

EXHIBIT

D

FINAL REPORT:

JAPANESE EVACUATION
FROM THE WEST COAST
1942

Handwritten note:
Handwritten
manuscript copy

Headquarters Western Defense Command
and Fourth Army

Office of the Commanding General
Presidio of San Francisco, California

HEADQUARTERS WESTERN DEFENSE COMMAND
AND FOURTH ARMY

OFFICE OF THE COMMANDING GENERAL
PRESIDIO OF SAN FRANCISCO, CALIFORNIA

April 15, 1943

SUBJECT: Final Report on the Evacuation of Japanese from Certain Military Areas in Western Defense Command.

TO: Chief of Staff, United States Army, War Department, Washington, D. C.

1. I transmit herewith my final report on the evacuation of Japanese from the Pacific Coast.

2. The evacuation was impelled by military necessity. The security of the Pacific Coast continues to require the exclusion of Japanese from the area now prohibited to them and will continue for the duration of the present war. The continued presence of large numbers of persons of an unassimilated, tightly knit racial group, bound to an enemy nation by strong ties of race, culture, customs and religion, along a frontier vulnerable to attack, could not have been countenanced. The rapacious temper of the enemy, quickened and emboldened by the methods of modern war, would have made it worse than folly to have left any stone unturned in building the strength of our defenses. It is better to have had this protection and not to have needed it, than to have needed this protection and not to have had it—as we have learned to our sorrow.

3. On February 13, 1942, I recommended to the War Department that the military security of the Pacific Coast required the establishment of broad civil control, anti-sabotage and counter-espionage measures, including the evacuation therefrom of all persons of Japanese ancestry. In pursuance of my recommendation, the President issued Executive Order No. 9066 on February 19, 1942, authorizing the accomplishment of these and any other necessary security measures. By letter dated February 20, 1942, the Secretary of War authorized me to effectuate my recommendations and to exercise all of the powers which the Executive Order conferred upon him and upon any military commander designated by him. A number of separate and distinct security measures have been instituted under the broad authority thus delegated. Military necessity requires their continuance and may demand the initiation of others. Among the steps taken was the evacuation of Japanese from western Washington and Oregon,

California, and southern Arizona. Transmitted herewith is the final report of that evacuation.

4. The report comprises a Foreword, nine Parts and reference matter. Its twenty-eight chapters are supplemented by a pictorial summary. In Part I, I have traced the developments which led to the issuance by the President of Executive Order No. 9066, establishing military control over the Pacific Coast. The military necessity for the specific action reported is outlined in Chapter II. Part II, Chapters IV to VI, inclusive, presents a résumé of the evacuation method. In these chapters the means provided to protect the persons, the property and the health of evacuees are described. In succeeding Parts a more detailed account of each phase of the operation is found. Part III describes the military organization established to accomplish the evacuation. Part IV, Chapters VIII to XII cover evacuation operations. Part V comprises Chapters XIII to XIX. These offer a narrative of Assembly Center Operations—the selection, construction and administration by the Army of the temporary residences provided evacuees pending their transfer to Relocation Centers in the interior. Part VI includes Chapters XX to XXII. This section reports the Army's participation in preparing semi-permanent facilities for the relocation of evacuees and the methods pursued in their transfer to these accommodations. In Part VII is found Chapters XXIII to XXVI, in which collateral aspects of the program are discussed, such as curfew and travel control, public relations, inspection and repatriation activities. Part VIII, consisting of Chapter XXVII and XXVIII, presents a fiscal and statistical summary. Part IX concludes the report with a series of photographs pictorializing the entire operation. Only those data essential to an understanding of the subject are included in the appendices.

5. A large quantity of primary source materials not found in the Appendix has been selected and bound together. These have been made available in triplicate. It is proposed that one set be retained at this Headquarters. Two sets are forwarded with this report. It is requested that one set be retained in the office of the Adjutant General, War Department, and the other forwarded to the Library of Congress for future reference. The great volume of secondary source materials will remain on file at this Headquarters. All of these data will be available for research purposes whenever the Secretary of War so directs.

6. I am able to report the orderly accomplishment of the program. Every emphasis was placed upon the making of due provision against social and economic dislocation. That objective was attained. The report speaks for itself in this regard.

7. Agricultural production was not reduced by the evacuation. Over ninety-nine per cent of all agricultural acreage in the affected area owned or

LETTER OF TRANSMITTAL

operated by evacuees was successfully kept in production. Purchasers, lessees, or substitute operators were found who took over the acreage subject to relinquishment. The Los Angeles Herald and Express and the San Diego Union, on February 23, 1943, and the Tacoma News-Tribune, on February 25, 1943, reported increases not only in the value but also in the quantity of farm production in their respective areas.

8. There was neither pattern nor precedent for an undertaking of this magnitude and character. So far as could be foreseen, everything essential was provided to minimize the impact of evacuation upon evacuees, as well as upon economy. Notwithstanding, exclusive of the costs of construction of facilities, the purchase of evacuee motor vehicles, the aggregate of agricultural crop loans made and the purchase of office equipment now in use for other government purposes, the entire cost was \$1.46 per evacuee day for the period of evacuation, Assembly Center residence and transfer operations. This cost includes financial assistance to evacuees who voluntarily migrated from the area before the controlled evacuation phase of the program. It also covers registration and processing costs; storage of evacuee property and all other aspects of the evacuee property protection program. It includes hospitalization and medical care of all evacuees from the date of evacuation; transportation of evacuees and their personal effects from their homes to Assembly Centers; complete care in Assembly Centers, including all subsistence, medical care and nominal compensation for work performed. It also reflects the cost of family allowances and clothing as well as transportation and meals during the transfer from Assembly to Relocation Centers.

9. Accomplishment of the program in the manner selected would have been impossible without the participation of the Federal civilian agencies so ably assisting throughout. Under my continuous direction, the associated agencies of the Federal Security Agency, the Federal Reserve Bank of San Francisco, the Farm Security Administration of the Department of Agriculture, and the Work Projects Administration of the Federal Works Agency accepted major responsibilities. The Division of Central Administrative Services of the Office for Emergency Management performed an important service from the beginning. The Departments of Treasury, Post Office, Justice, Commerce and Interior; The War Relocation Authority; and various state and local agencies effectively cooperated. The participating Army Agencies, particularly the Division Engineers of the United States Engineer Corps who supervised the construction of Assembly and Relocation Centers, discharged their responsibilities in a superior manner. The agencies of my command, military and civilian person-

nel alike, responded to the difficult assignment devolving upon them with unselfish devotion to duty.

10. To the Japanese themselves great credit is due for the manner in which they, under Army supervision and direction, responded to and complied with the orders of exclusion.

11. This report has been classified as confidential at the direction of the Secretary of War. I recommend that the classification be removed and the report immediately published. The original printing has been confined to a total of ten copies. In anticipation of its publication I have arranged that the type remain set so that the distribution of this report to many Federal and State agencies, public libraries, colleges and universities who have requested it can be readily and quickly effected.

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Incl. (24)

Two copies each of the following:

- #1 Final Report.
- #2 Report of the Farm Security Administration.
- #3 Report of the Federal Reserve Bank of San Francisco.
- #4 Report of the Federal Security Agency.
- #5 Wartime Civil Control Administration Operation Manual.
- #6 Manual of the Interior Security Branch.
- #7 Proclamations, Exclusion, Restrictive Orders and Collateral Documents.
- #8 Press Releases.
- #9 Photostats of Newspaper and Periodical Clippings and Pamphlets (4 vols. in set).
- #10 Report of the American Red Cross, Survey of Assembly Centers.
- #11 Recommendations of Commanding General for Establishment by The Attorney General of Zones Prohibited to Alien Enemies.
- #12 Assembly Center Publications (4 vols. in set).

