

INVESTIGATION OF UN-AMERICAN PROPAGANDA ACTIVITIES IN THE UNITED STATES

SUBCOMMITTEE OF THE SPECIAL COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES

SEVENTY-EIGHTH CONGRESS

SECOND SESSION

ON

H. Res. 282

TO INVESTIGATE (1) THE EXTENT, CHARACTER, AND OBJECTS OF UN-AMERICAN PROPAGANDA ACTIVITIES IN THE UNITED STATES, (2) THE DIFFUSION WITHIN THE UNITED STATES OF SUBVERSIVE AND UN-AMERICAN PROPAGANDA THAT IS INSTIGATED FROM FOREIGN COUNTRIES OR OF A DOMESTIC ORIGIN AND ATTACKS THE PRINCIPLE OF THE FORM OF GOVERNMENT AS GUARANTEED BY OUR CONSTITUTION, AND (3) ALL OTHER QUESTIONS IN RELATION THERETO THAT WOULD AID CONGRESS IN ANY NECESSARY REMEDIAL LEGISLATION

COMMITTEE PRINT

Minority Views on Tule Lake Segregation Center

Presented by Herman P. Eberharter

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II



INVESTIGATION OF UN-AMERICAN PROPAGANDA ACTIVITIES IN THE UNITED STATES

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE SPECIAL COMMITTEE,
TO INVESTIGATE UN-AMERICAN ACTIVITIES,
Washington, D. C.

MINORITY VIEWS ON TULE LAKE SEGREGATION CENTER PRESENTED BY HERMAN P. EBERHARTER

In June 1943, the chairman of the House of Representatives Special Committee on Un-American Activities appointed a 3-man subcommittee to investigate the program of the War Relocation Authority. This subcommittee has now submitted two formal reports. The first, dealing with the War Relocation Authority program in general and consisting of both majority and minority views, was presented to the Congress on September 30, 1943. The second was concerned specifically with events which took place at the Tule Lake segregation center in early November 1943, and was released to the press on February 28, 1944.

Inasmuch as I find it impossible to agree with the intimations, conclusions, and recommendations of the majority report, I submit this separate minority report as a means of making my views known to the Congress and the people.

RECOMMENDATIONS OF THE MAJORITY REPORT

The report of the majority members is rather brief. It deals only in the sketchiest summary form with the mass of evidence presented to the subcommittee, and it systematically excludes all the evidence which indicates that War Relocation Authority has a difficult assignment and that it is doing a capable job.

The majority report contains four specific recommendations. The first of these recommendations is that Dillon S. Myer, National Director of the War Relocation Authority, and Ray R. Best, Tule Lake center director, be removed from their positions because of their "evident inability" to cope with the problem of disloyal Japanese. I have neither seen nor heard any evidence which would justify such a recommendation. In fact, throughout the hearings held by the subcommittee I was continually impressed by the magnitude and complexity of the job which Mr. Myer and Mr. Best have faced in administering the Tule Lake center and by the seasoned judgment they have displayed in carrying out their responsibilities. The measure of the men is amply indicated, I think, by their actions on the afternoon of November 1, 1943. On that afternoon a crowd of several thousand men,

women, and children gathered around the administration building at the Tule Lake center in response to an unauthorized announcement and remained there while Mr. Myer and Mr. Best listened to the demands of a self-appointed negotiating committee inside the building. The atmosphere was tense and charged with potentialities of serious trouble. The easy way to have handled the situation would have been to call in the troops stationed immediately outside the center and disperse the crowd by force. But such action might well have led to bloodshed involving innocent women and children. It would almost certainly have had repercussions in the Far East where thousands of American soldiers and civilians are still held as captives by the Japanese. And it would scarcely have been the kind of action in which a democratic nation can take justifiable pride. The course which Mr. Myer and Mr. Best actually followed was much wiser and more statesmanlike. Instead of being panicked into rash action, they met with the evacuee committee, rejected all demands that seemed unreasonable, and then gave both the committee and the crowd a forthright and uncompromising statement of the Government's position.

