

CRITIQUE OF THE SMITHSONIAN  
INSTITUTION'S EXHIBITION

“A MORE PERFECT UNION: JAPANESE AMERICANS  
AND THE U.S. CONSTITUTION”

By  
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May 9, 2001

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## INTRODUCTION

From late 1940 until the attack on Pearl Harbor American leaders had access to sensitive intelligence gained from intercepted and decoded high-level Japanese diplomatic message traffic.

Cover named MAGIC, because it seemed that such information could only be produced by magicians, the messages revealed the existence of widespread Japanese espionage activities along the West Coast of the United States and eventually led to the presidential order to evacuate all individuals of Japanese ancestry.

Because of its sensitivity and potential value to the war effort this information could not be revealed to the public. Only the most senior members of the U.S. government even knew of its existence.

In 1977 an eight volume set entitled, *The MAGIC Background of Pearl Harbor* was published by the Defense Department. In it were revealed for the first time numerous messages dealing with Japanese intelligence efforts prior to the infamous attack.

MAGIC and most other intelligence available to our wartime leaders was ignored by the Commission on Wartime Relocation and Internment of Civilians, a politically appointed group with a bias on the subject. When it released its report in 1983 it attributed the evacuation to "racism, war hysteria and lack of political will" (Tab 1, page 9, letter from former Assistant Secretary of War John J. McCloy to Senator Charles Grassley giving his impression of the Commission's investigation).

That this version of history was later accepted by Congress and signed into law by the President gives added political color to the story. The official adoption of a particular version of history, ignoring the express contentions of those involved in making that history, which used to be the stock in trade of totalitarian governments, has made its way into American scholarship, and the Smithsonian, apparently, is one of its foremost supporters.

For the Commission to have confirmed in any small way the wartime government's contention that there was a real threat would have put at risk the goal of obtaining reparations for suffering as a result of civil rights violations. In the event it recommended payment not only to those many innocents involved but also to those who were individually determined

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Note: Arrows have been added to some reproduced documents in the tabbed sections of this critique in order to make it easier for the reader to identify referenced material.

to be potential threats, those who petitioned to returned to Japan to fight against the United States, those who renounced their U.S. citizenship, many others who had been actively engaged in organizations supporting Imperial Japan's war efforts and those who had no constitutional protection under the law after the declaration of war.

It is significant to note this effort was racial in its concept in that no effort was made to secure redress for individuals of other nationalities, including U.S. citizens, who suffered a similar fate and in many cases occupied the same Department of Justice Internment Camps which held individuals of Japanese ancestry.

The Smithsonian Institution in its exhibition, "A More Perfect Union: Japanese Americans and the U.S. Constitution," accepts the Commission's revisionist account of this important historical event and places emphasis on two themes: How terrible the United States treated those who were evacuated and how magnificent the Japanese Americans were despite their terrible treatment.

As with any such exhibition that has a partisan objective two factors play a role in the presentation: What is omitted and what is included. While omissions can be argued as matters of judgment, the inclusion of inaccurate facts and fabrication, as is the case with this exhibition, should not be condoned.

In particular, the gratuitous embellishment of military achievements draws an even more grotesque differentiation between those who instituted the alleged "racist" evacuation and those who suffered from it. In so doing the Smithsonian dishonors the actual accomplishments of valiant Japanese American soldiers.

Another shocking aspect of the exhibition is that the audio visual portion was "made possible by a generous grant from the Japan Shipbuilding Industry Foundation, Ryoichi Sasakawa, President." Ryoichi Sasakawa was arrested for "Class A War Crimes" after World War II. He was imprisoned until 1948 and was then released without trial, reportedly to be used to counter growing Communist influences in postwar Japan.

Only in America, it seems, would a national museum accept a grant from an enemy war criminal to present an exhibition that trashes its country.

## **ANALYSIS OF THE EXHIBIT**

### ***Entrance***

The entrance to the exhibition includes audio which sets the stage. The evacuation is portrayed solely as a violation of constitutional rights. No effort is made to place the event in the context of war as a military emergency resulting from Imperial Japan's actions in our country (Tab 2, page 11, Smithsonian briefing sheet on exhibit, 1987).

## ***How Bad the United States Was***

The museum ignores the truthfulness of statements by the president, in Executive Order #9066, the secretary of war and others who explicitly, and with reason, feared the likelihood of espionage. No mention is made of MAGIC messages, which were declassified in 1977 and gave details of Japanese operations along the West Coast (Tab 3, page 14, Three MAGIC messages dealing with Japanese intelligence intentions and capabilities, 1941).

No mention is made of the testimony given before congress in 1984 by former Assistant Secretary of War, John J. McCloy, the only high-level member of the Roosevelt administration who was still alive, who stated that it was the MAGIC intelligence that led President Roosevelt to order the evacuation (Tab 4, page 17, McCloy testimony).

Absent any recognition of the security needs of the country, the exhibit then ignores the legal aspects of the case. No mention is made of the legal status of the majority of adult Japanese who were not U.S. citizens. Indeed, as the attached letter from Tom Crouch shows, the issue of Enemy Alien designation, by Presidential Proclamation (Tab 5, page 25, Presidential Proclamation 2525, December 1941), is purposefully ignored because, "That was only the case because Asian immigrants were forbidden citizenship" (Tab 6, page 30, Crouch letter, March 9, 1987).

Indeed, this legal aspect of the event, which is crucial to an understanding of the entire episode, is dismissed because it doesn't fit the theoretical and extra legal concept of the curator and others about how the country should have been run and the appropriateness of its laws, which are still in effect having been reaffirmed by the Supreme Court after WW II (Tab 7, page 31, Quote from *Johnson v Eisentrager*).

As late as 1998 Chief Justice Rehnquist in a book entitled, *All The Laws But One*, concluded that the Constitution and U.S. law explicitly provided for treatment much harsher than that visited on most of the enemy aliens involved. He also concluded that relocation of citizens could have been constitutionally justified if sufficient threat could be shown. And, indeed, the Supreme Court upheld the evacuation in 1944. That intercepted and decoded Japanese messages revealed widespread espionage efforts by individuals and organizations is not mentioned in the exhibit.

Other aspects of the evacuation which benefitted those involved, namely, protection from threats and violence, provision of subsistence for many who lost their jobs and had no other means of support, and the humanitarian effort to keep families together by not separating citizen children from Japanese citizen parents in an effort to meet some idealized concept of justice are either not emphasized or go unmentioned.

The facilities provided by the government and treatment given evacuees are portrayed in the worst possible light. Few, if any, photographs or displays show the brighter side of life in the centers or the tremendous efforts made by the government and evacuees to establish

productive communities. One display shows a chamber pot and complains, by implication, that the government didn't even give the evacuees a pot to pee in.

The 30,000 plus who were relocated to jobs outside the West Coast exclusion area and the 4,000 students, citizens and aliens alike, who attended college during the war are given short shrift. The many who appreciated the centers and the security they provided, the thousands who were reluctant to leave when the opportunity presented itself and the testimonial ceremonies honoring the War Relocation Authority leaders after the war are ignored. Certainly, emphasis is not given to the 5,000 plus who renounced their U.S. citizenship and the many who demanded to be repatriated to Japan so they could fight against the United States. Obligatory and militant Emperor worshiping drills and the pro-Japan coercion visited upon loyal evacuees is omitted.

While there was no reference to concentration camps in last year's version of the exhibition, past versions have made a big point about the centers really being concentration camps. This despite the fact that the Supreme Court explicitly refuted this claim in a 1944 decision (*Korematsu v. United States*).

All in all, relocation is not portrayed as a difficult situation met with fortitude by most evacuees who made the best of their situation and a government that made extraordinary efforts to establish viable communities for those involved. Rather it is portrayed as an unjustified and "racist" act by our wartime government and a violation of the Bill of Rights: "They were presumed guilty by reason of race."

### ***How Good The Japanese Americans Were***

In 1943 the very national leaders who had ordered the evacuation offered Japanese Americans an opportunity to show their loyalty by forming a combat unit, the 442nd Combat Team, a segregated unit with mostly Caucasian officers. (Prior to the commitment in combat of the 442nd a similar unit, the 100th Battalion made up primarily of Hawaiian Japanese Americans fought with distinction in North Africa and Italy. The 100th later joined the 442nd as the 1st Battalion in that regimental formation. In recognition of its prior service its designation as 100th Battalion was retained.)

The 442nd participated in the last nine months of the war. During that time it established an outstanding reputation and its soldiers and units received many decorations and awards. Other Japanese Americans served in the Military Intelligence Service where their language skills were put to good effect with units throughout the Pacific Theater.

The Smithsonian exhibition dishonors the accomplishments of these brave soldiers by grossly exaggerating their record or claiming fabricated achievement. The following examples are used to illustrate this point.

### *Purple Heart Medal*

The bravery of the 100th Battalion and later the 442nd CT led to the taking of large numbers of casualties for which Purple Heart Medals were awarded. The Smithsonian exhibit claims that 9,486 Purple Hearts were awarded and that the 442nd had a casualty rate of 300 percent (Tab 8, page 32, Exhibit photo).

The official records of the 442nd CT reflect that as of April 30, 1946 a total of 2,490 Purple Hearts and oak leaf clusters, each one representing an additional award, were recorded. The record further states that because of awards given to soldiers at hospitals for which the unit had no records, "It is believed that the correct figure for total number of Purple Heart awards should be approximately 3,600, including approximately 500 Oak Leaf Clusters..." (Tab 9, page 33, Extract from April, 1946 Monthly Historical Report, 442nd CT).

"AMERICANS, The Story of the 442nd Combat Team" Washington Journal Press, December, 1946, page 101, contains the same statement about Purple Heart awards quoted above (Tab 10, page 35, Extract from "Americans"). The Smithsonian exhibit contains an error of 5,886 Purple Heart Medals incorrectly attributed to the 442nd. The actual casualty rate was around 100 percent not the phenomenal 300 percent claimed. The total number of individual decorations, which is claimed to be 18,143 is considerably larger than the 3,909 shown in the official record as of 30 April 1946.

### *Silver Star Medal*

The Smithsonian exhibit claims awards of the Silver Star Medal, the third highest decoration for bravery, totaled 560 (Tab 11, page 38, Exhibit photo). The official record cited above lists the number at 356 and the history lists 354, oak leaf clusters included (Tabs 9 & 10). The Smithsonian fails to mention that about 10 percent of the Silver Stars were awarded to the non-Japanese Americans of the unit.