CHAPTER I

Action Under Alien Enemy Proclamations

The ultimate decision to evacuate all persons of Japanese ancestry from the Pacific Coast under Federal supervision was not made coincidentally with the outbreak of war between Japan and the United States. It was predicated upon a series of intermediate decisions, each of which formed a part of the progressive development of the final decision. At certain stages of this development, various semi-official views were advanced proposing action less embracing than that which finally followed.

On December 7th and 8th, 1941, the President issued proclamations declaring all nationals and subjects of the nations with which we were at war to be enemy aliens. This followed the precedent of the last war, and was based upon the same statutory enactment which supported the proclamations of President Wilson in this regard. (Sec 50 U.S.C. 21.) By executive action, certain restrictive measures were applied against all enemy aliens on an equal basis. In continental United States, the Attorney General, through the Department of Justice, was charged with the enforcement and administration of these proclamations. Where necessary fully to implement his action, the Attorney General was assigned the responsibility of issuing administrative regulations. He was also given the authority to declare prohibited zones, to which enemy aliens were to be denied admittance or from which they were to be excluded in any case where the national security required. The possession of certain articles was declared by the proclamations to be unlawful, and these articles are described as contraband. Authority was granted for the internment of such enemy aliens as might be regarded by the Attorney General as dangerous to the national security if permitted to remain at large. In continental United States internment was left in any case to the discretion of the Attorney General.

On the night of December 7th and the days that followed, certain enemy aliens were apprehended and held in detention pending the determination whether to intern. Essentially, the apprehensions thus effected were based on lists of suspects previously compiled by the intelligence services, the Federal Bureau of Investigation, the Office of Naval Intelligence, and the Military Intelligence Service. During the initial stages of this action, some 2,000 persons were apprehended. Japanese aliens were included in their number.

Beyond this, little was done forcefully to implement the presidential proclamations. No steps were taken to provide for the collection of contraband and no prohibited zones were proclaimed.

The Commanding General, during the closing weeks of December, requested that the War Department induce the Department of Justice to take vigorous action along the Pacific Coast. He sought steps looking toward the enforcement of the contraband prohibitions contained in the proclamations and toward the declaration of certain prohibited zones surrounding "vital installations" along the coast. The Commanding General had become convinced that the military security of the coast required these measures.

His conclusion was in part based upon the interception of unauthorized radio communications which had been identified as emanating from certain areas along the coast. Of further concern to him was the fact that for a period of several weeks following December 7th, substantially every ship leaving a West Coast port was attacked by an enemy submarine. This seemed conclusively to point to the existence of hostile shore-to-ship (submarine) communication.

✓
 (10) — The Commanding General requested the War Department to send a representative, and to arrange with the Department of Justice for an officer of that agency to meet with him at San Francisco, in order to consider the situation "on the ground." His objective was to crystallize a program of forthright action to deal with subversive segments of the population. Preliminary to this, and primarily at the request of the Commanding General, a number of discussions had been held between War and Justice Department representatives in Washington, D. C. The Provost Marshal General, Major General Allen W. Gullion, the Assistant Secretary of War, Honorable John J. McCloy, the Chief of the Enemy Alien Control Unit, Department of Justice, Mr. Edward J. Ennis, and the Chief of the Aliens Division, Office of the Provost Marshal General, participated in these meetings.

17 — These conferences between War and Justice Department representatives in Washington were followed by the conference requested by the Commanding General in San Francisco. Mr. James Rowe, Jr., Assistant to the Attorney General, represented the Department of Justice. The Commanding General urged that the Justice Department provide for spot raids in various areas to determine the presence and possession of contraband; that it authorize the ready seizure of contraband, and adopt means for collecting and storing it. He further requested that the Attorney General declare prohibited zones surrounding certain coastal installations. These conferences continued over the period between January 2nd and 5th, 1942, and, as an outgrowth of these meetings, the Department of Justice agreed to a program of enforcement substantially as desired by the Commanding General, with certain important exceptions. These exceptions are described in an exchange of memoranda dated January 5, 1942, between the Commanding General and Mr. Rowe (Appendix to Chapter II *infra*).

20 — The salient feature of the intended program was an agreement arranging for creation of prohibited zones. The Department of Justice agreed to declare prohibited zones surrounding vital installations and to provide for the exclusion from these zones of enemy aliens. The extent and location of these zones was to be determined on the basis of recommendations submitted by the Commanding General. At the conclusion of these conferences, identical memoranda were exchanged on January 6, 1942, between the Commanding General and the Assistant Attorney General, Mr. James Rowe, Jr., crystallizing the intermediate understandings which had been developed. These were:

"Following is a summary of the principles applicable and procedure to be followed in the implementation of the proclamations of the President dated December 7th and 8th, 1941, and the instructions and regulations of the Attorney General, respecting alien enemies in the Western Theater of Operations. These principles and procedure

were formulated in conferences during the past week between Lieutenant General J. L. DeWitt, Commanding General of the Western Theater of Operations, Mr. James Rowe, special representative of the Attorney General of the United States, Mr. N. J. L. Pieper, of the Federal Bureau of Investigation, and Major Karl R. Bendetsen, J.A.G.D., Office of the Provost Marshal General.

"1. **Restricted Areas:** The Attorney General will designate restricted areas. He will entertain Army recommendations. He will require the Army to determine the exact description of each restricted area. What further requirements he will make will depend in large measure upon the nature of the area involved and the extent of alien enemy population in such area. Indications are that, should Army recommendations include areas in which there is resident a large number of alien enemies and evacuation will thereby be rendered necessary, he will also require the submission of detailed plans for evacuation and resettlement. The Army has expressed disinclination to compliance on its part with such a requirement for the reason that the Justice Department will undertake an alien enemy registration and will have in its possession all the information essential for planning purposes once the proposed restricted areas have been made known to that Department by the Army.

"2. **Alien Enemy Registration:** The Department of Justice is committed to an alien enemy registration with the least practicable delay. It is understood that registration will include provision for finger printing, photographing, and other information to be filed locally and probably with local police, as well as at a central office, such information to be compiled alphabetically, by nationality and race as well as geographical.

"3. **Apprehension:** United States Attorneys have been or will be instructed to issue apprehension warrants upon application of the F.B.I. special agents in charge. F.B.I. agents in charge will entertain Army requests for apprehensions submitted in writing, or, if time does not permit, oral requests which shall be confirmed later in writing. In any case where an alien enemy is found in violation of any of the provisions of the proclamation or any part of the regulations of the Attorney General thereunder, he is subject to summary apprehension with or without a warrant. Presumably at least he is subject to summary apprehension by the Army as well as by the civil authorities. Example: A known alien enemy in possession of contraband is subject to summary apprehension without a warrant. Example: An alien enemy found within a restricted area without authority is subject to apprehension.

"In an emergency apprehensions may be made without a warrant.

"4. **Searches and Seizures:** A warrant authorizing the search of the premises of an alien enemy for the presence of contraband may be obtained merely on application to the United States Attorney. It is only necessary to support the issuance of such a warrant that it be stated that the premises are those of an alien enemy. In an emergency where the time is insufficient in which to procure a warrant, such premises may be searched without a warrant.

"5. **Mixed Occupancy Dwellings:** The search of mixed occupancy premises or dwellings may be by warrant only. In emergencies involving contraband such as radio transmitters, it may be necessary to keep the premises under surveillance while a search warrant is procured. As previously noted, however, in such an emergency an alien enemy's premises may be searched for contraband without a warrant.

"6. **Multiple Searches:** The term 'mass raid' will not be employed by the Attorney General. Instructions which have been or will be issued to United States Attorneys and to F.B.I. Special Agents will permit 'spot raids.' That is to say, if lists of known alien enemies with the addresses of each are prepared by the F.B.I. and warrants are requested to cover such lists, a search of all the premises involved may be undertaken simultaneously. Thus all of the alien enemy premises in a given area can be searched at the same moment.

