. 22–23. This was the beginning of significant labor activity against the Japanese in the United States.


30. Daniels, Politics of Prejudice, pp. 24–27. The resolution asked Congress to limit and diminish the further immigration of Japanese, and set forth ten points against the Japanese which were insulting and inaccurate.

31. Ibid., pp. 27–29.


34. Ibid., pp. 32–40.

35. Ibid., pp. 34–43; Hosokawa, Nisei, p. 89.

36. Daniels, Politics of Prejudice, pp. 33–34; Executive Order 589 (March 14, 1907), revoked by Executive Order 10009 (October 18, 1948).

37. tenBroek, Prejudice, War, p. 65; see generally Daniels, Politics of Prejudice, pp. 50–64.


39. Daniels, Politics of Prejudice, pp. 61–64, regarding the inefficacy of the Webb-Heney Act; see also tenBroek, Prejudice, War, p. 51; McWilliams, Prejudice, p. 49.

40. Daniels, Politics of Prejudice, pp. 61–64, 79; tenBroek, Prejudice, War, pp. 41–42.

41. The Native Sons of the Golden West was an exclusive organization of men born in California, dedicated to preserving the state "as it has always been and God himself intended it shall always be—the White Man’s Paradise." Anti-Japanese activity was a focus of the Native Sons for years. The American Legion has a long history of anti-Japanese activity. At its first convention, in November, 1919, it adopted a resolution: "Resolved, that anti-Japanese, although excluded from the state by law, are the only enemy of some labor groups among whom they have been placed in competition. The California Federation of Labor, a body of workers, ouster of the Japanese and exclusion. tenBroek, Prejudice, War, pp. 85–87.

42. Shibutani, Derelicts of Company K, p. 23.

43. tenBroek, Prejudice, War, p. 65.


45. From the Executive Order 9066, Prejudice, War, p. 85.

46. Daniels, Politics of Prejudice, p. 65.


49. Daniels, Politics of Prejudice, p. 65.

November, 1919, it adopted an anti-Japanese policy. Labor continued to be anti-Japanese, although moving the Japanese from the land, which the policies of some labor groups supported, would most quickly cause cheap labor competition. The California State Grange and the California State Farm Bureau Federation initiated organized anti-Japanese activity in 1920. Their goals were the ouster of the Japanese from the state’s farmlands, and eventually, their total exclusion. tenBroek, *Prejudice, War*, pp. 32–57; Daniels, *Politics of Prejudice*, pp. 85–87.

48. Initiative No. 1, Statutes and Amendments to the Codes of California, 1921, p. xxvii.
49. Daniels, *Politics of Prejudice*, p. 88; see also McWilliams, *Prejudice*, p. 65.

<table>
<thead>
<tr>
<th>Year</th>
<th>Acres held in California by Ethnic Japanese</th>
</tr>
</thead>
<tbody>
<tr>
<td>1905</td>
<td>62,048</td>
</tr>
<tr>
<td>1908</td>
<td>134,057</td>
</tr>
<tr>
<td>1918</td>
<td>390,635</td>
</tr>
<tr>
<td>1929</td>
<td>328,350</td>
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</tbody>
</table>

55. Daniels, *Politics of Prejudice*, p. 44.
70. Wilson and Hosokawa, *East to America*, p. 133.
75. Shibutani, *Derelicts of Company K*, p. 25.
86. Wilson and Hosokawa, *East to America*, pp. 60, 111.
90. *Idem.*


*K*, p. 31; Wilson and Hosokawa, *K*, p. 25.


Great Betrayal, p. 46.

*Great Betrayal*, p. 46.

*America*, pp. 60, 111.

*America*, pp. 44-45.

*America*, pp. 166-87.

*Return*, p. 7.

Iwata, "Planted in Good Soil," pp. 246-258.

Iwata, "Planted in Good Soil," p. 247; 258.

*Politics of Prejudice*, p. 89; Christensen, *Prejudice*, pp. 166-87.


Stimson Diary, Jan. 24, 1942. Sterling Library, Yale University.

(CWRIC 19609-10).


104. Daniels, *Politics of Prejudice*, p. 12; Hatamiya, "Economic Effects," p. 152. Cf. McWilliams, *Prejudice*, p. 88, which notes that by 1941, many of these small retail businesses were going bankrupt because of their narrow economic base.


Stimson Diary, Jan. 24, 1942. Sterling Library, Yale University.

(CWRIC 19609-10).
Executive Order 9066

1. Samuel Eliot Morison, *Oxford History of the American People* (New York: Oxford University Press, 1965), pp. 1001-03. Three other aircraft carriers were at sea, and therefore unaffected. These carriers and their airgroups constituted a striking force far more valuable than the lost battleships. The perception of the destruction, however, did not account for this fact.

2. See, e.g., Notes of Cabinet meetings, Francis Biddle, Attorney General, Dec. 7, 1941. FDRL. Biddle Papers (CWRIC 3790-91).


Senator Brooke: One final question. Looking back in hindsight now, do you still think that the decision that was made in 1942 to place the Japanese Americans in camps was the right decision?

Mr. Bendetsen: Viewing it in the circumstances of the time and not from today's time, yes; I think it was. (Testimony, Bendetsen, Washington, DC, Nov. 2, 1981, p. 71).


11. Proposal for Coordination of FBI, ONI and MID, June 5, 1940, approved and signed by Louis Johnson, Acting Secretary of War on June 28, 1940. NARS. RG 107 (CWRIC 7362-63); memo, signed by G-2, ONI and FBI, Feb. 9, 1942, approved and signed by Henry L. Stimson, Secretary of War. NARS. RG 107 (CWRIC 3767).


13. Memo, Carter to Roosevelt, Nov. 7, 1941. The apparent espionage by Japanese Americans established a marked contrast for Stimson's attention as he continued to debate, in his own words, whether the evacuation decision was right in this situation as much as the evacuation decision itself. It was not clear if only Carter or the Secretary of War, Nov. 21, 1941, would have been clear if only Carter or the Secretary of War had been informed. FDRL. PSF Carter (CWRIC 3670-89).


15. Report by Curtis B. Munson, July 5, 1940, approved and signed by Louis Johnson, Acting Secretary of War on June 28, 1940. NARS. RG 107 (CWRIC 3670-89).


NOTES: EXECUTIVE ORDER 9066, PAGES 47-54

9. Three other aircraft carriers and their airgroups contained lost battleships. The percentage accounted for this fact.

10. Inc., pp. 20-27. Francis Biddle, Attorney General, from Montana, voted against face. Francis Biddle, In Brief (New York: Random House, 1943), p. 34. [here-


12. Memo, Carter to Roosevelt re Munson report, “Japanese on the West Coast,” Nov. 13, 1941. The five points certainly suggest that sabotage and espionage by Japanese Americans may occur but conveyed the opinion that there was not very much to fear from the Nisei. The one point that Roosevelt marked for Stimson's attention spoke generally of the fact that key points such as dams and bridges were unguarded and vulnerable. In the text of Munson's report, it was clear that he did not perceive danger from the ethnic Japanese in this situation as much as from the Communists and Nazis, but this may not have been clear if only Carter's brief cover note were read. Memo, FDR to the Secretary of War, Nov. 8, 1941. FDRL. PSF 106 Stimson (CWRIC 3672; 3671).


14. Letter, Stimson to Roosevelt, Feb. 5, 1942. FDRL. PSF 106 Stimson (CWRIC 19543). Nor was the threat limited to coastal areas. German saboteurs landing from submarines had instructions to destroy many inland installations. Letter, Hoover to McIntyre, Secy. to President, with attached memo, Jan. 27, 1942. FDRL. PSF 77 (CWRIC 3691-93).


18. E.g., Letter, Bob Alexander to Lloyd Wright, Feb. 18, 1942. FDRL. PSF Carter (CWRIC 19543-46). Nor was the threat limited to coastal areas. German saboteurs landing from submarines had instructions to destroy many inland installations. Letter, Hoover to McIntyre, Secy. to President, with attached memo, Jan. 27, 1942. FDRL. PSF 77 (CWRIC 3691-93).


25. The Proclamation is reproduced at U.S. House of Representatives, Select Committee Investigating National Defense Migration (Tolan Committee), 77th Cong. 2d Sess., 1942, HR Report 2124. Proclamation 2526 applied the promulgated rules and regulations to German aliens; Proclamation 2527 applied them to Italian aliens. Both Proclamation 2526 and 2527 were issued on Dec. 8, 1941.
27. Telegrams, J. Edgar Hoover to All Special Agents in Charge, Dec. 7, 1941. FBI (CWRIC 5826, 5927, 5928); Dec. 8, 1941. FBI (CWRIC 5784-85).
29. Memo, L. L. Laughlin to D. M. Ladd, Dec. 8, 1941. FBI (CWRIC 5781); Francis M. Shea to Hoover, Dec. 10, 1941. FBI (CWRIC 5780).
30. Memo, Lemuel B. Schofield to Edward J. Ennis, Director, Alien Enemy Control Unit, Dec. 10, 1941. FBI (CWRIC 10373).
38. Notes of Cabinet meetings, Biddle, Dec. 19, 1941. FDRL. Biddle Papers (CWRIC 3793–94); memo, Hoover to the Attorney General, Dec. 17, 1941:

With reference to the statement made by the Secretary of Navy to the effect that the Fifth Column activities in Hawaii were exceeded only by the Fifth Column activities in Norway, I wanted to make the suggestion that you might wish to keep in mind the desirability of asking the Secretary of Navy for any specific evidence which he has supporting this statement. I have already addressed a memorandum to you outlining directly what the scope of the so-called Fifth Column activities in Hawaii has been, and while there no doubt have been agents of the Japanese government active, it is very definitely the opinion of the intelligence officers of the various services in Hawaii that there is no such widespread activity similar to that which occurred in Norway, and that any such activity is now being conducted in any such way as to be caught by the available means. It might be desirable therefore to order the Attorney General to order the investigation of the possibility of information of the manner in which it might be desirable (CWRIC 5830).
42. Cover note, Carter to Hoover, Dec. 20, 1941. FDRL. PSF Carter (CWRIC 19481–82).
44. Pearl Harbor Investigation 46.
46. Pearl Harbor Investigation 47.
50. Pearl Harbor Investigation 50.
51. Ibid., pp. 872–73.
53. Diary, Stimson, Jr. (CWRIC 19598).
54. Pearl Harbor Investigation 54.
55. Ibid., pp. 879–80.
56. Ibid., p. 884.
57. Ibid., pp. 642–43.
58. Pearl Harbor Investigation 58.
61. Diary, Stimson, Jr. (CWRIC 19598).
64. Memo, Hoover to Ringle, Dec. 20, 1941. FDRL. PSF Carter (CWRIC 19481)
which occurred in Norway. In fact, it is believed a great majority of the population in Hawaii of foreign extraction is law-abiding and is not indulging in any such activities. If the Secretary of Navy has any specific information of the magnitude that he has indicated by his press statement, it might be desirable for you to make inquiry of him for it. FBI (CWRIC 5830).


40. Memo, Hoover to Tolson, Tamm and Ladd, Dec. 8, 1941. FBI (CWRIC 5786).


42. Report by Munson, Dec. 20, 1941. FDRL. PSF Carter (CWRIC 19481-82).


48. Pearl Harbor Investigation, Part 22, p. 86.


50. Pearl Harbor Investigation, Part 23, p. 867 and preceding pages.

51. Ibid., pp. 572-73.


54. Pearl Harbor Investigation, Part 23, p. 874.

55. Ibid., pp. 879-80.

56. Ibid., p. 884.

57. Ibid., pp. 642-43, 651.


64. Memo, Hoover to Shea, Dec. 17, 1941. FBI (CWRIC 5777-79).
65. Letter, Ringle to Barnhart, Mar. 23, 1951 (CWRIC 19566).
68. *Ibid.*, pp. 441–42. In Los Angeles and San Francisco, over $3 million of local commercial and savings accounts were immediately frozen. The amount frozen in Seattle is unknown; the President appointed an Alien Property Custodian in the Department of Justice on Dec. 12, 1941. See Notes on Cabinet Meetings, Biddle, Dec. 12, 1941. FDRL. Biddle Papers (CWRIC 3792).
69. WDC, Supplemental Report, pp. 442–43.
71. Biddle, Notes on Cabinet meetings, Dec. 12, 1941. FDRL. Biddle Papers (CWRIC 3792).
75. Telegram, Robinett, GHQ Army War College, to G-2 Western Defense Command, Dec. 19, 1941 (CWRIC 3146). See, e.g., memo, Lt. Col. L. R. Forney to Lt. Col. D. A. Stroh, Dec. 22, 1941 (CWRIC 3161); telegram, Lt. Gen. John L. DeWitt to Commanding General of Field Forces, GHQ Army War College, Dec. 22, 1941 (CWRIC 3173); telegram, DeWitt to Adjutant General, Dec. 23, 1941 (CWRIC 3174); telegram, Marshall to DeWitt, Dec. 25, 1941 (CWRIC 3157); telegram, Maj. Gen. E. S. Adams, Adjutant General, to DeWitt, Dec. 25, 1941, suggesting the Secretary of War should consider asking the President to transfer to the War Department the responsibility and authority for control of enemy aliens (CWRIC 3158); telegram, DeWitt to Commanding General of Field Forces, GHQ Army War College, Dec. 26, 1941 (CWRIC 3156). All in NARS. RG 338.

Instructions for arrests of alien enemies were also sought. Those instructions were issued after the first wave of arrests. Memo, Hoover to All Special Agents in Charge, Dec. 27, 1941. FBI (CWRIC 5808–10). Individual determinations about arrest were to be made, with review by the appropriate United States Attorney, then review and decision by the Department of Justice, except where activities of the alien enemies were immediately dangerous.

76. Memo by Forney on conversation with N. I. L. Pieper, FBI, SAC, Jan. 1, 1942 (CWRIC 3167); see also memo, Pieper to DeWitt, containing a telegram from Biddle, Jan. 1, 1942. NARS. RG 338 (CWRIC 1331–32).
77. Memo, Pieper to DeWitt, Jan. 1, 1942. NARS. RG 338 (CWRIC 1331).
78. Telegram, Hoover to James Rowe, Assistant Attorney General, Jan. 7, 1942. NARS. RG 338 (CWRIC 1246–47).

