

U1.21

67/14
c

Duplicate - Keep ✓

MEETING OF COMMITTEE TO CONSIDER PROBLEMS
AND PROCEDURES INVOLVED IN REOPENING OF
EVACUATED AREA.

Office of the Director, 4/27/44

Present: Myer
Barrows
Glick
Arnold
Baker
Barker
Gifford

*P. 3 - 100 lbs
P. 7 - army coop.*

BARROWS: Suggested the adoption of a policy of blocking out the entire program involved, the agencies it will be necessary to call upon, what their legal authorities are, suggest legislation if necessary to give them needed authority. When program is completely outlined, then talk to the agencies involved. He stated that right now the only appropriation likely to be available is our own. In answer to a question from Arnold he stated that he did not believe the President's fund would be available for the purpose.

MYER: Stated he thought we should set our objective for the liquidation of WRA by 1945, completing our program by that time and designating to other agencies properly concerned the remainder of the job to be done. He said that the first period up to the announcement is a period of strategy. The period of 1945 would be for relocation, liquidation and closing. From there on it would be a matter of taking care of two phases -- dependent people and property.

MYER: We need to decide now what it is we want to announce. It is reasonable to assume that the West Coast, in all aspects, will be opened with the exception of minor areas, such as for instance the Bremerton area, to evacuees given leave clearance and not on stop lists. As soon as that announcement is made, we would need to announce that as soon as plans could be properly worked out the WRA will turn Tule Lake over to Justice, about July 1. The Army or the President should

make the announcement regarding the West Coast as a separate item. The next question is: How soon after that should the Secretary announce that we are proposing to turn Tule Lake over to Justice and look to other agencies to pick up.

GLICK: The West Coast being opened will create more disturbances than are necessary unless the announcement indicates that we have a carefully worked out program. The Secretary should, either by press conference or press release, sketch out the highlights of the program, stating that it will take a whole year to work out the flow back to the area; that a number of agencies will cooperate and that assistance will be available to the States; that all disloyals will be transferred to Tule Lake.

BARROWS: Think we should block out all the commitments the Secretary should make in the announcement.

MYER: Think we should proceed on the theory that we are going to sell our program and then make realignments and compromises as necessary.

IT WAS AGREED: Ickes statement and President or War Department's statement should be made simultaneously.

BAKER: Suggested that perhaps the President should make announcement of return.

BARROWS: Suggested that announcement should probably be made by a number of agencies. (No one agreed.)

MYER: Suggested perhaps the military should make announcement rather than the President. Reason - they carried out the evacuation. Therefore, it follows that either Stimson or Emmons, or they jointly, should make the announcement. Secretary should then follow up with his announcement. His statement must be in readiness to be made immediately following the original announcement. (Everyone agreed.)

MYER: Stated that an important item is timing. In this connection (1) thinks the best possible timing would be not later than the first of June, or last half of May, after the California primaries and at least a month before the Republican convention the latter part of June and the Democratic convention in July. The date should be set in order to work out our complete plans. Recommendation should be made to the Secretary that he should call attention of War Department to the fact that somebody should meet with the West Coast delegation and inform them just before the announcement is made; (2) There should be a follow-up in the Secretary's office to advise him what the general problem is as we see it, and what the plan of operation is and how it should be handled.

BAKER: Inquired about notification in advance to Governors of the Western states.

MYER: Suggested they should get a telegram in advance, but that it should not be sent until the release is handed out. As to time for meeting with West Coast delegation, it was suggested by Arnold that it should be just immediately before the release is issued, perhaps within thirty minutes.

BARROWS: Suggested that all they needed to be told is that the military necessity no longer requires exclusion and therefore a proclamation is being issued today; that the consequences in relation to the relocation program have been anticipated and a plan has been worked out for handling the job. He reasoned that naturally the army is not concerned with the effect upon the evacuees.

MYER: Suggested that some thinking should be given to what should be in the statement before attempting to write it up. The first considerations now are the statement, and the handling of a meeting with the West Coast delegation. Perhaps Ickes should have a meeting with the War Department. Perhaps we should be in on the meeting, or on one that should be held shortly after.

BARROWS: Should Attorney General or FBI make any announcement at that time?

MYER: Do not think we can determine what should go into the announcement. Who will be present and who will make statements will depend upon the rest of the program. Next logical step is to consider the immediate plans that need to be made. (1) For the kind of organization we need to meet the immediate task on the Coast in relation to relocation and property and public relations. (2) What other agencies should be involved and what we think their job should be and at what stage they would come into the picture.

BAKER: Perhaps we should take a look at the larger picture and decide what WRA will do and what job other agencies will perform.

BARROWS: What about centers?

MYER: Think we should be careful on this. There should be an announcement that there will be no immediate closing; that provisions will be made to assist those who have difficulty financially in getting readjusted, and that a schedule of center closings will be set up as soon as definite plans can be worked out, and that if possible four months notice will be given before final closing of the centers. In other words, if the announcement is made June 1, the first center would be closed September 1.

BARROWS: Tentatively, are we going to say there will be no movements from center to center, with the possible exception of moving of families, for the making of family plans for relocation or other necessary purposes? Should we adopt as an underlying policy that financial assistance to return to the Coast will be no greater than for relocation to other places?

MYER: Should we ask for additional funds if needed? Think we will have to work out entire separate program for people who would normally live in centers if they

were open, such as those who are too old or who are not wage earners. As far as WRA is concerned, it can be put on the same basis as others who are on indefinite leave, in relation to other agencies.

BARROWS: Can we adopt broad definitions now?

ARNOLD: Is a person in Chicago eligible for Government aid to return to the Coast?

