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NND 740062

NARS, Date 7/8/93

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014.31 (CS)

21 September 1944

SUBJECT: Exclusion of Persons of Japanese Ancestry from Military Areas of the Western Defense Command.

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

1. Under date of 8 August 1944, a letter was forwarded to the Chief of Staff, War Department, on the subject indicated above, in which the situation as to exclusion of persons of Japanese ancestry was summarized and in which certain definite recommendations were made as to the procedure to be followed in the solution of this problem.

2. The present letter is forwarded to the War Department for the purpose of informing the War Department of developments since August 8th, in connection with the exclusion situation.

3. The suit of Shiramizu and Ochikubo vs Bonesteel et al in the United States District Court at Los Angeles, California, has progressed along the following general lines:

a. On September 2nd, Shiramizu and Baba were informed that their exclusion was lifted in view of the fact that they were not considered as potentially dangerous to the military security.

b. At the same time, Ochikubo was informed that his status had been changed from that of an excluder under the mass exclusion procedure to that of an individual excluder.

c. Ochikubo was informed that a hearing before a board of officers was to be held in his case and that he could appear before the board if he so desired. This hearing was held on September 9th, and Ochikubo was present accompanied by counsel.

d. On September 11th, the hearing of the motion for a temporary injunction was postponed until September 25th, in order that the results of the hearing held on September 9th, might become available to the Commanding General, Western Defense Command, and his action thereon taken into consideration.

e. The hearing before a board of officers to consider Ochikubo's individual exclusion has been completed. Based on the results of the hearing his exclusion, which was originally set up on a temporary basis has now been continued indefinitely.

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4. The Shiramizu-Ochikubo case has had extensive repercussions. Almost immediately after the cases of Shiramizu and Baba were rendered moot by the granting of certificates of exemption to them, actions were filed in the United States District Court against the Commanding General by Yamamoto and five other Japanese excludees. Mr. A. L. Wirin of the American Civil Liberties Union has indicated that his organization intends to continue to file suits until a judicial determination of the legal considerations involved is obtained. He is quite desirous of obtaining an opportunity to test the exclusion program by means of a habeas corpus proceeding and should he have knowledge of the return of a Japanese individual to the excluded areas without permission and any resulting detention for or by military authorities, he plans to bring such an action.

5. West Coast newspapers, particularly the Los Angeles newspapers, have given the Shiramizu-Ochikubo case considerable publicity. The news articles stated that from now on the admission of Japanese would be determined on an individual basis and that hundreds of Japanese are expected to try to return to California as the Army begins to remove legal barriers. It was also stated in these articles that the Government does not intend to oppose the return of Japanese whose records are cleared by military authorities. Newspapers such as the "Pacific Citizen," a paper of general circulation among the Japanese, gave extensive space to this situation. The "Pacific Citizen" emphasized the fact that the filing of the Shiramizu case had resulted in the investigation and examination of Baba and Mrs. Shiramizu following which they had been granted exemption certificates. The newspaper stated that if the said individuals had made written application to Headquarters Western Defense Command, permission to return would have been granted.

6. The "Pacific Citizen" is published by the Japanese American Citizens League. Following the extensive coverage of the Shiramizu case in the "Pacific Citizen" the Japanese American Citizens League has mailed to its members a bulletin in which the president of the league conveys the impression that the War Department will not defend suits where the records of individual plaintiffs have been found to be satisfactory and that the War Department will in such cases issue certificates of exemption. The bulletin, which is not unfair in its presentation, also states that the League feels that "the time has come when we must take the initiative to have our rights restored to the fullest extent." Attached to the bulletin is a questionnaire entitled "Questionnaire for Those Desiring to Return to the Pacific Coast." Following a certain number of questions covering personal history and other similar data the questionnaire contains the following:

"I, the undersigned, hereby appoint the Japanese American Citizens League and/or the American Civil Liberties Union to take every and all necessary steps, including filing suits in the courts, to facilitate my return to the Pacific Coast. It is understood, however, that there shall be no financial obligation of whatever nature and kind and that I will be informed from time to time as to developments."

Copies of the bulletin and the questionnaire of the Japanese American Citizens League are inclosed. It may be noted that the Japanese American Citizens League at one time claimed a membership in excess of 10,000. It is probable that there are at least 10,000 members at the present time.

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7. The publicity which the Shimizu case has received and the action of the Japanese American Citizens League indicated in the preceding paragraphs indicates clearly that a flood of applications and a very large number of suits are probable in the near future. A graph is inclosed which shows the rate of receipt of applications for return to the Pacific Coast. It will be noted that there is a definite change in the trend in June and that another one appears to have occurred as of mid September.

8. I have recently had occasion to discuss the matter of Japanese exclusion with the Governor of California and the Governor of Washington. They are both quite concerned as to the likelihood of riots and bloodshed when Japanese are returned to their states. The problem of the reintegration of the Japanese into the Caucasian population will undoubtedly be a difficult one. The governors point to the fact that there will be an inclination on the part of many American children to be unfriendly to Japanese children and to use physical violence.