80. Transcription of meeting in DeWitt’s office, Jan. 4, 1942. NARS. RG 338 (CWRIC 1250–57).

81. Summary, Rowe to DeWitt, Jan. 4, 1942. NARS. RG 338 (CWRIC 1258–59). As a guideline, the pertinent parts of the memorandum are worth reviewing in their entirety:

This is the summary by Assistant Attorney General Rowe to General DE WITT of a conversation with the Attorney General of the United States, and Mr. Rowe’s understanding of what the Department of Justice is prepared to do on questions of Alien Enemy Control referred to him by General DE WITT and his staff.

2. RESTRICTED AREAS.

The Department of Justice tonight will by wire direct the United States Attorneys in the Western Theater of Operations, with particular emphasis on Washington, Oregon, and California, to telephone Major General BENEDICT for recommendations as to what areas should be regarded as restricted. The U.S. Attorney will automatically accept the General’s recommendations, and these areas will immediately become restricted areas pending confirmation by the Attorney General. As soon as possible, a press release ordering all enemy aliens to evacuate restricted areas by a certain date and hour will be issued. Any release by the Department of Justice will specifically state that the Attorney General has designated these restricted areas at the specific and urgent request of General DE WITT. The Army will request the Navy to submit its recommendations through General DE WITT. It is believed several days will elapse before the Army will be ready to submit its recommendations.

3. SEARCH WARRANTS.

New forms for search and seizure of prohibited articles in homes controlled by, or inhabited by, alien enemies, are to be received tomorrow morning by FBI teletype. The question of probable cause will be met only by the statement that an alien enemy is resident in such premises. It is Mr. Rowe’s understanding that the local United States Attorney’s interpretation that more information is necessary to show probable cause is incorrect. The U.S. Attorney will issue a search warrant upon a statement by an FBI Agent that an alien enemy is resident at certain premises. It is not necessary that the Department in Washington be consulted.

4. ALIEN ENEMY REGISTRATION.

The Department feels it can conduct an alien enemy registration in the Western Theater of Operations within a week or ten days. Tomorrow morning by FBI teletype a statement will be sent from Washington outlining a procedure of what the Department is prepared to do. The Department feels it can conduct such a registration, through the local police authorities, much faster than the Army itself.

5. The Department is willing to make spot-raids on alien enemies tomorrow or at any time after the registration, anywhere within the Western Theater of Operations. Mr. Rowe emphasized that such raids must be confined to premises controlled by enemy aliens, or where enemy aliens are resident. In other words, the Department cannot raid a specific locality, cov-
ering every house in that locality, irrespective of whether such houses are inhabited by enemy aliens or citizens. The Attorney General requested Mr. ROWE to make clear to General DE WITT that under no circumstances will the Department of Justice conduct mass raids on alien enemies. It is understood that the term “mass raids” means, eventually a raid on every alien enemy within the Western Theater of Operations. The Attorney General will oppose such raids and, if overruled by the President, will request the Army to supersede the Department of Justice in the Western Theater of Operations.

See also confirmation of “a more expeditious legal method . . . in connection with the search and seizure of enemy aliens and their property” in letter from Stimson to the President, Feb. 5, 1942. FDRL. PSF Stimson (CWRIC 3670).

82. See, e.g., memo, Pieper to DeWitt, Jan. 1, 1942. NARS. RG 338 (CWRIC 1331). That the Army favored mass raids is reported in a memo, Hoover to Tolson, Tamm and Ladd, Dec. 26, 1941. FBI (CWRIC 5834–37).

83. See, e.g., memo, Pieper to DeWitt, Jan. 22, 1942. NARS. RG 338 (CWRIC 3120).

84. Memo by Forney, conversation with V. Ford Greaves, Federal Communications Commission, Dec. 31, 1941. NARS. RG 338 (CWRIC 3164).

85. Letter, Greaves to DeWitt, Jan. 1, 1942. NARS. RG 338 (CWRIC 8606–07b).


87. Memo, Bendetsen to DeWitt, Jan. 3, 1942. NARS. RG 338 (CWRIC 1245).

88. Summary, Rowe to DeWitt, Jan. 4, 1942. NARS. RG 338 (CWRIC 1258–59).

89. Memo summarizing Attorney General’s message, Jan. 5, 1942. NARS. RG 338 (CWRIC 1595).

90. See, e.g., memo, W. K. Kilpatrick, Chief of Staff, Pacific Southern Naval Coastal Frontier to DeWitt, Jan. 7, 1942, re “Exclusion of Enemy Aliens from Designated Areas.” NARS. RG 338 (CWRIC 3121).


94. Memo, Hoover to Tolson, Tamm and Ladd, Dec. 17, 1941. FBI (CWRIC 5831–33).


96. Diary, Stimson, Feb. 3, 1942, Sterling Library, Yale University (CWRIC 19632).


99. Prange, At Dawn We Slept, p. 605; Short stopped at the Presidio in San Francisco on his way home from Hawaii.

100. Grodzins, Americans Betrayed, p. 278. (Mayor Fletcher Bowron of Los Angeles reported this remark.)

101. Transcript of meeting in DeWitt's office, Jan. 4, 1942. NARS. RG 338 (CWRIC 1250-57).

102. DeWitt, Final Report, p. 34. The 112,000 included, of course, a very substantial number of women and children.

103. Testimony before House Naval Affairs Subcommittee, April 13, 1943. NARS. RG 338 (CWRIC 1725-28).

104. Transcript of conference, DeWitt and newspapermen, April 14, 1943. NARS. RG 338 (CWRIC 26565).

105. Roger Daniels, Concentration Camps, USA: Japanese-Americans and World War II (New York: Holt, Rinehart & Winston, 1972), p. 63; tenBroek, Prejudice, War, p. 86; Report No. 13, Grodzins in Washington, Oct. 12, 1942. Bancroft Library: A 12.04. (CWRIC 11326-27). The West Coast apparently sustained only two minor Japanese submarine attacks during the war, the first was directed by Kozo Nishino, a submarine commander who in the late 1930's had been taunted by oil rig workers while the tanker he commanded was loading at the Ellwood oilfield near Santa Barbara:

[O]n Feb. 23, 1942. . . . from 7:07 to 7:45 p.m., he directed the shelling of the Ellwood oil fields from his submarine, the I-17. Though about 25 shells were fired from a 5.5 inch deck gun, little damage was done. One rig needed a $500 repair job after the shelling, and one man was wounded while trying to defuse an unexploded shell. U.S. planes gave chase . . . but Nishino got away . . . the mainland suffered only one more submarine attack by the Japanese during the war, at Fort Stevens in Oregon. (Irving Wallace et al., "Delayed Revenge," Parade, Nov. 21, 1982, p. 18).

106. The atmosphere after Pearl Harbor and its relationship to security on the West Coast is particularly well conveyed by James Rowe, Assistant Attorney General, who opposed exclusion and evacuation and was later interviewed with Dillon Myer by the Earl Warren Oral History Project:

Myer: Everybody got scared.

Rowe: Everybody was. I mean we took an awful beating at Pearl Harbor and it caught everybody unawares and then all the news that followed was the Japanese moving, moving, moving. They just had one victory after another.

Myer: They sure did.

Rowe: And the British were not doing well. Hell, the whole world might have come crashing down. And the first requirement of the government was order. Law comes after order. (The Earl Warren Oral History Project, Japanese-American Relocation Reappraised, vol. 1, 1969, p. 38.)

107. tenBroek, Prejudice, War, pp. 78-79.

108. Ibid., p. 79.

109. Grodzins, Americans Betrayed, pp. 44-47. In his memoirs at the end of his life, Warren rendered his personal verdict on this part of his history:

I have since deeply regretted the removal order and my own testimony advocating it, because it was not in keeping with our American concept of freedom and the rights of citizens. Whenever I thought of the innocent
little children who were torn from home, school friends, and congenial surroundings, I was conscience-stricken. It was wrong to react so impulsively, without positive evidence of disloyalty, even though we felt we had a good motive in the security of our state. It demonstrates the cruelty of war when fear, get-tough military psychology, propaganda, and racial antagonism combine with one's responsibility for public security to produce such acts. I have always believed that I had no prejudice against the Japanese as such except that directly spawned by Pearl Harbor and its aftermath. As district attorney, I had great respect for people of Japanese ancestry, because during my years in that office they created no law enforcement problems. Although we had a sizable Japanese population, neither the young nor the old violated the law. (Earl Warren, *The Memoirs of Chief Justice Earl Warren* [Garden City, NY: Doubleday & Co., Inc., 1977], p. 149.)

117. William Petersen, *Japanese Americans: Oppression and Success* (New York: Random House, 1971), pp. 77-78. Petersen also points out that as late as September 1942, Carey McWilliams, who before the end of the war wrote a volume entitled *Prejudice* that opposed the exclusion and detention, published an article in *Harper's* suggesting that the exclusion and detention were perhaps all for the best. Norman Thomas was one of the few well-known figures who spoke out against exclusion and detention; he recognized that his position was a lonely one:

In an experience of nearly three decades I have never found it harder to arouse the American public on any important issue than on this. Men and women who know nothing of the facts ... hotly deny that there are concentration camps. Apparently that is a term to be used only if the guards speak German and carry a whip as well as a rifle. (*Ibid.*, pp. 75-77.)

118. Grodzins, *Americans Betrayed*, pp. 101-03. In 1954, testifying before a Congressional subcommittee considering the Japanese American Evacuation Claims Act, Mayor Bowron summed up the atmosphere of the time and his later judgment on the actions that were taken:

I know of my own knowledge something of the circumstances surrounding the making of the order and the forceful evacuation of the Japanese population of this area, and I know of the hysteria, the wild rumors, the reports, that pervaded the atmosphere and worried a great many of us in responsible positions in the organization was not making investigations at all times.

There were many responsible members of the district attorneys association of the state of Oregon, making investigations of this kind.

I rather hold myself responsible for the condition or the representation of the situation and realize that great injustice has been done.

Well, personally, I think to the light of after events, was quite well. Subcommittee No. 5 of the Select Committee Investigating National Defense Migration, U.S. House of Representatives, 77th Cong., 2d Sess., p. 11389.

126. tenBroek, *Prejudice*.
127. Memo by J. L. de Vries, agent handling enemy aliens on the Oregon coast (CWRIC 1321-23). In this memo, de Vries opposed the internment of the Japanese aliens in those camps would require the exercise of all governmental functions.

129. Memo, Hoover, 5794, 5796.
130. Testifying before a Congressional subcommittee considering the Japanese American Evacuation Claims Act, Mayor Bowron summed up the atmosphere of the time and his later judgment on the actions that were taken:

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...school friends, and congenial was wrong to react so impulsively, even though we felt we were. It demonstrates the cruelty of public security to proclaim had no prejudice against the people of Japanese ethnicity for public security to proclaim. I had never found it harder to represent that possibly brought about that order. I realize that great injustices were done. 

I rather hold myself somewhat responsible, with others, for the condition or the representation that possibly brought about that order. I think it was the right thing to do at the time; in the light of after events, I think it was wrong. (Hearings Before Subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, 83rd Cong., 2d Sess. on HR 7435 to amend the Japanese American Evacuation Claims Act of 1948 [1954], pp. 231-32).

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night, I think we could have done a hell of a lot better job, and we didn't do it. But we were all they had. (Testimony, James Rowe, Washington, DC, July 14, 1981, p. 72).

Ennis also reviewed his own role and the impact of the evacuation decision in testifying.

[N]ow when I look back on it I don't know why I didn't resign, I did represent as a member of the Department of Justice, I did represent the defendant government in evacuation actions and indeed wrote the briefs, argued the cases in the lower courts, and wrote the briefs for the Solicitor General for the Supreme Court of the United States. I think I should confess that.

But in sum, all I can say for that is that the Constitution not only gives great power to the military in time of war, but it appears that it gives them power to make very serious mistakes, and I think the only defense that can be made of the evacuation in legal terms is that the power to control includes the power to control mistakenly and make mistakes as great as was made here. (Testimony, Edward Ennis, Washington, DC, Nov. 2, 1981, pp. 140-41).

Tom Clark recalled his views and passed judgment on the evacuation decision in 1976, after he had left the Supreme Court:

I served during the hectic days during which the ultimate governmental policy was formulated . . . I found the final decision for removal of the Japanese to be based upon the physical dangers then facing 110,000 people of Japanese descent then living in California, Oregon, and Washington. I did not expect any sabotage from Japanese residents; there had been none in Hawaii where the opportunity was greater; the ONI and FBI had a tight oversight of all nationality groups, especially the Japanese. The Department of Justice was poised for individual action that would have controlled any recalcitrant Japanese, as it had those of German and Italian origin who had defied authority. There was little strategic justification for the evacuation; these people of Japanese descent, many of them American citizens, did not pose a substantial military threat.

As Civilian Coordinator, however, I received hundreds of threatening messages against the Japanese community every day. This led to the curfew orders promulgated by General DeWitt . . . . The Congress then authorized exclusion, and the agitation was such that the Western Defense Command decided upon a policy of evacuation. Looking back on it today, this was, of course, a mistake. Although the Supreme Court held the action constitutional, one must remember that even the Court's judgment can be no better than the information on which it is based. In my view, the military necessity for the action taken was lacking. (Frank F. Chuman, *The Bamboo People* [Del Mar, CA: Publisher's Inc., 1976], preface by Tom C. Clark, p. vii).


133. The memo presented a number of options including special defense areas into which ethnic groups could be held.

These are close to the elements developed. The evacuation decisions were made to relieve unique dangers. (Document, National Security Commission, Civilian Coordinator, Rauh, and other limited mailing list, Feb. 10, 1942. NARS. RG 389 (CWRTC 5937)('277-78 (Mayor Bowers, 1969):)

I want to record.

[U]ndoubtedly, I went into his office, a newspaper piece of evacuation train orders, tears in his eyes.