MYER: As I see it, we should not handicap a person who has relocated voluntarily, who has been evacuated from the Coast. Think in those cases we should put up the funds for grants and travel as we have done for other people in the centers. In principle, it seems sound.

BARROWS: Can we say that people can be given special assistance beyond the year 1945; those who are non-employable and have no means?

MYER: That will have to be decided on an individual basis - on the basis of interviews with Social Security, or whoever is to handle the problem.

ARNOLD: Suggest that adjustments be made after they are out of the centers. Perhaps it should be handled as a sort of "mustering-out" pay, letting the State and Federal agencies work out the problem after they are out.

MYER: As I see it, as far as we can go at the present time is: there should be a program set up which should be handled by somebody other than WRA, and if possible bring the Federal Security Agencies into it at the beginning. If possible, as Arnold suggested, that would be the best way.

GLICK: Suggested getting together facts on which we can base final decision, some estimate of funds needed for immediate grants to get that type of people out of the centers. It was pointed out that this cannot now be made as a "blanket" deal, but would have to be based partly on need.

MYER: Suggest Arnold and Glick work together on the above problem, keeping in

mind that we probably will not have any additional budget for this. Funds will probably have to be worked out of savings. We do not want to run up a large amount of money on the basis of any rush or flow.

MYER: Another problem is the question of our handling of public relations at the center. (There was no particular discussion on this point.)

BARROWS: As opposed to possible army suggestion that we should have orderly movement, train by train from the centers, I believe they should be allowed to go out of the centers and return as they please. (Everyone agreed.)

MYER: Regarding leave policies, it will be necessary to make revisions in our present policy. Certainly the requirement that they have jobs, and community acceptance, will have to be removed. We will have to have other agencies help us in the actual job that will have to be done.

BARROWS: We ought to take the definite view that assistance we give is merely that necessary to get people out and home. We are not going to recompense people for losses resulting from evacuation and will not establish people as independent operators. That will have to come from other agencies.

MYER: We will have to find ways and means to see that other agencies do something about the matter, even to the extent of making special provisions for funds, if necessary. Would like a statement of the functions of the different Federal agencies who might be involved, for the purpose of informing Fortas as to what the different agencies do.

MYER: WRA must take the lead in the program in general. Then we must stimulate people like Alien Division to develop the details. The War Department will have to make the announcement and make contacts already mentioned. Expressed the hope that we can get the War Department to put people to work within the War Department on the West Coast and explain the program to key people in their staff. We want

the collaboration of people in the Army in supporting the facts. We must insist on this. Furthermore, we must insist not only that the military make a strong statement to begin with, but that they continue to support the statement, and that they have the facts together on which to support it. If there are any exclusion areas left, they should not entirely exclude people from them, but the way should be left open for individuals, upon examination, to go in. Otherwise, we may have to maintain a center for people who cannot go back home within those areas. The Department of Justice Alien Division must be prepared through the District Attorney to do an expeditious job of handling alien requests for travel and return, and for examination and recheck. There should be a program worked out with FBI that we will supply to them information as to where people have designated they are going. This information will be provided only for the original destination. We should ask FBI to take some cognizance of the fact that there may be a few disturbances, and request that they be prepared to make investigations in cases where local people are not doing their duty, or where they may even be aiding and abetting, giving general support to civil rights of people who return. In addition, Biddle should supplement with statements regarding civil rights and the handling of aliens. Perhaps we should discuss with Biddle the idea of making all people eligible to return to the Coast, who are alien fathers and mothers of soldiers, friendly aliens. This may not be sound but it should be considered.

ARNOLD: Suggested Justice should clear with California State law enforcement agencies. Myer agreed.

MYER: Immigration should be prepared and in position to process the parolees to see whether or not they want ^{then} to return to internment camps or to provide sponsors. There should be consideration of the job to be done in agricultural areas, including Alaska.

BARROWS: Will we let people go to Arizona where they did not live there before, and provide funds for them? (No definite decision on this.)

ARNOLD: Should review assistance available from RFC, FSA, FR and other agencies involved in loan deals, in helping to get people reestablished.

MYER: It will also be essential to work out a program with WFA and War Boards to assist in getting people reestablished. It may have to be done here in Washington. We will also have to be prepared to work with OPA and WFA on these problems.

BARROWS: Suggest that Justice, after War Department makes announcement that exclusion order has been modified or cancelled, should make statement by the Attorney General saying that the legal consequences are that there are no longer any grounds for restricting movements of people. Then Ickes should make a statement. (No comments on this.)

MYER: One other thing the Army should do is to realign its contraband program within the WDC.

GLICK: What will we recommend as to the question of assistance to be provided by State Agencies?

MYER: There should be some kind of continuing appropriation of some amount to Social Security in working with State Agencies to carry on after this fiscal year. It may be a long program with some of the people.

MYER: Regarding property, after discussions with Cozzens and Robinson, have feeling that we are going to get a lot of kicks and complaints about property losses, having been skimmed, claims will develop, and I do not think anybody but WRA can provide information to whoever may handle these claims. We will have to be in a position to make adequate documentation of complaints and investigations, among neighbors and other people in getting facts together for documentation. That may be a sizeable task. We will need a staff to handle it.

ARNOLD: Think that we will complicate the entire relocation program if this is done. Think Alien Property Control should be given the responsibility.

MYER: As soon as we get out of the picture then it should be their responsibility. In the meantime we will not be settling claims but will only be trying to get facts together for somebody else to handle.