This is an error of 206 Silver Star Medals incorrectly attributed to the 442nd.

### *Casualties rescuing the "Lost Battalion"*

The Smithsonian exhibit claims that 814 casualties were taken by the 442nd during the valiant rescue of the "Lost Battalion" (Tab 12, page 39, Exhibit photo). This rescue was a magnificent effort on the part of the 442nd but the unit did not take 814 casualties conducting it. During the month of October, 1944 the Combat Team was in action a total of 17 days sustaining 814 total casualties (Tab 13, page 40, Extract of October, 1944 Monthly Historical Report, 442nd RCT). The unit was engaged in the "Lost Battalion" action for six days. While a review of morning reports at the National Personnel Records Center would be needed to establish the exact number of casualties sustained, it was certainly far fewer than the number claimed. A review of KIA's during the month reveals that about half were sustained before the "Lost Battalion" action. It is likely that the number of WIA's were in similar proportion.

This is an error of approximately 400 casualties attributed to the “Lost Battalion” action. Because of this error it has become common for those unfamiliar with casualty terminology to assume from the exhibit that 814 men were killed in the rescue of 200 countrymen, which is incorrect.

#### *Achievements of the Military Intelligence Service*

The Smithsonian exhibit claims, “General MacArthur’s intelligence chief [Major General Charles A. Willoughby] credited the MIS with shortening the war by two years and averting one million U.S. casualties” (Tab 14, page 46, Exhibit photo). This claim is total fabrication. You don’t have to have more military experience than watching the first twenty minutes of “Saving Private Ryan” to know that prisoner interrogation, document translation and other language activities such as those conducted by the MIS, while important, didn’t shorten the war by two years or avert a million casualties. This claim is an outrageous falsification.

In point of historical fact it was MacArthur’s operation’s chief who attributed the shortening of the war and the saving of lives to signals intelligence codebreakers of all services, including those working on MAGIC. Japanese Americans were not involved.

### **SUMMARY**

Evacuation of Japanese residents from the West Coast during WW II was a tragic event. It was not, however, the racist, illegal and brutal event portrayed by the Smithsonian exhibition. There were sound security reasons for the evacuation as claimed by the president and his top officials at the time and later. All Americans, whether they supported the action or not, have felt regret for the evacuation even though it was seen, at the time, as necessary because of Imperial Japan’s activities in our country.

The museum’s one-sided and exaggerated presentation of history, which is as distorted by omission in one aspect as it is inaccurate in detail in another, funded in part by an enemy war criminal, Ryoichi Sasakawa (Tab 15, page 47, Exhibit photo), is an affront to the people of the United States and to Japanese Americans who need no embellishments of their sterling record as Americans.



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JOHN J. McCLOY  
ONE CHASE MANHATTAN PLAZA  
NEW YORK, N. Y. 10005

1983 JUL 26 PM 2:21

July 20, 1983

Dear Senator:

I understand that the subcommittee, of which you are Chairman, is to meet on July 27 in Washington on matters in which I am deeply interested as a citizen of the United States and as The former Assistant Secretary of War during the Franklin D. Roosevelt administration when the Japanese war was taking place.

I was in the War Department on the "Day of Infamy" on December 7, 1941 and I believe I was the highest senior civilian official there at the time of the attack. I have testified before the commission which was appointed by President Carter to look into the circumstances surrounding the steps which were taken by our government following the attack to offset the consequences of the loss of almost our entire Pacific Battle Fleet and its installations on that day.

Only as this commission was about to close its hearings, was I called upon to appear before it in regard to the relocation program which had been ordered by President Roosevelt. By that time, a great head of steam had been built up by news accounts of the hearings largely inspired by the lobbyists. From my personal experience, at the hearings of the commission, I believe its conduct was an horrendous affront to our tradition for fair and objective hearings. It constituted a serious affront to that tradition. Whenever I sought in the slightest degree to justify the action of the United States which was ordered by President Roosevelt, my testimony was met with hisses and boos such as I have never, over an experience extending back to World War I, been heretofore subjected to. Others had similar experiences. I do not have the means or the resources to call witnesses or produce evidence in support of the action taken by the President of the United States and his advisors but I was there at the time and it became clear from the outset of my testimony that the commission was not at all disposed to conduct an objective investigation of the circumstances which induced the President of the United States to issue the order which he did and as to the significance and purpose of which he was fully aware. The commission was, in effect, one erected to build up a case against the propriety of such an order and the manner in which it had been carried out. No current officials of the government, so far as I have heard, were ever called on to produce evidence in support of the action which the President and his advisors took in their good judgment as to what the consequences of the attack demanded.

Nor were any called to produce any information from the records of the government as to the motivation for the order.

Bland statements have been repeated by the commission to the effect that not a single case of proven sabotage or disloyalty had been produced either before or after the attack which would justify the propriety of the relocation. The fact of the matter is that this evidence was not sought. Anything which could be educed to show the reasonableness of the precautions taken by the President produced these demonstrations or were later called "irrelevant" by the chair. Comparisons between the manner in which the ethnic Japanese/Americans were treated in contrast to the manner in which Japanese ethnics were treated in the rest of the world including Canada were also declared irrelevant. The fact that the members of the Pacific Fleet who were on their ships at the time of the attack and whose bodies are still entombed in their vessels at the bottom of the Harbor were never adequately compensated for their suffering and death was also called "irrelevant." The extensive amenities made available to the relocatees in the camps and elsewhere were also deemed "irrelevant."

I may not be in a position now to cite chapter and verse this long after the event but given the same amount of money that this commission had to make its case and with the paid staffs at its disposal, I could readily have produced supporting evidence of the threats which then faced the nation. I could go on and on giving evidence of what I consider to have been the wholly one-sided nature of the commission's hearings. It would have presumably been quite as simple for an objective examiner of the commission to have dug up again the so-called "MAGIC" revelations as it was for Mr. Mohr, a reporter on the NEW YORK TIMES to do so.

It is little wonder that this information caused consternation among the commission as well as in the editorial offices of Mohr's paper and the feeble attempts now being made by the commission itself to discount his research is quite revealing. The truth is really that this commission simply does not know whether there were any acts of sabotage or frustrated acts of sabotage committed on the West Coast.

I have been asked whether I would be prepared to testify before your committee. I, of course, would be. I cannot be there on July 27 or 28 as I have a long standing commitment with my family but I can certainly find a date convenient to your committee and myself shortly thereafter.

Very truly yours,



/tr

Senator Charles E. Grassley  
Subcommittee to the Senate Judiciary Committee  
in charge of Administrative Practice & Procedure  
Senate Office Building  
Washington, D.C. 20310

BRIEFING SHEET

A MORE PERFECT UNION: JAPANESE AMERICANS AND THE U.S.  
CONSTITUTION

OPENING DATE: OCTOBER 1, 1987 and continuing for  
approximately five years

SIZE AND LOCATION: Approximately 5000 square feet. The  
exhibition will be located in the northwest corner of the  
third floor gallery space, NMAH.

CONCEPT:

This exhibition explores the Constitutional process  
through the experience of Americans of Japanese ancestry.  
We intend to tell the story of this one immigrant group in  
such a way as to assist our visitors in understanding the  
complexity and importance of certain key Constitutional  
issues. The essential point of the exhibition is summed  
up in the words of Chief Justice Charles Evans Hughes:

"You may think that the Constitution is your security  
- it is nothing but a piece of paper. You may think  
that the statutes are your security - they are nothing  
but words in a book. You may think that the elaborate  
mechanism of government is your security - it is  
nothing at all, unless you have a sound and  
uncorrupted public opinion to give life to your  
Constitution, to give vitality to your statutes, to  
make efficient your government machinery."

Our Constitution is not simply a piece of paper passed  
down to us from the founding fathers, containing a clear  
and unchanging guide to good government. Rather, it is a  
fluid document capable of change and growth through a  
process of judicial interpretation and legislative action  
which reflects evolving social, cultural and political  
attitudes and conditions.

Our a case in point. During the opening months of WW  
II, almost 120,000 Americans of Japanese ancestry,  
two-thirds of them citizens of the United States, were  
forced to leave their homes and move into detention camps  
constructed by the U.S. government. Most would spend the  
duration of the war living under armed guard, behind  
barbed wire.

For Japanese Americans, the rights and privileges guaranteed by the Bill of Rights had simply vanished. They were presumed guilty of disloyalty by reason of race and locked away for the duration. Their lives were disrupted. Their property was forfeited. The normal recourse to the redress of wrong was all but closed to them.

In spite of this ordeal, many of their young men volunteered to fight and die for their country. They served with great distinction in both the European and Pacific theatres of war, underscoring the grave injustice of wartime internment.

How could this have happened in America--a nation which has always offered the promise of liberty and justice for all? That is the basic question posed in With Liberty and Justice for All?: Japanese Americans and the US Constitution. But there are other questions to be found here as well, not the least important of which is: Could it happen again?

CONTENT:

Visitors to With Liberty and Justice for All?: Japanese Americans and the US Constitution will have an opportunity to:

. . . visit a Japanese American neighborhood in a major West Coast city on the eve of WW II.

. . . walk through a reconstructed section of a WW II internment camp for Japanese Americans.

. . . view the the largest collection of objects relating to the experience of Japanese Americans in WW II ever assembled.

. . . study works of art produced by residents of the camps.

. . . view audio-visual presentations based on extensive oral history interviews with Japanese Americans who were interned during WW II

. . . learn more about the participation of Japanese Americans in combat during WW II.

. . . follow the path of four legal cases arising out of internment as they make their way toward the US Supreme Court.

. . . consider the personal implications of Constitutional issues.

**ORGANIZERS:**

This exhibition has been organized by a group of curators and historians on the museum staff, including Tom Crouch. Dru Colbert is the designer of the exhibition.

**PUBLICATION:**

Exhibition booklet to be titled: With Liberty and Justice for All?: Japanese Americans and the U.S. Constitution (NMAH, 1987), approx. 70 pages, to be issued in conjunction with the opening of the exhibition.

**CURRENT STATUS:**

Script, graphics, artifacts: The script is complete and undergoing revision prior to final editing. All photos and graphics are on hand. Copying of additional graphic materials is underway. All objects are on hand, with the exception of one small shipment remaining to come from the Bishop Museum, Honolulu.