I suppose it did many years after the evacuation and cohonny for the National


135. Telephone conversation, DeWitt, Gullion and Bendetsen, Feb. 1, 1942. NARS. RG 389 (CWRIC 5937)('277-78 (Mayor Bowers, 1969):)

136. Telephone conversation, DeWitt, Gullion and Bendetsen, Feb. 1, 1942. NARS. RG 389 (CWRIC 5937)('277-78 (Mayor Bowers, 1969):)

137. Telephone conversation, DeWitt, Gullion and Bendetsen, Feb. 1, 1942. NARS. RG 389 (CWRIC 5937)('277-78 (Mayor Bowers, 1969):)

138. Telephone conversation, DeWitt, Gullion and Bendetsen, Feb. 1, 1942. NARS. RG 389 (CWRIC 5937)('277-78 (Mayor Bowers, 1969):)
of a lot better job, and we didn’t know why I didn’t resign, I did represent the interests then facing 110,000 people in California, Oregon, and Washington. There had been arguments over the evacuation and curfews. The memo also argued that the precautionary measures taken should be reasonably adapted to need and that every effort should be made to relieve unnecessary hardship. Memo, Cohen, Cox and Rauh, about Feb. 10, 1942. DOJ 146-13-7-2-0 (CWRIC 12682-89). In writing to the Commission, Rauh remembers the three attorneys pressing for a compromise between the War and Justice Departments which would have involved “curfew and other limited measures.” Letter, Rauh to Bernstein, May 21, 1982 (CWRIC 14435-40). The memorandum can fairly be construed to support the legality and propriety of broader measures. Rauh also set out his later views on the evacuation and Cohen’s reaction to these events:

I want to record how deeply Mr. Cohen felt against the evacuation. When I went into his office one night a couple of months later, he showed me a newspaper picture of a little Japanese American boy leaning out the evacuation train window and waving an American flag. Mr. Cohen had tears in his eyes.

I suppose it does not do much good to try and explain historical decisions after the event, but I did try this in an essay on civil liberties for the National Jewish Community Relations Advisory Council back in 1969:

Undoubtedly the cruelest inroad on civil freedom during World War II was the exclusion of the entire population of Japanese ancestry from the Pacific Coast and the detention of most of them in relocation camps. This incredible tragedy resulted, I believe, more from the rigidity of honorable men within the Administration who failed to recognize the need for some postPearl-Harbor action to offset Pacific Coast fright of near hysterical proportions (as, for example, the temporary nighttime curfew suggested by some) than from the weakness or venality of the Administration in the face of tremendous military and political pressures.

That was the best I could do then to explain how this tragedy could happen and it is the best I can do now. (Idem.)

I34. Telephone conversation, DeWitt, Gullion and Bendetsen, Feb. 1, 1942. NARS. RG 389 (CWRIC 4314-18).
I39. Telephone conversation, Gullion to Clark, Feb. 4, 1942. NARS. RG 389 (CWRIC 5937) ("Yesterday Secretary Stimson, McCloy, Bendetsen and I talked for an hour and a half on the situation and I can tell you that the two areas into which ethnic Japanese would be allowed only under special license, special reservations on the West Coast for the ethnic Japanese and curfews. These are close to the conceptual plans that the Justice and the War Departments developed. The memo also argued that the precautionary measures taken should be reasonably adapted to need and that every effort should be made to relieve unnecessary hardship. Memo, Cohen, Cox and Rauh, about Feb. 10, 1942. DOJ 146-13-7-2-0 (CWRIC 12682-89). In writing to the Commission, Rauh remembers the three attorneys pressing for a compromise between the War and Justice Departments which would have involved “curfew and other limited measures.” Letter, Rauh to Bernstein, May 21, 1982 (CWRIC 14435-40). The memorandum can fairly be construed to support the legality and propriety of broader measures. Rauh also set out his later views on the evacuation and Cohen’s reaction to these events:

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I34. Telephone conversation, DeWitt, Gullion and Bendetsen, Feb. 1, 1942. NARS. RG 389 (CWRIC 4314-18).
I39. Telephone conversation, Gullion to Clark, Feb. 4, 1942. NARS. RG 389 (CWRIC 5937) ("Yesterday Secretary Stimson, McCloy, Bendetsen and I talked for an hour and a half on the situation and I can tell you that the two
Secretaries are against any mass movement. They are pretty much against it.""); Undersecretary of War Patterson apparently supported mass evacuation. McCloy's diary of February 16 records a meeting between McCloy and Patterson in which Patterson "strongly urged immediate and thorough action."

Interview of McCloy, Oct. 16, 1942. Bancroft Library. A 5.02 (CWRIC 4491).

140. Diary, Stimson, Feb. 3, 1942. Sterling Library, Yale University (CWRIC 19652). There were, of course, no naturalized Americans of Japanese ancestry; the Nisei were Americans by birth.


142. Ibid. Given McCloy's concern for the legality of the government's conduct, one must also note the account of the meeting of February 4 between the War Department and the Justice Department which General Gullion gave to General Clark on February 4: "Well, I think McCloy did say this to Biddle—you are putting a Wall Street lawyer in a helluva box, but if it [is] a question of safety of the country, the Constitution of the United States, why the Constitution is just a scrap of paper to me. That is what McCloy said. But they are just a little afraid DeWitt hasn't enough grounds to justify any movements."


144. Memo, Bureau of Intelligence to Director, Office of Facts and Figures, Feb. 4, 1942; letter, MacLeish to McCloy, Feb. 9, 1942. NARS. RG 107 (CWRIC 124; 117-18).


146. Memo, Bendetsen to Provost Marshal General, Feb. 4, 1942. NARS. RG 389 (CWRIC 6622-26).

147. Interview of McCloy, Oct. 16, 1942. Bancroft Library. A.05.02 (CWRIC 4491).


150. On Feb. 17, 1942, Biddle sent the President an analysis of why the evacuation should not be undertaken. FDRL. PSF Confidential File (CWRIC 5754-55). In fact, that memorandum arrived after the President had told Stimson to go ahead. FDRL. Biddle Papers (CWRIC 5756-58).


152. Memo, Bendetsen to DeWitt, Feb. 10, 1942. NARS. RG 338 (CWRIC 12003-05).


In the early evening of February 4, 1942, Harrison, evidently thinking it was Harrison, called to say, apparently to you, but because of the hysteria, he had been building up, that Steel, Walter Reuther and Co., 1961.

155. Grodzins.


l their are pretty much against supported mass evacuation. 

In the early 1970s, when Earl Warren publicly recanted, a frail and failing Lippmann kept returning to the issue in conversation. "You know, I still think it was the right thing to do at the time," he told his friend Gilbert Harrison, editor of the New Republic. "Not for security reasons, mind you, but because it was necessary to protect the Japanese-Americans from the hysterical mobs on the West Coast." Although he would not admit he had been wrong, neither could he put the issue out of his mind. (Ronald Steel, Walter Lippmann and The American Century [Boston: Little, Brown and Co., 1980]), p. 395.


156. Westbrook Pegler, "Fifth Column problem on Pacific Coast very serious—Japs should be under guard," Feb. 16, 1942. DOJ 146-13-7-2-0 (CWRIC 13333).


158. Telegram, Boddy to Biddle, Feb. 16, 1942; letter, Boddy to Biddle, Feb. 16, 1942. Boddy proposed a "secret defense project" of using the evacuated Japanese to erect a rehabilitation center in a place ten to twelve hours from Los Angeles. NARS. RG 107 (CWRIC 105-06).

159. tenBroek, Prejudice, War, pp. 88-89.

160. Recommendations of the Pacific Coast Subcommittee on Alien Enemies and Sabotage (stamped received in the Assistant Secretary's Office, War Department, Feb. 15, 1942). NARS. RG 107 (CWRIC 128); see also letter, Rufus B. Holman to Roosevelt, and attachment, Feb. 13, 1942. NARS. RG 407 (CWRIC 1605-07).

161. Memo, Roosevelt to Secretary of War, Feb. 16, 1942. NARS. RG 407 (CWRIC 1604).

162. Grodzins, Americans Betrayed, pp. 73-75.


164. Letter, Biddle to Stimson, Feb. 12, 1942. NARS. RG 407 (CWRIC 5752-53). The letter states in part: "I have no doubt that the Army can legally, at any time, evacuate all persons in a specified territory if such action is deemed essential from a military point of view for the protection and defense of the area."

165. Memo, Biddle to President, Feb. 17, 1942. FDRL. PSF Confidential File (CWRIC 5754-55).


168. Ibid., Feb. 18, 1942. (CWRIC 19686-87).

169. Biddle, In Brief Authority, p. 219; James Rowe recalls that the Justice Department reviewed the Executive Order and that he hand-carried it to Harold Smith, the Director of the Budget, who in turn presented it to Roosevelt. Interview, James Rowe, Washington, DC, Nov. 23, 1982.

evacuation. Japanese-Americans, but probable in the future, to be sure that the actual evacuation and events that took place subsequent thereto. We have specifically recited in this brief the facts relating to the justification for the evacuation, of which we ask the Court to take judicial notice, and we rely upon the Final Report only to the extent that it relates to such facts.

The Justice Department's internal memoranda dealing with the Final Report in the process of preparing the Korematsu brief are scathing:

We are now therefore in possession of substantially incontrovertible evidence that most important statements of fact advanced by General DeWitt to justify the evacuation and detention were incorrect, and furthermore that General DeWitt had cause to know, and in all probability did know, that they were incorrect at the time he embodied them in his final report to General Marshall. (Memo, Burling to Solicitor General, April 13, 1944. DOJ 146-42-7 [CWRIC 1575a]).


179. tenBroek, Prejudice, War, p. 91.

180. Henry L. Stimson and McGeorge Bundy, On Active Service In Peace and War (New York: Harper & Brothers, 1947), p. 406. Stimson's brief account of the exclusion and evacuation must be given in full so that his final reckoning of the events can be understood:

Mindful of its duty to be prepared for any emergency, the War Department ordered the evacuation of more than a hundred thousand persons of Japanese origin from strategic areas on the west coast. This decision was widely criticized as an unconstitutional invasion of the rights of individuals many of whom were American citizens, but it was eventually approved by the Supreme Court as a legitimate exercise of the war powers of the President. What critics ignored was the situation that led to the evacuation.
evacuation. Japanese raids on the west coast seemed not only possible but probable in the first months of the war, and it was quite impossible to be sure that the raiders would not receive important help from individuals of Japanese origin. More than that, anti-Japanese feeling on the west coast had reached a level which endangered the lives of all such individuals; incidents of extra-legal violence were increasingly frequent. So, with the President’s approval, Stimson ordered and McCloy supervised a general evacuation of Japanese and Japanese Americans from strategic coastal areas, and they believed in 1947 that the eventual result of this evacuation, in the resettlement of a conspicuous minority in many dispersed communities throughout the country, was to produce a distinctly healthier atmosphere for both Japanese and Americans.

It remained a fact that to loyal citizens this forced evacuation was a personal injustice, and Stimson fully appreciated their feelings. He and McCloy were strong advocates of the later formation of combat units of Japanese-American troops; the magnificent record of the 442nd Combat Team justified their advocacy. By their superb courage and devotion to duty, the men of that force won for all Japanese-Americans a clear right to the gratitude and comradeship of their American countrymen. (Idem.)

184. Letter, McCloy to DeWitt, April 8, 1943. NARS. RG 165 (CWRIC 2636L71).
186. Ibid., pp. 172–73.
188. Ibid., pp. 24–31 (CWRIC 14967–74).
189. tenBroek, Prejudice, War, p. 78.

In reviewing the matter forty years later, McCloy told the Commission the wartime decisions should be defended:

My belief and hope is the Commission will conclude, after an objective investigation, that under the circumstances prevailing at the time and with the exigencies of wartime security, the action of the President of the United States and the United States Government in regard to our then Japanese population was reasonably undertaken and thoughtfully and humanely conducted. There has been, in my judgment, at times a spate of quite irresponsible comment to the effect that this wartime move was callous, shameful and induced by racial or punitive motives. It was nothing of the sort.

I know of the decisions that were made, and I think I know who made them, and I think I know generally what the motivation was of those individuals who made them. One fact I would urge the Commission to refer to if any report is made in connection with its examination of the
relocation program is the role which the 442nd Combat Team played in establishing once and for all the fundamental loyalty of our Japanese population.

I therefore believe in the interests of all concerned, the Commission would be well advised to conclude that President Roosevelt's wartime action in connection with the relocation of our Japanese-descended population at the outbreak of our war with Japan, was taken and carried out in accordance with the best interests of the country, considering the conditions, exigencies and considerations which then faced the nation. (Testimony, John J. McCloy, Washington, DC, Nov. 3, 1981, pp. 13–14, 16).

Exclusion and Resettlement

4. Ibid., pp. 1131–1132.
5. Ibid., p. 1136.
6. Ibid., p. 1137.
7. Ibid., p. 1139.
8. Ibid., p. 1140.
9. Ibid., p. 1141.
10. Ibid., p. 1142.
11. Ibid., p. 1143.
12. Ibid., p. 1144.
13. Ibid., p. 1145.
18. Ibid.
19. Ibid., pp. 1112–1113.
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Exclusion and Evacuation

2. Congressional Record, March 9, 1942, p. 2071; March 10, 1942, p. 2230.
4. Tolan Committee, p. 11226.
5. Ibid., p. 11181.
6. Ibid., pp. 11141 (Masaoka), 11153 (Tatsuno), but see Louis Goldblatt, Secretary, California State Industrial Union Council, p. 11181.
7. E.g., Tolan Committee, p. 11012.
8. Tolan Committee, pp. 11137 (Masaoka), 11148 (Tani), 11153 (Tatsuno), 11220 (Iiyama and Kumitani), 11240 (Bellquist), 11203 (Chapman), 11207 (Smith), 11178 (Goldblatt).
9. E.g., Tolan Committee, p. 11068.
11. Ibid., p. 10974.
12. Ibid., p. 11247.

24. Public Proclamation No. 1, and accompanying material, March 2, 1942. NARS. RG 107 (CWRIC 255–59). The accompanying press release emphasized the military necessity argument: “Military necessity is the sole yardstick by which the Army has selected the military areas announced. Public clamor for evacuation from non-strategic areas and the insistence of local organizations and officials that evacuees not be moved into their communities cannot and will not be considered.”


27. Telephone conversation, Bendetsen and Gufler, Feb. 21, 1942, State Department Records (CWRIC 2906–07).


30. Tolan Committee, p. 11061.

31. Memo, Ringle to District Intelligence Officer, March 3, 1942 (CWRIC 19530–34).

32. Tolan Committee, pp. 11020, 11054.

33. Letter, Carville to Dewitt, Feb. 21, 1942; Compton White, a Representative from Idaho, forwarded similar views of the Idaho American Legion to Stimson by letter, March 16, 1942. NARS. RG 338 (CWRIC 767, 5241).


35. Tolan Committee, p. 11276.


40. “Net total” is persons who migrated out of the area but did not return to be evacuated with their families, or did not otherwise join families in assembly centers or relocation centers prior to Oct. 31, 1942.