9. It would be most unfortunate if the return of Japanese Americans should be accomplished abruptly and without adequate controls. If the return of Japanese Americans should be accompanied by considerable violence, without doubt, strong pressure would be exerted to re-exclude them. It is apparent, therefore, that the Army is definitely interested; first, because of the question of military security; second, because of the necessity for the maintenance of peace and third, because of the possible repercussions of unfortunate occurrences. If any considerable number of Japanese American citizens should be killed it is quite probable that ten times as many American prisoners in Japan might be executed by the Japanese.

10. The governors and the state authorities in general are greatly concerned about the question of brush and forest fires. During the past few weeks there have been many large forest fires and a very large number of small forest fires. A large number of troops have been used in coping with these fires. A considerable number of the fires are considered to have been set. The opportunity to set fires would provide an appropriate field for saboteurs and would also provide an excuse for the persecution of Japanese Americans who might be wrongly charged with having set the fires.

11. The more one goes into this question the more apparent it becomes that there are some Japanese American citizens who are definitely loyal to the Japanese government. Recent figures indicate that 17,542 Japanese have requested repatriation to Japan, of this number 11,447 or 65.2% of the whole are American born Japanese. Figures covering the loyalty of the Japanese Americans from another viewpoint are also of interest. There were 19,104 registrants under the Selective Service, of this number 4,850 or 25.4% answered the loyalty question in the negative. A recent report indicates that several hundred Japanese Americans who had not answered question 28 in the negative on the original questionnaire have since that time refused to serve in the armed forces. On the other hand there are many thousands of loyal Japanese. Their numbers and their service in the Army, combined with the improved military situation provide ample basis for the conclusion that mass exclusion is no longer justified. The fact

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that the entire group of Japanese Americans contains such divergent tendencies indicates definitely the need for the establishment of a system which will treat them as individuals and not as a mass.

12. Discussions with representatives of War Relocation Authority indicate that they too realize most acutely the need for a definite plan of action and the control of returning Japanese Americans so that appropriate steps may be taken to assure community acceptance, jobs and adequate housing facilities.

13. If the situation is allowed to drift until a legal judgment is secured which nullifies the exclusion or results in an uncontrolled flow of Japanese Americans back to the West Coast the result may well be disastrous. I, therefore, desire to reiterate the conclusions and recommendations contained in my letter of August 6th. I consider it most essential that the necessary records be made available and machinery set up and ready to operate efficiently at the earliest possible date so that we may not be caught unprepared by any legal action of major importance.

C. H. BONESTEEL
Major General, U.S.A.
Commanding

3 Incls:

- #1, Bulletin #26 Jap-Amer
Citizens League, 9-11-44.
- #2, Bulletin #27 Jap-Amer
Citizens League, 9-13-44.
- #3, Graph, Inquiries Recd fm
Jap re Exemption fr Excl,
1-1-44 - 9-21-44

2 August 1944
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CHB

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PROPOSED STATEMENT OF POLICY RE EVALUATION OF JAPANESE EXCLUSION CASES.

*Revised
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official
policy
MS
per telephone*

1. The following policy will guide the Officer in Charge of the Civil Affairs Division in the determination of those persons of Japanese ancestry who are to be continued in the group of persons to be excluded from the prohibited areas.

a. The important consideration is that there shall be material evidence which indicates that the individual being considered is dangerous to military security. Where there is no material evidence against the individual, the individual will be classed as not dangerous.

2. The following are examples of the type of individuals who are to be continued in the excluded group:

a. Individuals who have assumed leadership in pro-Japanese societies or who are members of a society composed of leaders, such as the Imperial Military Reservists groups.

b. Individuals who have assumed leadership in the activities of religious groups, such as the Shinto or others whose teachings are highly nationalistic in character.

c. Individuals who have opposed the war effort or urged others to oppose the war effort. (Note: The mere objection to the removal of the Japanese from the West Coast will not be considered as a basis for continued exclusion under this category.)

d. Individuals who have conducted propaganda campaigns, since the Sino-Japanese Incident of July, 1937, in an effort to arouse Japanese nationalistic spirit among persons of Japanese ancestry in the United States.

e. Individuals who have directly or indirectly expressed a desire, since Pearl Harbor, to renounce their American citizenship or to assume Japanese citizenship.

f. Individuals who have been employed as agents for the Japanese government as consuls, or in other important capacities, such as directors or leaders in quasi-governmental agencies. Further, those who have been key employees in the aforementioned, or who have been officers or key employees in important Japanese commercial concerns, banks or news services which have represented the Japanese government or an active nationalistic Japanese group.

g. Individuals who have refused without qualification to serve in the American Armed Forces.

h. Individuals who during the war have requested that they be returned to Japan.

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Proposed Statement of Policy re Evaluation of Japanese Exclusion Cases.

i. Individuals who are, or have been, acting as agents, sub-agents or operatives of any enemy nation.

j. Individuals who have engaged in, or been a party to, singly or in combination, the following activities to a marked degree:

- (1) Have made material contributions to the Japanese war effort in the form of money, goods, or services, or have purchased Japanese "fixed deposits" and still own them.
- (2) Have had residence in Japan under circumstances which would reasonably lead to the conclusion that they had received nationalistic indoctrination to a marked degree.
- (3) Have been commended or decorated by a Japanese governmental agency or official for having aided the Japanese war effort.
- (4) Have sponsored, directed, or given considerable financial support to Japanese Language Schools known to have taught highly Japanese nationalistic doctrines.

k. Individuals who are members of a family strongly dominated by a member who is suspect.

