

Public Law 96-317

Dated July 31, 1980

Why a Commission?

Almost forty years have passed since the U.S. government ordered 120,000 civilians evacuated and detained in relocation camps, pursuant to Executive Order 9066 and Civilian Orders of the U.S. military forces.

President Franklin Delano Roosevelt signed Executive Order 9066 on February 19, 1942, despite arguments by the Attorney General and FBI Director against the military necessity for mass evacuation. The Executive Order authorized military commanders designated by the Secretary of War to exclude persons from prescribed military zones or areas. Congress backed the Executive Order by passing Public Law 77-503, which authorized imprisonment and fines for civilians convicted of violating these orders. The Western Defense Command and Fourth Army subsequently issued over 100 orders which were applied exclusively to persons of Japanese ancestry living in the Western states.

All persons of Japanese ancestry in California and portions of Washington, Oregon, and Arizona were ordered to leave their homes, taking with them only what little they could pack and carry. Businesses, property, homes, farmlands, and personal goods were left behind. Assets were frozen by the U.S. government. In 1942, the United States government built 10 relocation centers in Arizona, Arkansas, California, Colorado, Idaho, Utah and Wyoming. Japanese American citizens and permanent resident aliens were moved to these camps. In March, 1946, the last detention camp closed.

The released Japanese had great difficulty in reconstructing their lives. Many faced poverty; others found themselves homeless. All faced uncertainty regarding their future.

The policy process which resulted in the evacuation and incarceration of 120,000 civilians has never been fully documented, nor has the economic, social and psychological impact of the years in relocation centers been comprehensively recorded or told.

The Aleut residents of both the Aleutian and Pribilof Islands were removed by the U.S. military authorities from their homes during June and July of 1942. The initial decision to evacuate was based on the Japanese bombing of Dutch Harbor in the Aleutian chain, and the Japanese invasions of Attu and Kiska islands. More than 850 Aleut citizens were taken to temporary camps in southeastern Alaska, some times without adequate food, clothing, shelter, or medical supplies. Non-native residents of the Aleutian chain were allowed to remain in their communities.

In May 1944, the Aleuts were returned to their homes. Some had perished due to disease. They found their homes had often been vandalized and property stolen. The returning Aleuts faced the same uncertainty about their future as did the Japanese. "It seems funny if our government can drop so many people in a place like this and forget about them altogether," said Lee McMillin, agent and caretaker of the Punter Bay camp for the Aleuts.

Chronology

Japanese

1941 December 7 — Japan's attack on Pearl Harbor. Presidential Proclamation No. 2525 gives blanket authority to Attorney General for a sweep of suspects.

December — U.S. declares war against Japan.

1942 January 29 — U.S. Attorney General issues first of a series of orders establishing limited strategic areas along the Pacific Coast and requiring the removal of all enemy aliens from these areas.

February 19 — Roosevelt signs Executive Order 9066 authorizing Secretary of War, or any military commander designated by Secretary, to establish "military areas" and exclude therefrom "any or all persons."

March 2 — General DeWitt issues Public Proclamation No. 1, designating military areas in the states of Washington, Oregon, California and Arizona. Restrictions are placed on Japanese, German and Italian aliens and Japanese Americans. Period of voluntary evacuation begins.

March 18 — President Roosevelt signs Executive Order No. 9102 creating the War Relocation Authority (WRA), a non-military agency with the authority to formulate and carry out a program for a planned and orderly relocation of persons evacuated under E.O. 9066.

March 21 — President Roosevelt signs Public Law 77-503 making it a federal offense to violate any order issued by a designated military commander under authority of E.O. 9066.

March 22 — First large contingent of Japanese and Japanese Americans moves from Los Angeles to the Manzanar Assembly Center operated by the Army.

May 19 — Western Defense Command issues Civilian Restriction Order No. 1 establishing all assembly centers and relocation centers in the eight far western states as military areas and forbidding evacuee residents to leave these areas without expressed approval of the Western Defense Command.