42. *Ibid.*, p. 111. DeWitt estimated that the remaining ten percent probably left before change-of-residence requirements took effect, or simply did not report. An example of a successful voluntary migrant is Ken Matsumoto, National Vice President of the JACL, about whom K. D. Ringle wrote to Milton Eisenhower on April 13, 1942: “He left here [California] ahead of the evacuation order to accept a very good job with the Mayor Jewelry Company, 5th and Vine Streets, Cincinnati, Ohio.” NARS. RG 210 (CWRIC 3591).
43. Telegram, McWilliams to Biddle, Feb. 20, 1942; letter, McCloy to Ennis, Feb. 25, 1942. NARS. RG 107 (CWRIC 103; 95).
44. Letter, Collier to Walker, copy to McCloy, March 6, 1942. NARS. RG 107 (CWRIC 79–80).
47. Recognizing that, from the time the Executive Order was promulgated, some saw that voluntary evacuation could not work, it is not surprising to find that War Department planning for mandatory evacuation began early. On February 26, General Gullion, the Provost Marshal General, wrote to McCloy about the site selection for evacuation centers. On March 5, an official in the Judge Advocate General’s Office responded to a request from Gullion about legal authority to acquire land by condemnation for use in the resettlement of Japanese citizens and aliens. In a memorandum of March 6, 1942, McCloy gave Stimson information for a Cabinet meeting, noting that the public proclamation designating a military area had been issued, and that places were being surveyed where Japanese Americans could be placed: “In the first instance, we will probably put them in tents though the shortage of canvas may affect this.” McCloy had also asked to have construction expedited so “the Japs” could be moved “as fast as possible.” Several other documents show early attention to a search for assembly and relocation centers. On March 2, 1942, Charles Burdell, Special Assistant to Attorney General Biddle, wrote Tom Clark that he planned to attend a meeting with county prosecutors in the State of Washington, and that he would ask them to make a survey of all fairgrounds, ballparks, and other camp facilities in each county, and a further survey of trucking facilities. He suggested using the survey results for evacuation of aliens. Burdell also noted he was having a similar survey made for the State of Oregon. Then on March 7, Tom Clark wrote to Laurence Hewes of the Farm Security Administration in the Department of Agriculture, asking Hewes to develop a list of “all sites available within the limits of the Western Defense Command as resettlement areas where facilities may be established for the persons so evacuated.” Focus was on sites which could be developed within a year and which would support agriculture. Clark noted that two sites had already been selected: Owens River Valley, California, and the Northern Colorado Indian Reservation at Parker, Arizona. In short, two weeks after Executive Order 9066 was issued, consideration and planning for a mandatory evacuation and resettlement program was well under way.

*Memo, Gullion to McCloy, Feb. 26, 1942, and attached draft of letter to Morgenthau from Stimson; *Memo, Rand to Provost Marshal General, March 5, 1942; *Memo, McCloy to Stimson, March 6, 1942; *Memo, McCloy to Somervell, March 4, 1942. NARS. RG 107 (CWRIC 390–91, 85–6, 77–78, 87); *Letter, Burdell to Clark, March 2, 1942; *Ibid.; *Letter, Clark (by Burdell)
to Conmy, March 6, 1942; **Letter, Clark to Hewes, March 7, 1942; *Ibid.*

DOJ 146-13-7-2-0 (CWRIC 12147-48, 12149, 12150-51).


49. Memo, telephone conversation, DeWitt and Gullion, March 8, 1942.

50. Letter, Ford to McCloy, March 12, 1942. NARS. RG 107 (CWRIC 76).

51. Letter, Stimson to Ickes, March 12, 1942. NARS. RG 107 (CWRIC 75).


53. Memo, McCloy to Stimson, March 6, 1942. NARS. RG 107 (CWRIC 77-78).


55. Letter, Roosevelt to Eisenhower, March 18, 1942. FDRL. OF 4849 (CWRIC 3708).

56. Memo to Secretary of the Treasury. FDRL. OF 4849 (CWRIC 3966-67).


60. Tolan Committee, p. 11663.


67. Tolan Committee, p. 11667.


73. Telegram, Tolan to Biddle, Feb. 28, 1942. NARS. RG 107 (CWRIC 92).

74. Letter, McCloy to Hopkins, Feb. 21, 1942. NARS. RG 107 (CWRIC 101).
NOTES: EXCLUSION AND EVACUATION, PAGES 106-114 389

77. Memo, McCloy to Secretary of War, March 6, 1942. NARS. RG 107 (CWRIC 77-78).
80. tenBroek, Prejudice, War, p. 126.
83. Grodzins, Americans Betrayed, pp. 304-05.
84. Ibid., pp. 312-13.
86. Grodzins, Americans Betrayed, pp. 303-22.
87. tenBroek, Prejudice, War, p. 133.
90. Letter, McCloy to Eleanor Roosevelt, March 26, 1942. NARS. RG 107 (CWRIC 70).
91. Tolan Committee, p. 11240.
92. Telegram, Deutsch to Frankfurter, March 28, 1942. NARS. RG 107 (CWRIC 3077).
93. Letter, Frankfurter to McCloy, April 2, 1942. NARS. RG 107 (CWRIC 1740).
95. Ex parte Ventura. 44 F. Supp. 520 (W.D. Wash., 1942). Ventura's husband had earlier written the Justice Department in the hope that some exception could be made for his wife, either by making him responsible for her acts or by his volunteering for military service. The request was forwarded to the War Department and must have been refused. Letter, M. S. Ventura to Charles [sic] Biddle, March 14, 1942; Letter, Edward J. Ennis to M. S. Ventura, March 24, 1942 (CWRIC 24540;24539).
96. On April 20, 1942, Ernest Wakayama and his wife, Toki Wakayama, American citizens, brought habeas corpus cases challenging imprisonment in an assembly center. Before the cases were decided, however, they were dismissed because the Wakayamas decided to seek expatriation to Japan, and their attorney felt that decision would adversely affect their claims. "History of Litigation Involving Western Defense Command." NARS. RG 338 (CWRIC 1628).
NARS. RG 338. Richard Doi was convicted and sentenced to five months; he did not appeal. "History of Litigation Involving Western Defense Command." NARS. RG 338 (CWRIC 1628). The famous case of Fred Korematsu, an American citizen who attempted to have his facial features surgically changed so that he would not be recognized as an ethnic Japanese and thus be able to remain in California with his non-Japanese fiancee, does not properly fit the category of protest. The appeal of his conviction for violating the exclusion orders was the occasion for the Supreme Court's major review of the constitutionality of the exclusion program and is discussed later.
102. Memo to Watson and attached comments, April 17, 1942. NARS.
RG 338 (CWRIC 2193).

Economic Losses

4. Testimony, Wil
153–54; Department of
4. Memo to Watson and attached comments, April 17, 1942. NARS.
RG 338 (CWRIC 2193).

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RG 338 (CWRIC 2193).
Economic Loss

5. DOJ Report (CWRIC 27098–100).
11. Ibid., p. 172.
18. DOJ Report (CWRIC 27211).
19. Ibid. (CWRIC 27160).
20. Ibid. (CWRIC 27162).

23. DOJ Report (CWRIC 27144).


29. Ibid.; Adon Poli, Japanese Farm Holdings on the Pacific Coast (Davis, CA: University of California at Davis, College of Agriculture, December 1944) (CWRIC 14405-34).


35. Written testimony, Clarence Nishizu, Los Angeles, Aug. 4, 1981.

36. Unsolicited testimony, Fred Manaka, Long Beach, CA.


43. Ibid., pp. 120–21.


47. Memo, James F. van Loben Sels to Tom C. Clark, Coordinator, Enemy Alien Control, WDC, Feb. 23, 1942; letter, Clark to T. M. Bunn, Salinas Valley Exchange, March 12, 1942; letter, Clark to Harold J. Ryan, Agricultural Resources and Program, March 10, 1942, DO 1784 (CWRIC 1780-255).


52. Unsolicited testimony, Fred Manaka, Long Beach, CA.


55. Memo, James F. van Loben Sels to Tom C. Clark, Coordinator, Enemy Alien Control, WDC, Feb. 23, 1942; letter, Clark to T. M. Bunn, Salinas Valley Exchange, March 12, 1942; letter, Clark to Harold J. Ryan, Agricultural Resources and Program, March 10, 1942, DO 1784 (CWRIC 1780-255).


60. Unsolicited testimony, Fred Manaka, Long Beach, CA.


63. Memo, James F. van Loben Sels to Tom C. Clark, Coordinator, Enemy Alien Control, WDC, Feb. 23, 1942; letter, Clark to T. M. Bunn, Salinas Valley Exchange, March 12, 1942; letter, Clark to Harold J. Ryan, Agricultural Resources and Program, March 10, 1942, DO 1784 (CWRIC 1780-255).

64. Letter, Clark to T. M. Bunn, Salinas Valley Exchange, March 13, 1942, DO 1784 (CWRIC 1780-255).


68. Unsolicited testimony, Fred Manaka, Long Beach, CA.


77. Poli, Japanese Farm Holdings on the Pacific Coast (Davis, CA: University of California at Davis, College of Agriculture, December 1944) (CWRIC 14405-34).


79. Unsolicited testimony, Fred Manaka, Long Beach, CA.


81. Unsolicited testimony, Fred Manaka, Long Beach, CA.
NOTES: ECONOMIC LOSS, PAGES 117-133 393

Resources and Production Committee, Los Angeles County Defense Council, March 10, 1942, DOJ 146-13-7-2-0 (CWRIC 12067; 12078; 12075).
48. Letter, Clark to Ryan, March 10, 1942, DOJ (CWRIC 12075).
49. Letter, Clark to C.D. Nickelsen, County Judge, Hood River, Oregon, March 13, 1942, DOJ (CWRIC 12086).
60. Unsolicited testimony, George Yoshida, Los Angeles.
63. Unsolicited testimony, George J. Kasai, San Antonio, TX.
66. Unsolicited testimony, Susumu Myose, Northridge, CA.
67. Unsolicited testimony, Shizuka LaGrange, Seattle, WA.
77. Poli, Japanese Farm Holdings, p. 17.
79. Unsolicited testimony, Henry Yoshitake, Montebello, CA.
81. Unsolicited testimony, Roy Abbey, San Francisco, CA.
82. Testimony, Joe Yamamoto, Los Angeles, Aug. 4, 1981, p. 239.
87. Unsolicited testimony, Henry Hayashino, French Camp, CA.
23. Ibid., p. 184.
24. Ibid., pp. 184, 186.
33. Red Cross Survey of Assembly Centers, p. 37.
35. Okubo, Citizen 13660, p. 50.
36. Ibid., pp. 97, 99.
41. Written testimony, Bill Nakagawa, Los Angeles, Aug. 5, 1981.
43. Okubo, Citizen 13660, p. 106.
45. Written testimony, Bill Nakagawa, Los Angeles, Aug. 5, 1981.
47. Testimony, Patsy Saiki, Seattle, Sept. 9, 1981, p. 36.
48. Testimony, Peter Ota, Los Angeles, Aug. 6, 1981, p. 98. See testimony, Suzu Kunitani, San Francisco, Aug. 13, 1981, p. 52, for another description of a tuberculosis case. Those whom the WCCA considered too sick to move, who resided in institutions, or who were in prison, received exemptions or deferments until they were able to travel. (DeWitt, Final Report, p. 145.)
54. DeWitt, Final Report, p. 186. There were apparently some exceptions to the rule. Rachel Kawasaki recalls that her baby’s 2:00 a.m. feeding was delivered to her door by jeep. Unsolicited testimony, Rachel Kawasaki, Los Angeles.
55. Unsolicited testimony, Hideo Furukawa, Palo Alto.
NOTES: ASSEMBLY CENTERS, PAGES 135-148

56. Weglyn, *Years of Infamy*, p. 82.
64. Red Cross Survey of Assembly Centers, p. 4.
66. Santa Anita Assembly Center, Arcadia, CA, *Administrative Notice No. 4*, May 12, 1942.
70. Okubo, *Citizen 13660*, p. 86.
72. Okubo, *Citizen 13660*, p. 78.
76. Ibid., p. 188.
77. Okubo, *Citizen 13660*, p. 84.
79. “No sharp increase in the number of deaths occurred as a result of the evacuation program.” (DeWitt, *Final Report*, p. 190.)
80. Ibid.
81. Red Cross Survey of Assembly Centers, p. 28.
91. Weglyn, *Years of Infamy*, p. 81.
93. Red Cross Survey of Assembly Centers, p. 52.
99. Unsolicited testimony, Hiroko Azuma Miyakawa, Matawan, NJ.
103. Ibid., p. 93.
104. Unsolicited testimony, Sachi Kajiwara, Dayton, OH.
106. Ibid., p. 105.
107. Ibid., p. 104.
110. Unsolicited testimony, A. Arthur Takemoto, Encinitas, CA.
121. Okubo, *Citizen 13660*, p. 60.
124. Red Cross Survey of Assembly Centers, p. 22.
129. Santa Anita Assembly Center, *Regulations*, April 12, 1942.
137. Testimony, Thomas M. Tajiri, Chicago, Sept. 22, 1981, p. 294; testi-
138. Okubo, *Citizen* 13660, p. 79.
139. Unsolicited testimony, Jack Oda, Chicago.
140. Santa Anita Assembly Center, *Administrative Notice No. 5*, May 14, 1942.
The Relocation Centers

1. The Manzanar evacuees did not move; Manzanar was transferred by the WCCA to the WRA to become a relocation center on June 1, 1942.


4. The War Relocation Authority, first under the Office for Emergency Management and later under the U.S. Department of the Interior, issued quarterly reports covering 1942, and thereafter semiannual reports until the agency disbanded in 1946.


8. Unsolicited testimony, Chebo Toshitaka Sakaguchi.


18. Unsolicited testimony, George J. Kasai.

The WRA, which was established as an agency under the Office for Emergency Management in the Executive Office of the President, was transferred to the Department of the Interior in February 1944.


Eisenhower, analyzing the evacuation and detention, concluded that no one was solely responsible because no one could see the "over-all pattern that was emerging." He also concluded:

The evacuation of Japanese Americans from their homes on the coast to hastily constructed assembly centers and then to inland relocation centers was an inhuman mistake. Thousands of American citizens of Japanese ancestry were stripped of their rights and freedoms and treated almost like enemy prisoners of war. Many lost their homes, their businesses, their savings. For 120,000 Japanese the evacuation was a bad dream come to pass. (Eisenhower, *The President Is Calling*, p. 125).