"7. Much of the effective action will be facilitated by a complete registration. It is important that it go forward with dispatch. However, there should be no cessation

in the vigorous implementation of the President's proclamations regarding alien enemies. It appears that considerable progress of a clarifying nature has been made. Only actual application of the streamlined mechanics can establish whether there is need for further change in the principles to be applied and the procedure to be followed."

After a series of surveys made by the Commanding Generals of the several Western Defense Command sectors, the Commanding General submitted a number of recommendations calling for the establishment of 99 prohibited zones in the State of California, and two restricted zones. These were to be followed by similar recommendations pertaining to Arizona, Oregon, and Washington. Primarily, the prohibited zones in California surrounded various points along the California Coast, installations in the San Francisco Bay area, particularly along the waterfront, and in Los Angeles and San Diego. The recommendation as to California was transmitted by the Commanding General by letter dated January 21, 1942, was received from the Commanding General by the War Department on January 25, 1942, and was forwarded by the Secretary of War to the Attorney General on the same date.

In a series of press releases the Attorney General designated as prohibited zones the 99 areas recommended by the Commanding General in California.¹ Considerable evacuation thus was necessitated, but most of the enemy aliens concerned were able to take up residence in or near places adjacent to the prohibited zone. For example, a large prohibited zone followed the San Francisco waterfront area. Enemy aliens living in this section were required only to move elsewhere in San Francisco. Of course, only aliens of enemy nationality were affected, and no persons of Japanese ancestry born in the United States were required to move under the program.

Although some problems were presented which required provision for individual assistance, essentially there was little of this involved. By arrangement with the Justice Department, the associated agencies of the Federal Security Agency were asked to lend assistance in unusually needy cases.

Mr. Tom C. Clark, then the West Coast representative of the Anti-Trust Division of the Justice Department, supervised this phase of enemy alien control and coordinated all activities for the Justice Department. There was much conjecture that this was the forerunner of a general enemy alien evacuation. Mr. Clark and his Anti-Trust Division staff were deluged with inquiries and comments. Conflicting reports and rumors were rampant along the coast; public excitement in certain areas reached a high pitch, and much confusion characterized the picture. However, in essence, there was no substantial dislocation or disruption socially or economically of the affected groups.

¹See Inclosures to letter of transmittal # 7 and # 11.

CHAPTER II

Need for Military Control and for Evacuation

The Commanding General, meantime, prepared and submitted recommendations for the establishment of prohibited zones in Arizona, Oregon and Washington, similar to those he had prepared for California. Upon receipt of these supplemental recommendations, forwarded by the Secretary of War, the Attorney General declined to act until further study. In the case of Washington State, the recommended prohibited zone included virtually all of the territory lying west of the Cascades. A general enemy alien evacuation from this area would have been required. More than 9,500 persons would have been affected. No agency was then prepared to supervise or conduct a mass movement, and the Attorney General was not convinced of the necessity. ✓

As early as January 5, however, the Commanding General pointed to the need for careful advanced planning to provide against such economic and social dislocations as might ensue from any necessary mass evacuation. This was made eminently clear in a memorandum dated January 5, 1942, from the Commanding General to Mr. Rowe, during their initial conference at San Francisco. The point was also established that the Army had no wish to assume any aspects of civil control if there were any means by which the necessary security measures could be taken through normal civilian channels. In order to trace clearly the development of military control, that memorandum is quoted in full at the end of this chapter. — 2?

The Department of Justice had indicated informally that it did not consider itself in a position to direct any enforced migrations. The Commanding General's recommendations for prohibited zones in Washington and Oregon were therefore viewed with particular concern by the Department. Not only did it feel that such action should be predicated on convincing evidence of the military necessity, it regarded the responsibility for collective evacuation as one not within its functions.

The Attorney General, on February 9, 1942, formally advised the Secretary of War, by letter, that he could not accept the recommendation of the Commanding General for the establishment of a zone prohibited to enemy aliens in the States of Washington and Oregon of the extent required by him. It is already noted, however, that the Department of Justice had previously adopted such recommendations in California. He stated in part: 2 5

"Your recommendation of prohibited areas for Oregon and Washington include the cities of Portland, Seattle and Tacoma and therefore contemplate a mass evacuation of many thousands * * *. No reasons were given for this mass evacuation * * * I understood that * * * Lieutenant General DeWITT has been requested to supply

the War Department with further details and further material before any action is taken on these recommendations. I shall, therefore, await your further advice.

"* * * The evacuation * * * from this area would, of course, present a problem of very great magnitude. The Department of Justice is not physically equipped to carry out any mass evacuation. It would mean that only the War Department has the equipment and personnel to manage the task.

"The proclamations directing the Department of Justice to apprehend, and where necessary, evacuate alien enemies, do not, of course, include American citizens of the Japanese race. If they have to be evacuated, I believe that this would have to be done as a military necessity in these particular areas. Such action, therefore, should in my opinion, be taken by the War Department and not by the Department of Justice."

The Commanding General thereafter submitted a résumé of the military considerations which prompted his recommendation for a prohibited zone in Washington and Oregon embracing virtually the westerly half of those states. The Department of Justice, however, concluded that it was not in a position to undertake any mass evacuation, and declined in any event to administer such general civil control measures.

Meanwhile, the uncertainties of the situation became further complicated. The enforcement of contraband provisions was impeded by the fact that many Japanese aliens resided in premises owned by American-born persons of Japanese ancestry. The Department of Justice had agreed to authorize its special field agents of the Federal Bureau of Investigation to undertake spot raids without warrant to determine the possession of arms, cameras and other contraband by Japanese, but only in those premises occupied *exclusively* by enemy aliens. The search of mixed occupancy premises or dwellings had not been authorized except by warrant only. (See Memo 1/5/42 at end of this chapter.)

In the Monterey area in California a Federal Bureau of Investigation spot raid made about February 12, 1942, found more than 60,000 rounds of ammunition and many rifles, shotguns and maps of all kinds. These raids had not succeeded in arresting the continuance of illicit signaling. Most dwelling places were in the mixed occupancy class and could not be searched promptly upon receipt of reports. It became increasingly apparent that adequate security measures could not be taken unless the Federal Government placed itself in a position to deal with the whole problem.

The Pacific Coast had become exposed to attack by enemy successes in the Pacific. The situation in the Pacific theatre had gravely deteriorated. There were hundreds of reports nightly of signal lights visible from the coast, and of intercepts of unidentified radio transmissions. Signaling was often observed at premises which could not be entered without a warrant because of mixed occupancy. The problem required immediate solution. It called for the application of measures not then in being.¹

Further, the situation was fraught with danger to the Japanese population itself. The combination of spot raids revealing hidden caches of contraband, the attacks on coastwise shipping, the interception of illicit radio transmissions, the nightly observation of visual signal lamps from constantly changing locations,

¹It is interesting to note that following the evacuation, interceptions of suspicious or unidentified radio signals and shore-to-ship signal lights were virtually eliminated and attacks on outbound shipping from west coast ports appreciably reduced.

and the success of the enemy offensive in the Pacific, had so aroused the public along the West Coast against the Japanese that it was ready to take matters into its own hands. Press and periodical reports of the public attitudes along the West Coast from December 7, 1941, to the initiation of controlled evacuation clearly reflected the intensity of feeling. Numerous incidents of violence involving Japanese and others occurred; many more were reported but were subsequently either unverified or were found to be cumulative.

To return again for the moment to the situation confronting the Commanding General. When the Attorney General advised that his Department was not in a position to declare as prohibited to enemy aliens the extensive areas recommended for such action in Oregon and Washington, he did not thereby establish the need for military control. It had become apparent that even those measures would not have satisfied the military necessities facing the Commanding General. For, by these means, no control would have been exerted over nearly two-thirds of the total Japanese population. Only about one-third were aliens, subject to enemy alien regulations.