BARROWS: There will only be two or three kinds of claims to handle. Claims by private parties for violation of contracts. Do not believe we will need to get into that. Another against the U. S. Government. Do not believe in these we have the needed information or will be able to get it to be of much help. Believe we should supply dockets on cases in which we have had a part, but do not believe we should go beyond that.

GLICK: Think there should be a general survey of evacuee losses, not on an individual basis, but on the basis of 110,000 evacuees.

BARROWS: The third case, is of those who have rented their homes for the duration. If they cannot get them back they won't go back. What kind of aid can we offer in these cases?

GLICK: An evacuee staff in San Francisco could help out. They will be helping returning evacuees instead of absent ones.

MYER: (Before leaving) In preparing the announcements, we must have both audiences in mind, within and without the centers, and care must be given to their preparation with this in mind.

After Mr. Myer left, there was further discussion of details of ~~an~~ property problems by Mr. Barrows. Mr. Arnold mentioned his plans for the relocation staff, which he suggested be headed by Bob Cozens, with four area offices headed by relocation/ supervisors. He suggested that Cozens take over full responsibility,

with property assistants, welfare assistants, and others needed to do the job.

A thorough discussion of the method of closing centers was discussed. It was finally agreed that despite all other considerations it would be advisable to continue all centers until the final date of closing of all, rather than to set a schedule of closing at least one center within four months with others to follow on schedule until all were closed. Among reasons given for this were that some centers will ~~be~~ empty quicker than others, the amount of time needed for some people to determine their plans for relocation, especially in farming activities, and the fact that there would be some feeling of discrimination by the evacuees in closing one center rather than another first and so on down the list. It was further suggested that we should set a period of six months for voluntary relocation from all centers, with a deadline of June 1, for the forced, if necessary, relocation of all people and closing of all centers. June 1 was selected in order to allow for the taking of annual leave.

7

Secret

~~XXXXX~~ X - DAY

Papers from the
Director's office

Minutes of Meeting in Office of the Director, War Relocation
Authority, 9:00 A.M., November 15, 1944

Present: Mr. Wechsler, Department of Justice
Mr. Ennis Department of Justice
Col. Ryan War Department
Capt. Fisher War Department
Mr. Myer War Relocation Authority
Mr. Ferguson War Relocation Authority

I

The opening discussion centered about General Wilbur's proposal that the Western Defense Command prepare its individual exclusion list of 4,000 to 5,000 excludées on the basis of (1) persons to be continued in detention, and (2) persons to be individually excluded from the evacuated area but not necessarily detained.

Mr. Myer pointed out that the matter of detaining evacuees in centers after the general exclusion orders had been lifted was a policy primarily concerning the War Department and the Department of Justice. He pointed out three possible alternatives for handling a detention program if detention by order of the War Department was deemed necessary:

1. Army administration of the detention center, which would be the simplest in many respects and would vest responsibility in the agency making the policy decision.

2. Department of Justice administration of the detention center, which has been the recommendation of the War Relocation Authority.

3. Continued WRA administration for the time being, until further analysis could be made of the detainee group and the policies that should apply to them.

Captain Fisher raised the question of State Department concern over the administration of any civilian detention program by the Army. Mr. Ennis expressed the belief that there should be no great cause for concern on this score in view of the Hawaiian precedent and the fact that any detention involved would be in conjunction with an overall relaxation of restrictions against Japanese nationals generally.

It was agreed that~~xx~~ the policy on detention should be discussed and determined jointly by the Department of Justice and the War Department. Mr. Ennis stated that he would discuss the matter with the Attorney General and take steps to ~~xxxx~~ arrange for expediting the policy determination.

Mr. Ennis further pointed out that it would be difficult for the Department of Justice to reach any definite conclusion on the position that it would take without knowing specifically whom the Western Defense Command proposed to detain or exclude and where they were located. Colonel Ryan stated that the complete list of ~~exclud~~ cludees would be completed and available by December 10. There was some discussion about the possibility of making a list available to the Department of ~~Justice~~ Justice and the War Relocation Authority in installments, beginning as soon as possible, and Colonel Ryan stated that he would pursue this question further in the War Department. This would facilitate policy decisions on the question of detention and on the substantive provisions of the proclamation lifting the general exclusion. It would also facilitate the prompt furnishing by WRA to the Western Defense Command of the addresses of the persons listed for individual exclusion.

II

It was agreed that the Department of Justice and the War Relocation Authority would prepare any necessary executive order for the transfer of the segregation center and other responsibilities to the Department of Justice, in the event that such transfer is decided upon.

III

It was agreed that the proclamation lifting the general exclusion orders should be issued by the Commanding General of the Western Defense Command. Colonel Ryan believed that a draft of the proclamation could be completed by December 1, and that it would be available to the Department of Justice and the Department of the Interior for discussion and comment. The importance of having a draft proclamation prepared as soon as possible in view of the matters of policy still to be ironed out was emphasized.

Captain Fisher stated that a letter was being prepared for the signature of the Secretary of War to the President formally recommending the lifting of the general exclusion orders. The content of the letter and the advisability of attaching to it a draft of the proposed Western Defense Command proclamation were discussed.