Audio-Visuals: The final audio-visual production contractor is on board. The bulk of the filming is complete. Preliminary editing is underway. All work is on schedule.

Design: Floor plans and models complete. Detail design well underway.

General: All work is on schedule and proceeding as planned.

No. 119

FROM: Tokyo (Matsuoka)  
TO: Washington (Koshi)

January 30, 1941  
# 44.

(In two parts—complete).

(Foreign Office secret).

(1) Establish an intelligence organ in the Embassy which will maintain liaison with private and semi-official intelligence organs (see my message to Washington #591<sup>a</sup> and #732<sup>b</sup> from New York to Tokyo, both of last year's series).

With regard to this, we are holding discussions with the various circles involved at the present time.

(2) The focal point of our investigations shall be the determination of the total strength of the U.S. Our investigations shall be divided into three general classifications: political, economic, and military, and definite course of action shall be mapped out.

(3) Make a survey of all persons or organizations which either openly or secretly oppose participation in the war.

(4) Make investigations of all anti-Semitism, communism, movements of Negroes, and labor movements.

(5) Utilization of U.S. citizens of foreign extraction (other than Japanese), aliens (other than Japanese), communists, Negroes, labor union members, and anti-Semites, in carrying out the investigations described in the preceding paragraph would undoubtedly bear the best results.

These men, moreover, should have access to governmental establishments, (laboratories?), governmental organizations of various characters, factories, and transportation facilities.

(6) Utilization of our "Second Generations" and our resident nationals. (In view of the fact that if there is any slip in this phase, our people in the U.S. will be subjected to considerable persecution, and the utmost caution must be exercised).

(7) In the event of U.S. participation in the war, our intelligence set-up will be moved to Mexico, making that country the nerve center of our intelligence net. Therefore, will you bear this in mind and in anticipation of such an eventuality, set up facilities for a U.S.-Mexico international intelligence route. This net which will cover Brazil, Argentina, Chile, and Peru will also be centered in Mexico.

(8) We shall cooperate with the German and Italian intelligence organs in the U.S. This phase has been discussed with the Germans and Italians in Tokyo, and it has been approved.

Please get the details from Secretary Terasaki upon his assuming his duties there.

Please send copies to those offices which were on the distribution list of No. 43<sup>c</sup>.

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<sup>a</sup>See I, 112.

<sup>b</sup>Has no bearing on this subject. # 732 probably an error.

<sup>c</sup>(See No. 4)—See I, 118.

Trans. 2-7-41

Source: Lowman, David D., *MAGIC: The Untold Story of U.S. Intelligence and the Evacuation of Japanese Residents from the West Coast during WW II*, (Athena Press, 2001).

No. 174

FROM: Los Angeles (Nakauchi)  
TO: Tokyo (Gaimudaijin)

May 9, 1941  
# 067.

(In 2 parts—complete).

Strictly Secret.

Re your message # 180 to Washington.<sup>a</sup>

We are doing everything in our power to establish outside contacts in connection with our efforts to gather intelligence material. In this regard, we have decided to make use of white persons and Negroes, through Japanese persons whom we can't trust completely. (It not only would be very difficult to hire U.S. (military ?) experts for this work at the present time, but the expenses would be exceedingly high.) We shall, furthermore, maintain close connections with the Japanese Association, the Chamber of Commerce, and the newspapers.

With regard to airplane manufacturing plants and other military establishments in other parts, we plan to establish very close relations with various organizations and in strict secrecy have them keep these military establishments under close surveillance. Through such means, we hope to be able to obtain accurate and detailed intelligence reports. We have already established contacts with absolutely reliable Japanese in the San Pedro and San Diego area, who will keep a close watch on all shipments of airplanes and other war materials, and report the amounts and destinations of such shipments. The same steps have been taken with regard to traffic across the U.S.-Mexico border.

We shall maintain connection with our second generations who are at present in the (U.S.) Army, to keep us informed of various developments in the Army. We also have connections with our second generations working in airplane plants for intelligence purposes.

With regard to the Navy, we are cooperating with our Naval Attaché's office, and are submitting reports as accurately and as speedily as possible.

We are having Nakazawa investigate and summarize information gathered through first hand and newspaper reports, with regard to military movements, labor disputes, communistic activities and other similar matters. With regard to anti-Jewish movements, we are having investigations made by both prominent Americans and Japanese who are connected with the movie industry which is centered in this area. We have already established connections with very influential Negroes to keep us informed with regard to the Negro movement.

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<sup>a</sup>See I, 165. It is routed as Foreign Minister's instructions to: Ottawa, Mexico, San Francisco, New York, New Orleans. San Francisco to relay to Honolulu, Los Angeles, Seattle, Portland, Vancouver.

Trans. 5-19-41

No. 175

FROM: Seattle (Sato)  
TO: Tokyo

May 11, 1941  
# 45.

(3 parts—complete).

Re your # 180 to Washington.

1. *Political Contacts.*

We are collecting intelligences revolving around political questions, and also the question of American participation in the war which has to do with the whole country and this local area.

2. *Economic Contacts.*

We are using foreign company employees, as well as employees in our own companies here, for the collection of intelligences having to do with economics along the lines of the construction of ships, the number of airplanes produced and their various types, the production of copper, zinc and aluminum, the yield of tin for cans, and lumber. We are now exerting our best efforts toward the acquisition of such intelligences through competent Americans. From an American, whom we contacted recently, we have received a private report on machinists of German origin who are Communists and members of the labor organizations in the Bremerton Naval Yard and Boeing airplane factory. Second generation Japanese -----.

3. *Military Contacts.*

We are securing intelligences concerning the concentration of warships within the Bremerton Naval Yard, information with regard to mercantile shipping and airplane manufacturer, movements of military forces, as well as that which concerns troop maneuvers.

With this as a basis, men are sent out into the field who will contact Lt. Comdr. OKADA, and such intelligences will be wired to you in accordance with past practice. KANEKO is in charge of this. Recently we have on two occasions made investigations on the spot of various military establishments and concentration points in various areas. For the future we have made arrangements to collect intelligences from second generation Japanese draftees on matters dealing with the troops, as well as troop speech and behavior. -----.

4. *Contacts With Labor Unions.*

The local labor unions A.F. of L. and C.I.O. have considerable influence. The (Socialist ?) Party maintains an office here (its political sphere of influence extends over twelve zones.) The C.I.O., especially, has been very active here. We have had a first generation Japanese, who is a member of the labor movement and a committee chairman, contact the organizer, and we have received a report, though it is but a resume, on the use of American members of the (Socialist ?) Party. ----- OKAMARU is in charge of this.

5. In order to contact Americans of foreign extraction and foreigners, in addition to third parties, for the collection of intelligences with regard to anti-participation organizations and the anti-Jewish movement, we are making use of a second generation Japanese lawyer.

This intelligence -----.

Trans. 6-9-41



# **JAPANESE-AMERICAN AND ALEUTIAN WARTIME RELOCATION**

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**HEARINGS**  
BEFORE THE  
SUBCOMMITTEE ON ADMINISTRATIVE LAW AND  
GOVERNMENTAL RELATIONS  
OF THE  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
NINETY-EIGHTH CONGRESS  
SECOND SESSION  
ON  
**H.R. 3387, H.R. 4110, and H.R. 4322**  
JAPANESE-AMERICAN AND ALEUTIAN WARTIME RELOCATION

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JUNE 20, 21, 27, AND SEPTEMBER 12, 1984

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**Serial No. 90**



Printed for the use of the Committee on the Judiciary

JAPANESE/AMERICAN RELOCATION COMMISSION HEARING

JUNE 21, 1984

REMARKS BY JOHN J. MCCLOY

THE TIME IS NOW LONG OVERDUE WHEN THE COUNTRY SHOULD BE AFFORDED WHAT IT HAS NOT HAD UP-TO-DATE, NAMELY AN HONEST, FAIR AND OBJECTIVE ACCOUNT OF THE CIRCUMSTANCES UNDER WHICH PRESIDENT FRANKLIN ROOSEVELT ORDERED THE STEPS TAKEN BY HIM TO HELP SECURE THE SAFETY AND DEFENSE OF THE COUNTRY FOLLOWING THE MASSIVE AND DISASTROUS SURPRISE ATTACK ON PEARL HARBOR BY THE ARMED FORCES OF JAPAN ON DECEMBER 7, 1941.

WE HAVE NOW HEARD FROM THE "REVISIONISTS" AND THOSE WHO WOULD HAVE US BELIEVE THAT IT WAS RACIAL PREJUDICE WHICH INDUCED THE PRESIDENT'S ACTION TO INSTITUTE THE RELOCATION PROCESS IN REGARD TO CERTAIN SEGMENTS OF OUR JAPANESE DESCENDED RESIDENTS IN THE MILITARILY SENSITIVE AREAS ALONG OUR WEST COAST AND THUS TO COUNTER THE DEEP CONSEQUENCES OF THE PEARL HARBOR DISASTER TO OUR OVERALL DEFENSE SYSTEM.

IT IS IMPORTANT THAT OUR GOVERNMENT SHOULD DEFEND ITSELF AGAINST THIS GROTESQUE CHARGE THAT IT WAS RACE PREJUDICE AND NOT REALISTIC SECURITY PRECAUTIONS WHICH INDUCED PRESIDENT ROOSEVELT'S ORDER. THE PRESIDENT WAS THE MAN WHO MADE THE DECISION AND HE WAS, I BELIEVE, THE ONLY MAN IN THE UNITED STATES WHO COULD MAKE IT. MR. ROOSEVELT WAS NOT ONLY THE PRESIDENT BUT THE COMMANDER-IN-CHIEF OF OUR ARMED FORCES, SO

SPECIFIED BY THE CONSTITUTION. HE WAS IMPELLED BY NO CONSIDERATIONS OTHER THAN THE SAFETY AND SECURITY OF THE COUNTRY. IT IS ALSO INDISPUTABLE THAT THE DIRECT AND PROXIMATE CAUSE OF THE PRESIDENT'S DECISION WAS THE ATTACK ITSELF AND NOTHING ELSE. HIS DECISION WAS SUPPORTED AND ENDORSED, TO BE SURE, BY HIS SECURITY ADVISORS, SUCH AS SECRETARY OF WAR COLONEL HENRY L. STIMSON; SECRETARY OF NAVY COLONEL FRANK KNOX; CHIEF OF STAFF OF THE ARMY GENERAL GEORGE C. MARSHALL; UNDERSECRETARY OF WAR AND FORMER CIRCUIT COURT OF APPEALS JUDGE ROBERT PATTERSON (WHO WAS DESIGNATED BY LAW TO BE IN CHARGE OF OUR MUNITIONS AND WAR MATERIAL PRODUCTION PROGRAMS). THERE WERE MANY OTHERS WHO MIGHT BE MENTIONED WHO HAD RESPONSIBILITY FOR THE SECURITY OF THE COUNTRY AND WHO FELT THE ACTION WAS NECESSARY. IT WAS MEN AND STATESMEN SUCH AS THESE WHO WOULD HAVE TO BE CHARGED, IN THE LAST ANALYSIS, WITH RACE PREJUDICE RATHER THAN A CONCERN FOR THE SECURITY OF THE COUNTRY. IT IS UTTERLY INCONGRUOUS TO SUGGEST THAT THEY WERE.