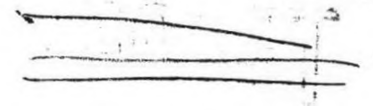
l. Dual citizens who are 18 years old or older and who have had the opportunity to renounce their Japanese citizenship, yet have failed to do so.

m. Any person who has had active Military service in the Japanese armed forces since 1915.

n. Individuals whose acts or course of conduct when considered under only one of the preceding categories are not considered to be of sufficient degree to warrant continued exclusion, but whose record when all categories are considered cumulatively is sufficient to warrant exclusion.

o. Such other individuals as the Commanding General may consider as dangerous to the military security of activities in the prohibited areas.

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WESTERN DEFENSE COMMAND
COMMANDING GENERAL
OFFICE

014.31 (CS)

8 August 1944

SUBJECT: exclusion of Persons of Japanese Ancestry from Military Areas of the Western Defense Command.

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

1. Since assuming command of the Western Defense Command, I have made a thorough study of the exclusion of persons of Japanese ancestry from certain portions of the Western Defense Command under the authority of Executive Order #9066. This study indicates very clearly that one of the principal duties devolving upon the Commanding General of this defense command is the handling of this difficult and sensitive problem.

2. The figures given below are of interest as they indicate the size of the problem to be considered:

a. Estimated total number of persons of Japanese ancestry residing in the Continental United States at the present time — 131,147.

b. Estimated total number of Japanese in the West Coast states on December 7, 1941 — 114,785.

c. Number of Japanese now in the eight relocation centers and the one segregation center — 79,952.

d. Number of Japanese already relocated by War Relocation Authority — 28,503.

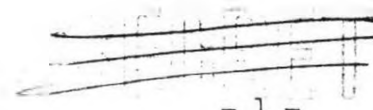
e. Number of Japanese who have been permitted to remain in or return to the exclusion area by the Commanding General, Western Defense Command — 702.

f. Number of Japanese in penitentiaries or undergoing treatment in hospitals within the exclusion area -- 812.

3. When the exclusion was originally ordered, the situation was very different from that which exists at the present time. Two years ago, an attack on the West Coast was a definite probability. Even an invasion on a large scale had to be considered as a possibility. At that time the eviction of all persons of Japanese ancestry was thoroughly justified on the ground that there was every reason to believe that among the Japanese population on the West Coast there were a large number of persons who might commit acts of sabotage and espionage and who might greatly assist Japanese military and naval units in

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connection with an attack or an invasion. The lack of knowledge of the attitude of individual Japanese and the utter impossibility of determining which ones could be classed as loyal made the mass exclusion an appropriate and proper step in the defense of the West Coast. This inability to differentiate between the loyal and the potentially dangerous, was a highly important factor in influencing the Supreme Court to uphold the application of the curfew regulation on a racial group basis.

4. Today many of the conditions which motivated the decisions of two years ago no longer exist. In my opinion, a major invasion or an attack on a relatively large scale upon the Pacific Coast is not within the capabilities of the enemy, either at present or in the predictable future. The enemy's present military capabilities may be summarized as follows:

- a. Shelling of shore installations from submarines.
- b. Minor-scale bombing of vital installations and war plants by submarine-borne planes.
- c. Minor-scale bombing of vital installations by carrier-based planes.
- d. Action by agents, commandos or saboteurs landed from submarines for action on a minor scale against vital facilities.

To enemy capabilities in the military sense, must be added the capabilities of Japanese now in the United States to impede the military effort. This includes the following:

- a. The lighting of forest or brush fires.
- b. The commission of acts of sabotage against vital installations and plants engaged in war production.
- c. Espionage and the dispatch of information to waiting submarines as to the departure of troop ships, etc.
- d. A somewhat remote possibility that individuals will guide and assist hostile commandos or planes.

5. Although the capabilities indicated in the preceding paragraph are real and to be actively guarded against, the sum total cannot be considered as greater than action of a secondary nature. It is hard to conceive of any possible action on the part of the Japanese military and naval forces, and that of Japanese in the United States, which can seriously change the final outcome of the war. It therefore appears evident that there has been a noteworthy change for the better in the military situation on the West Coast. It is apparent that the War Department shares my views as to Japanese capabilities, as it has placed the Western Defense Command in Defense Category "A", which assumes that the Pacific coastal frontier will probably be free from attack

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but for which a limited defense should be maintained against possible but improbable isolated raids by submarines, by surface vessels operating by stealth or stratagem, or by aircraft."

6. During the coming months our forces will operate with constantly-increasing effectiveness against Japan proper. There will undoubtedly be a demand from the Japanese people for retaliatory action of some kind and the Japanese government may take some action of a "face saving" nature. Although such action cannot be more than that of a token type with essentially minor results, we must be prepared to meet it.

7. Based on the above considerations, I am convinced that there no longer exists adequate military or legal reason justifying the continuance of the mass exclusion of Japanese from the prohibited areas of the Western Defense Command.