IV

General Wilbur's proposal that the Coast not be reopened for entry for a stated period after the issuance of the WDC proclamation was brought up. Mr. Myer pointed out that issuance of the proclamation or any announcement ~~xx~~ in advance of the actual reopening date would be highly inadvisable because of the opportunity it would give West Coast pressure groups ~~xx~~ to work up hysteria, create organized resistance, and in other ways attempt to force upon the War Department a modification of its announcement. Mr. Myer also stated that there was no likelihood of a rush of evacuees back to the Coast upon ~~xx~~ issuance of the WDC proclamation, which General Wilbur's proposal was designed to prevent. A very large majority of the evacuees will wish to take advantage of transportation and other financial assistance furnished by WRA, and this assistance will not be provided for the first two or three weeks, and after that only to persons whose relocation plans are approved, under a schedule of movements. The contemplated WRA educational program in the centers and elsewhere, and the fact that the evacuees themselves are dubious about acceptance on the West Coast, provide further assurance that there will be no immediate stampede back to the Coast. Mr. Ennis concurred in this view. Colonel Ryan and Captain Fisher were unable to make any commitments for the War Department. It was agreed, however, that the subject should be further discussed between the War Department, the Department of Justice, and the Department of the Interior at an early date so that a definite determination would be made. Mr. Ennis and Mr. Myer stated that they would bring the matter to the attention of Mr. Biddle and Mr. Fortas, respectively. ✓

V

Mr. Myer then made the following recommendations:

A. That a few hours before the issuance of the proclamation lifting the exclusion orders the Secretary of War confer with the West Coast Congressional delegation, and inform the Congressman of the military decision and the need for cooperative action on the part of the States and Federal Government in protecting the constitutional rights of the evacuees.

B. That immediately before issuance of the proclamation, the Commanding General of the Western Defense Command notify, by long distance telephone followed by letter, the governors of the four States affected by the change in policy. This notification should include the substance of the statement by the Secretary of War to the West Coast Congressional delegation. At the same time appropriate announcement should be made to the West Coast press.

C. That a few days after the issuance of the proclamation the Attorney General issue an announcement stating briefly the legal effect of revocation of the orders, describing the portion of the Japanese-American population which would then be free to enter the coastal zone, and including appropriate reference to the importance of protecting civil rights and a suggestion of the ~~xxxxxxx~~ position the Federal Government will take in protecting civil rights. (It was also suggested that copies of this announcement be sent to FBI offices and to the four State Attorneys General, with a recommendation that it be distributed among local FBI offices concerned and local State law enforcement officials.)

D. That a few days after issuance of the proclamation the Secretary of the Interior issue a statement on the policy that will be followed by the WRA in facilitating the relocation of the evacuees remaining in relocation centers and ~~xxxx~~ in liquidating the program of the Authority.

E. That the Western Defense Command print posters setting forth the proclamation lifting the exclusion orders, and an additional paragraph requesting the cooperation of the public with respect to the military decision.

The group expressed concurrence in the desirability of the steps outlined above. Colonel Ryan stated that there might not be sufficient manpower available to the Western Defense Command to distribute and post the printed proclamations. Mr. Myer stated that they need not be posted in such large quantities or over such widespread areas as they ~~xxxx~~ were at the time of evacuation, and that perhaps five hundred or a thousand, posted mostly in the areas in which hostility to evacuees has been most evident, would be sufficient. He also offered to make WRA personnel available if necessary to complete the job of posting.

Captain Fisher agreed to transmit recommendations, A, B, and E ~~xxxx~~ above for the consideration of the Secretary of War. Mr. Ennis agreed to transmit recommendation C to the Attorney General. Mr. Myer pointed out that considerable thought had been given by WRA to the content of the statements recommended for issuance by the Secretary of War, the Western Defense Command, and the Attorney General, and that he would be glad to cooperate in their preparation.

VI

It was agreed that the public proclamation of the Western Defense Command and of the War Department, establishing the relocation centers as war relocation project areas (Public Proclamation No. W.D. 1, War Department; Public Proclamation No. 8 Western Defense Command) should not be revoked or modified upon issuance of the proclamation lifting the exclusion orders; they should remain in effect at all centers until replacement of military guards and other details can be arranged, and for a longer period at centers at which persons may be detained under any agreed upon detention policy. (Appropriate modification should be made in the proclamation in the latter event.)

Notes on Meeting in Mr. Wechsler's Office, Department of Justice,

2:30 P.M., November 20, 1944

Present:	Mr. Wechsler	Department of Justice
	Mr. Ennis	Department of Justice
	Mr. Burling	Department of Justice
	Colonel Ryan	War Department
	Lieutenant-Colonel Rust	War Department
	Captain Fisher	War Department
	Mr. Myer	War Relocation Authority
	Mr. Ferguson	War Relocation Authority

The meeting was ~~xxx~~ called for the purpose of reviewing a proposed Western Defense Command Proclamation to lift the general exclusion orders, and a proposed Memorandum for the President from the Secretary of War informing him of the reasons for revocation of the orders and the proposed individual exclusion program.

Before the War Department representatives arrived, Mr. Wechsler stated that there was some question in his mind whether the 4,000 to 5,000 individual excludees referred to by General Wilbur included aliens. Mr. Myer stated it was his definite understanding from conversations with General Wilbur that the 4,000 ~~or~~ 5,000 excludees included every one to whom individual exclusion orders would be issued except the Hawaiian contingent. It was pointed out that the Department of Justice had adequate supervisory controls over aliens; and that alien parolees should be permitted to return to the West Coast under sponsorship arrangements approved by the Department of Justice, because many of them were leaders among the Japanese population before evacuation, temporarily interned on suspicion because they were prominent in Japanese community life, who could do ~~xxxxxxx~~ much to stabilize the situation on the West Coast during the flow back.

The remainder of the meeting was devoted to an analysis and discussion of the draft of Western Defense Command Proclamation and the proposed Memorandum for the President that were prepared in the War Department.