IT WAS A FACT THAT THE ATTACK WAS SUPPLEMENTED (UNKNOWN TO BUT A FEW AT THAT TIME) BY INFORMATION GIVING THE FOREGOING OFFICIALS (AS WELL AS A FEW OTHERS) CLEAR KNOWLEDGE OF THE EXISTENCE OF SUBVERSIVE JAPANESE AGENCIES DESIGNED TO OPERATE IN THIS COUNTRY TO MEET FURTHER ATTACKS OR SUBVERSIONS SHOULD ANY SIMILAR ATTACK OCCUR. THE EXISTENCE OF SUCH AGENCIES WAS NOT ONLY ADMITTED BY THE JAPANESE GOVERNMENT BUT THE JAPANESE GOVERNMENT ACTUALLY BOASTED OF IT IN THEIR COMMUNICATIONS SENT FROM TOKYO TO SOME OF THEIR MOST IMPORTANT OVERSEAS EMBASSIES, AGENCIES AND COMMANDS. THE INFORMATION,

OBVIOUSLY THEN A CLOSELY GUARDED SECRET, WAS AVAILABLE THROUGH "MAGIC", A SYSTEM BY WHICH WE WERE ABLE TO READ INTERCEPTED JAPANESE CODED MESSAGES BEFORE AND DURING A LARGE PART OF THE WAR. THE FAR REACHING CONSEQUENCES OF THE JAPANESE ATTACK, TOGETHER WITH THE KNOWLEDGE OBTAINED BY "MAGIC", MORE THAN SUPPLIED ALL THE INFORMATION NEEDED TO JUSTIFY FULLY PRESIDENT ROOSEVELT'S ACTION. THE PRESIDENT AND THOSE ADVISORS OF HIS WHO WERE NAMED ABOVE WERE ALL MEN OF EXTENDED EXPERIENCE IN THE MILITARY AND DEFENSE PROBLEMS OF THE COUNTRY AND THEY WERE QUITE ABLE TO RECOGNIZE AND COMPREHEND THE FULL CONSEQUENCES OF THE DISASTROUS PEARL HARBOR ATTACK.

PROOF THAT THE COMMISSION DID NOT CONDUCT AN INVESTIGATION WORTHY OF THE NAME IS DEMONSTRATED BY THE FACT THAT IT NEVER IDENTIFIED THE EXISTENCE OF "MAGIC" AS EVIDENCE OF JAPANESE INTENT TO SUBVERT THE SECURITY OF THE COUNTRY THROUGH DISLOYAL RESIDENTS HERE IN THE EVENT OF AN ATTACK BY JAPAN. THIS, OF COURSE, SHOULD HAVE BEEN PRESENTED AT THE OUTSET OF ANY OBJECTIVE INVESTIGATION AND THOUGH THE EXISTENCE OF "MAGIC" WAS A CLOSELY GUARDED SECRET AT THE TIME OF THE ATTACK, BY THE TIME THE COMMISSION'S INVESTIGATION THE EXISTENCE OF "MAGIC" WAS ALMOST NOTORIOUSLY KNOWN BY ALL KNOWLEDGEABLE MILITARY AND INTELLIGENCE SOURCES IN THIS COUNTRY AND IN JAPAN, AS WELL.

ONE MUST HAVE EXPERIENCED THE MANNER IN WHICH THE INVESTIGATION OF THE COMMISSION WAS PLANNED AND CONDUCTED TO GAIN ANY SENSE OF THE BASIC UNRELIABILITY OF ITS PROCEDURE. ANY ATTEMPT TO JUSTIFY THE PRESIDENT'S ACTION

WAS GREETED WITH BOOS AND HISSES IN A MANNER DIS-GRACEFUL TO ANY FAIR INVESTIGATION OR TO OUR OWN LEGISLATIVE HEARING TRADITIONS. MOREOVER, THE SEQUENCE IN WHICH THE TESTIMONY WAS TAKEN IS A CLEAR INDICATION OF ITS UNFAIRNESS, AS THERE WAS NO TESTIMONY FAVORABLE TO THE UNITED STATES GOVERNMENT TAKEN UNTIL JUST BEFORE THE HEARINGS WERE TO BE CLOSED. THERE WAS, OF COURSE, NO LACK OF RIGHTEOUS INDIGNATION ON THE PART OF THE PRESIDENT, SECRETARY HULL AND THOSE WHO WERE IN SUPPORT OF THE PRESIDENT'S ACTION TAKEN AFTER THE ATTACK. BUT, SUCH INDIGNATION WAS BASED WHOLLY UPON THE ATTACK ITSELF. THERE ARE MANY OTHER FLAWS THAT CAN BE BROUGHT AGAINST THE TESTIMONY WHICH WAS PLANNED AND PRESENTED BY THE COMMISSION.

IT IS, OF COURSE, TRUE THAT MANY OF OUR JAPANESE DESCENDED POPULATION WERE LOYAL. BUT, IT IS ALSO TRUE THAT THERE WERE A GOOD MANY OTHERS OF OUR JAPANESE DESCENDED POPULATION WHOSE LOYALTY WAS UNCERTAIN SHOULD A FURTHER ATTACK OCCUR. IT WAS ONE OF MY OBJECTIVES WHILE I WAS IN THE WAR DEPT. DURING THE JAPANESE WAR TO USE SUCH INFLUENCE AS I HAD TO INDUCE THOSE IN AUTHORITY IN THE ARMY TO PERMIT OUR JAPANESE DESCENDED RESIDENTS TO DISPLAY THEIR LOYALTY TO THE COUNTRY IN THE WAR INTO WHICH WE HAD BEEN SO SUDDENLY PLUNGED BY THE ATTACK. AFTER SOME EFFORT, I WAS SUCCESSFUL IN PERSUADING OUR MILITARY PEOPLE TO ACCEPT THE SERVICES OF JAPANESE DESCENDED MEMBERS OF OUR POPULATION WHO SOUGHT TO GIVE EVIDENCE OF THEIR LOYALTY TO THE COUNTRY BY FIGHTING IN THE UNITED STATES ARMY. THIS WAS MADE POSSIBLE IN THE EUROPEAN SECTOR OF

THE WAR INTO WHICH WE HAD BECOME ENGAGED AS A RESULT OF THE ATTACK. ACCORDINGLY, THE 442ND COMBAT TEAM WAS FORMED AND SO USED. IT SUFFERED BITTER CASUALTIES AT THE SAME TIME THAT IT BECAME ONE OF THE MOST HEAVILY DECORATED UNITS OF ITS SIZE IN THE ENTIRE ARMY.

I WOULD BE HAPPY TO SEE A MONUMENT ERECTED TO THE MEMORY OF THOSE WHO SERVED IN THAT UNIT AND SO PATRIOTICALLY GAVE EVIDENCE OF THEIR LOYALTY TO THE COUNTRY. AND, I WOULD HAVE THE MONUMENT NOT ONLY HONOR THE MEMORY OF THE 442ND COMBAT TEAM BUT THAT OF ALL THOSE JAPANESE/AMERICANS WHOSE LOYALTY REMAINED WITH THE UNITED STATES DURING THE TRYING PERIOD WHEN WE WERE AT WAR WITH JAPAN.

OUR RELATIONS WITH THE JAPANESE GOVERNMENT HAVE PROBABLY NEVER BEEN BETTER THAN THEY ARE TODAY. IT IS ONE OF THE MAJOR ACHIEVEMENTS OF BOTH COUNTRIES THAT THEY HAVE BEEN ABLE TO CREATE SUCH GOOD RELATIONS IN SPITE OF THE ILL-ADVISED SNEAK ATTACK. WE HAVE BEEN ABLE TO ENTER INTO A PARTNERSHIP WITH JAPAN TO MAINTAIN THE PEACE AND ADVANCE OUR GOOD RELATIONS. OUR COMBINED EFFORTS SHOULD NOW CENTER ON STEPS TO DETER ANY THOUGHT OF FUTURE SURPRISE ATTACKS OR HAVING EVER TO THINK IN TERMS OF RELOCATION PROGRAMS. IT WOULD CONSTITUTE A HEAVY SET BACK TO OUR GOOD RELATIONS AND INTENTIONS IF IT WERE TO BE DECLARED THAT OUR GOVERNMENT OR THE HIGH CLASS STATESMEN WHO THEN DIRECTED OUR DEFENSE PROGRAMS HAD BEEN MOTIVATED BY RACE PREJUDICE RATHER THAN BY CONSIDERATION FOR OUR NATION'S SAFETY.

THESE WERE STATESMEN OF GREAT STATURE, SOME OF THE FINEST MEN WHO HAVE EVER SERVED THE COUNTRY. THEY

KNEW AND COULD JUDGE THE CONSEQUENCES OF THE LOSS OF OUR PACIFIC FLEET, THE PREPONDERANT POSITION OF THE JAPANESE SURFACE NAVY AND THE VITAL NECESSITY OF MAINTAINING THE CONTINUOUS SUPPLY OF OUR ARMED FORCES.