WDC summary of April 7, 1942 meeting.

Eisenhower, *The President Is Calling*, p. 119.

Telephone conversation between Bendetsen and Alfred Jaretzki, April 27, 1942. NARS. RG 338 (CWRIC 5226–32).

Statement of Philip M. Glick (formerly Solicitor for the War Relocation Authority), Hearings before the Committee on Internal Security, U.S. House of Representatives, 91st Cong., 2d Sess., March 19, 1970, pp. 3045–47. Two exceptions to the decision for confinement were already in progress, student leave and agricultural leave. A later section describes these programs.

Eisenhower, *The President Is Calling*, p. 95.
38. Ibid., p. 122.
40. Idem. The War Department had retained an approval right to ensure that “large numbers of evacuees might not be located immediately adjacent to present or proposed military installations or strategically important areas.” DeWitt, Final Report, p. 248.
43. WRA Story, p. 20.
44. Roger Daniels, Concentration Camps USA, p. 96.
50. Idem.
52. WRA Story, p. 22.
53. Letter, Masaoka to Eisenhower, April 6, 1942. NARS RG 210 (CWRIC 3734-51).
54. WRA Story, p. 75.
56. Unsolicited testimony, George G. Muramoto.
57. Gladys Bell, “Memories of Topaz,” unpublished manuscript.
64. Thomas and Nishimoto, Spoilage, p. 29; letter, Bill Hosokawa to Angus Macbeth, Commission staff, Sept. 14, 1962 (CWRIC 8800-16).
65. Unsolicited testimony, Susumu Togasaki.
1942, p. 6.

An approval right to ensure protected immediately adjacent strategically important areas.

NARA RG 210 (CWRIC 8800-16).


1942, p. 7.

NARA RG 210 (CWRIC 8800-16).

A Story, p. 96.


A Story, p. 10.


Sone, Nisei Daughter, p. 196; Rikka, vol. 6, no. 3 (Autumn 1979), p. 20.

Okubo, Citizen 13660, pp. 138; Sone, Nisei Daughter, pp. 195-96.

Sone, Nisei Daughter, p. 192.

Okubo, Citizen 13660, pp. 147-49, 192.


Thomas and Nishimoto, Spoilage, p. 39.

Bell, "Memories of Topaz."

Spicer, Impounded People, p. 99.

Spicer, Impounded People, p. 99.


Sone, Nisei Daughter, p. 196; Rikka, vol. 6, no. 3 (Autumn 1979), p. 20.

Weglyn, Years of Infamy, p. 83.

Okubo, Citizen 13660, pp. 147-49, 192.


Unsolicited testimony, Mary Tonai (Heart Mountain); unsolicited testimony, Olive Ogawa Hall (Poston); testimony, Lillian K. Hayano, Chicago, Sept. 22, 1981, p. 327 (Poston); Okubo, Citizen 13660, p. 184 (Topaz).

Sone, Nisei Daughter, p. 192.


Unsolicited testimony, Ben T. Kawashima.

Unsolicited testimony, Sueko Yamasaki Kawamoto; testimony, Tom

101. WRA Story, pp. 100-02.
103. Unsolicited testimony, Nobu Kajiwara.
105. WRA Story, p. 102.
112. Okubo, Citizen 13660, p. 143.
113. WRA Story, p. 102.
114. Ibid., p. 80.
120. Myer, Uprooted Americans, pp. 52-53; McKee, History of WRA, p. 120.
127. Unsolicited testimony, Sachi Kajiwara.
132. Unsolicited testimony, Rae Ota Yasumura.
NOTES: RELOCATION CENTERS, PAGES 162-168

140. Okubo, Citizen 13660, p. 142.
143. Written testimony, Peggy Nishimoto Mitchell.
NARS. RG 210 (CWRIC 3211-21).
150. WRA Story, p. 76.
151. Ibid., p. 76.
152. Ibid., pp. 78–79.
153. Ibid., pp. 77–79.
155. Ibid., p. 80.
157. WRA Story, pp. 81–82.
165. Ibid., p. 62.
166. Okubo, Citizen 13660, p. 196.
173. Unsolicited testimony, Susumu Togasaki.
181. Myer, Uprooted Americans, p. 49.
190. McKee, History of WRA, p. 113; testimony, Hiroshi Kamei, Los Angeles, Sept. 6, 1981, p. 244.
194. Reports of the WRA, October 1—December 31, 1942, p. 15.
198. Unsolicited testimony, Carolyn Abe Kanaya; written testimony, Mary Sugitachi, San Francisco, Aug. 12, 1981.
199. Unsolicited testimony, Hiroko Azuma Miyakawa; unsolicited testimony, Roy Mike Hamachi.
200. Weglyn, Years of Infamy, p. 92.
204. Myer, Uprooted Americans, p. 56; WRA Story, p. 108.
207. Ibid., p. 171.
208. Written testimony, Mitsuru Sasahara, Los Angeles, July 20, 1981.
211. Unsolicited testimony, Kin Ikeda.
213. Idem.
217. Okubo, Citizen 13660, pp. 150, 156.
219. Ibid., pp. 182, 187.
221. Report of the WRA, October 1—December 31, 1942, p. 49.
225. WRA Story, p. 107.
239. WRA Story, pp. 86–87.
241. WRA Story, p. 90.
244. McKee, History of WRA, p. 104; unsolicited testimony, Y. Florence Kubota.
245. Okubo, Citizen 13660, p. 155.
247. Thomas and Nishimoto, Spoilage, p. 27; San Francisco Chronicle, May 26, 1943, quoted in Baker, Concentration Camp Conspiracy, p. 258.
248. Unsolicited testimony, Suenari Koyasako.
249. Thomas and Nishimoto, Spoilage, p. 27.
250. Report by Philip Webster, WRA, August 31—September 2, 1942, quoted in Weglyn, Years of Infamy, p. 91; see also testimony, Teru Watanabe, Los Angeles, Aug. 6, 1981, p. 246, shooting at Manzanar.
256. Myer, Uprooted Americans, p. 36.
257. WRA Story, p. 93.
259. Unsolicited testimony, Harry Y. Ueno, "I was a captive of the U.S. Government."
262. Ibid., pp. 58, 60.
266. Spicer, Impounded People, p. 84.
267. Myer, Uprooted Americans, p. 60.
269. Thomas and Nishimoto, Spoilage, p. 45; Myer, Uprooted Americans, p. 40; Cates, Management of Five Camps, p. 589.
270. Spicer, Impounded People, p. 82.
271. Ibid., p. 82.
272. Weglyn, Years of Infamy, p. 119; Thomas and Nishimoto, Spoilage, p. 73.
273. WRA Story, pp. 46—47.
274. Weglyn, Years of Infamy, pp. 119—20.
279. Myer, Uprooted Americans, p. 61.
280. Thomas and Nishimoto, Spoilage, pp. 43—44; Report of the WRA, July 1—September 30, 1942, pp. 51—54.
282. Unsolicited testimony, Susumu Togasaki, reporting a beating in one section of Poston.
284. Thomas and Nishimoto, Spoilage, p. 46.
286. Ibid., p. 34.
287. Ibid., p. 36.
288. Thomas and Nishimoto, Spoilage, p. 50.
NOTES: RELOCATION CENTERS, PAGES 175–184

291. Thomas and Nishimoto, Spoilage, p. 52.
297. Eisenhower, The President Is Calling, p. 120.
299. Eisenhower, The President Is Calling, p. 120.
300. Daniels, Concentration Camps USA, p. 99.
302. Daniels, Concentration Camps USA, p. 100.
306. Daniels, Concentration Camps USA, p. 100.
307. Telephone conversation, DeWitt and Bendetsen, April 4, 1942. NARS. RG 338 (CWRIC 13046).
308 WRA Story, p. 31.
309. Daniels, Concentration Camps USA, p. 101.
311. Weglyn, Years of Infamy, p. 98.
315. Unsolicited testimony, George Ikeda.
317. Weglyn, Years of Infamy, p. 100.
319. Letter, Eisenhower to the President, June 17, 1942. FDRL. OF 4849 (CWRIC 3972).
321. tenBroek, Prejudice, War, p. 147. WRA Administration Instruction No. 22, July 20, 1942. "Temporary Procedure for Issuance of Permits to Individuals or Single Families to Leave Relocation Centers for Employment Outside Such Centers and the WDC."
322. Myer, Uprooted Americans, pp. 132–33.
323. tenBroek, Prejudice, War, p. 147. WRA, "Issuance of Leave for Departure from a Relocation Area." 7 Fed. Reg., 7656 (September 26, 1942). These appeared in greater detail in WRA Administrative Instruction No. 22 (Revised), November 6, 1942.
326. Ibid., p. 135.
327. Ibid., pp. 135–38.
328. WRA Story, p. 42.
Loyalty: Leave and Segregation

3. For instance, McCloy visited the West Coast in March 1942, and met with Ringle, later writing Biddle that he was "greatly impressed" with Ringle's knowledge. Letter, McCloy to Biddle, March 21, 1942. NARS. RG 107 (CWRIC 12862). He met with the JACL leaders at an emergency National Council meeting called in early March and took the trouble to meet with them socially as well as discussing the Army's program. Bill Hosokawa, JACL in Quest of Justice (New York: William Morrow & Co., 1982), pp. 166–67.
6. Memo, DeWitt to Chief of Staff (Marshall), Nov. 20, 1942; memo, DeWitt to McCloy, Nov. 21, 1942; memo, Dedrick to WDC Assistant Chief of Staff, Civil Affairs Division (Bendetsen), Nov. 20, 1942. NARS. RG 107 (CWRIC 5686, 5687, 5680–85).
8. Idem.

16. Letter, Mike Masaoka to Stimson, Jan. 15, 1943. NARS. RG 147 (CWRIC 11920).

17. Telephone conversation, McCloy and DeWitt, Jan. 18, 1943. NARS. RG 338 (CWRIC 13210-14).

18. Telephone conversation, DeWitt and McCoy, Jan. 18, 1943. NARS. RG 338 (CWRIC 13210-14); memo, Colonel John J. Bissell to General Strong, Jan. 8, 1943. NARS. RG 319 (CWRIC 14102-03); telephone conversation, Bendetsen and Colonel William P. Scobey, Jan. 18, 1943. NARS. RG 338 (CWRIC 13194-208).


20. Telephone conversation, Bendetsen and Scobey, Jan. 18, 1943. NARS. RG 338 (CWRIC 13194-208).


23. Memo, McCloy to Stimson, Oct. 15, 1942. NARS. RG 107 (CWRIC 13779); draft memo to Stimson, Oct. 28, 1942. NARS. RG 407 (CWRIC 13756-60).

24. Memo, Stimson to Chief of Staff (Marshall), no date. NARS. RG 407 (CWRIC 13753).


27. Testimony, John J. McCloy, Washington, DC, Nov. 3, 1981, p. 25. The War Department position stands in sharp contrast to that of the Navy. Responding to Davis’s memo, Navy Secretary Knox not only did not agree with Davis’s suggestion but also suggested that everyone’s time could be better spent handling the “problem” of Japanese sympathizers in Hawaii; letter, Knox to the President, Oct. 17, 1942. NARS. RG 107 (CWRIC 565).


29. Idem.

30. Idem.


32. Telephone conversation, Bendetsen and Captain John M. Hall, Jan. 19, 1943. NARS. RG 338 (CWRIC 13183).


37. Letter, Thomas J. Watson, Jr., Atlanta, Jan. 28, 1943. NARS. RG 8338.


40. Memo for the record, Office of Provost Marshal General, Jan. 9, 1943. NARS. RG 210 (CWRIC 12795-97).


45. Memo, Robert A. Taft, Chief of Staff, Mar. 8, 1943. NARS. RG 407 (CWRIC 13753).

46. Memo, Thomas J. Watson, Jr., Atlanta, Jan. 28, 1943. NARS. RG 407 (CWRIC 13753).


48. Ibid., p. 165.


50. Robert A. Taft, Chief of Staff, Mar. 8, 1943. NARS. RG 407 (CWRIC 13753).


61. Memo, Robert A. Taft, Chief of Staff, Mar. 8, 1943. NARS. RG 407 (CWRIC 13753).

The Japanese Americans and War II (Tucson, AZ: University of Arizona Press, Jan. 15, 1943. NARS. RG 147 and DeWitt, Jan. 18, 1943. NARS.
and McCloy, Jan. 18, 1943. NARS.
John J. Bissell to General Strong, Jan. 18, 1943. NARS. RG 338 and McCloy, Jan. 18, 1943. NARS.
Land Scobey, Jan. 18, 1943. NARS.

NOTES: LOYALTY: LEAVE AND SEGREGATION, PAGES 185–195

37. Letter, the President to Stimson, Feb. 1, 1943. NARS. RG 338 (CWRIC 8338).
45. Memo, Hartwell C. Davis, 13th Naval District, to Director of Naval Intelligence, March 30, 1943. NARS. RG 210 (CWRIC 1785–87).
46. Myer, Uprooted Americans, p. 73.
47. Weglyn, Years of Infamy, p. 138.
48. Ibid., p. 141.
52. Michi Weglyn, Years of Infamy, p. 138.
55. Spicer, Impounded People, p. 146.
56. See Thomas and Nishimoto, Spoolage, pp. 72–82, for a full discussion of registration at Tule Lake.
59. Myer, Uprooted Americans, p. 73.
61. Memo, Dedrick to McCloy and Bendetsen, Nov. 20, 1942. NARS. RG 107 (CWRIC 5680–85).
73. Murphy, Ambassadors in Arms, p. 111.
74. All of the material on the research project is taken from WDC, Supplemental Report on Civilian Controls Exercised by Western Defense Command, Jan. 1947, pp. 188–417 and recommendations (last) page, which is unnumbered. NARS. RG 338.
75. Ibid., p. 229.
76. Ibid., p. 251.
77. Ibid., recommendations (last) page.
78. Ibid., pp. 682–84.
80. Ibid.
81. Ibid.
83. WRA Story, p. 59.
84. WDC, Supplemental Report, p. 152.
86. Ibid., p. 16.
88. tenBroek, Prejudice, War, pp. 151–52.
89. Ibid., p. 153.
90. Memo, John P. Frank, Office of the Under Secretary of the Interior, to Ickes, Secretary of the Interior, no date. NARS. (CWRIC 8776–78).
92. Ibid.
93. Telegram, Mayor Fiorello LaGuardia to Abe Fortas, Under Secretary of the Interior, April 11, 1944. NARS. RG 48 (CWRIC 6371).
94. Letter, LaGuardia to Ickes, April 21, 1944. NARS. RG 48 (CWRIC 6372).
96. Myer, Uprooted Americans, p. 140.
98. Ibid., pp. 116–17.
114. Ibid., p. 158.
122. Letter, McElroy to DeWitt, Oct. 9, 1944. NARS. RG 338 (CWRIC 5776–78).
123. Letter, McElroy to DeWitt, Oct. 9, 1944. NARS. RG 338 (CWRIC 5776–78).
NOTES: LOYALTY: LEAVE AND SEGREGATION, PAGES 193–207


111. Myer, Uprooted Americans, p. 140.


113. Ibid., pp. 146–47.

114. Ibid., p. 48.


118. U.S. Department of the Interior, People in Motion, p. 147.

119. Ibid., p. 237.

120. Memo, Dewitt to Chief of Staff (Marshall), Aug. 23, 1942. NARS. RG 107 (CWRIC 930–31).

121. Memo, DeWitt to Chief of Staff, Sept. 8, 1942; memo, Bendetsen to DeWitt, Oct. 9, 1942; memo, DeWitt to Chief of Staff, Nov. 23, 1942. NARS. RG 338 (CWRIC 12932; 12929; 5070–73).