The test was a severe one. Decisions had to be made quickly and a single unwise move might have had reverberations extending thousands of miles beyond the segregation center. A careful reading of the transcript which is included in the majority report shows that both Mr. Myer and Mr. Best consistently displayed the qualities of judgment and emotional stability which this country has a right to expect of its Government administrators. I cannot help wondering what action my excessively critical colleagues would have taken under similar circumstances. The role of "Monday morning quarterback" has never been a particularly difficult assignment.

The second recommendation of the majority members is that the Tule Lake center be transferred to the administrative jurisdiction and control of the Department of Justice. Here again, I am unable to understand how my colleagues arrived at such a conclusion. In testifying before the subcommittee, the Attorney General of the United States made it very clear and emphatic that it is not his desire to have administration of the Tule Lake center transferred to the Justice Department. Nothing he said could be construed that he felt such a transfer necessary or desirable from any standpoint. Testimony submitted by Mr. Myer and other War Relocation Authority officials was naturally silent on the advisability of transfer but indicated plainly that the job of administering the segregation center is far from a simple one and that a background of experience in handling evacuees of Japanese descent is essential for efficient operations.

This testimony, for example, brought out the fact that the segregation program is unlike anything the United States Government has previously attempted, and that it has been widely misunderstood. The population at Tule Lake, according to Mr. Myer, includes some of the most troublesome individuals of Japanese ancestry who were previously scattered throughout 10 War Relocation Authority centers. But it also includes hundreds of women and children who are living there merely because of family ties and who have given no indication of disloyalty to the United States. It is composed both of Japanese

nationals, whose interests are protected by international agreement, and of American citizens, who are guaranteed certain basic rights by the American Constitution. Obviously, efficient administration of such a community cannot be measured by prison standards or by the standards of an Axis concentration camp. It calls for a blend of restraint, tolerance, and sound common sense, together with the necessary degree of firmness which will indicate without question that Government officials are actually in control under any and all circumstances. By such standards, the record indicates that War Relocation Authority—far from doing an inefficient job at the Tule Lake center—has actually handled its difficult assignment with commendable effectiveness.

The third recommendation of the majority calls upon the War Relocation Authority to provide the Congress with a report which would do two things: (1) List the individuals responsible for the beating of Dr. Pedicord and for fomenting the incident of November 1, and (2) indicate the legal or disciplinary action taken against these individuals.

When Mr. Myer appeared before the subcommittee, he was asked to supply this same kind of information. At that time he indicated that individuals responsible for the Tule Lake incident were being gradually apprehended and that action was being taken to isolate them from the remainder of the community. He added that Dr. Pedicord had so far been unable to identify his assailants. This is not surprising since several thousand of the Tule Lake residents had come into the center only a few weeks before the incident occurred. I can readily understand why the majority members of the subcommittee might want more up-to-date information on the status of the troublemakers at Tule Lake. But I cannot understand why they recommend that a report be submitted to Congress. That seems to me to be the direct responsibility of this particular committee, which has all the requisite powers, including that of subpoena, to obtain the desired information. Although the wording of the recommendation does not say exactly by whom such a report should be submitted, I assume it was intended that the War Relocation Authority submit directly to Congress such a report—a procedure without precedent. Furthermore, I think it can be fairly stated that the War Relocation Authority fully cooperated with the committee throughout the investigation and hearings insofar as the furnishing of information was concerned.

The final recommendation of the majority members is that policing activities at Tule Lake and all other War Relocation Authority centers be carried out exclusively by Caucasians in sufficient strength to protect the lives and property of the residents. I may be mistaken, but my impression is that protection of lives and property at War Relocation Authority centers is primarily a responsibility of the United States Army which seems to me to be amply equipped to handle the job. As I understand it, the internal security force which War Relocation Authority maintains within the centers is intended chiefly to handle minor infractions of the regulations and the day-to-day duties of patrolling the residence area. Evacuee residents are used in this work not only for reasons of governmental economy but because knowledge of the Japanese language is frequently necessary in dealing with some of the older alien residents. Whenever violence seems imminent

or danger threatens, War Relocation Authority's long-standing agreement with the War Department provides that troops stationed outside the center can be called in immediately to maintain order. Troops have recently been called upon to maintain order in large, well-governed centers of population, such as Los Angeles and Detroit. The calling of troops in an emergency does not necessarily indicate a permanent break-down of civilian governmental authority. As long as War Relocation Authority's agreement with the Army remains in effect, it seems doubtful if the system of protection can be improved by adopting the recommendation of the majority members. Aside from increasing the costs of operating the centers considerably, the recommendation would appear to involve an unnecessary duplication of effort. Furthermore, it is my understanding that minor policing in prisoner-of-war camps, internment camps, concentration or detention camps, in all the countries, including those of our enemies, is performed by the residents of the camp.