8. Although the continuance of mass exclusion cannot be justified, there are among the Japanese now excluded a very large number of individuals whose records indicate that their return to the prohibited area would be a potential danger. This group contains those individuals who may be expected to commit acts of sabotage and who are potential spies or agents engaged in collecting and transmitting information of value to the enemy. In this group must be placed individuals such as those who were leaders in Japanese groups of strong nationalistic tendencies, individuals who have definitely opposed the war effort, individuals who have declared a desire to renounce their American citizenship and take up Japanese citizenship, individuals who have made considerable contribution to the Japanese war effort and those who have organized propaganda campaigns to support the Japanese government as against our own.

9. The information now in the hands of intelligence agencies regarding the evacuated Japanese is considerably greater than was the case two years ago. In the majority of cases, the information now available is sufficient for the purpose of determining what persons among the excluded group can be considered as satisfactory security risks and what persons are deemed to be potentially dangerous. In this connection it should be noted that it is still difficult to differentiate between the loyal and the potentially dangerous. Even the most loyal Japanese are unwilling to testify against other Japanese. There are, without question, a large number of Japanese who are potentially disloyal and potentially dangerous.

10. The information upon which individual cases may be determined is now available in the records on hand at this headquarters, in the Office of Naval Intelligence, the Provost Marshal General's Office, the F.B.I. and other similar agencies. Only those individuals whose records definitely show adequate information will be classed as potentially dangerous. The policy which defines the type of individual who is to continue to be excluded has now been formulated. As time goes on I anticipate that there will be a gradual relaxation of its provisions so that other Japanese will be permitted to return. However, it is

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estimated that there will be many thousands of Japanese still carried on the excluded list until the war with Japan is concluded.

11. The President's memorandum, in which he outlined a procedure for the relocation of the Japanese, has been given very serious consideration. I am certain that all will recognize that the President's plan can only be successfully accomplished providing the Japanese are themselves willing to be relocated in states other than Washington, Oregon and California. It is my opinion, and that of many who are familiar with the attitude of the Japanese, that the majority of those now in relocation centers will not be willing to go to any place other than the area of their original homes. It is also probable that an appreciable number of the families and individuals who have been relocated in other states will promptly return to the West Coast when the prohibition against their return is lifted.

12. Any decision of the military commander to permit the return of tens of thousands of Japanese to the sensitive area of the Pacific Coast must be based solely on military considerations. Nevertheless I feel that a complete presentation of this matter should include a statement of other considerations which might have a bearing on the final decision. There is no question but that there are large numbers of Americans in the West Coast states who are definitely opposed to the return of the Japanese. This opposition is based on economic considerations as well as hatred of the Japanese based on their brutality in handling our prisoners and is a natural result of the existence of war with Japan. In view of this we cannot overlook the fact that there will be considerable unrest, disturbances, and some physical violence when the Japanese are returned. Race riots are a possibility but it should be possible to prevent them. The load on civilian and military police will be increased even if the return is limited solely to those Japanese who are considered to be loyal. It should be noted that civilian police and other local security agencies have been considerably reduced in efficiency due to war-time conditions. Without question, if it were decided to return all Japanese including those of questionable loyalty, the load on civilian and counter-intelligence agencies would be increased to a point such that it is doubtful if the task could be adequately accomplished. The danger of sabotage and espionage would be so increased that additional troops would be required for the maintenance of internal security. Estimates indicate that from fifteen to twenty Military Police battalions would be required. The need for any such great increase in Military Police and more important, the probability of extensive sabotage, can be avoided if those individual Japanese who are considered to be potentially dangerous are continued as excludées and are not permitted to return to the sensitive portion of the Western Defense Command.

13. The difficulty of relocation of Japanese in the areas in which they lived before they were excluded is increased by the economic situation now existing in those areas. Dwellings formerly occupied by the Japanese are now being used in many cases to house Negroes, Mexicans and other war workers. A large percentage of these facilities are owned or leased by the present

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absentee Japanese. The eviction procedure which will be necessary to return these facilities to the Japanese is fraught with serious possibilities. Certain newspapers and organizations are militant in their anti-Japanese activities and are engaged in a program to bring about the exclusion of Japanese from the West Coast at least until the termination of the war and, if possible, permanently as part of a campaign of long standing to eliminate them from economic competition on the West Coast. These factors, coupled with such intangibles as hatred and racial prejudices, indicate the need for care in determining the speed, size, and place of relocation. Careful consideration must be given to a determination of the localities in which housing facilities and community acceptance exist. While these matters are the primary concern of War Relocation Authority and of the civil authorities of the coastal states, any program for lifting exemption from any large number of Japanese would be unrealistic which did not take into account factors which might give rise to serious public disturbances. This would indicate the need for making relocation in the exclusion area very gradual in the first few months of the new program.

14. Americans of the West Coast are particularly conscious of the danger of forest and brush fires. It is possible that fires which occur after the return of the Japanese will be blamed on them; thus fomenting trouble.

15. The attitude expressed in the previous paragraph is not universal. There are a considerable number of important groups that feel strongly that the Japanese who are citizens are entitled to their rights as such. They stand ready to do everything possible to assist the returning Japanese. Many have offered to sponsor individuals and groups.