Because of the ties of race, the intense feeling of filial piety and the strong bonds of common tradition, culture and customs, this population presented a tightly-knit racial group. It included in excess of 115,000 persons deployed along the Pacific Coast. Whether by design or accident, virtually always their communities were adjacent to very vital shore installations, war plants, etc. While it was believed that some were loyal, it was known that many were not. It was impossible to establish the identity of the loyal and the disloyal with any degree of safety. ~~It was not that there was insufficient time in which to make such a determination; it was simply a matter of facing the realities that a positive determination could not be made, that an exact separation of the "sheep from the goats" was unfeasible.~~

It could not be established, of course, that the location of thousands of Japanese adjacent to strategic points verified the existence of some vast conspiracy to which all of them were parties. Some of them doubtless resided there through mere coincidence. It seemed equally beyond doubt, however, that the presence of others was not mere coincidence. It was difficult to explain the situation in Santa Barbara County, for example, by coincidence alone.

Throughout the Santa Maria Valley in that County, including the cities of Santa Maria and Guadalupe, every utility, air field, bridge, telephone and power line or other facility of importance was flanked by Japanese. They even surrounded the oil fields in this area. Only a few miles south, however, in the Santa Ynez Valley, lay an area equally as productive agriculturally as the Santa Maria Valley and with lands equally available for purchase and lease, but without any strategic installations whatever. There were no Japanese in the Santa Ynez Valley.

Similarly, along the coastal plain of Santa Barbara County from Gaviota south, the entire plain, though narrow, had been subject to intensive cultivation. Yet, the only Japanese in this area were located immediately adjacent to such widely separated points as the El Capitan Oil Field, Elwood Oil Field, Summerland Oil Field, Santa Barbara airport and Santa Barbara lighthouse and harbor entrance. There were no Japanese on the equally attractive lands between these

points. In the north end of the country is a stretch of open beach ideally suited for landing purposes, extending for 15 or 20 miles, on which almost the only inhabitants were Japanese.

Such a distribution of the Japanese population appeared to manifest something more than coincidence. In any case, it was certainly evident that the Japanese population of the Pacific Coast was, as a whole, ideally situated with reference to points of strategic importance, to carry into execution a tremendous program of sabotage on a mass scale should any considerable number of them have been inclined to do so.

There were other very disturbing indications that the Commanding General could not ignore. He was forced to consider the character of the Japanese colony along the coast. While this is neither the place nor the time to record in detail significant pro-Japanese activities in the United States, it is pertinent to note some of these in passing. Research has established that there were over 124 separate Japanese organizations along the Pacific Coast engaged, in varying degrees, in common pro-Japanese purposes. This number does not include local branches of parent organizations, of which there were more than 310.

Research and co-ordination of information had made possible the identification of more than 100 parent fascist or militaristic organizations in Japan which have had some relation, either direct or indirect, with Japanese organizations or individuals in the United States. Many of the former were parent organizations of subsidiary or branch organizations in the United States and in that capacity directed organizational and functional activities. There was definite information that the great majority of activities followed a line of control from the Japanese government, through key individuals and associations to the Japanese residents in the United States.

That the Japanese associations, as organizations, aided the military campaigns of the Japanese Government is beyond doubt. The contributions of these associations towards the Japanese war effort had been freely published in Japanese newspapers throughout California.²

The extent to which Emperor worshiping ceremonies were attended could not have been overlooked. Many articles appearing in issues of Japanese language newspapers gave evidence that these ceremonies had been directed toward the stimulation of "burning patriotism" and "all-out support of the Japanese Asiatic Co-Prosperity Program."

Numerous Emperor worshiping ceremonies had been held. Hundreds of Japanese attended these ceremonies, and it was an objective of the sponsoring organization to encourage one hundred per cent attendance. For example, on

²Some of these newspaper items are as follows:

"March 13, 1941. Thirty-two bales of tinfoil were shipped to Japan through the Japanese Consulate General and were contributed by Japanese Associations of Fresno County, Kern County, Delano and San Bernardino."

"July 6, 1941. Central California Japanese Association announces the collection and transmission to the War Ministry of the sum of \$3,542.05."

The Japanese Veterans Association was similarly engaged:

"March 20, 1941. It is announced that the War Veterans Associations in Japan, Germany and Italy, in keeping with the spirit of the Axis Treaty have formed joint and advisory committees to aid and establish the new world order. There are 3 1/2 million veterans and reservists headed by General Itami who have pledged their cooperation to Axis aims."

(All quotations in this note taken from the Extension of the Testimony of the Attorney General of California given before the House of Representatives, Select Committee on National Defense Migration, pursuant to House Resolution 113, 77th Congress, San Francisco Hearings, part 29. Italics supplied.)

February 11, 1940, at 7:00 P.M., the Japanese Association of Sacramento sponsored an Emperor worshiping ceremony in commemoration of the 2,600th anniversary of the founding of Japan. Three thousand attended.

Another group of Japanese met on January 1, 1941, at Lindsay, California. They honored the 2,601st Year of the Founding of the Japanese Empire and participated in the annual reverence to the Emperor,⁸ and bowed their heads toward Japan in order to indicate that they would be " * * * ready to respond to the call of the mother country with one mind. Japan is fighting to carry out our program of Greater Asiatic co-prosperity. Our fellow Japanese countrymen must be of one spirit and should endeavor to unite our Japanese societies in this country * * *."⁴

Evidence of the regular occurrence of Emperor worshiping ceremonies in almost every Japanese populated community in the United States had been discovered.

A few examples of the many Japanese associations extant along the Pacific Coast are described in the following passages:

The Hokubei Butoku Kai. The Hokubei Butoku Kai or Military Virtue Society of North America was organized in 1931 with headquarters at Alvarado, Alameda County, California, and a branch office in Tokyo. One of the purposes of the organization was to instill the Japanese military code of Bushido among the Japanese throughout North America. This highly nationalistic and militaristic organization was formed primarily to teach Japanese boys "military virtues" through Kendo (fencing), Judo (Jiu-jitsu), and Sumo (wrestling).

The manner in which this society became closely integrated with many other Japanese organizations, both business and social, is well illustrated by the postal address of some of these branches.⁵

⁴The program was as follows:

- a. Singing of Japanese National Anthem;
- b. Opening of the Emperor's portrait;
- c. Reading of the Emperor's Rescript;
- d. Reading of Message of Reverence;
- e. Bowing heads toward Japan;
- f. Shouting "Banzai" (Long live the Emperor).

⁵New World Sun, January 7, 1941: 5:6.

⁶For example, in Alvarado, Alameda County, Post Office Box 215 was the address of the following:

- (1) Headquarters' Military Virtue Society of North America
- (2) Kinaya Kumia Finance Association
- (3) Japanese-American News Correspondent
- (4) New World Sun Correspondent
- (5) Hoshi Shimbun Correspondent
- (6) Alvarado Japanese School
- (7) Takichi Nakamura (President) Military Virtue Society of North America

In Sebastopol, Post Office Box 57 was the address of the following:

- (1) Military Virtue Society of North America
- (2) Japanese Sunday School
- (3) Hiroshima Prefectural Society
- (4) Sebura Baseball Team

In Suisun, Post Office Box 252 was the address of:

- (1) Military Virtue Society of North America
- (2) Minat Grill
- (3) Suisun Fishing Club

In Auburn, Post Office Box 57 was the address of:

- (1) Military Virtue Society of North America
- (2) Japanese School
- (3) Young Men's Buddhist Association
- (4) Young Women's Buddhist Association
- (5) Buddhist Church

In Lindsay, 157 Mount Vernon Avenue was the address of:

- (1) Military Virtue Society of North America
- (2) Japanese School
- (3) Lindsay Women's Association

The Heimusha Kai. The Heimusha Kai was organized for the sole purpose of furthering the Japanese war effort. The intelligences services (including the Federal Bureau of Investigation, the Military Intelligence Service and the Office of Naval Intelligence) had reached the conclusion that this organization was engaged in espionage. Its membership was composed of highly militaristic males eligible for compulsory military service in Japan. Its prime function was the collection of war funds for the Japanese army and navy. In more than 1,000 translated articles in which Heimusha Kai was mentioned, there was no evidence of any function save the collection of war relief funds.