IT IS A FACT, I BELIEVE, THAT THE RECORDS SHOW I WAS IN FAVOR OF STOPPING THE RELOCATION PROGRAM AFTER THE MIRACLE VICTORY OF MIDWAY OCCURRED. NEITHER THE PRESIDENT NOR ANY OTHER MILITARY ADVISOR HAD THE BENEFIT OF HINDSIGHT IN RELATION TO THIS VICTORY OF MIDWAY WHEN THE ORIGINAL ORDER WAS ISSUED. IT WAS REALLY A VERY NARROW SQUEAK. I CAME TO THE CONCLUSION THAT IF WE COULD DEFEAT THE JAPANESE AT MIDWAY AFTER FACING AN ADVERSE 5-TO-1 RATIO IN OUR SURFACE FLEET THAT THERE WAS LITTLE NEED TO WORRY ABOUT THE ULTIMATE OUTCOME OF THE WAR. IN THE MEANTIME, WE HAD GAINED NEARLY A YEAR'S UNIMPAIRED PRODUCTION.

I HAD NOT, HOWEVER, INITIATED THE PROGRAM ANY MORE THAN I COULD CANCEL IT. OTHERS, HOWEVER, IN THE CHAIN OF COMMAND, FELT EVEN AFTER MIDWAY THAT OUR ULTIMATE SUCCESS WAS NOT ASSURED AND TO ABANDON THE PROGRAM WOULD BE PREMATURE. THIS ATTITUDE ALSO HAD NOTHING WHATEVER TO DO WITH RACE PREJUDICE. WHATEVER ATTITUDE I MAY HAVE TAKEN AND WHATEVER OPINION I MAY HAVE HELD AFTER OUR MIDWAY VICTORY, IT IS INCONGRUOUS TO SUGGEST THAT MY SENIORS, IN RESPECT OF RESPONSIBILITY FOR THE SECURITY OF THE COUNTRY, WERE MOTIVATED BY RACE PREJUDICE OR THAT THE COUNTRY HAS ANYTHING WHATEVER TO APOLOGIZE FOR IN THE ACTION WHICH WAS TAKEN BY PRESIDENT ROOSEVELT AFTER THE JAPANESE DESTRUCTION OF OUR PACIFIC FLEET BY THE SURPRISE ATTACK ON PEARL HARBOR.

THERE IS ANOTHER MAJOR CONSIDERATION WHICH HAS TO BE KEPT IN MIND. IT IS NEVER POSSIBLE ADEQUATELY TO EQUATE THE SACRIFICES OR, INDEED, THE SUFFERINGS WHICH WAR COMPELS. THIS IS TRUE IN MANY CASES OF EVERY WAR. BUT IT IS, OF COURSE, MORE STRIKINGLY SO 40 YRS. AFTER THE WAR TOOK PLACE.

I DO NOT SUGGEST THAT OUR JAPANESE DESCENDED POPULATION WAS NOT SERIOUSLY INCONVENIENCED BY THE PROGRAM OR, INDEED, THAT ITS WELFARE WAS NOT AFFECTED. BUT, THERE WERE MANY AMERICAN CITIZENS WHO WERE NEVER ADEQUATELY COMPENSATED FOR THE SUFFERINGS OR TRAGEDIES THEY WERE COMPELLED TO FACE DUE TO THE WAR.

GENERALLY SPEAKING, THOSE WHOM THE GOVERNMENT SOUGHT TO RELOCATE FOR MILITARY REASONS WERE IN SOME RESPECTS ADVANTAGED BY THE MOVE, WHILE OTHER ELEMENTS OF THE POPULATION, ONLY RELATIVELY FEW, WERE EVER CALLED ON FOR MILITARY SERVICE. PROVISIONS FOR DAMAGE CLAIMS WERE MADE WHEN WITNESSES AND RECORDS WERE FRESH AND AVAILABLE. GOVERNMENT OFFICIALS FROM THE FEDERAL RESERVE WERE DESIGNATED TO HELP PROTECT THEIR FINANCIAL INTERESTS. MAINTENANCE WAS TAKEN CARE OF BY THE GOVERNMENT, THEIR HEALTH WAS GUARDED AND PROVISION WAS MADE FOR THE EDUCATION OF THEIR CHILDREN.

FROM THE OUTSET, I SOUGHT TO RELIEVE THE ARMY OF THE DUTY OF PARTICIPATING IN THE RELOCATION PROGRAM. THE ARMY HAD MANY RESPONSIBILITIES ON ITS HANDS DUE TO THE TWO-FRONT WAR IT CONFRONTED AS A RESULT OF THE JAPANESE ATTACK. BUT, THE DECISION WAS MADE BECAUSE THE PRESIDENT, WHO MADE IT, BELIEVED THAT THE ARMY WAS THE BEST AGENCY TO CONDUCT THE INITIAL PROGRAM PARTICULARLY CONSIDERING THE TIME ELEMENT WHICH THE ATTACK HAD INTRODUCED.



PRESIDENTIAL PROCLAMATION

ALIENS

No. 2525

Alien Enemies--Japanese

AUTHORITY

WHEREAS it is provided by Section 21 of Title 50 of the United States Code [11 F. C. A., tit. 50, &sect; 21] as follows: "Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

AND WHEREAS by sections 22, 23, and 24 of title 50 of the United States Code [11 F. C. A., tit. 50, &sect; &sect; 22 to 24] further provision is made relative to alien enemies:

PROCLAMATION

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as PRESIDENT of the United States and as Commander in Chief of the Army and Navy of the United States, do hereby make public proclamation to all whom it may concern that an invasion has been perpetrated upon the territory of the United States by Empire of Japan.

CONDUCT TO BE OBSERVED BY ALIEN ENEMIES

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the United States Code, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens or subjects of Empire of Japan being of the age of fourteen years and upwards who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized, who for the purpose of this Proclamation and under such sections of the United States Code are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace toward the United States and to refrain from crime against public safety, and from violating the laws of the United States and of the States and Territories

thereof; and to refrain from actual hostility or giving information, aid or comfort to the enemies of the United States or interfering by word or deed with the defense of the United States or political processes and public opinions thereof; and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President.

All alien enemies shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by sections 23 and 24 of title 50 of the United States Code, and as prescribed in the regulations duly promulgated by the President.

## DUTIES AND AUTHORITY OF THE ATTORNEY GENERAL AND THE SECRETARY OF WAR

And, pursuant to the authority vested in me, I hereby charge the Attorney General with the duty of executing all the regulations hereinafter prescribed regarding the conduct of alien enemies within the continental limits of the United States, Puerto Rico, the Virgin Islands and Alaska, and the Secretary of War with the duty of executing the regulations which are hereinafter prescribed and which may be hereafter adopted regarding the conduct of alien enemies in the Canal Zone, the Hawaiian Islands and the Philippine Islands. Each of them is specifically directed to cause the apprehension of such alien enemies as in the judgment of each are subject to apprehension or deportation under such regulations. In carrying out such regulations within the continental United States, Puerto Rico, the Virgin Islands and Alaska, the Attorney General is authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies, municipalities thereof and of the District of Columbia as he may select for the purpose. Similarly the Secretary of War in carrying out such regulations in the Canal Zone, the Hawaiian Islands and the Philippine Islands is authorized to use such agents, agencies, officers and departments of the United States and of the territories, dependencies and municipalities thereof as he may select for the purpose. All such agents, agencies, officers and departments are hereby granted full authority for all acts done by the them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of War, as the case may be.

## REGULATIONS

And, pursuant to the authority vested in me, I hereby declare and establish the following regulations which I find necessary in the premises and for the public safety:

- (1) No alien enemy shall enter or be found within the Canal Zone and no alien enemy shall enter or leave the Hawaiian Islands or the Philippine Islands except under such regulations as the Secretary of War shall from time to time prescribe. Any alien enemy found in the Canal Zone, the Hawaiian Islands, or the Philippine Islands in violation of any such regulations and any alien enemy who enters or is found within any restricted area to be hereafter prescribed by the Military Commanders of each territory in the Canal Zone, the Hawaiian Islands, and the Philippine Islands, may be immediately apprehended by authority of the Military Governors in each such territory, or if there be no Military Governor, then by authority of the Secretary of War, and detained until it is determined, under the regulations to be prescribed by the Secretary of War, whether any such alien enemy should be permanently interned following which such alien enemy shall be released, released on bond, or permanently interned, as the case may be.

(2) The exercise of the power to prescribe restricted areas and the power of arrest, detention and internment of alien enemies in the Canal Zone, the Hawaiian Islands or the Philippine Islands shall be under the jurisdiction of the Military Commanders of each such territory, each acting under such regulations as the Secretary of War shall hereafter prescribe.

(3) No alien enemy shall enter or leave Alaska, Puerto Rico or the Virgin Islands except under such regulations as the Attorney General shall from time to time prescribe. Any alien enemy found in Alaska, Puerto Rico or the Virgin Islands in violation of any such regulations and any alien enemy who enters or is found within any restricted area to be hereafter prescribed by the Military Commanders of each such territory in Alaska, and Puerto Rico and by the Navy Commander in the Virgin Islands, shall be immediately apprehended by authority of the Attorney General acting through the United States Attorney in each such territory and detained until it is determined, under the regulations to be prescribed by the Attorney General, whether any such alien enemy shall either be released, released on bond, or permanently interned, as the case may be.

(4) The Military Commanders in Alaska and Puerto Rico and the Naval Commander in the Virgin Islands shall have the power to prescribe restricted areas.

(5) No alien enemy shall have in his possession, custody or control at any time or place or use or operate any of the following enumerated articles:

- a. Firearms.
- b. Weapons or implements of war or component parts thereof.
- c. Ammunition.
- d. Bombs.
- e. Explosives or material used in the manufacture of explosives.
- f. Short-wave radio receiving sets.
- g. Transmitting sets.
- h. Signal devices.
- i. Codes or ciphers.
- j. Cameras.
- k. Papers, documents or books in which there may be invisible writing; photograph, sketch, picture, drawing, map or graphical representation of any military or naval installations or equipment or of any arms, ammunition, implements of war, device or thing used or intended to be used in the combat equipment of the land or naval forces of the United States or any military or naval post, camp or station.

All such property found in the possession of any alien enemy in violation of the foregoing regulations shall be subject to seizure and forfeiture.

(6) No alien enemy shall undertake any air flight or ascend into the air in any airplane, aircraft or balloon of any sort whether owned governmentally, commercially or privately, except that travel by an alien enemy in an airplane or aircraft may be authorized by the Attorney General, or his representative, or the Secretary of War, or his representative, in their respective jurisdictions, under such regulations as they shall prescribe.