July 13 — Mitsuye Endo petitions for a writ of habeas corpus, alleging that she was a loyal and law-abiding U.S. citizen, that no charge had been made against her, that she was being unlawfully detained, and that she was confined in a relocation center under armed guard and held there against her will.

August 7 — Western Defense Command announces the completion of evacuation of 110,000 from their homes in the military areas either to assembly centers or to WRA centers. The last of the residents of Japanese descent in eastern California are moved to relocation centers.

1943 January 23 — Secretary of War Stimson announces plans for formation of a special combat team of Japanese American volunteers from both the Mainland and Hawaii.

February 8 — Registration ("loyalty" questionnaire) of all persons over 17 years of age for Army recruitment, segregation and relocation begins at most of the relocation centers.

June 21 — *Hirabayashi v. U.S.* and *Yasui v. U.S.* Supreme Court rules that a curfew may be imposed against one group of American citizens based solely on ancestry, and that Congress in enacting Public Law 77-503 authorized the implementation of E.O. 9066 and provided criminal penalties for violation of orders of the Military Commander.

August, September and early October — More than 15,000 people are moved in and out of the Tule Lake Center as a result of the segregation program. Those ordered out are redistributed to other centers.

1944 June 6 — D-Day

July 1 — President Roosevelt signed Public Law 78-405 permitting U.S. citizens to renounce their citizenship on American soil in time of war under procedures approved by the Attorney General.

December 17 — Western Defense Command rescinds exclusion and detention orders, freeing Japanese-Americans to return to their homes on the west coast, effective January 2, 1945.

December 18 — *Korematsu v. U.S.* Supreme Court rules that one group of citizens may be singled out and expelled from their homes and imprisoned for several years without trial, based solely on their ancestry.

December 18 — In *ex parte Endo*, Supreme Court rules that WRA has no authority to detain a "concededly loyal" American citizen.

1945 August 15 — VJ Day

September — Western Defense Command issues Public Proclamation No. 24 revoking all individual exclusion orders and all further military restrictions against persons of Japanese descent.

1946 June 30 — War Relocation Authority program officially terminates.

1948 July 2 — Evacuation Claims Act passed, giving evacuees until January 3, 1950 to file claims against the government "for damages to or loss of real or personal property... that is a reasonable and natural consequence of the evacuation..." Total of \$38 million paid by the government, or less than 10¢ per dollar lost.

1976 — President Gerald Ford formally rescinds Executive Order 9066.

Aleut and Pribilof Islanders

1942 June 3 — Japanese bomb Navy facilities in Dutch Harbor (Unalaska) Aleutian Islands.

June 6 — Japanese secure a beachhead on Kiska Island, Aleutian Islands. Japanese take all 10 Navy personnel prisoners.

June 8 — Japanese army lands unopposed at Holtz Bay, Attu Island, Aleutian Islands, and takes 42 Aleuts and 2 U.S. government civilian employees prisoner, occupies Kiska Island.

June 14 — Atka villagers are found by the U.S.S. Hulbert and evacuated.

June 15 — Interior Department officials learn of the Aleutian evacuation. Initially, the Fish and Wildlife Service was given the responsibility for Pribilof Aleuts, with the office of Indian Affairs responsible for all other Aleuts.

June 16 — U.S. military evacuates St. George, Pribilof Islands. Less than 24 hours are given for departure. Natives' cattle are killed and their houses booby-trapped but not destroyed. St. Paul Island, Pribilof Islands is evacuated.

June 25 — Atka Aleuts are discharged at Killisnoo where the office of Indian Affairs has decided to locate them in a fish cannery. St. Paul and St. George villagers are discharged at Funter Bay.

June 26 — All Aleuts have been evacuated.

1943 Midsummer — Japanese withdraw entirely from the Aleutian Island chain.

December 13 — Secretary of War Henry Stimson gives final approval for all Aleuts to return home.