A prospectus was issued to all Japanese in the United States by the Sponsor Committee for Heimusha Kai in America. That prospectus is quoted as follows:

"The world should realize that our military action in China is based upon the significant fact that we are forced to fight under realistic circumstances. As a matter of historical fact, whenever the Japanese government begins a military campaign, we, Japanese, must be united and everyone of us must do his part.

"As far as our patriotism is concerned, the world knows that we are superior to any other nation. However, as long as we are staying on foreign soil, what can we do for our mother country? All our courageous fighters are fighting at the front today, forgetting their parents, wives and children in their homes! It is beyond our imagination, the manner in which our imperial soldiers are sacrificing their lives at the front line, bomb after bomb, deaths after deaths! Whenever we read and hear this sad news, who can keep from crying in sympathy? Therefore, we, the Japanese in the United States, have been contributing a huge amount of money for war relief funds and numerous comforting bags for our imperial soldiers.

"Today, we, Japanese in the United States, who are not able to sacrifice our lives for our National cause are now firmly resolved to stand by to settle the present war as early as possible. *We are proud to say that our daily happy life in America is dependent upon the protective power of Great Japan!* We are facing a critical emergency, and we will take strong action as planned. We do hope and beg you all to cooperate with us for our National cause."⁶ (Italics supplied.)

The Heimusha Kai was organized on October 24, 1937, in San Francisco. The meeting took place at the Golden Gate Hall, and there were more than 200 members present. The following resolution was passed:

"We, the members of the Japanese Reserve Army Corps in America are resolved to do our best in support of the Japanese campaign in China and to set up an Army Relief Department For Our Mother Country."⁷

According to reliable sources there were more than 10,000 members of Heimusha Kai in 1940.

Additional illustrations of pro-Japanese societies are found in footnotes.⁸

One extremely important obstacle in the path of Americanization of the second-generation Japanese was the widespread formation, and increasing impor-

⁶New World Sun, August 28, 1937: 416 10.

⁷Excerpt from *Zaihei Nippon Zin Shi*, published in Japan, 1940.

⁸The Togo Kai. The Togo Kai was organized in 1905 in memory of Admiral Togo, the hero of the Japanese Russian Naval Battle. (Ref. Japanese Directory of Political and Religious Organizations.) The purposes of this organization were to promote a greater Imperial Japanese Navy, and to collect and transmit funds for the Japanese Navy.

It was revealed that there were three Togo Kai branches in the United States: One in Sacramento, one in Sonoma County, and one in San Francisco. All of these branches worked industriously to raise money for the Japanese Navy War Relief Fund. The Togo Kai branches in America were controlled by the parent Togo Kai headquarters in Japan. This fact is substantiated by reference to telegraphic bank transfers from the various branches of the United States to headquarters in Japan.

The Kanjo Kai. "Due to the critical situation that has developed in the Orient," the Zaigo Gunjin Dan (Retired Army Men's Corps) of Sacramento organized the Kanjo Kai (Society for Defending the Country) by

tance, of the Japanese language schools in the United States. The purposes and functions of these Japanese language schools are well known. They employed only those textbooks which had been edited by the Department of Education of the Japanese Imperial Government.

In order to assist the Japanization of the second generation, the Zaibei Ikuei Kai (Society for Education of the Second Generation in America) was organized in Los Angeles in April, 1940. "With the grace of the Emperor, the ZAIBEI IKUEI KAI is being organized in commemoration of the 2,600th Anniversary of the Founding of the Japanese Empire to Japanize the second and third generations in this country for the accomplishment of establishing a greater Asia in the future * * *."

In California alone there were over 248 schools with an aggregate faculty of 454 and a student body of 17,800.

The number of American-born Japanese who had been sent to Japan for education and who were now in the United States could not be overlooked. For more than twenty-five years American-born progeny of alien Japanese had been

Swords, or the Sword Society) in July, 1937. (Ref. New World Sun, July 18, 1937: 311.) It was the first militant Japanese organization that was established in the United States by Japanese ex-service men to support military action taken by the Japanese government in the Orient.

The following telegram from the Japanese Army Department was received by the Kanjo Kai just after the organization of that Society, and was read at the first executive board meeting:

"During this emergency, you officials are doing your utmost for the Country and the Army Department is very grateful. For the establishment of peace in the Orient, it is necessary for us to adopt positive steps in China." (Ref. New World Sun, July 18, 1937: 311.)

In September, 1940, the Kanjo Kai, together with other organizations in Sacramento, gave a farewell banquet for three representatives who were sent to the Empire Jubilee Conference in Tokyo. (Ref. New World Sun, September 17, 1940: 311.)

Members of the Kanjo Kai made monthly contributions of \$1.00 or more to Imperial Japanese Army War Relief Fund. This proposal was initiated by Consul-General Shiozaki during his visit to Sacramento in 1938.

The Nipponjin Kai. The Japanese Association of America (Nipponjin Kai) was the principal controlling organization in the United States. It operated in close cooperation with the consulate and carried out the directives of that office. Article 3 of its by-laws provides:

"Article 3. This association is organized by the local Japanese association under the jurisdiction of the Japanese Consulate General of San Francisco." (Italics supplied.)

The Japanese Association acted as intermediary between the Japanese people in the United States and the Japanese government. It aided the collection of war relief funds and poll taxes, sponsored organization of corps of visitors from the United States to Japan, founded Japanese language schools, disseminated propaganda, welcomed dignitaries and visiting military and naval officers, encouraged emperor worship, stimulated the establishment of subsidiaries and other organizations, and participated in a multitude of other pro-Japanese activities. Branches of the Japanese Association were established in every community where the Japanese population was such as to warrant such an organization.

Other outstanding Japanese organizations were known to exist in the United States. Some of the more prominent ones are listed below. The translation of the names of these organizations is indicative of their objects.

Kaigun Kyokai (Navy Association);
 Aikoku Fujin Kai (Patriotic Women's Society);
 Jugo Sekisei Kai (Behind the Gun Society or Red Heart Society);
 Hokoku Kai (Society for Service to the Country);
 Aikokuki Kenno Kisei Domei (Patriotic League for Contribution to the Airplane Fund);
 Jugo Kai (Behind the Gun Society);
 Ko-A-Sokushin Kai (Society for the Promotion of Asiatic Co-Prosperity);
 Kokuryu Kai (Black Dragon Society);
 Kibei Shimin Kai (Kibei Society);
 Hokyoku Kai (Rising Sun Society);
 Zaibei Nipponjin Kai (Japanese Association of America);
 Zaibei Nipponjin Kai Renraku Nikkai Kanji Kai
 (United Councilor's Convention for Japanese Associations in North America);
 Nanka Teikoku Gunjin Dan (Japanese Imperial Army Men's Corps of Southern California);
 Jugo Haibutsu Riyodan (Behind the Gun Waste Utilization Society);
 Jesho Kai (Ever-Victorious or Invincible Society);
 Hinode Kai (Imperial Japanese Reservists);
 Hokubei Zaigo Shokumin Dan (North American Reserve Officers' Association);
 Sekoku Kai (Fatherland Society);
 Suiko Kai (Los Angeles Reserve Officers' Association);
 Zaibei Ikuei Kai (Society of Educating the Second Generation in America).

¹New World Sun, April 13, 1940: 4:1.

sent to Japan by their parents for education and indoctrination. There they remained for extended periods, following which they ordinarily returned to the United States. The extent of their influence upon other Nisei Japanese could not be accurately calculated. But it could not be disregarded.