16. At the present time the area from which all persons of Japanese ancestry are excluded, unless they have individual permission to reside or travel there, covers roughly the western half of Washington and Oregon, all of California and the southern quarter of Arizona. A restudy of the present sensitive area of the West Coast leads me to a belief that the extent of this area can be considerably reduced. The map attached hereto as Inclosure #1, indicates in red the area which should be considered as sufficiently sensitive to warrant the exclusion of individuals who are considered to be potentially dangerous. The same map shows in blue that portion of the area which is at present within the exclusion area and in which it is proposed to remove existing restrictions. It will be noted that the reduced area includes all of the large industrial areas, harbor and port facilities and the great majority of the air facilities close to the West Coast. Subject to the approval of the War Department, I therefore contemplate the issuance of the necessary instructions announcing the reduction in the size of the present excluded area. Appropriate steps will be taken to insure that the areas around the relocation centers are maintained as part of the exclusion area exactly as at present.

17. It is my belief that present enemy capabilities and the capabilities of the excluded Japanese are such that exclusion should be maintained in those individual cases where there is definite information upon which to base a

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decision. Certainly a military commander cannot afford to permit the free movement of individuals against whom there is substantial proof indicating an adherence to Japan rather than to the United States. The number of Japanese in the United States of pro-Japanese tendencies is so large that it is not the part of wisdom to permit their return to areas so vital to the successful conduct of the war.

18. If the mass exclusion of all persons of Japanese ancestry is terminated in accordance with my recommendations and only those individuals who are classed as potentially dangerous are continued to be excluded, it will be necessary to consider more than 100,000 individual cases. The information upon which the decision in each case will be based is now somewhat scattered. In addition to that on file at the Civil Affairs Division, Headquarters Western Defense Command, there is a large amount of information available in the files of the Japanese-American Branch, Personnel Security Division, CPMG, the Office of Naval Intelligence, F.B.I. and the War Relocation Authority. In order to expedite the process, it is highly desirable that as much of this information as possible shall be made available in a single locality, such as San Francisco. The present situation in which these various agencies are as far apart as San Francisco and Washington makes the expeditious handling of individual cases very difficult.

19. In addition to the centralization of the various information sources, it is important that each one of the agencies which has information shall be prepared to handle a large increase in the number of cases to be evaluated. Certainly, adequate personnel should be provided so that all cases can be evaluated within a period of four or five months. To handle the total number in this period will require that the various agencies be prepared to handle 6,000 individual Japanese exclusion cases per week.

20. As an essential to the smooth accomplishment of the program, it will be desirable that a meeting be arranged at some time in the near future in Washington, where representatives of all agencies concerned can be brought together for the purpose of working out detailed plans for the accomplishment of the program.

21. As a result of the consideration of all cases, a list will be produced of those individuals whose exclusion should be continued. The remainder will then be free to travel or reside wherever they see fit. Certificates which will permit them to return may then be issued to all except those who have been found to be potentially dangerous. The issuance of such certificates will not only serve as a means of checking and maintaining the exclusion of dangerous individuals, but will also protect the individuals who are to be permitted to return. Pending the development of the proposed plan, exemptions will be granted to individuals upon appropriate application in accordance with the procedure now in effect.

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22. I contemplate that the procedure covering the handling of cases will also include an Appeal Board, to which individuals who are initially placed on the excluded list may appeal for a hearing. At this hearing, the excludee will be afforded the right to appear, will be informed of adverse facts, insofar as is consistent with the protection of confidential sources, will have the right to be represented by counsel and to present such evidence as he may see fit showing himself to be worthy of permission to reside in the exclusion area. The findings of this Board will be presented to the Commanding General, Western Defense Command, for final decision.

23. The successful accomplishment of the program outlined above, and particularly that part of it which covers the continued exclusion of certain individuals, will require the loyal support of the Department of Justice so that individuals who are excluded, but who return without authority, may be promptly and vigorously prosecuted.

24. Because of the possibility of civil disorders resulting from the return of exemptees, special liaison will be established with the Commanding General, Ninth Service Command, who is responsible for internal security, in order that he may be kept advised as to the development of the program.

25. In carrying out the proposed plan the closest cooperation and liaison will be maintained with the War Relocation Authority.

26. In view of the consideration stated in this letter, it is recommended that the War Department give its approval to the modification of the present exclusion program to include the following:

a. Approval of the decision that mass exclusion of persons of Japanese ancestry is no longer justified by the military situation and that only persons who as individuals are considered to be dangerous to the military security, shall be excluded from the sensitive area of the Pacific Coast.

b. An announcement of the reduction in the size of the area designated as the exclusion area.

c. The adoption of a procedure for the prompt review of the cases of all individuals now excluded with a view to the prompt determination of those who are considered to be dangerous and the lifting of the exclusion ban on all others. The accomplishment of this procedure will include the following steps:

- (1) A meeting of representatives of all interested agencies to be held in Washington to prepare a combined plan of procedure.
- (2) The centralization of available records.

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

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- (3) Preparation on the part of all agencies involved for the expeditious handling of the review procedure.
- (4) The establishment of an Appeal Board authorized to consider appeals from individuals initially classified in the excluded group.
- (5) The establishment of close liaison and understanding between the Western Defense Command, the Ninth Service Command and the War Relocation Authority in order that the return may be accomplished as smoothly as possible.