1944 May 4 — U.S. Air Transport returns the Aleuts to the Pribilofs.

August 7 — President Roosevelt authorizes the allocation of \$10,000 from his emergency fund for claims for damages.

Commission Mandate

Public law 96-317, passed July 31, 1980, established a Commission to gather facts to determine whether any wrong was committed against those American citizens and permanent resident aliens affected by Executive Order 9066, and for other purposes.

Duties of the Commission

- To review the facts and circumstances surrounding Executive Order 9066, issued February 19, 1942, and the impact of such Executive Order on American citizens and permanent resident aliens.
- To review directives of United States military forces requiring the relocation, and in some cases, detention in internment camps of American citizens, including Aleut civilians, and permanent resident aliens of the Aleutian and Pribilof islands.
- To recommend appropriate remedies.
- The Commission shall hold public hearings in such cities of the United States that it finds appropriate.
- The Commission shall submit a written report of its findings and recommendations not later than one year after the date of its first meeting.

Commission Members

Joan Zeldes Bernstein, Chair

Ms. Bernstein is a partner with Wald, Harkrader & Ross. She has served as General Counsel for the U.S. Department of Health and Human Services and the Environmental Protection Agency, and was named Vice Chair of the council of the Administrative Conference of the United States. Ms. Bernstein received her B.A. from the University of Wisconsin, and her LL.B. from Yale Law School.

Daniel E. Lungren, Vice Chair

Congressman Lungren is a second term member from Long Beach, California, and serves on the House Judiciary Committee, the Select Committee on Aging, and the Republican Task Force on Congressional and Regulatory Reform. Mr. Lungren received his B.A. from Notre Dame University and J.D. from Georgetown University.

Senator Edward W. Brooke

Mr. Brooke is partner with O'Connor & Hannan. He has served as attorney general for Massachusetts and United States Senator.

Father Robert F. Drinan

Father Drinan is president of Americans for Democratic Action. He has been active in civic affairs and was a member of Congress from 1970-1980. He is an ordained Jesuit priest.

Dr. Arthur S. Flemming

Dr. Flemming is Chairman of the United States Civil Rights Commission. Dr. Flemming has been Secretary of HEW, Chairman of the White House Conference on Aging, Special Counsel to the President on Aging, and many other important positions in public service.

Justice Arthur J. Goldberg

Justice Goldberg has been Secretary of Labor, Associate Justice in the United States Supreme Court, U.S. Representative to the United Nations, and Ambassador at-large for the United States. He is president of the American Jewish Committee.

Father I. V. Gromoff

Father Gromoff is an ordained Russian Orthodox priest from Unalaska in the Aleutian Islands. He has been active in the Aleutian/Pribilof Island Association and was relocated to Funtler Bay camp during World War II.

Judge William M. Marutani

Judge Marutani presently serves on the bench for the Court of Common Pleas of Philadelphia County, Pennsylvania.

Senator Hugh B. Mitchell

Senator Mitchell was appointed to the U.S. Senate from Washington state, and served as a member of Congress from the 1st District of Washington for two terms.

Commission Hearings

Washington, D.C. July 14 and 16, 1981
Los Angeles, California August 4, 5, and 6, 1981
San Francisco, California . . . August 11, 12, and 13, 1981
Seattle, Washington September 9, 10, and 11, 1981
Anchorage, Alaska September 15, 1981
Aleutian Islands (Unalaska) . . September 17, 1981
Pribilof Islands (St. Paul) . . . September 19, 1981
Chicago, Illinois September 22 and 23, 1981

How to Participate

The Commission is interested in hearing from you. The members of the Commission would like to be informed of the views of concerned individuals and would like to encourage statements which will provide a framework for discovering the facts of the relocation and internment of civilians. The Commission welcomes your views and suggestions.

The Commission on Wartime Relocation and Internment of Civilians

New Executive Office Building

726 Jackson Place, NW

Suite 2020

Washington, D.C. 20506

Telephone: (202) 395-7390