The Kibei Shimin movement was sponsored by the Japanese Association of America. Its objective for many years had been to encourage the return to America from Japan of American-born Japanese. When the movement started it was ascertained that there were about 50,000 American-born Japanese in Japan. The Japanese Association of America sent representatives to Japan to confer with Prefectural officials on the problems of financing and transportation. The Association also arranged with steamship companies for special rates for groups of ten or more so returning, and requested all Japanese associations to secure employment for returning American-born Japanese.

During 1941 alone more than 1,573 American-born Japanese entered West Coast ports from Japan. Over 1,147 Issei, or alien Japanese, re-entered the United States from Japan during that year.

The 557 male Japanese less than twenty-five years of age who entered West Coast ports from Japan during 1941 had an average age of 18.2 years and had spent an average of 5.2 years in Japan. Of these, 239 had spent more than three years there. This latter group had spent an average of 10.2 years in Japan.

Of the 239 males who spent three years or more abroad, 180 were in the age group 15 to 19 (with an assumed average age of 17.5 years) and had spent 10.7 years abroad. In other words, these 180 Kibei lived, on the average, 6.8 years at the beginning of their life in the United States and the next 10.7 years in Japan. Forty of the 239 who had spent three or more years abroad were in the age group 20 to 24, with an assumed average age 22.5. These were returning to the United States after having lived here, on the average, for their first 13 years and having spent the last 9.5 years in Japan, including one or more years when they were of compulsory (Japanese) military age.

The table below indicates the nearest relative in Japan for the age groups 15 to 19, and 20 to 24 years of age.

It will be noted that 42.3 per cent of those in the 15 to 19 year group lived with a father or mother in Japan, and that 13.2 lived with a grandparent. In

Nearest Relative in Japan	AGE GROUP			
	15 to 19 years		20 to 24 years	
	Number	Percent	Number	Percent
All.....	272	100.0	163	100.0
Father or mother.....	115	42.3	66	40.5
Father.....	67	24.6	46	28.2
Mother.....	48	17.7	20	12.3
Grandparent.....	36	13.2	18	11.0
Uncle or aunt.....	95	34.9	42	25.8
Other relative.....	16	5.9	30	18.4
No relative indicated.....	10	3.7	7	4.3
Non-relative.....	4	1.5	7	4.3
Unknown.....	6	2.2

other words, more than 50 per cent of this group of Kibei had a parent or grandparent in Japan, and it is reasonable to assume that in most instances these Kibei lived with this nearest relative.

Combining this information with that from the preceding table, it is seen that in a group with an average age of 17.5 years who were returning to the United States after having spent an average of 7.4 years abroad continuously (in other words, from the time they were ten years of age) one-half had lived with their parent or grandparent in Japan. *Yet, this group consists entirely of American citizens and almost entirely of men who are of draft age at the present time!*

Of the Kibei in Hawaii, Andrew W. Lind, Professor of Sociology, University of Hawaii, says: "Finally, there is the rather large Kibei group of the second generation who, although citizens of the United States by virtue of birth within the Territory, are frequently more fanatically Japanese in their disposition than their own parents. Many of these individuals have returned from Japan so recently as to be unable to speak the English language and some are unquestionably disappointed by the lack of appreciation manifested for their Japanese education." (American Council Paper No. 5, page 187, American Council, Institute of Pacific Relations, 129 East 52nd Street, New York.)

It was, perforce, a combination of factors and circumstances with which the Commanding General had to deal. Here was a relatively homogenous, unassimilated element bearing a close relationship through ties of race, religion, language, custom, and indoctrination to the enemy.

The mission of the Commanding General was to defend the West Coast from enemy attack, both from within and without. The Japanese were concentrated along the coastal strip. It was mandatory that the Commanding General consider carefully the nature of this area and its relation to the national war effort.

The areas ultimately evacuated of all persons of Japanese ancestry embraced the coastal area of the Pacific slope. In the States of Washington and Oregon to the north, Military Area No. 1 contains all that portion lying westerly of the eastern bases of the Cascade Mountains. In other words, the coastal plain, the forests, and the mountain barrier. In California the evacuation program encompassed the entire State—that is to say, not only Military Area No. 1 but also Military Area No. 2. Military Area No. 2 in California was evacuated because (1) geographically and strategically the eastern boundary of the State of California approximates the easterly limit of Military Area No. 1 in Washington and Oregon (Figure 1 shows the boundaries of these two Military Areas), and because (2) the natural forests and mountain barriers, from which it was determined to exclude all Japanese, lie in Military Area No. 2 in California, although these lie in Military Area No. 1 of Washington and Oregon. A brief reference to the relationship of the coastal states to the national war effort is here pertinent.

That part of the States of Washington, Oregon, and California which lies west of the Cascade and Sierra Nevada Ranges, is dominated by many waterways, forests, and vital industrial installations. Throughout the Puget Sound area there are many military and naval establishments as well as shipyards, airplane factories and other industries essential to total war. In the vicinity of