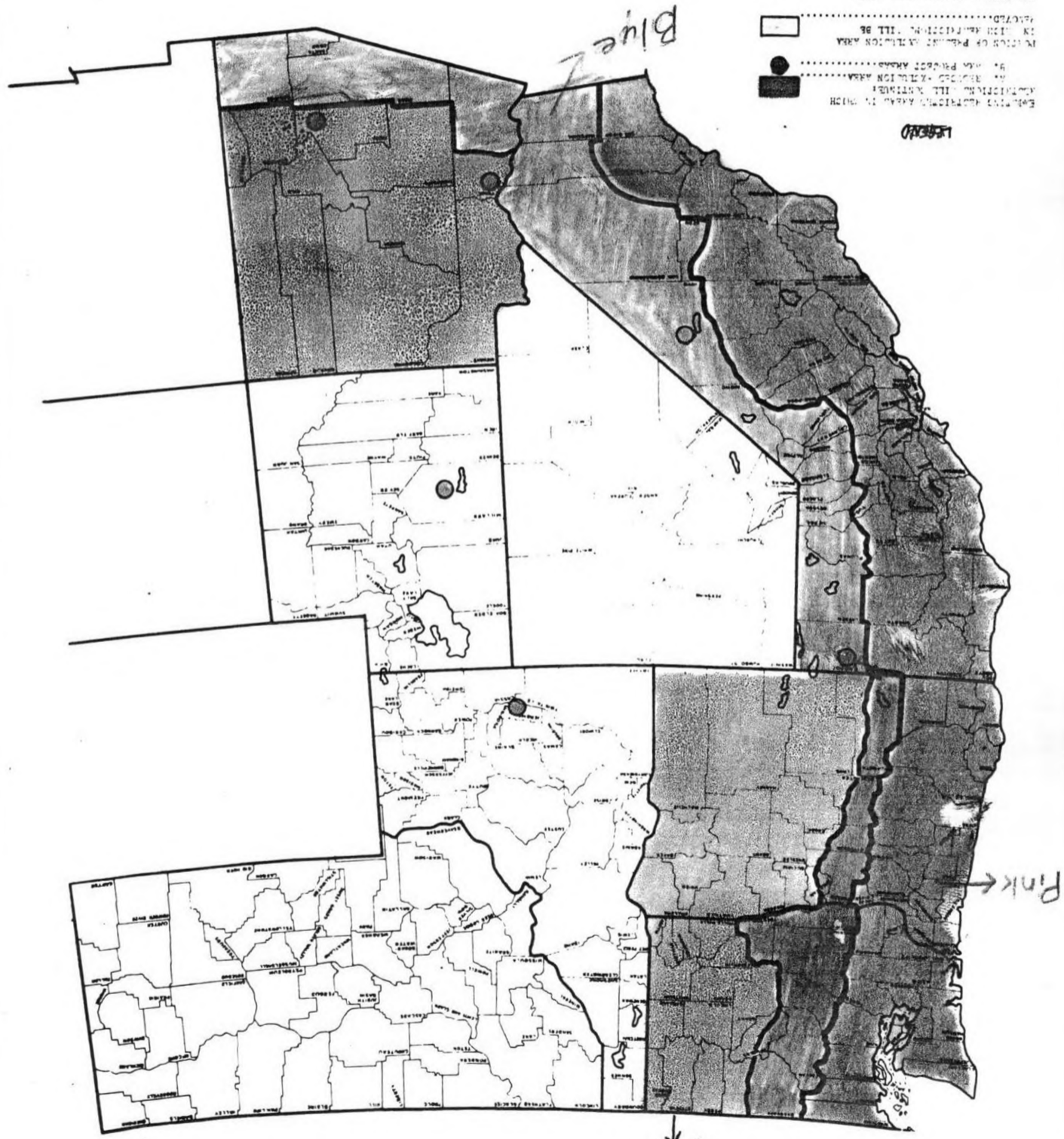
C. H. BONESTEEL,
Major General, U. S. A.
Commanding.

1 Inclosure:
Map

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-  AREAS WHERE THE PROBABILITIES OF A SUCCESSFUL INTRUSION WILL BE HIGH
-  AREAS WHERE THE PROBABILITIES OF A SUCCESSFUL INTRUSION WILL BE MODERATE
-  AREAS WHERE THE PROBABILITIES OF A SUCCESSFUL INTRUSION WILL BE LOW