(7) Alien enemies deemed dangerous to the public peace or safety of the United States by the Attorney General or the Secretary of War, as the case may be, are subject to summary apprehension. Such apprehension shall be made in the continental United States, Alaska, Puerto Rico and the Virgin Islands by such duly authorized officer of the Department of Justice as the Attorney General may determine. In the Canal Zone, the Hawaiian Islands and the Philippine Islands, such arrests shall be made by the Military Commanders in each such territory by authority of the respective Military Governors thereof, and if there be no Military Governor, then by authority of the Secretary of War. Alien enemies arrested shall be subject to confinement in such place of detention as may be directed by the officers responsible for the execution of these regulations and for the arrest, detention and internment of alien enemies in each case, or in such other places of detention as may be directed from time to time by the Attorney General, with respect to the continental United States, Alaska, Puerto Rico and the Virgin Islands, and by the Secretary of War with respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands, and there confined until he shall have received such permit as the Attorney General or the Secretary of War with respect to the Canal Zone, the Hawaiian Islands and Philippine Islands shall prescribe.

(8) No alien enemy shall land in, enter or leave or attempt to land in, enter or leave the United States, except under the regulation prescribed by the President in his Proclamation dated November 14, 1941, and the regulations promulgated thereunder or any proclamation or regulation promulgated hereafter.

(9) Whenever the Attorney General of the United States, with respect to the continental United States, Alaska, Puerto Rico and the Virgin Islands, or the Secretary of War, with respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands, deems it to be necessary, for the public safety and protection, to exclude alien enemies from a designated area, surrounding any fort, camp, arsenal, airport, landing field, aircraft stations, electric or other power plant, hydroelectric dam, government naval vessel, navy yard, pier, dock, dry dock, or any factory, foundry, plant, workshop, storage yard, or warehouse for the manufacture of munitions or implements of war or any thing of any kind, nature or description for the use of the Army, the Navy or any country allied or associated with the United States, or in any wise connected with the national defense of the United States, or from any locality in which residence by any alien enemy shall be found to constitute a danger to the public peace and safety of the United States or from a designated area surrounding any canal or any wharf, pier, dock or dry dock used by ships or vessels of any designated tonnage engaged in foreign or domestic trade, or of any warehouse, shed, elevator, railroad terminal, depot or yard or other terminal, storage or transfer facility, then no alien enemy shall be found within such area or the immediate vicinity thereof. Any alien enemy found within any such area or the immediate vicinity thereof prescribed by the Attorney General or the Secretary of War, as the case may be, pursuant to the regulations, shall be subject to summary apprehension and to be dealt with as hereinabove prescribed.

(10) With respect to the continental United States, Alaska, Puerto Rico, and the Virgin

Islands, an alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Attorney General of the United States may, from time to time, make and declare; and the Attorney General is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies within the continental United States, Alaska, Puerto Rico and the Virgin Islands, as he may deem necessary in the premises and for the public safety.

(11) With respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands, an alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Secretary of War may, from time to time, make and declare; and the Secretary of War is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies within the Canal Zone, the Hawaiian Islands, and the Philippine Islands as he may deem necessary in the premises and for the public safety.

(12) No alien enemy shall enter or be found in or upon any highway, waterway, airway, railway, railroad, subway, public utility, building, place or thing not open and accessible to the public generally, and not generally used by the public.

(13) No alien enemy shall be a member or an officer of, or affiliated with, any organization, group or assembly hereafter designated by the Attorney General, nor shall any alien enemy advocate, defend or subscribe to the acts, principles or policies thereof, attend any meetings, conventions or gatherings thereof or possess or distribute any literature, propaganda or other writings or productions thereof.

This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this seventh day of December, in the year of our Lord nineteen hundred and forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT

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# NATIONAL MUSEUM OF AMERICAN HISTORY

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SCIENCE, TECHNOLOGY, AND CULTURE

March 9, 1987

Note: Name of recipient has been deleted.

Dear :

Roger Kennedy, the Director of the National Museum of American History, has asked me to respond to your letter of February 23. I am enclosing an information sheet describing the exhibition in some detail.

At the same time, I would like to comment on some specifics mentioned in your letter. You note, for example, that 40% of the individuals interned were enemy aliens. That was only the case because Asian immigrants were forbidden citizenship.

While you are correct in stating that the WRA camps did have Boy Scout troops, arts and craft classes and co-op stores, it is also true that the general level of housing, food and services was far below the standard provided in military training camps.

Most internees lost homes, businesses, and personal possessions. More important, they lost their freedom. They were incarcerated--there is really no other word for a situation in which people are forced to move behind barbed wire and gun towers. To argue that the situation arose in an attempt to "protect" internees is to misread the facts of the case.

While our exhibition deals with what remains one of the most traumatic episodes in the history of the U.S. Constitution, we do not approach the question in a negative way. Rather, it is our intention to portray the Constitution as a document that is broad enough to accommodate change and growth in our social attitudes. Our visitors will leave the gallery with a positive feeling.

We do appreciate your thought and concerns.

Sincerely,



Tom D. Crouch  
Curator/Supervisor  
Div. of Engineering & Industry

ISOIS, NMAH

enclosure

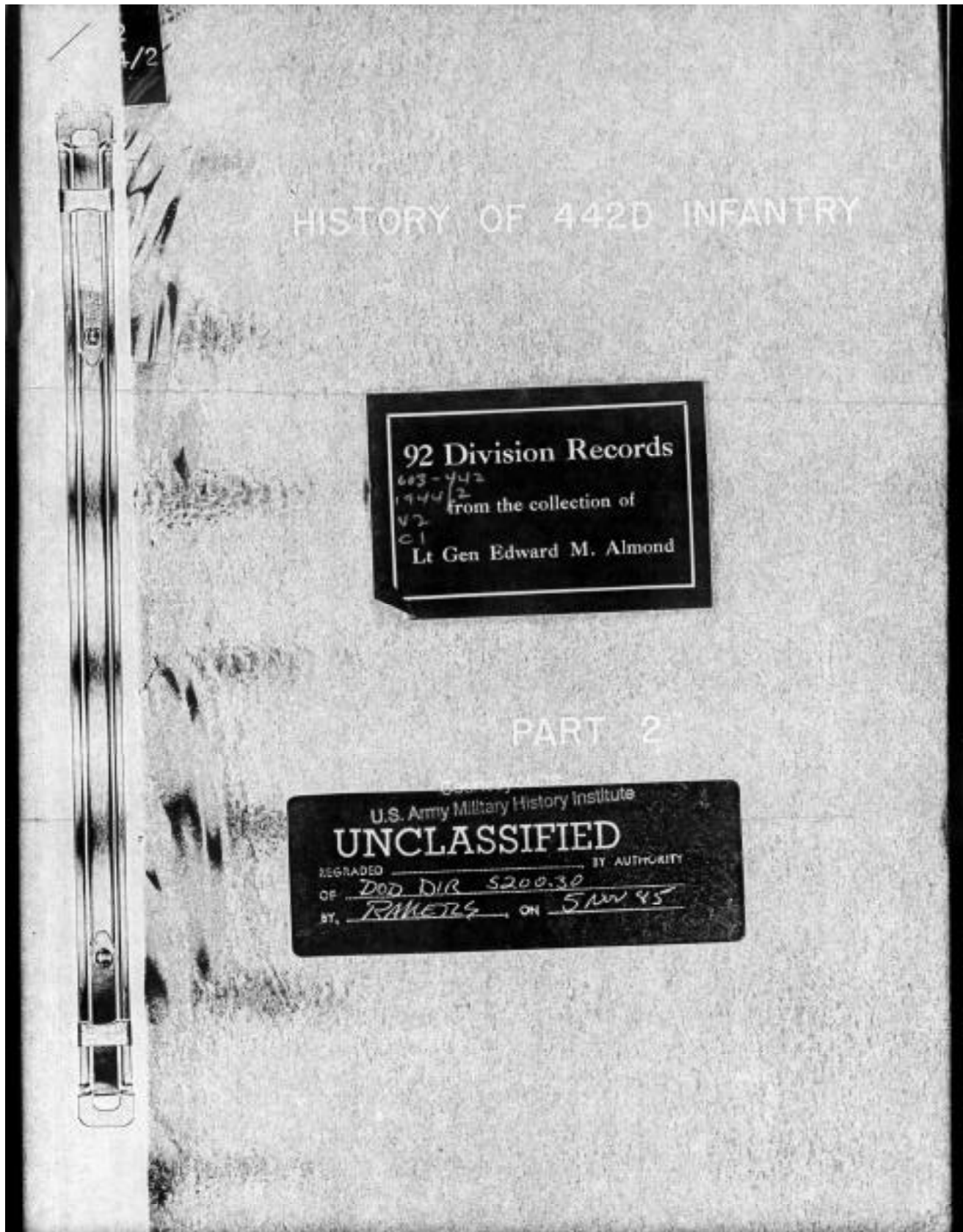
Smithsonian Institution · Washington, D.C. 20560

The Supreme Court in *Johnson v. Eisentrager* said, “Executive power over enemy aliens, undelayed and unhampered by litigation, has been deemed, throughout our history, essential to war-time security.... The resident enemy alien is constitutionally subject to summary arrest, internment and deportation whenever a ‘declared war’ exists.”

Source: Lowman, David D., *MAGIC: The Untold Story of U.S. Intelligence and the Evacuation of Japanese Residents from the West Coast during WW II*, (Athena Press, Inc., 2001) p. 12.