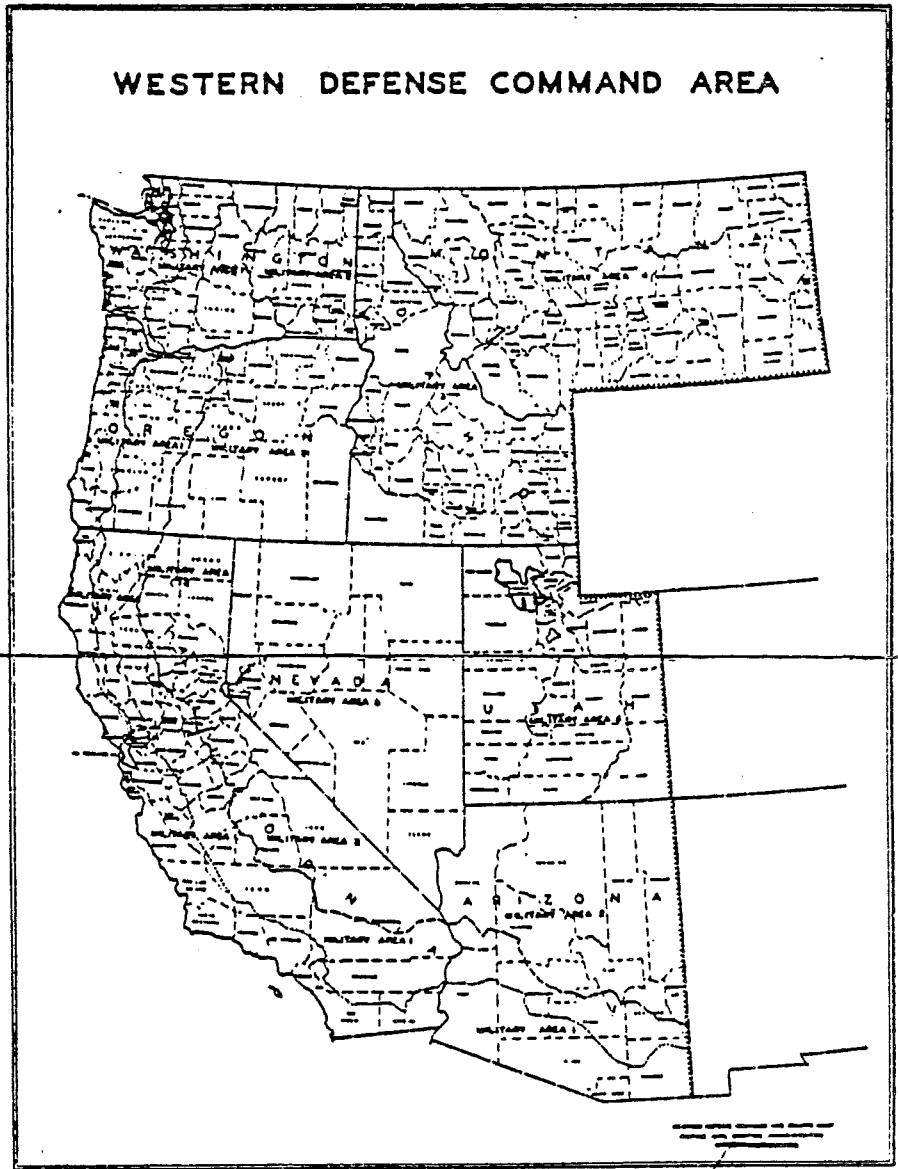


FIGURE 1

Handwritten signature and checkmark

Whidby Island, Island County, Washington, at the north end of the island, is the important Deception Pass bridge. This bridge provides the only means of transit by land from important naval installations, facilities and properties in the vicinity of Whidby Island. This island afforded an ideal rendezvous from which enemy agents might communicate with enemy submarines in the Strait of Juan de Fuca or with other agents on the Olympic Peninsula. From Whidby and Camano Islands, comprising Island County, the passages through Admiralty Inlet, Skagit Bay and Saratoga Passage from Juan de Fuca Strait to the vital areas of the Bremerton Navy Yard and Bainbridge Island can be watched. The important city of Seattle with its airplane plants, airports, waterfront facilities, Army and Navy transport establishments and supply terminals required that an unassimilated group of doubtful loyalty be removed a safe distance from these critical areas. A reference to the spot map (published in Chapter VIII), Figure 6, showing the distribution of Japanese population along the frontier, discloses a high concentration of persons of Japanese ancestry in the Puget Sound area. Seattle is the principal port in the Northwest; it is the port from which troops in Alaska are supplied; its inland water route to Alaska passes the north coast of Washington into the Straits of Georgia on its way to Alaska.

The lumber industry is of vital importance to the war effort. The State of Washington, with Oregon and California close seconds, produces the bulk of sawed lumber in the United States. The large area devoted to this industry afforded saboteurs unlimited freedom of action. The danger from forest fires involved not only the destruction of valuable timber but also threatened cities, towns and other installations in the affected area. The entire coastal strip from Cape Flattery south to Lower California is particularly important from a protective viewpoint. There are numerous naval installations with such facilities constantly under augmentation. The coast line is particularly vulnerable. Distances between inhabited areas are great and enemy activities might be carried on without interference.

The petroleum industry of California and its great centers of production for aircraft and shipbuilding, are a vital part of the life blood of a nation at war. The crippling of any part of this would seriously impede the war effort. Through the ports of Seattle, Portland, San Francisco, Los Angeles, and San Diego, flow the sinews of war—the men, equipment and supplies for carrying the battle against the enemy in the Pacific. A further reference to the spot map, Figure 6, in Chapter VIII, reveals the high concentration of this segment of the population surrounding nearly all these key installations.

In his estimate of the situation, then, the Commanding General found a tightly-knit, unassimilated racial group, substantial numbers of whom were engaged in pro-Japanese activities. He found them concentrated in great numbers along the Pacific Coast, an area of the utmost importance to the national war effort. These considerations were weighed against the progress of the Emperor's Imperial Japanese forces in the Pacific. This chapter would be incomplete without a brief reference to the gravity of the external situation obtaining in the Pacific theater. It is necessary only to state the chronology of war in the Pacific to show this.

At 8:05 A.M., the 7th of December, the Japanese attacked the United States naval base at Pearl Harbor without warning. Simultaneously they struck against Malaysia, Hong Kong, the Philippines, and Wake and Midway Islands.

On the day following, the Japanese Army invaded Thailand. Two days later the British battleships "H.M.S. Wales" and "H.M.S. Repulse" were sunk off the Malay Peninsula. The enemy's successes continued without interruption. On the 13th of December, Guam was captured and on successive days the Japanese captured Wake Island and occupied Hong Kong, December 24th and 25th, respectively. On January 2nd Manila fell and on the 27th of February the battle of the Java Sea resulted in a crushing naval defeat to the United Nations. Thirteen United Nations' warships were sunk and one damaged. Japanese losses were limited to two warships sunk and five damaged.

On the 9th of March the Japanese Imperial forces established full control of the Netherlands East Indies; Rangoon and Burma were occupied. Continuing during the course of evacuation, on the 9th of April, Bataan was occupied by the Japanese and on May 6th Corregidor surrendered.

On June 3rd, Dutch Harbor, Alaska, was attacked by Japanese carrier-based aircraft and, with the occupation by the Japanese on June 7th of Attu and Kiska Islands, United States territory in continental Northern America had been invaded.

As already stated, there were many evidences of the successful communication of information to the enemy, information regarding positive knowledge on his part of our installations. The most striking illustrations of this are found in three of the several incidents of enemy attacks on West Coast points.

On February 23, 1942, a hostile submarine shelled Goleta, near Santa Barbara, California, in an attempt to destroy vital oil installations there. On the preceding day the shore battery in position at this point had been withdrawn to be replaced by another. On the succeeding day, when the shelling occurred, it was the only point along the coast where an enemy submarine could have successfully surfaced and fired on a vital installation without coming within the range of coast defense guns.

In the vicinity of Brookings (Mt. Emily), Oregon, an enemy submarine-based plane dropped incendiary bombs in an effort to start forest fires. At that time it was the only section of the Pacific Coast which could have been approached by enemy aircraft without interception by aircraft warning devices.

Similarly, a precise knowledge of the range of coast defense guns at Astoria, Oregon, was in the possession of the enemy. A hostile submarine surfaced and shelled shore batteries there from the only position at which a surfaced submarine could have approached the coast line close enough to shell a part of its coast defenses without being within range of the coastal batteries.

In summary, the Commanding General was confronted with the Pearl Harbor experience, which involved a positive enemy knowledge of our patrols, our naval dispositions, etc., on the morning of December 7th; with the fact that ships leaving West Coast ports were being intercepted regularly by enemy submarines; and with the fact that an enemy element was in a position to do great damage and substantially to aid the enemy nation. Time was of the essence.

The Commanding General, charged as he was with the mission of providing

for the defense of the West Coast, had to take into account these and other military considerations. He had no alternative but to conclude that the Japanese constituted a potentially dangerous element from the viewpoint of military security—that military necessity required their immediate evacuation to the interior. The impelling military necessity had become such that any measures other than those pursued along the Pacific Coast might have been "too little and too late".

APPENDIX TO CHAPTER II

Memorandum from the Commanding General, Western Defense Command, to the Assistant Attorney General, Mr. James Rowe, Jr.

"January 5, 1942

"Memorandum for: Assistant Attorney General Rowe.

Subject: Alien Enemy Control Requirements.

- "1. Reference is made to the summary of report of the Assistant Attorney General Rowe to General DeWitt on Sunday, January 4, 1942, at 6:30 P.M. (TAB. 'A.')
- "2. It should be stated at the outset that the Army has no wish to undertake the conduct and control of alien enemies anywhere within continental United States. Impressions to the contrary notwithstanding, the Army ~~would accept transfer of such responsibility and authority with the greatest reluctance.~~ Its desire is only that the Department of Justice act with expedition and effectiveness in the discharge of its responsibilities under the Presidential Proclamations of December 7th and 8th. The developments which have resulted in the current conferences between the Attorney General's representative, and General DeWitt and his staff, have been occasioned by the almost complete absence of action on the part of the Department of Justice over a period of nearly four weeks since promulgation of the mentioned proclamations, toward implementing sections 5 and 9.
- "3. To the extent that an estimate can now be made, in the absence of actual demonstration, the courses of action proposed to be taken by the Department of Justice, as set forth in paragraphs 1, 2, 3 and 4 of Tab. 'A', appear to constitute a great step forward.
- "4. While some amendment, clarification and implementation may be necessary, it appears that section 5 of the proclamation relative to prohibited articles will have been fully implemented when the measures detailed in Tab. 'A' have been taken. The means of determining whether all alien enemies are complying with the proscriptions of the Proclamations, as repeated in the contraband regulations promulgated by the Attorney General, may have to be further clarified. This phase of the problem, however, is closely associated with warrant issuance aspect of the alien enemy program.