The Proclamation

1. Mr. Myer raised a question about the necessity for the second Whereas clause (which states that there is a reasonable possibility of minor hostile acts on the West~~xx~~ Coast requiring adequate measures to prevent aid and comfort to the enemy and to prevent sabotage or espionage). It was pointed out that some such statement was necessary to lay the basis for the individual exclusion program outlined later in the Proclamation. Mr. Ennis suggested that the clause "to prevent aid and comfort to such enemies" be deleted, in view of the fact that Executive Order 9066 under which the Proclamation would be issued, referred to prevention of sabotage or espionage and does not refer to prevention of aid and comfort to the enemy.

2. It was suggested that the word "exclusion" be substituted for the words "adequate control" in the third Whereas clause, particularly if it is decided by the War Department and the Department of Justice that there will be no control over the movements of excludees outside the excluded area.

3. There was an extended discussion about paragraph 3 of the Proclamation, which would retain Public Proclamation No. 8 in effect temporarily and regulate departure from centers on the basis of published schedules. Mr. Myer suggested the deletion of the sentence providing for the regulationxxx of departures by published schedules. He pointed out that the controls contemplated by the War Relocation Authority were on an individual basis. Captain Fisher stated that the War Department did not contemplate exercising control over the flow of movement out of relocation centers, and that the sentence in question was not designed to that end. Deletion of the setence was recommended.

Mr. Wechsler stated that he was opposed to leaving Public Proclamation No. 8 in effect, as to non-excludees, after the lifting of the ban. He stated that the control over the movements in and out of centers contemplated by that Proclamation would be invalid. Captain Fisher indicated that the Army's chief reason for leaving Public Proclamation No. 8 in effect was to insure a basis for controlling the flow out of the centers back to the Coast. Mr. Myer on the other hand, stated that WRA wanted Public Proclamation No. 8 to remain in effect for a temporary period in order to provide a basis for keeping the military guards at the centers until they could be replaced by civilian guards, and to provide assurances to both the appointed personnel and evacuees in the centers during the initial period following announcement of reopening of the West Coast.

There was then some discussion, in which Mr. Fahy participated, about the need for any actual restrictions over movement out of relocation centers. The following factors indicating that no such restrictions were necessary were brought out by Mr. Myer, Mr. Wechsler, Mr. Fahy, and Mr. Ennis.

(1) Movement of aliens could, if necessary, be gegulated through the enemy alien travel controls of the Department of Justice;

(2) Most of the single persons reamining in relocation centers are members of families including aliens;

(3) The bulk of the young aggressive persons who might return to the West Coast immediately have already relocated;

(4) WRA does not contemplate giving financial assistance or assistance in transporting property to any persons desiring to return to the West Coast, whether now residing in centers or elsewhere, unless their return is approved by WRA and such approval will be given sparingly during the initial period;

(5) There is a great psychological deterrent to immediate return in the fact that evacuees are by no means certain of the reception they will receive on return;

(6) The record of the evacuees amply indicates that they will cooperate in maintaining an orderly flow back.

All these factors point, it was argued, to a very slow rate of return in the initial period.

There was further discussion concerning Mr. Wechsler's proposal that Public Proclamation No. 8 be revised effective on the date that the West ~~Coast~~ Coast is reopened, to apply only to individual excludees living in the centers. It was agreed that the removal of all restrictions on movement out of centers by non-excludees would have the effect of mooting the Endo case. It was pointed out, however, that the revision in Public Proclamation No. 8 would not ~~remove~~ necessarily remove all restriction on the movement on non-excludees in and out of centers, since WRA's leave regulations, promulgated under Executive Order 9102, also prohibited movement in and out except in compliance with those regulations. Mr. Myer stated that he was unable to say, without checking with Mr. Fortas, whether the leave regulations would be revoked at the time the West Coast ban is lifted.

In view of the fact that ~~the~~ the continuance of Public proclamation No. 8 in effect is related to the general problem of detaining ~~xxx~~ excludees, a problem not yet resolved between the War Department and the Justice Department--there was no further discussion on this point. Mr. Myer suggested that the next meeting of the group be held at 2:30 P.M. November 22, and that in the meantime the War Department and the Department of Justice come to a decision on the matter of detaining excludees at Tule Lake or elsewhere. This suggestion was concurred in by the group.

4. With respect to paragraph 6 of the Proclamation, Mr. Myer asked whether any redefinition of the boundaries of the excluded area was contemplated. Colonel Ryan stated that a separate proclamation, to be issued on the same date as the Proclamation under discussion, would redefine the boundaries of the excluded area to include only the area west of the Cascades and the Sierras. Mr. Myer pointed out that both Tule Lake and Manzanar centers would be outside the excluded area as redefined, and that Central Valley and other productive agricultural areas would still lie within the excluded area. Colonel Ryan stated that the excluded area still included the agricultural areas mentioned because of railroad lines and other defense installations in them.

5. Paragraph 7 of the proposed Proclamation contemplates the issuance of one exclusion order listing all the persons to be individually excluded from the West Coast. Mr. Myer raised objection to the publicity given to the names of these 4,000 or 5,000 persons would inevitably create future difficulties and work to the detriment of the excludees for a long time to come, despite any subsequent action taken with respect to them by the Army.

He suggested that the list of excludees be sent to WRA; that WRA obtain the addresses from its locator file, and that individuals notices than be sent. He assured the War Department representatives that WRA could furnish these addresses within three days if given certain identifying data. Colonel Ryan pointed out the undesirability of requiring General Bonesteel to sign 4,000 or 5,000 individual exclusion orders. Mr. Myer then suggested that the General sign the one order, that the order not be published, and that the list of persons in the order be referred to WRA, which would notify all excludees in WRA centers and transmit all addresses in its files on other excludees to WDC. Colonel Ryan also pointed out that publication of the comprehensive exclusion order was designed to meet the need for proof of notice. A question then arose about the need for publication in the Federal Register in this regard, and Mr. Ennis agreed to check the applicable statutes.