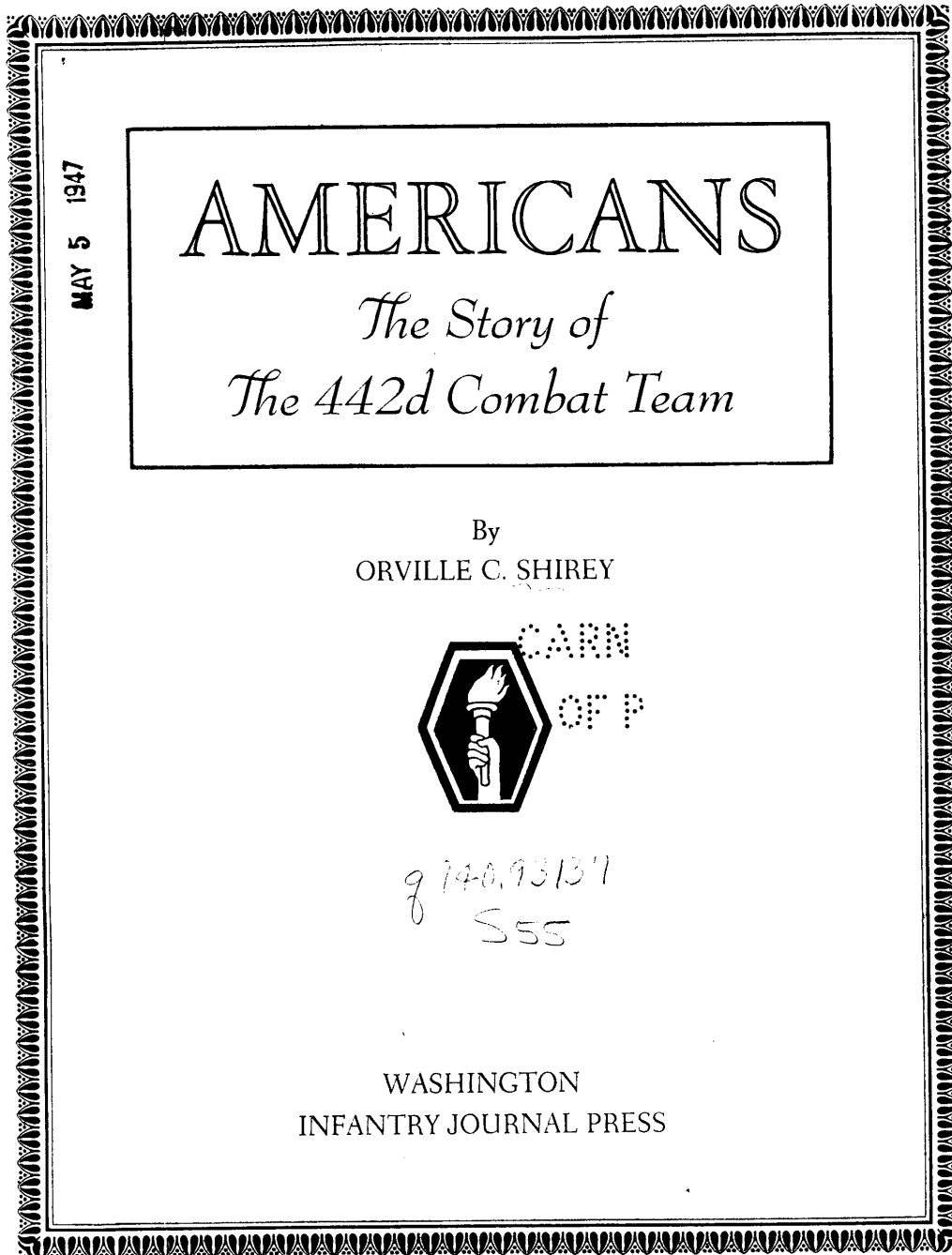
Compilation of the awards presented to members of the regiment as of 30 April 1946 shows the following breakdown:

Distinguished Unit Citation . . . . .	5
Meritorious Service Unit Plaque . . . . .	2
Unit Commendation . . . . .	1
Medal of Honor . . . . .	1
Distinguished Service Cross . . . . .	48
Distinguished Service Medal . . . . .	1
Oak Leaf Cluster to Silver Star Medal . . . . .	13
Silver Star Medal . . . . .	343
Legion of Merit . . . . .	17
Oak Leaf Cluster to Croix de Guerre . . . . .	1
Croix de Guerre . . . . .	12
Soldier's Medal . . . . .	13
Oak Leaf Cluster to Bronze Star Medal . . . . .	35
Bronze Star Medal . . . . .	807
Oak Leaf Cluster to Purple Heart Medal . . . . .	468*
Purple Heart Medal . . . . .	2022*
Army Commendation . . . . .	36
Division Commendation . . . . .	84
	<hr/> 3909

\*(Note: Does not include Purple Heart Medals awarded to members of this unit wounded in action, who were hospitalized and subsequently transferred to the Zone of the Interior. In some instances, copies of General Orders issued by the hospitals were forwarded to this headquarters, however, in a majority of the cases no orders were received. It is believed that the correct figure for total number of Purple Heart awards should be approximately 3600, including approximately 500 Oak Leaf Clusters to the Purple Heart Medal. The figures 468 and 2022 indicate the actual number of awards for which orders are available at this headquarters.)

The month of April closed with the 442d Infantry Regiment situated in the following locations:

Regtl Hq and Hq Co . . . . .	Leghorn
Hq and Hq Co, 100th Bn . . . . .	Leghorn
Co A . . . . .	Leghorn
Co B . . . . .	Tirrenia
Co C . . . . .	Leghorn
Co D . . . . .	Leghorn
Hq and Hq Co, 3rd Bn . . . . .	Pisa Staging Area
Co I . . . . .	Tombolo
Co K . . . . .	Tombolo
Co L . . . . .	Pisa Staging Area
Co M . . . . .	Aversa
Anti Tank Co . . . . .	Pisa Staging Area
Cannon Co . . . . .	Navacchio
Service Co . . . . .	Tombolo
Medical Det . . . . .	Leghorn



Central - Adult  
Cop. 1

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## AWARD LIST OF 442d REGIMENTAL COMBAT TEAM, MAY 1, 1946

### Individual Awards

	NUMBER
MEDAL OF HONOR.....	1
DISTINGUISHED SERVICE CROSS.....	47 <i>52</i>
DISTINGUISHED SERVICE MEDAL.....	1
→ OAK LEAF CLUSTER TO SILVER STAR.....	12
→ SILVER STAR.....	342
LEGION OF MERIT.....	17
SOLDIER'S MEDAL.....	15
OAK LEAF CLUSTER TO BRONZE STAR MEDAL.....	38
BRONZE STAR MEDAL.....	810
AIR MEDAL.....	1
→ OAK LEAF CLUSTER TO PURPLE HEART MEDAL.....	468*
→ PURPLE HEART MEDAL.....	2022*
ARMY COMMENDATION.....	36
DIVISION COMMENDATION.....	87
CROIX DE GUERRE (FRENCH).....	12
PALM TO CROIX DE GUERRE (FRENCH).....	2
CROCE AL MERITO DI GUERRA (ITALIAN).....	2
MEDAGLIA DI BRONZO AL VALOR MILITARE (ITALIAN).....	2
TOTAL NUMBER OF INDIVIDUAL AWARDS.....	<hr/> 3915

### Unit Awards

	NUMBER
DISTINGUISHED UNIT CITATION.....	7
MERITORIOUS SERVICE UNIT PLAQUE.....	2
ARMY COMMENDATION.....	1
TOTAL NUMBER OF UNIT AWARDS.....	<hr/> 10

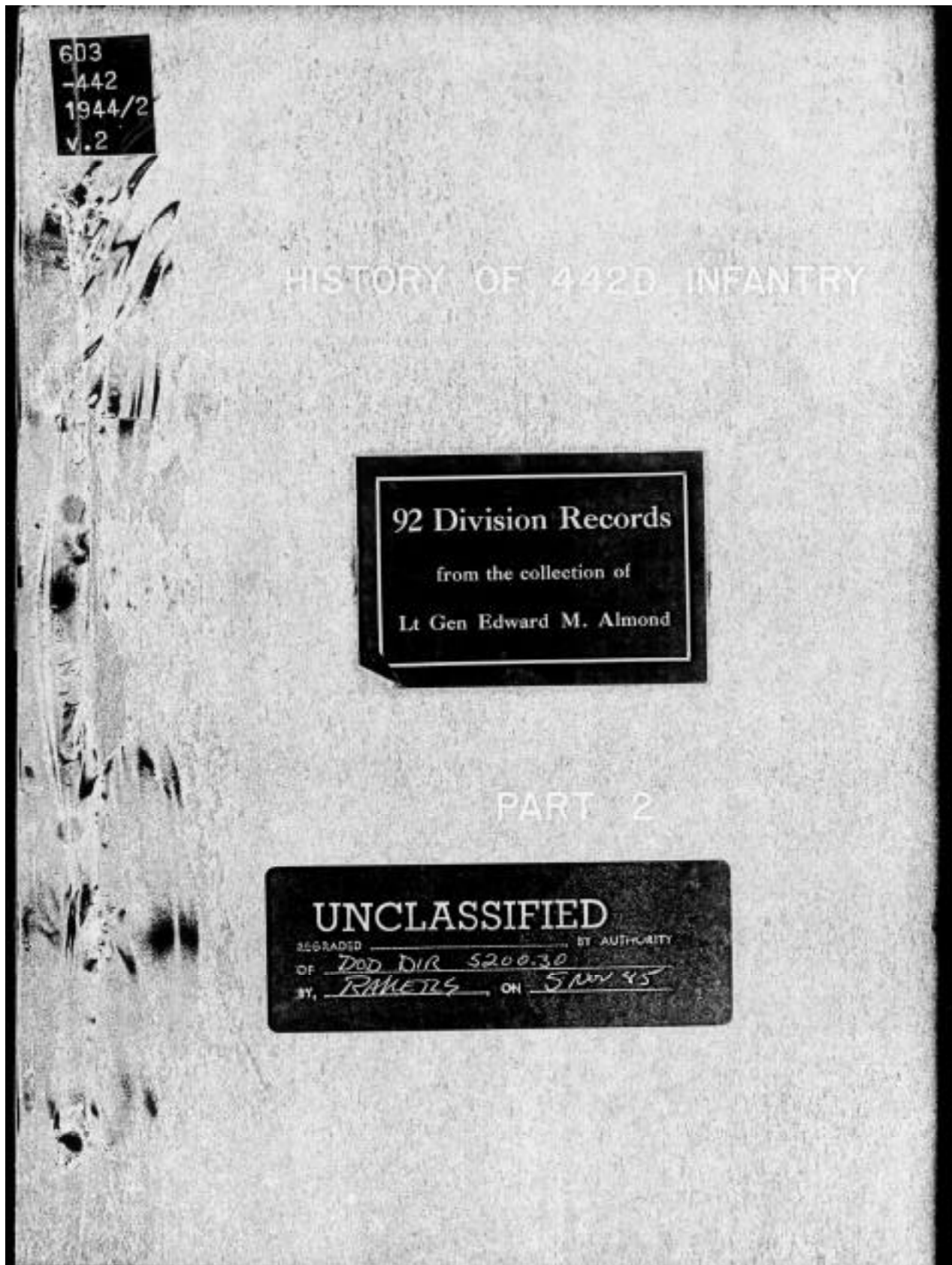
→ \*Note: Does not include Purple Heart Medals awarded to members of this unit wounded in action, who were hospitalized and subsequently transferred to the Zone of the Interior. In some instances, copies of General Orders issued by the hospitals were forwarded to this headquarters; however, in a majority of the cases no orders were received. It is believed that the correct figure for the total number of Purple Heart awards should be approximately 3600, including approximately 500 Oak Leaf Clusters to the Purple Heart Medal. The figures 468 and 2022 indicate the actual number of awards for which orders are available at Headquarters, 442d CT.