LEGEND



WESTERN DEFENSE COMMAND AREA

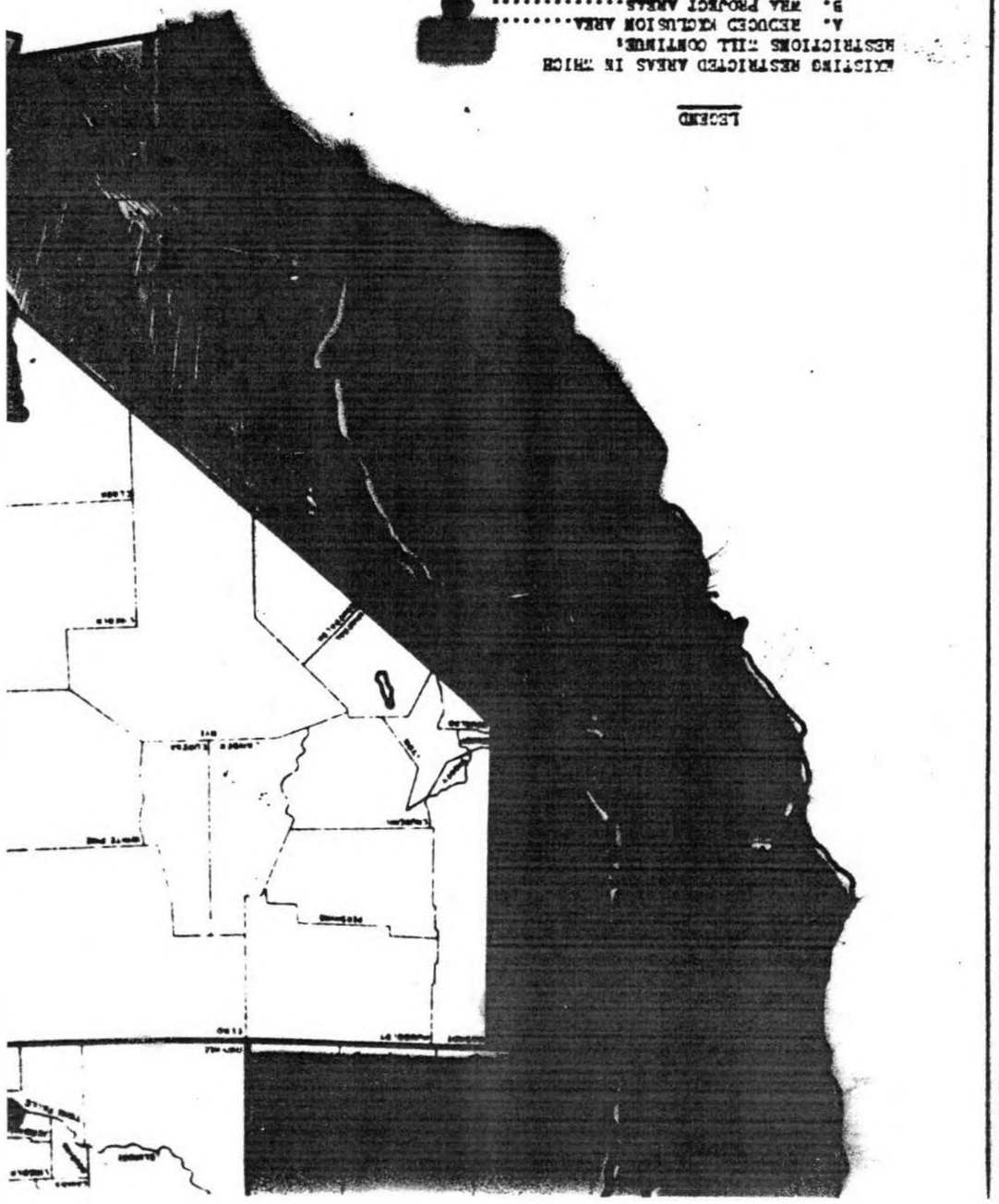
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Final #1

- EXISTING RESTRICTED AREAS IN WHICH RESTRICTIONS WILL CONTINUE.
- A. REDUCED EXCLUSION AREA.....
- B. NEW PROJECT AREAS.....
- POSITION OF PRESENT EXCLUSION AREA IN WHICH RESTRICTIONS WILL BE REMOVED.
- EXISTING RESTRICTED AREAS FOR WHICH INDIVIDUAL EXCLUSIONS ONLY WILL BE REMOVED.

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JAPANESE AMERICAN CITIZEN'S LEAGUE
NATIONAL HEADQUARTERS
BRASON BUILDING
SALT LAKE CITY, UTAH

Bulletin #27

September 13, 1944

To the Members:

Not for Publication

Events are moving very rapidly. The army restriction pertaining to the return to the Pacific Coast seems to be relaxing gradually. It is not surprising, therefore, to hear about the lenient grant of permits for visits on business purposes, especially those who have received induction notices or who are in the enlisted reserve of the U. S. Army.

As to what the Western Defense Command intends or expects to do during the coming months is a well guarded military secret. Rumors have been current about this and that. But we are not giving credence until such things happen.

At the same time, certain actions taken by the army authorities lead us to draw certain conclusions. The injunction suit filed by the American Civil Liberties Union in behalf of three Nisei is a good illustration. Mrs. Shizuko Shiramizu, the widow of a Nisei soldier who gave his life on the Italian front, and Masaru Baba, who has an honorable discharge, were given certificates to return to California without making such a request. This shows that the army most likely will permit immediate family members of Nisei soldiers to return if application should be filed. Also, a Nisei veteran with honorable discharge will be permitted.

In the case of Dr. George A. Ochikubo, the third party in the injunction suit, the army exempted him from the exclusion orders which now apply to all persons of Japanese parentage. Instead he is being excluded under the individual exclusion procedure which has been used against citizens of German and Italian extraction.

Dr. George Ochikubo was asked to testify before the special army hearing board which was convened in Los Angeles on September 11. I was permitted to accompany him inasmuch as I am associated in the injunction suit as one of the attorneys. Testimony was heard in order to enable the members of the hearing board, consisting of three colonels, who flew down from San Francisco for this purpose. The recommendation is expected to be made to Major General Charles E. Bonesteel who will make the final decision. The U. S. District Attorney Mr. Carr stated that the decision will be announced around the 20th of September.