123. Letter, McCloy to DeWitt, Nov. 24, 1942. NARS. RG 338 (CWRIC 12934); letter, McCloy to E. M. Rowalt, Acting Director, WRA, Nov. 25, 1942. NARS. RG 107 (CWRIC 4492).


125. Letter, Myer to Stimson, June 8, 1943. NARS. RG 338 (CWRIC 1286–92).
129. WRA Story, p. 63.
133. Thomas and Nishimoto, *Spoilage*, pp. 104-06.
140. Unsolicited testimony, deposition of Tokio Yamane.
141. Thomas and Nishimoto, *Spoilage*, p. 150.
I. The early University of California study of the wartime experience of the Nikkei produced four volumes which follow this pattern. Americans Betrayed by Morton Grodzins and Prejudice, War, and the Constitution by tenBroek, Barnhart and Matson emphasize the history which produced the Executive Order, while The Saleage by Dorothy S. Thomas and The Spoilage by Thomas and Richard S. Nishimoto deal with the camp experience and its impact on evacuees. Roger Daniels, a major historian of the Japanese Americans in the Second World War, uses these two themes as the major division in his bibliography to Concentration Camps USA, the most comprehensive of his books on the period.


3. WDC, Supplemental Report on Civilian Controls Exercised by Western Defense Command, January 1947. NARS. RG 338. The opening sentence of the first chapter of the Supplemental Report sets out the thesis and philosophical foundation of the work: "The acts reported in this chapter are presented as evidence in support of the main thesis that it was impossible, as well as impracticable, to separate the dangerous from the non-dangerous members of the Japanese population."

The volume was designed to answer those who were critical of the measures taken in the "dark days" of 1942, to provide the War Department with a complete defense for the exclusion, evacuation and detention if there were further litigation or Congress attempted to place limitations on the wartime power of the military. (Ibid., pp. 1–2).


To date the committee has been unable to secure from anyone charged with responsibility a clear-cut statement of the status of the Japanese evacuees, alien or citizens, after they pass through the reception center..

To date the committee has encountered a general disposition to treat the Japanese, whether citizen or alien, as a group, and to subject even the citizens to a scrutiny not applied to the alien German and Italian. The
evacuation order of General DeWitt, for example, places greater restrictions upon the residence of Japanese citizens than upon German and Italian aliens. It is not clear whether this means that plans exist, either in the Army or in the civilian agencies now assisting the Army, for the segregation of all Japanese for the duration of the war.

6. Telephone conversation, McCloy and Bendetsen, April 19, 1943. NARS. RG 338 (CWRIC 24067).


11. Ibid. (CWRIC 13183, 13189).


13. Telephone conversation, McCloy and DeWitt, Jan. 18, 1943. NARS. RG 338 (CWRIC 13210-14).


17. Ibid. (CWRIC 13185-86).

18. Telephone conversation, McCloy and DeWitt, Jan. 18, 1943. NARS. RG 338 (CWRIC 13210-14).


21. Letter, McCloy to DeWitt, Feb. 11, 1943. NARS. RG 107 (CWRIC 527-28). DeWitt responded, "I have a feeling that [the letter] was not prepared or signed by you. Its style and signature tend[s] to confirm this feeling." Letter, DeWitt to McCloy, Feb. 15, 1943. NARS. RG 107 (CWRIC 526).


23. Letter, McCloy to DeWitt, April 8, 1943. NARS. RG 165 (CWRIC 26369-71).


for example, places greater restrictive citizens than upon German and this means that plans exist, either now assisting the Army, for the duration of the war.

25. Telephone conversation, DeWitt and Bendetsen, April 19, 1943. NARS. RG 338 (CWRIC 24066).
26. Telephone conversation, DeWitt and newspapermen, April 14, 1943. NARS. RG 338 (CWRIC 26565).
27. Telephone conversation, McCloy and Bendetsen, April 19, 1943. NARS. RG 338 (CWRIC 24066).
29. Telephone conversation, McCloy and Bendetsen, April 19, 1943. NARS. RG 338 (CWRIC 24066–71).
32. Telephone conversation, DeWitt and Bendetsen, June 17, 1943. NARS. RG 338 (CWRIC 24134); Theodore E. Smith, statement, June 29, 1943. NARS. RG 338 (CWRIC 24141); Smith's statement reads in its entirety: "I certify that this date I witnessed the destruction by burning of the galley proofs, galley papers, drafts and memorandums [sic] of the original report of the Japanese Evacuation." DeWitt was not entirely successful; the Commission located a copy of the original April report in the National Archives, RG 338.
33. Memo, Bendetsen to DeWitt, May 3, 1943. NARS. RG 338 (CWRIC 24080).
34. Telephone conversation, Bendetsen and Barnett, April 29, 1943. NARS. RG 338 (CWRIC 24076–78).
35. Letter, Ickes to McCloy, July 5, 1943. NARS. RG 107 (CWRIC 14011b); letter, McCloy to Ickes, July 14, 1943. NARS. RG 107 (CWRIC 14011a).
42. McWilliams, Prejudice, pp. 231–73.
43. Ibid., p. 247.
44. Ibid., pp. 248–49.
46. For a more complete list of restrictive measures, see McWilliams, Prejudice, pp. 250–51.
47. San Francisco Chronicle, April 17, 1943; Los Angeles Times, April 22, 1943.
48. McWilliams, Prejudice, pp. 251-52.
49. Myer, Uprooted Americans, p. 96.
50. Pacific Coast Committee on American Principles and Fair Play, statement, June 15, 1943. (CWRIC 5555-59).
51. Myer, Uprooted Americans, pp. 96-97.
52. McWilliams, Prejudice, p. 254.
54. Myer, Uprooted Americans, p. 100.
55. McWilliams, Prejudice, p. 256.
56. Washington Post, April 15, 1943.
57. Press release, July 17, 1943. NARS. RG 210 (CWRIC 26040-42). The release stated that it had been prepared at the President’s request by the War Department and the WRA; it masked the division within the Department: “[T]he War Department and the Commanding General of the Western Defense Command have been in close and continuing consultation and agreement on all matters relating to evacuation and security of the West Coast areas.” In preparing the statement, McCloy told Bendetsen that Roosevelt had directed that no statement should be made suggesting that the ethnic Japanese would not go back to the coast before the end of the war. The President’s direction was not for attribution. Telephone conversation, McCloy and Bendetsen, July 10, 1943. NARS. RG 107 (CWRIC 19417-22). The Commission has not been able to determine whether Roosevelt also knew that the top civilian officials of the War Department no longer believed there was military justification for excluding loyal Japanese Americans from the West Coast.
59. Letter, McCloy to Emmons, Nov. 5, 1943. NARS. RG 107 (CWRIC 508-10).
62. Memorandum, FDR to Rosenman, Jan. 5, 1944. FDRL. OF 4849 (CWRIC 3978).
64. Francis Biddle Papers: Cabinet Meetings, January 1944—May 1945, Summary of Cabinet Meeting of May 26, 1944. FDRL (CWRIC 3794).
65. Letter, Ickes to Roosevelt, June 2, 1944. FDRL. OF 4849 (CWRIC 3719-20).

After the Interior Department became responsible for the WRA program, Secretary Ickes issued a statement on April 13, 1944, making plain his view that the major task of WRA was relocation, and that hate and prejudice on the part of the American public was an unacceptable way to greet relocation. Press release, Secretary of the Interior, Washington and Oregon, returned to those states.
66. Memorandum, (CWRIC 3716).
67. Memorandum, (CWRIC 3717).
68. Letter, Bonesteel to McCloy, July 6, 1943. NARS. RG 107 (CWRIC 808-10).
69. Letter, Bonesteel to McCloy, Nov. 10, 1943. NARS. RG 107 (CWRIC 3718).
70. Memorandum, (CWRIC 3719).
71. Memorandum, NARS. RG 107 (CWRIC 3720).
73. tenBroek, Prejudice, soldier’s immediate family, could pass through an extensive network of travel corridors between towns. Outside cities could be visited only under the cost borne by the evacuees. (CWRIC 3722).
74. Idem. (CWRIC 3723).
77. Memo, Greer to DeWitt, letter, Bonesteel to McCloy, Nov. 10, 1943. NARS. RG 338 (CWRIC 808-10).
78. See, e.g., memo, Greer to DeWitt, letter, Bonesteel to McCloy, Nov. 10, 1943. NARS. RG 338 (CWRIC 808-10).
79. Memo, Fahy to DeWitt, letter, Bonesteel to McCloy, Nov. 10, 1943. NARS. RG 338 (CWRIC 9802); memo, Greer to DeWitt, letter, Bonesteel to McCloy, Nov. 10, 1943. NARS. RG 338 (CWRIC 9801-09).
80. Letter, Bonesteel, Nov. 10, 1943. NARS. RG 338 (CWRIC 9807-08).
82. Ibid., (CWRIC 9801-09).
83. Transcript of judgment, Ochikubo v. Bonesteel, sent by Carney to McCloy, Nov. 10, 1943. NARS. RG 107. (CWRIC 9949-54). The court’s opinion setting forth what effect sustained hate and offensive military effort had on an argument that exclusion was justified.
release. Secretary of the Interior, April 13, 1944. DOJ 146-13-7-2-0. (CWRIC 12719-22). Ickes specifically did not discuss relocation to the West Coast, but his description of the problem as largely a local one for the people in California, Washington and Oregon, strongly suggests his view that evacuees should be returned to those states. He was firm in his stand against prejudice.

66. Memorandum, Stettinius to FDR, June 9, 1944. FDRL. OF 4849 (CWRIC 3716).

67. Memorandum, FDR to the Acting Secretary of State and the Secretary of the Interior, June 12, 1944. FDRL. OF 4849 (CWRIC 3717-18).

68. Letter, Bonesteel to McCloy, July 3, 1944. NARS. RG 107 (CWRIC 780).

69. Letter, Bonesteel to McCloy, July 31, 1944. NARS. RG 338 (CWRIC 437-38).

70. Memorandum, Burling to Ennis, July 18, 1944. DOJ 146-42-107 (CWRIC 10389).

71. Memorandum, King to Chief of Staff, U.S. Army, Sept. 28, 1944. NARS. RG 107 (CWRIC 614).


73. tenBroek, Prejudice, War, pp. 157-59. In addition, members of the soldier’s immediate family could travel in his company, and cleared evacuees could pass through an exclusion zone en route to Hawaii. Travel limited to seven travel corridors between relocation centers in the exclusion zone and outside cities could be without escort. Other travel had to be escorted, with the cost borne by the evacuee. (Idem.)

74. Idem.

75. Shiramizu v. Bonesteel, No. 494474 (Sup. Ct. L.A. County, CA); letter, Bonesteel to McCloy, July 31, 1944. NARS. RG 338 (CWRIC 437-38).

76. Ochikubo v. Bonesteel, No. 3834-PH (S.D. Cal.).

77. Ex parte Endo, 323 U.S. 283 (1944).

78. Memo, Greer to Commanding General, SCS, WDC, July 19, 1944. NARS. RG 338 (CWRIC 2355-58).


80. Letter, Bonesteel to McCloy, July 31, 1944. NARS. RG 338 (CWRIC 437-38).


82. Ibid., (CWRIC 9804-09).

83. Transcript of judge’s remarks at hearing on Oct. 2, 1944 in Ochikubo v. Bonesteel, sent by Carr to Wechsler by letter, Oct. 18, 1944. DOJ 146-42-107. (CWRIC 9849-54). The United States had also filed a detailed affidavit setting forth what effect sabotage and espionage could have on the defensive and offensive military efforts of the United States. The affidavit does not make an argument that exclusion is impelled by military necessity.
84. Memo, Bonesteel to Chief of Staff, Aug. 8, 1944. NARS. RG 338 (CWRIC 768–75).
85. Memo, Bonesteel to Chief of Staff, Sept. 19, 1944. NARS. RG 338 (CWRIC 676–78).
86. Memo, Bonesteel to Chief of Staff, Sept. 21, 1944. NARS. RG 107 (CWRIC 671–74).
89. Letter, Biddle to McCloy, Nov. 20, 1944. NARS. RG 107 (CWRIC 661).
91. Memo, Myer to Fortas, Dec. 9, 1944. NARS. RG 48 (CWRIC 6409–12).
92. Letter, Wechsler to McCloy, Nov. 28, 1944. NARS. RG 107 (CWRIC 653).
94. Memo, Wilbur to the Chief of Staff, Dec. 9, 1944. NARS. RG 107 (CWRIC 641–42).
96. Memo, Wilbur to Chief of Staff, Dec. 9, 1944. NARS. RG 107 (CWRIC 641–42).
100. Letter, Ryan to Myer, Dec. 15, 1944. NARS. RG 107 (CWRIC 619).
105. Memorandum, Ickes to the Staff of the WRA, Dec. 19, 1944. NARS. RG 48 (CWRIC 6406).


112. In his autobiography, Justice Douglas commented on the decisions and his own later view of the cases:

Was it constitutional to evacuate only citizens of Japanese ancestry? That was an issue hotly contested both in the curfew case (*Hirabayashi v. United States*, 320 U.S. 81) and in the evacuation case (*Korematsu v. United States*, 323 U.S. 214).