6. With respect to paragraph 8 of the Proclamation, it was agreed that the words "as American citizens" in the clause "their full rights as American citizens to enter and remain in the military areas of the Western Defense Command" should be deleted, since aliens also are involved. Mr. Wechsler then suggested that the procedure under which an individual excludee can appeal for a hearing and revocation of the order as it affects him be referred to in the Proclamation, and not merely in the exclusion order, so that the public at large will know that the procedure exists. Mr. Myer agreed that this was desirable.

The Memorandum for the President

The following tentative changes in the Memorandum were agreed upon:

Page 1. Revise the sentence concerning the non-assimilation of the evacuees to indicate their assimilation was retarded rather than prevented.

In the next sentence state that "there was reason to believe" instead of "it was known" that there was a disloyal group.

Page 2. Revise the first full sentence to indicate a division of the Japanese population into two groups of ~~21x~~ (1) those who the military authorities have determined are not dangerous, and (2) those who may be loyal to Japan.

Insert the number of Japanese-Americans (13,0000) who are now in the armed forces.

Page 3. Revise the references to the important war plants located on the West Coast and the prevention of sabotage.

Remove the implication in the first sentence of the last paragraph that there will be control over return ~~fixt~~ to the West Coast.

Page 4. Revise the next to the last sentence of the first

paragraph to remove the implication that there are two categories of excludees -- "those who show strong pro-Japanese tendencies" and "those against whom positive information is available."

Page 5. Delete the word "serious" in the first sentence of the first full paragraph.

It was agreed that the substance of the paragraph beginning at the bottom of page 4, relating to detention of a "militant group" of evacuees at Tule Lake, might need to be revised after the Department of Justice and the War Department have agreed upon the policy that should be followed with respect to detaining excludees.

It was agreed that it would be advisable to submit the memorandum to the President a few days before the issuance of the Proclamation.

SECRET

Report on Meeting in Captain Fisher's Office, Pentagon Building.
2:30 P.M., December 1, 1944

Present:	Colonel Gerhardt	War Department
	Colonel Ryan	War Department
	Captain Fisher	War Department
	Mr. Ennis	Department of Justice
	Mr. Myer	War Relocation Authority
	Mr. Ferguson	War Relocation Authority

I

The latest draft of the proposed memorandum from the Secretary of War to the President was reviewed and discussed.

Page 1. Mr. Myer doubted the advisability of stressing ethnic affiliations as being a factor in the original evacuation.

Page 2. Both Mr. Ennis and Mr. Myer objected to categorizing excludées as persons "who have definitely shown that they are loyal to Japan". (See also the references to "pro-Japanese bias" (page 3) and "pro-Japanese attitude" (page 5) of the persons to be excluded.) It was pointed out that some of the factors being considered by WDC as a basis for exclusion, such as answers to the loyalty question, and even requests for repatriation to Japan, are not necessarily indicative of positive loyalty to Japan, and that many other motivations have entered into these actions. Tagging all excludées as positively disloyal persons, it was pointed out, might not only be ~~xxx~~ unfair to these people but embarrass the War Department later in further easing the restrictions on excludées as the military situation further improves. It was suggested that these people be referred to as persons of "questionable loyalty".

Page 3. Mr. Myer recommended omission of the phrase "perform acts of sabotage" in the last sentence of the first full paragraph for the reason that the record of Japanese-Americans in this country and Hawaii does not point to this danger, and that such a statement implies that this danger exists as to all excludées.

Page 5. In connection with the description of the "militant group" at Tule lake, Mr. Ennis suggested the substitution of "Japanese doctrines" for "alien doctrines", which was agreed to. Mr. Ennis and Mr. Myer objected to the reference to the willingness of the Tule Lake group "to commit overt acts to assist 'their' country, Japan, to win the war", because of the implication, not borne out by experience with these persons, that all of them are willing to ~~xxx~~ commit sabotage and espionage in this country. It was suggested that the clause be deleted or that "willingness to return to Japan and assist its war effort" be substituted.

Mr. Ennis objected to the remainder of the paragraph because it contemplated the continued detention in centers of persons in the excludée group designated by the War Department. He advanced two reasons:

(1) It is bad Government practice to divest the agency administering centers of responsibility for determining what ~~xxx~~ persons should be detained;

(2) Although the War Department may have broad authority under Executive Order 9066 to detain persons in centers designated as military areas, it was not contemplated when the Executive Order was drafted that the War Department would exercise any control over the movement of persons other than their exclusion from sensitive areas, but instead, it was contemplated that the Department of Justice would be responsible for determining necessary restrictions on movement outside those areas. He pointed out that War Department detention of certain excludees preventing their movement outside the sensitive areas goes beyond this understanding.

It was agreed that the group could not resolve this ~~xxxxxx~~ issue and that the Attorney General and the Secretary or Assistant Secretary of War should be asked to confer and arrive at a decision.

II

The next matter discussed was the meeting on December 4 with the West Coast congressional delegation. Mr. McCloy participated in this discussion. It was agreed that General Wilbur ~~xx~~ should not be called in to attend the meeting. Mr. Myer suggested that General Persons and Colonel Gerhardt represent the War Department at the meeting. The content of the statements that would be made by the War Department representative at the meeting was discussed at some length. Mr. Myer stressed the importance of refraining from making any statements which would give any indication of the date on which the ban will be lifted or of the fact that WRA is making plans in anticipation thereof. He also suggested that a very carefully worded written statement be utilized regardless of who attended this meeting.

