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W. Barker: W.R.A. 政策に 採用して自治制を制定せしむ

WAR RELOCATION AUTHORITY
12 members should be as an actual committee.
WASHINGTON

海島工
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August 24, 1942

ADMINISTRATIVE INSTRUCTION NO. 34

Subject: Community Evacuee Government

- I. Temporary Community Government
- II. Creation of Community Evacuee Government

- A. It shall be the responsibility of the Project Director, not later than 30 days after 75 percent of the residence units are occupied, to provide for the selection of an organization commission to prepare a plan of community evacuee government in accordance with the controlling provisions of this instruction.
- B. The plan of government shall provide for a representative legislative body to be known as the Community Council. The Community Council may be authorized to establish such regular and special committees and commissions as may be necessary to carry out its duties and functions or to cooperate with the Project Director in promoting the general welfare of the residents.
- C. The plan of government shall provide for the nomination, election and tenure of office of council members. It shall also provide for the organization of the council, its officers and the methods of their selection. Election to the Council shall be by secret ballot.
- D. The plan of government, and any subsequent amendments, shall be submitted to the Project Director for review. Before such plan or amendment is submitted to the referendum provided for in Paragraph E, the Project Director shall satisfy himself that none of its provisions violates any regulation or instruction of the War Relocation Authority.

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- E. The plan of government shall become effective when approved by a majority of the qualified voters voting at a special election. When the plan of government has been thus approved, amendments may be initiated only by a two-thirds vote of the council or by a signed petition of one-fourth of the qualified voters. Amendments shall become effective only when approved by a majority of the voters voting either at a general or special election.

III. Qualifications for Voting and Holding Office

- A. All persons eighteen years of age or over shall be eligible to vote in all elections held pursuant to this instruction.
- ✓ B. Only citizens of the United States who are twenty-one years of age or over shall be eligible to hold elective office.
- C. All residents, whether citizens or non-citizens, shall be eligible for membership on appointive committees, commissions, boards, and other appointive administrative positions which may be established.

IV. Functions of the Community Council

- A. The plan of government shall provide that the Community Council shall have the following duties and functions:
 - 1. To prescribe regulations and to provide penalties for their violation on all matters, other than those defined as felonies by the law of the state in which the project is located, which affect the internal peace and order of the project and the welfare of the residents, insofar as such regulations are not in conflict with any federal law, military proclamation, law of the state in which the project is located, or any order issued by an appropriate officer of the War Relocation Authority. The Council may provide for confinement, suspension of privileges, and other suitable punishments, but it shall not provide for the imposition of a fine. In lieu of a fine the Council may provide for the suspension of the defendant from work privileges, pay privileges, or other privileges to which he would otherwise be entitled.

2. To present to the Project Director resolutions on questions affecting the welfare of the residents of the center.
3. To solicit and receive funds and property for community purposes, and to administer such funds and property.
4. To license and require reasonable license fees from evacuee-operated enterprises. The total of such license fees from all sources shall not exceed \$1,000 for any calendar year. No license fee shall be effective until approved by the Project Director. Any funds available under this provision shall be spent only for purposes which will promote the general welfare of the residents, on the basis of appropriations made by the Council and on warrants against such appropriations issued by the chairman of the Council. The Council shall not have authority to regulate the management, operation or conduct of business enterprises within the center.
5. To exercise such other duties and functions as may be conferred upon it from time to time by the War Relocation Authority.

7. Judicial Commission

- A. The plan of government shall provide for a Judicial Committee or Commission of not less than three members which shall hear cases and apply penalties for violation of law and order regulations prescribed by the Community Council.
- B. The Judicial Commission shall, after appropriate notice and hearing, render a decision finding the defendant either guilty or not guilty and stating the penalty to be applied. Such decision shall at once be communicated to the Project Director for review. If the Project Director shall have taken no action by the expiration of twenty-four hours after the Judicial Commission's decision has been submitted to him, such decision shall become final. The Project Director may affirm the decision and order the penalty to be carried out, or may remand the case to

the Judicial Commission with his recommendations. Where the Project Director has remanded a case within the required twenty-four hours, he may submit his recommendations within a reasonable time thereafter. Upon such remand, the Commission shall further consider the case and enter such judgment as may seem appropriate. Such judgment shall also be subject to review by the Project Director in accordance with the provisions of this paragraph.

- C. In criminal cases involving felonies, the Project Director shall deliver over the defendant to state and local officials for prosecution. In civil cases where parties refuse to arbitrate, probate cases, cases of adoption of children, etc., arrangements should be made to give the parties leave from the center and other proper assistance to enable them to take advantage of the regular state and local courts.
- D. The plan of government shall provide for orderly methods of arbitration for settling civil disputes between residents of the project who voluntarily agree to submit their disputes to an arbitration commission (or such other name is used for this type of agency by the law of the State where the project is located).

VI. Limitations

- A. The Project Director may, at any time, in a communication addressed to the members of the Council, set aside and make void any regulation made by the Council which he finds to be in excess of the functions of the Council herein defined.
- B. During the time that may elapse before action is taken by the Community Council in exercising any of its functions or duties, the Project Director may establish such organization or provide such regulations as he may find necessary.
- C. The authority herein conferred in the field of community evacuee government is in addition to, and not in substitution for, the functions and responsibilities of the Project Director in administering the relocation center.

D. S. MYER
Director

8/24/42