*"The 442nd Regimental Combat Team's most well-known exploit was the relief of the 'lost' 1st Battalion, 141st Infantry Regiment, of the 36th Division, which had been cut off by the enemy in the Vosges Mountains. In three days of savage fighting...the Nisei broke through the enemy cordon. In gratitude, the men of the 36th Division launched a drive and had all members of the 442nd declared 'honorary Texans' ...this Nisei unit sustained 814 battle casualties (e.g., Company K was down to 17 riflemen [from about 140]; Company I, 8; there were no officers in either company the day after contact with the 'lost battalion' was made; sergeants were running the companies)."*

*U.S. Congressional Record*







N-4

**S E C R E T**  
**HEADQUARTERS 442D INFANTRY**  
**APO #758, U. S. ARMY**

15 November 1944.

**SUBJECT: Monthly Historical Report.**

**TO: Commanding General, Seventh Army (Rear Echelon), APO #758,  
U. S. Army. (Attention: Historical Section, Office of the  
Secretary of the General Staff)**

1. In compliance with letter AG 314.7 Misc, your headquarters, 7 August 1944, and AR 345-105, transmitted herewith historical report of this organization for the month of 1 - 31 October 1944.

2. There are also inclosed information copies of history of Antitank Co., 442d Infantry, for the period of its attachment to First Airborne Task Force (16 July - 23 Oct 44).

For the Commanding Officer:

*Harry B. Farr*  
HARRY B. FARR,  
Capt, 442d Inf,  
Adjutant.

**5 Incls:**

Incl 1 - History as per par 13,  
AR 345-105, with Exhibits A and B.

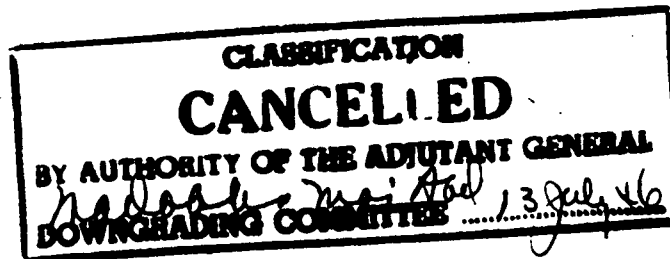
Incl 2 - Narrative of Events. INRG-442-0.3

Incl 3 - Unit Journal. INRG-442-0.7

Incl 4 - Unit Journal File (Field orders,  
maps, overlays, etc).

Incl 5 - History of Antitank Co, from  
16 July 44 to 27 Oct 44. ALL INRG-442-3-45-0.3 (200)

INRG-442-0.2



**S E C R E T**

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S E C R E T

HISTORY OF 442D INFANTRY PER PAR 13, AR 345-105  
FOR MONTH OF 1 - 31 OCTOBER 44

1. Original Unit.

No change.

2. Changes in Organization.

Effective upon arrival at VI Corps area (11 Oct 44), the 442d RCT was attached to VI Corps for operations; administration remaining with Seventh Army, as per secret letter AG 370.5-C, Hq Seventh Army, 4 October 1944. The 442d Combat Team was further attached to the 36th Infantry Division for operations.

Antitank Co, 442d Infantry relieved from attachment to First Airborne Task Force effective 23 October 44 and reverted to control of parent unit, per secret letter Headquarters First Airborne Task Force, 24 October 1944.

3. Strength.

	<u>O's</u>	<u>WO's</u>	<u>EM</u>
a. At beginning of period 1 Oct 44*	186	7	3313
b. At end of period 31 Oct 44	<u>117</u>	<u>6</u>	<u>2245</u>
c. Net decrease month 1-31 Oct 44	69	1	1068

\*Strength figure reported 30 Sept 44 did not include Antitank Co, 442d Infantry.

4. Stations.

1 - 8 Oct 44	442d RCT in bivouac near SEPTEMES, FRANCE.
9 - 11 Oct 44	En route to vicinity EPINAL, FRANCE.
12 - 14 Oct 44	442d RCT in assembly area at CHARMOIS-DEVANT-BRUYERES, near EPINAL.
15 - 31 Oct 44	442d RCT in combat near BRUYERES, BELMONT, BIFFONTAINE, and in the FOREST DOMINIALE DU CHAMP. CP locations established at Le Vold de la Borde, Bruyeres, Belmont, and in the Forest Dominiale du Champ near Faragoutty.

5. Marches.

Rescinded by par 12, C3, AR 345-105.

6. Campaign.

- a. Name of: Eastern France - Seventh Army Offensive.
- b. Duration: 442d Infantry entered line 15 Oct 44 continuing in combat at close of period 31 Oct 44.
- c. Purpose: Destruction of German Army in Eastern France; liberation of Eastern France and Alsace.
- d. Authority: Commanding General, Seventh Army.

S E C R E T

SECRET

7. Battles.

a. Name and Date: BEUTHES, 15 - 18 Oct 44.  
HEIMONT (vic), 19 - 24 Oct (2d and 3d Bns)  
HIPPOTRAINE, 19 - 24 Oct (100th Bn)  
HILL 617, 25 - 31 Oct (2d Bn)  
FOREST DOMINIALE DU CHAMP, 27 - 31 Oct (100th and 3d Bns)

b. Campaign of which battles were a part: Eastern France.

c. Forces engaged: German infantry, engineers, artillery, armored force. Following units identified:

19th SS Police Regt  
223d Grenadier Regt  
1, 2, 7 Cos, 734th Grenadier Regt  
2 Co, Engineer Bn 1314  
Fortress Machine Gun Bn 49  
1 Co, 716th Engineer Bn  
Co Hqs, Battle Group Ahrens  
2, 3 Cos, 198th Fusilier Bn  
2 Co, 192d Panzer Grenadier Regt  
202d Mountain Troop Battalion  
3, 5, 7, 8 Cos, 931d Regt, 338th Division

d. Results: Assaulted and occupied city of BEUTHES.  
Captured towns of HIPPTRAINE and HEIMONT.  
Spearheaded division attack approximately 12 miles,  
destroyed enemy in regimental sector.  
Cleared Forest Dominiale du Champ.  
Relieved "Lost Battalion" (1st Bn, 141st Inf).  
Prisoners captured from 15 - 31 Oct 44 - 591.

8. Commanding Officers.

Colonel G. W. FENCE, O-10283, Inf (Injured in action and evacuated 29 Oct 44).  
Lt Colonel V. R. MILLER, O-19847, Inf (Assumed command 29 Oct 44).

9. Losses in Action.

See Exhibit "A" attached.

10. Present and Former Members Who Have Distinguished Themselves in Action.

See Exhibit "B" attached.

11. Photographs of Personnel, Important Scenes or Events.

None available.

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SUMMARY OF BATTLE CASUALTIES - MONTH OF OCTOBER 1944

KILLED IN ACTION	117
WOUNDED IN ACTION	639
INJURED IN ACTION	18
MISSING IN ACTION	<u>40</u>
TOTAL CASUALTIES	814

EXHIBIT "A"

SECRET

# SECRET

## CASUALTIES

25 June 1944 - 12 May 1945

	WIA		MIA		VIA		DOW	
	Off	EM	Off	EM	Off	EM	Off	EM
HQ & HQ Co	3	8				1		
SV Co	1	6						
AT Co		26			1	3		
CN Co		20			1	2		2
MED DET	1	51	1	8		8		1
HQ 100th Bn	1	9			1	2		
Co A	5	97	1	9		11		2
Co B	2	106				25		2
Co C	5	112	1	10	3	25		2
Co D	2	39				4		1
HQ 2d Bn	1	16			2	8		2
Co E	9	206		7	1	37		9
Co F	11	214		3		43		4
Co G	7	172			2	43	1	5
Co H	8	71	1	2	1	13		1
HQ 3rd Bn	4	31		3	2	3		2
Co I	10	191	1	4	3	35		3
Co K	13	181			1	36		4
Co L	15	177			1	35		7
Co M	4	82			1	8		
<b>TOTAL</b>	<b>102</b>	<b>1814</b>	<b>5</b>	<b>51</b>	<b>20</b>	<b>342</b>	<b>1</b>	<b>46</b>

TOTAL CASUALTIES 2381

WOUNDED NOT HOSPITALIZED 904

3285



## A RECORD OF ACCOMPLISHMENT

Military Intelligence Service language specialists took part in every major Pacific campaign. They saw combat in New Guinea, the Marianas, the Aleutians, the Philippines, and on Iwo Jima and Okinawa. They also performed invaluable intelligence functions for units in China, Burma, and India.

Their major accomplishments included translating captured communications call signs and code names for enemy naval and air units and bases. They also translated Japanese battle plans for the defense of the Philippines. General MacArthur's intelligence chief credited the MIS with shortening the war by two years and averting one million U.S. casualties.

Nisei intelligence specialists assigned to U.S. Army units in the Pacific performed many important functions more dangerous than approaching



Source: Choate, Pat, *Agents of Influence: How Japan's Lobbyists in the United States Manipulate America's Political and Economic System*, (Knopf, 1990).

The audiovisual portion of this exhibition was made possible by a generous grant from the Japan Shipbuilding Industry Foundation, Ryoichi Sasakawa, President.

## About the Authors

Lee Allen and Sam Allen are publishers. Their company, Athena Press, Inc., ([www.athenapressinc.com](http://www.athenapressinc.com)) recently published *MAGIC: The Untold Story of U.S. Intelligence and the Evacuation of Japanese Residents from the West Coast during WW II*, written by David D. Lowman.

Lee Allen is a retired U.S. Army Lieutenant Colonel. His last intelligence assignment was as Intelligence Plans Officer for Terrorism at the Defense Intelligence Agency. Sam Allen's background is in investigative reporting.