The Pentagon’s argument was that if the Japanese army landed in areas thickly populated by Americans of Japanese ancestry, the opportunity for sabotage and confusion would be great. By donning their uniforms they would be indistinguishable from the other thousands of people of like color and stature. It was not much of an argument, but it swayed a majority of the Court, including myself. The severe bite of the military evacuation order was not in a requirement to move out but in the requirement to move out of the West Coast and move into concentration camps in the interior. Locking up the evacuees after they had been removed had no military justification. I wrote a concurring opinion, which I never published, agreeing to the evacuation but not to evacuation via the concentration camps. My Brethren, especially Black and Frankfurter, urged me strongly not to publish. "The issue of detention is not here," they said. "And the Court never decides a constitutional question not present." The latter was of course not true, as John Marshall’s famous *Marbury v. Madison* (5 U.S. 137) shows. Technically, however, the question of detention was not presented to us. Yet evacuation via detention camps was before us, and I have always regretted that I bowed to my elders and withdrew my opinion.

On the same day that we decided the evacuation case we held that there was no authority to detain a citizen, absent evidence of a crime (*Ex parte Endo*, 323 U.S. 283). Meanwhile, however, grave injustices had been committed. Fine American citizens had been robbed of their properties by racists—crimes that might not have happened if the Court had not followed the Pentagon so literally. The evacuation case, like the flag-salute case, was ever on my conscience. Murphy and Rutledge, dissenting, had been right. (William O. Douglas, *The Court Years: 1939–1975* [New York: Random House, 1980], pp. 279–80.)


116. Letter, Pratt to Lewis, Dec. 18, 1944. NARS. RG 338 (CWRIC
12995-96. McCloy shared this view. Minutes, Committee of Three (State/War/Navy), Jan. 8, 1945. NARS. RG 107 (CWRIC 14156–58).

117. See, e.g., Letter, Baldwin, American Civil Liberties Union, to Ickes, April 19, 1945. NARS. RG 48 (CWRIC 6385); letter, Fortas to Besig, ACLU, Sept. 10, 1945. NARS. RG 48 (CWRIC 6379); memo, Fortas to Secretary of the Interior, July 18, 1945, and attached memo, Myer to the Secretary, July 7, 1945. NARS. RG 48 (CWRIC 6380–83); see also letter, Wechsler to Fortas, May 18, 1945, and reply, Fortas to Wechsler, May 17, 1945. NARS. RG 48 (CWRIC 6259–61).


123. Unsolicited testimony, Harue Ozaki; unsolicited testimony, Sumie Koide.

124. Testimony, Paul Nagano, Seattle, Sept. 9, 1981, p. 120.


128. Ibid.


130. U.S. Department of the Interior, People in Motion, p. 47.


135. Unsolicited testimony, Kin Ikeda.

NOTES: ENDING THE EXCLUSION, PAGES 240–243

137. U.S. Department of the Interior, People in Motion, p. 166.
139. Unsolicited testimony, Y. Florence Kubota; unsolicited testimony, A. Arthur Takemoto.
148. Ibid., p. 62.
Protest and Disaffection

3. Idem.
4. Idem.
15. Weglyn, Years of Infamy, pp. 203–04.
18. Ibid., p. 176.
20. tenBroek, Prejudice, War, p. 176.
22. Thomas and Nishimoto, Spoilage, pp. 303–06.
23. Ibid., pp. 261–74.
25. Ibid., p. 308.
NOTES: PROTEST AND DISAFFECTION, PAGES 245–252

26. Ibid., p. 312.
27. Ibid., p. 313.
32. Ibid., p. 324.
33. Ibid., p. 333.
34. Ibid., p. 335.
35. Ibid., p. 347.
36. Ibid., p. 338.
37. Ibid., p. 340.
38. Ibid., p. 350.
39. Ibid., p. 342.
40. Chuman, Bamboo People, p. 268.
43. Ibid., p. 357.
44. Weglyn, Years of Infamy, p. 244; Thomas and Nishimoto, Spoilage, p. 357.
45. Weglyn, Years of Infamy, p. 246.
46. Ibid., p. 252.
47. Ibid., p. 255.
48. Ibid., p. 258.
50. Ibid., p. 262; Abo v. Clark, 186 F. 2d 766 (9th Cir. 1950), cert. denied, U.S. 832 (1951).
51. Ibid., p. 265.
55. Weglyn, Years of Infamy, p. 154.
57. Weglyn, Years of Infamy, pp. 136–47.
61. tenBroek, Prejudice, War, p. 181.
Military Service

34. Tanaka, *Go For Broke*, p. 73.
40. Tanaka, *Go For Broke*, p. 103.
41. See Murphy, *Ambassadors In Arms*, pp. 225–44, for a full account of the Vosges Mountains campaign.
43. Murphy, *Ambassadors In Arms*, p. 257.
51. Ibid., pp. 420–21.
58. Ibid., pp. 23–24.
59. Ibid., p. 18.
Hawaii

3. The G-2 staff in Hawaii "stated repeatedly to the [Western Defense Command] staff members that there was no problem in judging whether or not a person of Japanese ancestry was dangerous or non-dangerous; for all one had to do was sit and talk to the man for fifteen minutes and the [sic] would be no question in one's mind." WDC, Supplemental Report on Civilian Controls Exercised by Western Defense Command, Jan. 1947, pp. 174–75. NARS. RG 338.
12. Pearl Harbor Investigation, Part 39, p. 120.
14. On the tiny isolated Hawaiian Island of Niihau where news of the Pearl Harbor bombing had not yet arrived, a crippled Japanese plane crashed on its return from the successful attack. A Hawaiian discovered the pilot and confiscated his weapons. Harada, a Nisei, acted with the pilot. After two machine guns in his military papers were taken host by Hawaiians, he fatally shot himself. (Greenwood Press, 1991).
15. Notes of Call Papers (CWRIC 3739–75).
26. Conn, *Guarding*, p. 120.
27. Allen, *War Years*, p. 120.
28. *Ibid.*, p. 120.
31. The commission to try the three defendants represented by an official of the Office of Civilian Control, was in the hands of a panel of lawyers, and in its study of the case, the commissioners had reached the conviction of first degree murder, even though there was no evidence that the defendant could actually have committed the acts.
32. The three Honolulu merchants were of the first half of 1944 under arrest. Typically, "After the agent had made his immediate decision, in a semicircle before him. When the judge was frequently limited.
confiscated his weapons and papers. Ishimatsu Shintani, an Issei, and Yoshio Harada, a Nisei, acted as interpreters; the latter spent a short time privately with the pilot. After the meeting, Harada freed the pilot, helped him set up two machine guns in the village, and threatened to kill everyone unless the military papers were produced. In an unguarded moment six days later, two Hawaiians taken hostage jumped the pair. The pilot was killed and Harada fatally shot himself. Gwenfread Allen, *Hawaii's War Years* (Westport, CT: Greenwood Press, 1971 [1950]), pp. 44–46.

15. Notes of Cabinet meeting, Biddle, Dec. 19, 1941. FDRL. Biddle Papers (CWRIC 3793).


28. *Ibid.*, p. 120. The ID registration project was suggested in June 1941 by the Office of Civilian Defense to enable identification of persons killed in an attack. Plans had progressed so far that by 1:30 p.m. on December 7, the first ID cards were printed. By the end of the war, registration records and cards had been consulted 300,000 times by police and security agencies.


The commission tried only eight cases during its four years of existence. Among them were three cases of murder, one of which resulted in the death sentence, later commuted to imprisonment. In that case, the defendant was represented by an officer who had no legal training, although the prosecution was in the hands of a trained attorney. The five commissioners were not lawyers, and in its study of the trial, the Department of Interior noted that the commissioners had not been told the distinction between first and second degree murder, even though the evidence strongly suggested the lesser charge.

The three Honolulu provost courts tried nearly 19,000 cases by the end of the first half of 1942. Trials were generally held on the same day as the arrest. Typically, "After the defendant had made his plea, all witnesses stood in a semicircle before the judge and were each peremptorily questioned by him. When the judge felt that he had sufficient evidence, he rendered an immediate decision, imposed sentence, and proceeded to the next case. The defendant could make a statement on his own behalf, but his allotment of time was frequently limited. He had little opportunity to cross-examine witnesses."
He could obtain a lawyer, although some judges indicated in open court that they did not desire attorneys to participate in the trials.


34. Diary, Ickes, Oct. 25, 1942. LC, Microfilm reel 2/12, p. 7561 (CWRIC 6584).


37. Ibid., pp. 208–09.

Immediately after the attack on Pearl Harbor, the Army had requested the authority to evacuate the families of servicemen to the mainland at government expense. It later expanded the request to include other civilian women and children who wanted to evacuate as well as tourists stranded on Oahu when the war broke out. Beyond removing civilians from a vulnerable Oahu, evacuation eased the housing shortage and left fewer mouths to feed. (Conn, Guarding, p. 202).

38. Ibid., p. 209.


40. Memo, Chief of Staff to U.S. Joint Chiefs of Staff, Feb. 12, 1942. FDRL. PSF Confidential File (CWRIC 3664–65).


42. Ibid., pp. 210–11.


44. Memo, McCloy to Eisenhower, March 28, 1942. NARS. RG 107 (CWRIC 588–89).

45. Idem.

46. Diary, Stimson, April 7, 1942. Sterling Library, Yale University (CWRIC 19763).

47. Diary, Stimson, April 15 and 24, 1942. Sterling Library, Yale University (CWRIC 19764–66).

48. Memo, Knox to FDR, April 20, 1942. NARS. RG 107 (CWRIC 582).

49. Cabinet meeting notes, Stimson, April 24, 1942. Sterling Library, Yale University (CWRIC 19731).

50. Diary, Stimson, April 28, 1942. Sterling Library, Yale University (CWRIC 19767).


some judges indicated in open court that they would not participate in the trials."

_Duncan v. Kahanamoku, No. 14, Oct._


_Duncan v. Kahanamoku, No. 14, Oct._

C, Microfilm reel 2/12, p. 7561 (CWRIC 7561).

_Duncan v. Kahanamoku, No. 14, Oct._

Pearl Harbor, the Army had requested removal of servicemen to the mainland at government request to include other civilian women as well as tourists stranded on Oahu. This increased the number of civilians from a vulnerable Oahu, making it easier to manage and leave fewer mouths to feed. (Conn, Joint Chiefs of Staff, Feb. 12, 1942. C 3664-65).

_Duncan v. Kahanamoku, No. 14, Oct._


_Duncan v. Kahanamoku, No. 14, Oct._


_Duncan v. Kahanamoku, No. 14, Oct._

Conn, _Guarding_, p. 212.

_Duncan v. Kahanamoku, No. 14, Oct._

Telephone conversation, Bendetsen and Hall, Oct. 5, 1942. NARS. RG 338 (CWRIC 8202-06).

_Duncan v. Kahanamoku, No. 14, Oct._


_Duncan v. Kahanamoku, No. 14, Oct._

Letter, Stimson to FDR, Oct. 29, 1942. NARS. RG 107 (CWRIC 566).

_Duncan v. Kahanamoku, No. 14, Oct._

Letter, Emmons to Stimson, Nov. 2, 1942. NARS. RG 107 (CWRIC 562).

_Duncan v. Kahanamoku, No. 14, Oct._

Memo, FDR to Stimson and Marshall, Nov. 2, 1942. NARS. RG 107 (CWRIC 563).

_Duncan v. Kahanamoku, No. 14, Oct._

Memo, McFadden to Bendetsen, Nov. 19, 1942. NARS. RG 338 (CWRIC 8200-01).

_Duncan v. Kahanamoku, No. 14, Oct._

Memo, Blake to Officer in Charge, Dec. 1, 1942. NARS. RG 210 (CWRIC 29548-53).

_Duncan v. Kahanamoku, No. 14, Oct._


_Duncan v. Kahanamoku, No. 14, Oct._

Allen, _War Years_, p. 397.

_Duncan v. Kahanamoku, No. 14, Oct._


_Duncan v. Kahanamoku, No. 14, Oct._

Letter, Stimson to Hull, March 30, 1943. NARS. RG 59 (CWRIC 12792).

_Duncan v. Kahanamoku, No. 14, Oct._

Letter, Myer to McCloy, Feb. 27, 1943. NARS. RG 107 (CWRIC 551-52).

Some typical responses to loyalty question no. 28 were:

"I cannot answer until I find out why I was evacuated to the mainland."

"I was interned for 14 months, and if they can give me the reason for interning me, then I can decide."

"Previous to my detention my sincere frame of mind was loyalty to serve the USA in all emergency, namely armed forces, in active combat duty or to protect the country in which I inherited the constitutional rights, to defend USA from any or all attacks by foreign or domestic enemy activities. However, I was greatly angered because of detaining me as an enemy alien, in spite of the fact my status of orderly and law abiding citizen had been established without cause, reason or any other charge, as yet unknown to me, I greatly regret, however, wish to refrain from answering the above questions."

"It is difficult for me to answer questions 27 and 28 because I was interned at Sand Island, I swore allegiance to the USA but the FBI said that I was not a true American citizen and was forced to say no."

"During my period of 10 months in the concentration camp, I swore many times to the allegiance of these United States, but was not recognized by the government. When I was up before a Hearing Board, I was denied the privileges of a citizen, and at the present time, it is very difficult for me to answer these questions. This all happened before I was concentrated in the camp during an investigation held by the government."

NARS. RG 210 (CWRIC 29561-62).

_Duncan v. Kahanamoku, No. 14, Oct._


78. *Idem*.

79. *Ibid.* p. 135. The boards were allowed considerable latitude, and the hearings were informal and similar to those conducted on the West Coast. Accounts vary, however, with regard to the composition of the boards. Although Allen describes them as civilian, a number of internees indicate that they were composed of military officers.