In view of the sudden change in the procedure which the army authorities decided to take, the motion for temporary injunction was abandoned on Monday, September 11, when the hearing was called to order before Federal District Judge Pierson Hall. The case was continued to September 25 when further developments are expected to take place.

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If the Oshikubo case is to stand as a precedent, it means that the army is recognizing that the "military necessity", which justified the general exclusion of all persons of Japanese parentage from the army's standpoint, no longer existed. Then the individual exclusion procedure will be the method which will be employed.

This individual hearing procedure is not satisfactory to Niseis desiring to return because it is going to take time to have hearings. To obtain a general court decision as to the authority of the military over civilians when "military necessity" does not exist will most likely be the next step which may have to be taken.

Inasmuch as there is the indication that the return to the coast will be on an individual basis, national headquarters is mailing to the members the enclosed questionnaire to obtain certain necessary information. And if the members desire to have the JACL take steps toward the eventual return, such steps will be commenced.

We feel that the time has come when we must take the initiative to have our rights restored to the fullest extent. It is not a question of whether a large number desires to return to the coast or not. We must have our rights restored if there is no military necessity to warrant the continuance of the exclusion orders.

My sojourn in Los Angeles was very brief. I was driven through the Li'l Tokyo section which does not seem to be as congested as I expected. There were still many vacant stores. However, there seemed to be little doubt upon talking with different groups that housing is a serious problem.

The friends of the Nisei are actively working to bring about better understanding and public acceptance in preparation for the return. They are, however, worried about the housing problem. Most likely hostels will be the thing which will set up to help the first returning evacuees. To supplement them, private homes are willing to open their doors.

No matter how one tries to be optimistic, the return to the coast is going to be a gradual process. This is especially true for those who have nothing to go back to, such as farms, homes, business or friends. In the first place, the army individual exclusion procedure is going to be a slow process. The next problem will be that of housing. And the third will be that of jobs. Even when all three of these obstacles have been hurdled, there is another important question which is worrying our friends. It pertains to the question of public acceptance. Some communities are exceptionally friendly. The community seems to be ready to accept the former residents back. Even the newspapers are taking a fair stand. This seems to be the case of Pasadena.

On the other hand, there are reports that the City of Salinas is not in the mood to welcome back the evacuees. There seems to be an organized group which is going to make it unpleasant and thereby discourage the return.

Reports from the San Francisco Bay region seem to indicate that the public attitude may not be unfriendly. San Jose, Berkeley, Oakland and such communities

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may hold possibilities because of the large numbers of persons of Chinese extraction. It is difficult for the general public to distinguish a person of Japanese parentage from a Chinese.

In any event, inasmuch as the army has indicated that it no longer considers military necessity to exist, we believe that all our members who desire to visit or return to the Pacific Coast permanently should fill out the questionnaire and return it to national headquarters as soon as possible. We shall report to you whenever there are developments.

Fraternally yours,

/s/ Saburo Kido
National President

P. S. Additional questionnaires may be obtained by request.

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JAPANESE AMERICAN CITIZENS LEAGUE
NATIONAL HEADQUARTERS
HEASON BUILDING
SALT LAKE CITY, UTAH

Bulletin #26

September 11, 1944

Questionnaire For Those Desiring to Return to The Pacific Coast

1. Name
2. Address: Present
 - a. Present

	Number	Street	City	State
b. Prior to evacuation				
c. Assembly Center				
d. Relocation Center				
3. Birth Date
4. Place of Birth
5. Details about family
 - a. Name and age of parents
 - b. Names and ages of brothers and sisters
 - c. Are you married? If so, age and birth place of wife.
 - d. If any children, their names, ages and place of birth.
 - e. Are there any immediate members of your family in Japan?
In the Japanese armed services?
 - f. Are any members of your family in the U. S. armed forces.
6. Schools
 - a. Grammar
 - b. High
 - c. College or Professional School
7. Have you ever been in Japan?
If so, when and for what purpose - give details.
8. Have you attended Japanese language schools?
If so, how many years and where?
9. What organizations have you belonged? What years? Both Japanese and Caucasian.
 - a. Churches
 - b. Civic Clubs
 - c. Athletic clubs (such as Intokukai)
 - d. Relief agencies (such as Heimusha Kai)
 - e. JACL - name of chapter
10. What is your draft classification?

Incl #13

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11. Have you received your physical examination?
12. Have you received deferment?
13. Have you volunteered for the armed services?
If so, were you rejected? Give details.
14. Have you any relatives in the armed services?
If so, give name, rank and place where he is training or serving.
15. Have you any property or business back on the Pacific Coast? Give details as to value, volume of annual business, how it is being managed, etc.
16. Have you applied for permit to visit or return to the Pacific Coast?
 - a. Yes No
 - b. Was permit refused? Give reasons if denied.

I, the undersigned, hereby appoint the Japanese American Citizens League and/or the American Civil Liberties Union to take every and all necessary steps, including filing suits in the courts, to facilitate my return to the Pacific Coast. It is understood, however, that there shall be no financial obligation of whatever nature and kind and that I will be informed from time to time as to developments.