III

Mr. Myer asked if the proposed WDC proclamation, as revised after the discussion in Mr. Wechsler's office on November 20, was available for review. The War Department representatives stated that General Wilbur had taken the revised proclamation with him. Captain Fisher stated the sentence in the original draft of the proclamation referring to the posting of published schedules regulating movement out of centers had been deleted. Colonel Ryan further indicated that the revised proclamation kept Public Proclamation No. 8 WDC in effect for 20 days as to all evacuees in WRA centers and indefinitely thereafter for all ~~xxxxxx~~ excludees.

On the matter of giving notice to excludees of the exclusion orders issued against them, Colonel Ryan stated that plans had been discussed for having teams of army officers fly to all centers on the date the proclamation is issued in order to notify excludees in the centers. He also said it was planned to utilize registered mail and

other ~~xxx~~ channels to insure that actual notice was given to all excludees in so far as possible, and to publish in the Federal Register only the names of persons who could not be located. Mr. Myer asked whether the list of excludees would be made ~~xxxxx~~ available to WRA about December 10, as originally agreed upon. Colonel Ryan stated that the list would not be complete until December~~xx~~ 15, the proposed date of the WDC proclamation. Mr. Myer indicated it was his definite understanding that the list was to be given WRA several days prior to the issuance of the proclamation, so that WRA could locate the addresses and make arrangements for notifying the excludees ~~xxxxxxxxx~~ individually. Colonel Ryan replied that it was his understanding that the date formerly mentioned for referral of the excludee list to WRA, December 10, was agreed to at a time when it was contemplated that the proclamation would be issued on December 10. Mr. Myer emphasized the administrative difficulties that would arise out of failure to notify all excludees on or about the date of the proclamation of their exclusion, and pointed out that a commitment was made that a list would be available by December 10.

X-Day Preliminaries

Executive session of West Coast Delegation on Monday, Dec. 4, 1944

Background: Ray Richards had quoted Rep. Phillips as saying, just after elections: "The election is over; the time to ride WRA is past. We suspected that this was a move to soften us up and put us off guard. Phillips followed up with a 3 page, single-spaced letter to Myer, in which he posed a great many questions and in which he set forth all the arguments the West Coast fascists have developed against return of the evacuees. These were summarized in Warren's statement on the subject:

1. Housing problem.
2. Concentration of strategic installations in the coastal region.
3. Racial difficulties with Filipinos and Koreans in large numbers likely to raise trouble plus the low ~~x~~ manpower situation for law and order forces.

Phillips and Engle were the prime movers in this campaign. They went to Lea, who is pretty California-traditional in attitude but basically a fair-minded man and not a hot head. They put to him, the dean of thexx representatives, the confusion about returns that are taking place in case of individuals or individual families at this time, complaining that WRA refers questionnaires to the Army, and that the Army says nothing. What the hell? This meeting was called, with the Delegates requesting representatives from War Department and WRA to be present.

Stimson was a trifle uneasy and thought maybe he ought to send the under-secretary, McCloy or at least General Wilbur (Bonesteel's representative in the conferences on lifting of exclusion). Myer objected and advised sending an ordinary liaison man skilled in such matters involving congressmen. The War Department sent General Miles Reber, 1-star, skilful in Congressional relations, with Gerhardt and some Major to take notes. From Wra, Myer and Rex Lee went.

Clarence Lea chaired the group. The more liberal members of the delegation did not show up except Izac, of San Diego, and he turned up very late. These present were Harry Sheppard, Engle, Phillips and Welch.

Just as they were starting, in walked Warren Francis with pen and pencil, the L.A. Times Washington Correspondent. Gerhardt promptly buzzed in Lea's ear, since this was not supposed to be open to the press, and Francis was asked to leave.

Reber made a good statement: Evacuation was carried out when the military situation rendered attack on the Pac. Coast by Japan a probability and actual invasion a possibility. It was a mass evacuation because there was no time to sift or screen the population to determine those who were disloyal. Since that time the foe has been pushed back further and further, steadily decreasing any chances of attack, and screening has been done leaving the War Department in a position to put its finger on disloyal evacuees. The War Department assumes that law and order authorities are adequate to control any situation which might develop because of return. If the decision is made to lift exclusion to all loyal Japanese and Japanese-Americans, a public announcement will be made.

Sheppard and Phillips lead the attack with some pretty shrewd questions, but then some bumbling guy like Welch would obscure the whole issue. Sheppard asked for a clear statement of what was meant by Military Necessity, saying, "We want to know, but we're not going to crawl on our bellies for it." Elliott puts in, "Why, Harry, you couldn't crawl on your belly if you tried." Everybody laughs, and they get off on another tack.

Phillips brings up the hypothetical destruction of bridges and dams by returned evacuees. Reber says WDC is prepared to be responsible for preventing sabotage or espionage.

"Who is sending these people back?"

Reber responds promptly that the War Department governs the policy on exclusion, that those already returned to the coast have been granted permits by the Military to do so, and that subsequent returns depend upon action by the War Department.

The Delegation, who knew perfectly well that this was true all along, put on looks of surprise and even went so far as to express concern that Myer had been blamed for such returns.

Phillips let slip a remark that the "442d had the best publicity agent in the world," in tones of envy, and Sheppard let slip; "It's too bad we've allowed them to desecrate the uniform of the U.S. Army by wearing it." Very plainly it was griping them terribly that so much favorable publicity has come to the J.A.s through the conspicuous bravery of the Nisei in action.

The delegation asked for a statement for the press from The War Department.

