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Civilian Division

Washington, D.C. 20530

STATEMENT OF THE DEPARTMENT OF JUSTICE
DEFINING THE HISTORICAL ROLE OF THE CIVIL DIVISION
IN THE 1942 WARTIME RELOCATION AND INTERNMENT OF
AMERICAN AND/OR ALEUTIAN CIVILIANS

During World War II more than 120,000 Japanese-American citizens and permanent resident aliens of Japanese descent were detained, interned, and forcibly relocated by the United States because the government believed this drastic step was necessary to prevent espionage and sabotage. While a small number of these people, about 2,000, were apprehended shortly after Pearl Harbor and held in custody as alien enemies under the Alien Enemy Act and martial law, the vast majority were detained and interned because they lived too close to the west coast; they received evacuation orders issued under Executive Order 9066, dated February 19, 1942, which authorized the military authorities to designate military areas from which any person could be excluded and required them to feed, shelter, and transport the persons evacuated from such areas.

Additionally nearly 1000 Alaskan Aleut Indians were relocated and interned under a similar order because of their proximity to a war zone.

Beginning March 24, 1942, the evacuees were detained and interned at nearby assembly centers and/or relocation centers for periods varying between a few days and four years. While it was the policy of the War Relocation Authority to quickly resettle the evacuees in nonrestricted areas, this process was slow. At the war's end the centers still contained a population of over 50,000; the last relocation center was not emptied until the last week of March 1946. Although precise figures are unavailable, we estimate that the period of detention of internment of evacuees averaged about two years.

Most of the evacuees had less than a week to arrange their affairs before they were required to leave their homes, places of business, and farms, with only the possessions they could carry. The governmental agencies which were designated to assist the evacuees in the disposition and preservation of their property did not have sufficient time to institute adequate means of protecting the evacuees' interests before the evacuation began. Consequently, many of the evacuees sustained property losses in various ways, such as forced sales at far less than fair market value, abandonment, lapsed insurance policies, foreclosures, theft, vandalism, arson, and waste.

After the war the federal government recognized that the evacuees had to bear losses occasioned by their evacuation and exclusion, in addition to the wartime deprivations they had shared with the rest of the American people. To alleviate to some extent the disproportionate financial burden that the government's war measures had thrust upon the evacuees the 80th Congress enacted the Japanese-American Evacuation Claims Act, 50 U.S.C. App. 1981-1987.

This Act authorized the Attorney General to receive, adjudicate, and after a 1951 amendment, compromise claims submitted by eligible persons of Japanese ancestry for damages or losses of real or personal property resulting from their evacuation. This legislation specifically excluded payments for damage or loss on account of death or personal injury, personal inconvenience, physical hardship, or mental suffering, and for loss of anticipated profits or loss of earnings. The Act was further amended in 1956 to permit payment of compensation to a designated group of Japanese alien enemies who were excluded from coverage under the original Act.

The evacuation claims program commenced on July 1, 1949. Evacuees had eighteen months from that date in which to submit claims. The Japanese Claims Section was established in the Civil Division to process and litigate those claims. When this program was concluded with the last award on November 10, 1958, the Department had received 26,568 claims and awarded \$36,974,240 in settlements to the claimants.