- "5. As agreed in the conference referred to in paragraph 1 hereof, the Commanding General of the Western Defense Command has initiated action within the California, Oregon and Washington portions of his command (as augmented by the inclusion of the Air Corps installations throughout his command), to furnish U. S. Attorneys not later than January 9, 1942, a list of the areas which are regarded by Army authorities as falling within section 9 of the regulations relative to restricted areas. This report will include definite descriptions of such areas and will divide them into two categories as follows:

"Category A: Those areas within, or through which no alien enemy may be permitted, under any circumstances.

"Category B: Those areas through, or within which alien enemies may be permitted on pass or permit.

"In this connection attention is invited to the concluding paragraph of Section 9 of the regulations which provides in substance that any alien enemy found within any restricted area contrary to the regulations shall be subject to summary apprehension. The military authorities desire to be advised whether, in the opinion of the Attorney General, apprehension of alien enemies under such circumstances may be without warrant and, if so, whether the military authorities are empowered to enforce.

"In order to avoid absolute confusion in the matter, Army authorities strongly urge that the Department of Justice undertake to establish immediate liaison and coordination with all appropriate relief agencies prepared to alleviate hardship resulting from compulsory change of residence on the part of alien enemies residing in Category A, restricted areas. As the Department of Justice has requested permission to announce that the establishment of restricted areas has been made by the Attorney General only because the Commanding General of this theatre has so requested, military authorities desire it to be unequivocally clear that they desire that everything possible be done to eliminate unnecessary hardship and the need for planning and coordination along this line is strongly emphasized.

"Depending upon the manner in which compulsory eviction from Category A restricted areas is handled and upon how the pass and permit system respecting Category B restricted areas is developed, the action proposed in paragraph 2 of Tab. 'A' appears presently to provide for full implementation of Section 9.

- "6. Comments relative to paragraph 3 of Tab 'A' entitled 'Search Warrants' will be deferred for inclusion in the portion of this memorandum relative to particular problems.
- "7. As already noted, neither the War Department nor the Army desire to undertake responsibility for the alien enemy program in Continental United States. In view of this, the comment in paragraph 4 of Tab. 'A' to the effect that the Department of Justice is of the view that it is better qualified to conduct an alien enemy registration than is the Army, and in view of the expressed intention of that Department to act without

delay, it would appear that the action proposed in paragraph 4, Tab. 'A', if speedily accomplished will satisfy the need for immediate registration of alien enemies.

- "8. Reference is made to paragraph 5 of Tab. 'A' relative to 'spot raids' and 'mass raids.' The military authorities in this theatre are of the view that counter espionage measures require that the Department of Justice take whatever steps are necessary, effectively to provide for simultaneous 'mass raids' without warning to determine the presence of prohibited articles which may be in possession or under the control of alien enemies, or to which such persons may have access. By this type of raid is meant 'coordinated action' in several areas at the same moment and on successive occasions providing for the search of a given number of alien enemy premises in each area. Under such circumstances the premises to be searched during any such 'mass raid' would be only those in which it is known that an alien enemy *may* be found or in which there is cause to believe that an alien enemy *may* be found. It does not mean the 'willy-nilly' raiding of all premises within a prescribed area. The number of premises to be searched during any given 'mass raid' will depend upon the circumstances and the means at hand. This type of sampling or cross-sectional raiding is regarded as vitally important. While such raids may not be successful from the viewpoint of rounding up great quantities of contraband, they will have the important effect of driving contraband more deeply underground with the result that its illicit use becomes increasingly difficult.

The military authorities request that they be advised by the Department of Justice of its position in this matter. If it is inclined to provide for this type of search, advice is requested as to the steps proposed by this Department.

- "9. The courses of action proposed in Tab. 'A', when accomplished, will not solve a number of pressing problems. It is neither possible nor practicable to undertake or attempt to illustrate all of the problems which may arise in connection with the alien enemy program. As limited in the foregoing sentence, some of the problems and some of the questions remaining unsolved are:

"(a). A fix is established on a radio transmitter. Transmission of unlawful radio signals is established but the location is determined only within a defined area such as a city block. Manifestly an accurate description of the premises, the operator's name and a description of equipment can not be furnished. The operation of such a transmitter is equally unlawful on the part of a citizen, alien or an alien enemy. Unless a 'John Doe' search warrant can be obtained and obtained immediately, the consequences may be grave and the transmitter may be moved without trace. What action can be taken?

"(b). The facts are sufficient to support the issuance of an alien enemy warrant or a contraband search warrant, but the responsible law

enforcement officer on the ground is unable to communicate with the issuing authority due to the lack of means or because of the time element. What action can he take?

- "(c). A known alien enemy is observed, in transit, in the possession of contraband or in the possession of articles believed, for good cause, to be contraband. If a warrant is procured under present as well as proposed machinery, the quarry will be lost. What action can be taken?
- "(d). The unlawful transmission of radio signals has been established through interception. A series of fixes determines the location of the transmitter within a general area, such as Monterey County. Further, there is convincing evidence of shore to enemy submarine communication. What action can be taken to isolate the area and conduct an effective search to locate the mobile unit?
- "(e). An alien enemy is resident with a citizen, perhaps a relative such as a wife. While it cannot be proven that he owns or actually controls contraband it can be proven that he has unlimited access to such. The situation is as potentially dangerous as if it could be proven that he owned or actually controlled the contraband. What action can be taken?
- "(f). Question arises whether access of the character description in (e) above is unlawful under the Proclamations. Assuming that it is unlawful, to what extent may the search, under a contraband search warrant, of a mixed occupancy dwelling or other premises be carried to determine access to contraband?
- "(g). The dual citizen problem is perplexing. Self-serving declarations of an election are of little meaning, particularly where conduct is incompatible with the so-called election. What methods exist or what steps are in contemplation looking toward the control of
1. Dual citizens.
 - 2. Disloyal, subversive citizens (where there has been no overt act detected).
- "(h). In the opinion of the Attorney General, to what extent may the responsible Military Commander in a theatre of operations, contravene normal processes to take necessary action in an emergency in order to provide for the internal as well as the external security of his theatre—to what extent is the Department of Justice able to take similar measures?
- "(i). Military authorities are convinced of the desirability of close cooperation and collaboration between the War Department and the Department of Justice in connection with the instant subject. However, it is considered desirable to request advice as to the extent to which the Department of Justice is prepared to assume and to discharge the responsibility of taking whatever steps are necessary for the prevention of sabotage, espionage, and other fifth column activities from enemy alien courses, and the extent to

Mr. ROWE's understanding that the local United States Attorney's interpretation that more information is necessary to show probable cause is incorrect. The United States Attorney will issue a search warrant upon a statement by a Federal Bureau of Investigation 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 Theatre of Operations within a week or ten days. Tomorrow morning by Federal Bureau of Investigation 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. The Department also feels that the existing list from the previous alien registration, now in Washington, is in better shape than is the impression in San Francisco, and every effort will be made to have such lists available in the Western Theatre of Operations.

"5. The Department is willing to make spot-raids on alien enemies tomorrow or at any time after the registration, anywhere within the Western Theatre 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, covering 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 the Commanding General 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 Theatre 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 Theatre of Operations.

"6. It was agreed by the Commanding General and his staff and Mr. ROWE that certain questions pertaining to raids on localities and the issuance of search warrants, particularly referring to raids on localities in which radio transmitters are probably to be found, will be transmitted to the Department, also for an indication as to how far the Department would proceed, as a matter of law and policy."