John Z. Anderson, fairer than most of the delegates, seemed to be aware of the rights of citizenship.

Lea was to make a press statement: "We have had a meeting with representatives from the War Department and from WRA, and are asking the War Department for statement as soon as possible, to be released to the press."

Myer is very encouraged, so much so that he wasn't even going to ask to see the statement of the War Department before it went to the Hill. Toz and others advised and persuaded him to get a copy just to be certain they didn't slip in something out ~~in~~ of line.

Doc D

X DAY

✓

Conference with Tozier, Wed., December 13, 1944.

Saturday, December 9, Tozier called in section heads and historian, closed the door, looked under the desk and chairs, and then said we had just been dealt a body blow: The WDC had presented figures, roughly 4,500 slated for detention, and another 3,000 for exclusion. Of the number to be detained approximately 1900 were not in Tule Lake! We were angling for the list of names so we ~~xxx~~ could check. Director very unhappy. Every reason to believe that they had black-listed people to whom we had granted indefinite leave and who were relocated.

This morning, private confab with Toz. We had procured the list of detainees, and Stauber had completed the check. 1897 are outside Tule Lake and 90 per cent are American citizens. 1320 out of the 1897 have been granted leave clearance by WRA, and over 400 are actually out on indefinite leave. Quaintly, 5 are in the Army and in uniform. Interestingly one man on the list for detention was recommended by the Jt. Board for leave clearance. All on the list are men. 40 were found to be actually in Tule Lake, though WDC thought them elsewhere.

There is obviously the widest possible divergence between WDC and WRA determinations. Tozier is preparing a letter for Fortas to send McCloy, pointing out this fact and stating that after all this is not surprising, in as much as WDC determinations are made by machines whereas WRA's are made on the basis of painstaking individual investigations and hearings, and further on personal knowledge of these people over a long period of time. In the light of this fact it is requested that WDC re-examine both detention and exclusion lists of those to whom WRA has granted leave clearance. Failure to do so can result in embarrassment to both WDC and WRA.

Our belief is that WDC automatically black listed everyone who answered NO to the loyalty question at the time of registration in early 1943. Also that it automatically listed everyone of the kibe who had been in Japan a given length of time in recent years. Many of the former class were merely confused and later changed their answers ~~xx~~ had hearings and were granted leave clearance on the basis of thorough investigations. Manzanar, where there was double confusion because of two changes in question 28, has 500 of the 1897, Gila comes next with several hundred; other centers have only 30 or 40 each, one as low as 20.

General Wilbur is a tough guy, and McCloy sees fit to yes him on everything. He said before witnesses at the big conference of several weeks ago that the list of those that would not be allowed back would be about 5,000. Queried by Myer, he said it might run up to 5231, but definitely would not get up to 7 or 8 thousand.

Everybody is mad. WDC has stated that it will merely notify relocated evacuees whose names are on the detention list that they cannot return to the West Coast, and will make no attempt to round them up and put them in Tule Lake.

Endo case could help if the decision were not trickily worded, but Atty. Gen. Biddle implored Chief Justice Stone to hold back a decision till this announcement was made. It is possible that if they stall around much longer in making announcement, that the Chief Justice may get fed up and stop being obliging about delaying justice.

X DAY Preliminaries

At Five p.m. Eastern war time, Sec. Stimson of War Dept. will announce X Day by Press release. At 2 p.m. General Wilbur will announce the lifting of exclusion on the West Coast from S.F. Ickes will make a statement Monday for use in the Monday P.M. papers.

The lifting of exclusion will be effective January 2 at midnight. WDC is sending a team of officers and men to each center (very large gang going to Tule Lake). These will turn up very soon after the official announcement, presumably bright and early Monday ~~xxxxx~~ ~~xxxxxx~~ morning. They go bearing lists of names of evacuees, 4 of them.

1. The white list, the lily-pure, who are free to go back to their homes without question, about 95,000
2. Those recommended for segregation and further study "by the Department of Justice. The word "detained" is being carefully avoided.
3. Those recommended merely for exclusion but free to relocate anywhere out of Military Area No. 1 and that part of Mil. Area No. 2 which is in California.
4. The Gray List, which contains ~~xxx~~ about 1500 names, border line cases which will be examined immediately and classed in one of the three categories above after investigation.

The team arrives and starts what is going to be a lengthy job of comparing lists with WRA's stop lists and file of people who have been granted leave clearance but have not yet left the centers.

It is agreed that any whom we have put on a stop list but whom the army has classed as white will be free to go; we bow to the army on that one with pleasure. These will be told that our stop ~~xxx~~ list no longer exists as far as they are concerned.

Anyone whom we have granted leave clearance and whom the WDC has put on a "shaded" list, will be studied at once. It will be our goal to convince the army that these people should be removed from the shaded lists and placed on the white. The team can make recommendations back to Wilbur, and presumably WDC will act on their recommendations. Of course our transcript of hearings upon which these people (presumably those who qualified or changed answers to question 28) were granted leave clearance will be available to the army and should convince the mugs that the people are not dangerous to the security of the nation.

People on the army's no. 2 list of those rec. for seg. and study whom we have granted leave clearance will have a rider attached to their notification of exclusion stating that their cases are receiving immediate study.

These lists are completely free of women; they had one woman, but it was because they thought her name was masculine, and they took her off. WDC never heard of Mata Hari apparently.

As it now stands, 14 boys in uniform are on the seg. and study lists. The War Dept. is touchy about this bone~~r~~, and McCloy said testily to stop talking about them. 669 are out in indefinite leave, 136 on seasonal. These will receive exclusion notices.