Were the recommendation of the majority of the subcommittee on this subject to be followed, it would mean a departure by the United States from the practice followed throughout the world.

INVESTIGATING TECHNIQUES

When the subcommittee to investigate the War Relocation Authority program was established in June 1943, I agreed to serve as a member with certain definite objectives in mind. I have always felt that congressional investigation groups have a most valuable function to perform in our democracy, not only because their membership is small, but because they possess extraordinary powers; they can examine the operations of Government agencies and inquire into questions of public policy in comprehensive detail and report the essence of their findings to the Congress as a whole and to the people. By the nature of their position and powers, they can provide a useful check on the executive branch, and can also insure that funds appropriated by Congress are being used in the public interest.

But if congressional investigations are to perform their true function and serve their highest purpose, they must approach their task with an open mind and a real zeal for finding out the facts. They must carefully weigh all the available evidence before formulating conclusions and making recommendations. They must be both scientific and judicious. They must keep constantly in mind the heavy responsibility incumbent upon them to present accurate, unbiased information and recommendations as a guide to legislative action.

With these principles in mind, I have participated in the investigation of the War Relocation Authority program with a growing feeling of apprehension. From the beginning, it has been apparent that my associates on the subcommittee and the staff investigators have a conception of our assignment which is fundamentally different from mine.

An onlooker would have concluded that the committee was acting in the role of prosecuting attorney rather than as judge or as grand jury. It seemed that every opportunity was pounced upon to ferret out minor flaws, and to get abundant publicity on the wildest allegations. Testimony of discharged or disgruntled former employees re-

ceived close attention and, in my opinion, was given undue credence. The cross-examination to which the War Relocation Authority officials was subjected did not add to the dignity or prestige of the proceedings. No effort was made to learn or understand the problems and policies of the War Relocation Authority from the highest officials of the agency until after a large portion of the public mind had been thoroughly poisoned by sensational charges, none of which (of any moment) were subsequently proven. It is not too difficult to distort the true function of a congressional investigation.

In peacetime, an ordinary Government agency can usually withstand a congressional investigation of any type. But this particular investigation has centered on a wartime program that has no real parallel in American history—a program shot through and through with explosive possibilities and posing questions of the gravest national and international consequence.

The need for thoroughness, discretion, and balanced judgment in investigation is imperative; the possibilities for harm through biased or inadequate investigation are enormous. Yet the investigation has seemingly been conducted with a view to obtaining maximum publicity for the most irresponsible charges. On the basis of slim and unreliable evidence, the American people have been led to believe that the War Relocation Authority is pampering the residents of relocation centers and that it is deliberately or heedlessly turning potential spies and saboteurs loose upon the Nation. Groundless public fears and antagonisms have been stirred up at a time when national unity is more than ever needed, and widespread distrust has been engendered toward the operations of a hard-working and conscientious agency. Even more important, the investigation has encouraged the American public to confuse the people in relocation centers with our real enemies across the Pacific. Thus it has fostered a type of racial thinking which is already producing ugly manifestations and which seems to be growing in intensity. Unless this trend is checked, it may eventually lead to ill-advised actions that will constitute an everlastingly shameful blot on our national record.

In view of these facts, it is my considered opinion that the "investigation" of the War Relocation Authority program has not only been a painful parody on fair-minded and constructive congressional inquiry but a serious disservice to the American people.

The other two members of the special subcommittee are personally friendly to me, as I am likewise personally friendly to them. We have spent many days and many hours together, and not for an instant do I question their sincerity of purpose. I am indeed most sorry to say I honestly believe they have been lured into following techniques which in my conception are contrary to democratic processes. However, the issue is too important to permit personal consideration to intervene.