81. Unsolicited testimony, Mitsunobu Miyahira.

82. Unsolicited testimony, Kwantoku Goya.

83. Soga, *Tessaku Seikatsu*.

84. Radio, Richardson to McCloy, Feb. 11, 1944. NARS. RG 107 (CWRIC 542).


92. For an analysis which reconciles *Duncan* and *Korematsu*, see Charles Fairman, "The Supreme Court on Military Jurisdiction: Martial Rule in Hawaii and the Yamashita Case," 59 Harv. L. Rev. 833 (1946). Fairman sees the distinction between the cases in the fact that in Hawaii the military government "did not recognize adequately that the civil government should rightly have continued to preside over all matters which the public defense did not require to be placed under direct military control, nor did it take into proper account the basic principle that the commander's authority over civil affairs is limited to measures of demonstrable necessity." (p. 858) Fairman extensively analyzes the facts and record in *Korematsu*. It is, of course, the factual record that no habeas corpus remained.
the facts and record in Duncan but makes no close examination of the facts in Korematsu. It is, of course, the Commission's conclusion after studying the factual record that no showing of "demonstrable necessity" could have been made.
Germans and German Americans

2. Ibid., p. 157.
8. The exclusion of lawyers was designed to save time and to put the procedure on a common-sense basis. Francis Biddle, In Brief Authority (Garden City, NY: Doubleday & Co., Inc., 1962), p. 208.
15. Memo, Alfred Jaretzki to Colonel Ralph Tate, June 4, 1942. NARS. RG 107 (CWRIC 6697–99).


22. Title 29—Judicial Administration, Chapter I, Part 30, Travel and Other Conduct of Aliens of Enemy Nationalities, amendment effective date Oct. 19, 1942. NARS. RG 338 (CWRIC 851-52).


27. Idem. Roosevelt had instructed Stimson that no action under Executive Order 9066 was to be taken on the East Coast without prior discussion with the President.

28. Memo, Stimson to Roosevelt, May 14, 1942. NARS. RG 107 (CWRIC 197); notes of Cabinet meetings, May 15, 1942. FDRL. Biddle Papers (CWRIC 3796).

29. Conn, Guarding, p. 146.


41. Rippley, The German-Americans, p. 185; Frederick C. Leubke, Bonds
62. In a government inquiry after the war, the intelligence services acknowledged how myopic this view had been:
In connection with subversive welfare [sic], during the last war, I would like to make this observation. In the fall of 1941 and the winter of 1942, we expected that subversive elements would be found mainly in the alien population. To our amazement by 1943 we discovered such was not the case at all. Most aliens were scared to death. So most of our disloyal individuals were old-line families in this country. That was amazing to us, and we had to face the facts and recognize it.


8. *Idem*.


10. *Idem*.


Appendix

Latin Americans

5. Gardiner, Pawns, p. 6.
11. Idem.
12. Telegram, U.S. Department of State to U.S. Ambassador to Panama, Dec. 12, 1941. NARS. RG 59 (CWRIC 6944).
15. Ibid., p. 25.
16. Ibid., p. 22; Emmerson, Japanese Thread, p. 140.
17. Attorney General Francis Biddle and Under Secretary of State Sumner Welles had previously agreed that interning citizens of Latin American states among the internees brought from Panama and Costa Rica posed no legal problem. (Gardiner, Pawns, pp. 21–24.)
18. Ibid., pp. 25–46.
19. Ibid., p. 58.
20. Ibid., p. 29.
24. Ibid., p. 56.
25. Ibid., p. 67.
26. A September 8, 1942, State Department memorandum shows that State was concerned "whether any effort should be made to influence Peru to breach the international law provisions," and that after a decision was made on this issue, "then a decision can be reached as to whether the United States will undertake the wholesale removal of all Japanese from Peru over a period of time." Memorandum, Hanley, September 8, 1942. NARS. RG 59 (CWRIC 6943).
27. Letter, Emmerson to U.S. Ambassador to Peru, April 18, 1942. NARS. RG 59 (CWRIC 5648–49).
31. Ibid., p. 84.
32. Ibid., pp. 88–107.
34. Emmerson, Japanese Thread, p. 149.
36. Ibid., p. 124.
38. Gardiner, Pawns, p. 133; one German internee, von Heymann, won a reversal in the Second Circuit Court of Appeals, United States v. Watkins, 159 F.2d 650 (2d Cir. 1947).
40. Ibid., p. 130.
42. Gardiner, Pawns, pp. 142–43.
47. Gardiner, Pawns, p. 168.
Part II

The Aleuts: War and Evacuation in Alaska

2. Ibid., p. 237.
3. Ibid., p. 238.
6. Ibid., p. 255.
8. Ibid., p. 4.
9. Ibid., p. 12.
15. Ibid., p. 165.
16. Ibid., p. 168.
17. Ibid., p. 291.
18. Ibid., p. 279.
19. The Western Defense Command reported on Aug. 9, 1943, that Japan "never exhibited any particular determination to improve the Attu and Kiska bases and was dilatory in the construction of proper facilities for the basing of land-based aircraft; coupled with the lack of enemy naval strength in the Aleutians area, [this] leads to the assumption that the enemy has not given the Aleutians theatre a very high priority. The conclusion can also be drawn that he lacked the necessary equipment, material, planes and naval forces required to adequately exploit his holdings in the Aleutians." (Typographical errors in the passage have been corrected.) (WDC, *Final Report Attu*, p. 172).
A Naval Intelligence report, dated Dec. 15, 1944, concludes that the Japanese threat to the entire western United States was removed by late Fall 1944, and that the end of the defensive position of the U.S. in the Aleutians coincided with the end of the Aleutian Campaign in August 1943. Advanced Intelligence Center of the North Pacific Area, Aleutian Campaign: A Brief Historical Outline to and Including the Occupation of Kiska, August 1943, Dec. 15, 1944, p. 111. NARS. RG 313 (CWRIC AL101).


27. Idem.


29. Idem.

30. Idem. Secretary Ickes' response is recorded on this memorandum and dated April 15, 1942: "I concur unless they want to move."


33. Letter, Gruening to Ickes, June 4, 1942. NARS. RG 126 (CWRIC AL6149-50).

34. Idem.

35. Idem.

36. Idem.

37. Letter, Ickes to Gruening, June 17, 1942. NARS. RG 126 (CWRIC AL6153).


40. Idem.


42. War Diary, USS Hulbert, June 1 to 30, 1942, in Kirtland, Evacuation, pp. 30-32.
concludes that the Japanese were removed by late Fall 1944, and the U.S. in the Aleutians coincided with August 1943. Advanced Intelligence

m: A Brief Historical Out-

ka, August 1943, Dec. 15, 1944,

partment to Paul W. Gordon, Jan.

23, 1942. NARS. RG 126

E. L. Bartlett’s Evacuation Plan,

mitted by John C. Kirtland for

ublic hearing of the Commission

C. Kirtland and David F. Coffin,

leuts during World War II, vol.

Pribilof Islands Association, Inc.,

ikes, April 10, 1942, in Kirtland,

orded on this memorandum and

ant to move.”

O. Smith, May 7, 1942. NARS.

ation of the Federal Government

67-69, 1939–1943 Comp.

42. NARS. RG 126 (CWRIC

June 30, 1942, in Kirtland, Evac-

Atka Experience 1940–1942,” in

9, 1942, in Kirtland, Evacuation,

NOTES: THE ALEUTS, PAGES 323–332 445

43. War Diary, Navy Patrol Wing Four, May 27 to June 30, 1942, in Kirtland, Evacuation, pp. 27–29.


53. Telegram, Margaret Quinn to Claude M. Hirst, June 16, 1942, in Kirtland, Evacuation, p. 73.


55. Telegram, Donald T. Hagerty to William Zimmerman, June 15, 1942. NARS. RG 126 (CWRIC AL6159).

56. Idem.


58. Idem.


60. Idem.

61. Telegram, Hagerty to Zimmerman, June 16, 1942. NARS. RG 126 (CWRIC AL6156).

62. Idem; Telegram, Bower to Johnston, June 17, 1942; letter, Hirst to Gruening, June 29, 1942, both in Kirtland, Evacuation, pp. 83–84, 162–67.

63. Radio message, Hagerty to Commissioner of OIA, June 17, 1942. NARS. RG 126 (CWRIC AL6154); lease between P. E. Harris and Company and the United States Government, June 16, 1942, in Kirtland, Evacuation, pp. 130–33.

64. Telegram, Johnston to Hirst, July 16, 1942; letter, Hirst to Gruening, June 29, 1942, both in Kirtland, Evacuation, pp. 134, 162–67.

65. Telegram, Gruening to Ickes, June 20, 1942, in Kirtland, Military, p. 85.

66. Message, Hirst to Hagerty, June 24, 1942. NARS. RG 126 (CWRIC AL6146).

67. Admiral Freeman and General DeWitt had agreed earlier, on June 18, 1942, that: “In order to prevent their capture by the Japanese, the natives

68. Letter, Captain Hobart W. Copeland to Commanding General, APO, Seattle, Washington, Jan. 17, 1944. NARS. RG 75 (CWRIC AL6305-06).


70. *Idem.*

71. *Idem.*

72. *Idem.*


74. Telegram, John W. Fletcher to Ickes, July 7, 1942. NARS. RG 126 (CWRIC AL6145).

75. *Idem.*


78. Letter, Copeland to Commanding General, APO, Seattle, Washington, Jan. 17, 1944. NARS. RG 75 (CWRIC AL6305-06).


82. Letter, James I. Parsons to Office of the Governor of Alaska, no date. NARS. M.939 Papers of Alaska Territorial Governor Ernest Gruening, Reel 291 (CWRIC AL105).

83. Memo, Colonel Karl R. Bendetsen to Captain Young, July 1, 1942. NARS. RG 338 (CWRIC AL6562); memo, Colonel Irwin Clawson to Colonel William A. Bockel, July 5, 1942. NARS. RG 338 (CWRIC AL6563-65).


85. Memo, Freeman to DeWitt, Aug. 29, 1942. NARS. RG 338 (CWRIC AL6559-60).

86. Memo, Clawson to Boekel, July 5, 1942. NARS. RG 338 (CWRIC AL6563-65).

By late 1942, however, the Navy was removing its contract workers and the Army had concluded that: “There is nothing requiring work of more civilians than there is now [sic] at Dutch Harbor. . . . More civilians coming in would only make the problem more complicated even if they do not actually cause trouble. . . . Civilians are almost entirely dependent on Army for medical treatment and supply but seldom are controlled by Army.” Radio incoming (paraphrase) from Alaska Defense Command Fort Richardson to Commanding General, Western Defense Command and Fourth Army, Dec. 6, 1942. NARS. RG 338 (CWRIC AL151).
Alutian Islands were evacuated to September 30, 1945. History, Department of the Navy, Washington, Jan. 17, 1944. NARS. RG 75 (CWRIC AL6305-06).


89. Idem.

90. Idem.

91. Idem.


93. Letter, Gruening to Ickes, June 4, 1942. NARS. RG 126 (CWRIC AL6149).

94. WDC, Final Report Attu.


98. Ibid., p. 127.


118. Letter, McMillin to Johnston, July 1, 1942, in Kirtland, Conditions, pp. 120–21.


131. Letter, Johnston to Bower, April 27, 1943. ICC Exhibit 545.

132. Telegram, E.

133. Letter, John.

134. Letter, Bower.

135. See testimony.

136. In 1945, Johnston expressed the views he expressed in the official position we.


138. Letter, Bower.

139. Magee, "Ale.

140. Letter, Sally.

141. Letter, Hirst.

142. Letter, Stew.

143. Magee, "Ale.


149. Testimony, Sept.

150. Testimony, Sept.

151. Berreman, N.

152. Testimony, Dec.

153. Idem.


155. Dorofey Cher.

156. Berreman, N.

NOTES: THE ALEUTS, PAGES 341—348

132. Telegram, Bower to Morton, April 29, 1943, in Kirtland, Sealing, p. 44.
135. See testimony, Stefan A. Lekanof, St. Paul, AK, Sept. 19, 1981, p. 36. In 1945, Johnston repeated his adherence to Bower’s official policy, but the views he expressed to McMillin and Bower make it altogether likely that the official position was not consistently presented to the Pribilovians.
137. Telegram, Geeslin to George T. Barrett, April 25, 1943, in Kirtland, Sealing, p. 43.
140. Letter, Sally Swetzof for Atka Village Council to Donna Fujioka, Commission staff, Feb. 23, 1982 (CWRIC 29700—03).
151. Berreman, Nikolski, p. 255.
153. Idem.
159. Idem.
162. Berreman, Nikolai, pp. 256-57.
163. Ibid., pp. 257-58.
164. Ibid., p. 259.
165. Letter, Geeslin to Anthony J. Dimond, April 24, 1943. NARS. RG 75/33 (CWRIC AL6351-52).
167. Letter, Geeslin to Dimond, April 24, 1943. NARS. RG 75/33 (CWRIC AL6351-52).
169. Idem.
171. Letter, Martha Newell to Kenneth Newell, March 18, 1943. NARS. RG 75/33 (CWRIC AL5357).
172. Letter, Martha Newell to Kenneth Newell, March 26, 1943. NARS. RG 75/33 (CWRIC AL6356).
175. List compiled by the Aleutian/Pribilof Islands Association, Inc., in Kirtland, Conditions, p. 108.
177. Telegram, McMillin to Morton, Sept. 20, 1943; telegram, Morton to Bower, Sept. 20, 1943, both in Kirtland, Resettlement, p. 16.
181. Idem.
184. Telegram, Bower to Johnston, Nov. 3, 1943. ICC Exhibit.
185. Idem.


Abbey, Roy: 393
Abe, Fuki O.: 415, 425
Abrams, Leonard: 136
Aikoku Doshi-Kai: 313
Alaska, S.S.: 334, 335
Alaska Department: 323, 354
Alaska Fishing News: 339, 349
Alaska Indian Service: 323, 328, 349, 351, 354
Alaska Sector: 319, 323, 354
Alaska War Council: 326–28, 332
Aleutian Livestock Company: 333
Aleuts. See Alaskan evacuation
Alien Control Authority: 104
Alien Enemy Act of 1798: 54, 312
Alien Enemy Control Unit: 285, 309
Alien land laws: 34, 37
Alien Property Custodian: 61, 131
Amache relocation center. See Granada, CO, relocation center
American Civil Liberties Union (ACLU): 69, 247
American Defense Society: 291
American Federation of Labor: 32
American Friends Service Committee: 171, 181, 311
American Friends Society: 173
American Legion: 4, 34, 37, 68, 69, 254
American Loyalty League: 41
American Protective League: 290
Anti-Jap Laundry League: 34
Aoki, Richard: 404
Araki, Akira: 405
Arata, Bert: 405
Army Intelligence: 64, 190, 254, 264, 320
Army Map Service: 259
Arthur, Pres. Chester A.: 29
Asiatic Exclusion League. See California Joint Immigration Committee; Japanese Exclusion League