

hand, and we consider it a privilege to appear before you. If you wish any further information we would be very happy to give it to you.

The CHAIRMAN. I would say, furthermore, if there is anything that occurs to you as a result of the hearings here in San Francisco that you think should go in the record, we will hold it open for you.

Mayor ROSSI. Thank you very much.

The CHAIRMAN. Mr. Warren.

TESTIMONY OF HON. EARL WARREN, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIF.

The CHAIRMAN. Attorney General Warren, will you be seated please? I want to say to you that we appreciate your coming here because we think that you have some very valuable information. We shall give you the widest latitude. We are not here to cross-examine any witnesses—not that you could not take care of yourself. I found out 25 years ago that in the trial of a lawsuit you take very good care of yourself. But we do want to get the thought over to you gentlemen that you are to proceed in your own way. The statement you submitted will be incorporated in the record at this point.

(Statement referred to above is as follows:)

STATEMENT BY HON. EARL WARREN, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIF.

LOCATION OF JAPANESE IN CALIFORNIA AS SHOWN BY MAPS OF THE COUNTIES

Early in February 1942, I requested the district attorneys of those counties of the State having a Japanese population to have prepared maps of their counties showing all lands owned, occupied, or controlled by Japanese, including American-born Japanese as well as Japanese aliens. The district attorneys, with the assistance of their sheriffs, county agricultural commissioners, and county and city assessors, have now completed such maps for the following counties of the State:

Alameda	Monterey	Santa Cruz
Butte	Napa	Shasta
Colusa	Placer	Solano
Contra Costa	Plumas	Sonoma
Fresno	Sacramento	Stanislaus
Glenn	San Diego	Sutter
Humboldt	San Francisco	Tehama
Kings	San Joaquin	Tulare
Madera	San Luis Obispo	Ventura
Marin	San Mateo	Yolo
Mendocino	Santa Barbara	Yuba
Merced	Santa Clara	

The originals of these maps are in my possession and duplicates have been retained by the district attorney in each county.

An inspection of these maps shows a disturbing situation. It shows that along the coast from Marin County to the Mexican border virtually every important strategic location and installation has one or more Japanese in its immediate vicinity. The same situation exists in those counties of the Sacramento and San Joaquin Valleys that have any considerable Japanese population, and in San Bernardino, Riverside, and Imperial Counties.

I am attaching to this extension of my testimony as exhibit A a list of some of the particular points where Japanese are immediately adjacent to strategic points as shown by the maps of counties of California. This list, lengthy though it is, by no means includes all such points. It does not even include all such points shown on the maps. It is intended to be merely illustrative and not

exhaustive. In addition, it should be understood that for obvious reasons the maps do not show our coastal defense and very few of our war industries. That there are Japanese in the immediate vicinity of many such establishments is unquestionably the fact. The sheriff of one coastal county has reported to me that in his county Japanese farmers are working within a grenade throw of coast-defense guns; and the sheriff of another that it is necessary to pass through the yards of three Japanese farmers to reach certain coast-defense installations located in his county. That our war industries also have numerous Japs in their vicinity is, I believe, quite clear from the file of letters from law enforcement officers in all parts of the State.

Notwithstanding the fact that the county maps showing the location of Japanese lands have omitted most coastal defenses and war industries, still it is plain from them that in our coastal counties, from Point Reyes south, virtually every feasible landing beach, air field, railroad, highway, powerhouse, power line, gas storage tank, gas pipe line, oil field, water reservoir or pumping plant, water conduit, telephone transmission line, radio station, and other points of strategic importance have several—and usually a considerable number—of Japanese in their immediate vicinity. The same situation prevails in all of the interior counties that have any considerable Japanese population.

I do not mean to suggest that it should be thought that all of these Japanese who are adjacent to strategic points are knowing parties to some vast conspiracy to destroy our State by sudden and mass sabotage. Undoubtedly, the presence of many of these persons in their present locations is mere coincidence, but it would seem equally beyond doubt that the presence of others is not coincidence. It would seem difficult, for example, to explain the situation in Santa Barbara County by coincidence alone.

In the northern end of that county is Camp Cook where, I am informed, the only armored division on the Pacific coast will be located. The only practical entrance to Camp Cook is on the secondary road through the town of Lompoc. The maps show this entrance is flanked with Japanese property, and it is impossible to move a single man or a piece of equipment in or out of Camp Cook without having it pass under the scrutiny of numerous Japanese. I have been informed that the destruction of the bridges along the road to Camp Cook would effectually bottle up that establishment for an indefinite time, exit to the south being impossible because of extremely high mountains and to the north because of a number of washes with vertical banks 50 to 60 feet deep. There are numerous Japanese close to these bridges.

Immediately north of Camp Cook is a stretch of open beach ideally suited for landing purposes, extending for 15 or 20 miles, on which almost the only inhabitants are Japanese.

Throughout the Santa Maria Valley and including the cities of Santa Maria and Guadalupe every utility, airfield, bridge, telephone, and power line or other facility of importance is flanked by Japanese, and they even surround the oil fields in this area. Only a few miles south, however, is the Santa Ynez Valley, an area equally as productive agriculturally as the Santa Maria Valley and with lands equally available for purchase and lease, but without any strategic installations whatever. There are no Japanese in the Santa Ynez Valley.

Similarly, along the coastal plain of Santa Barbara County from Gaviota south, the entire plain, though narrow, is subject to intensive cultivation. Yet the only Japanese in this area are located immediately adjacent to such widely separated points as the El Capitan oil field, Elwood oil field, Summerland oil field, Santa Barbara Airport, and Santa Barbara Lighthouse and Harbor entrance, and there are no Japanese on the equally attractive lands between these points.

Such a distribution of the Japanese population appears to manifest something more than coincidence. But, in any case, it is certainly evident that the Japanese population of California is, as a whole, ideally situated, with reference to points of strategic importance, to carry into execution a tremendous program of sabotage on a mass scale should any considerable number of them be inclined to do so.

The problems of a law-enforcement officer presented by this situation can only be appreciated when it is remembered that law enforcement officers do not know which of these Japanese are American citizens and which are aliens.

JAPANESE ORGANIZATIONS

An additional factor in the danger and one which would probably not be apparent to persons unfamiliar with the California Japanese lies in the fact that the Japanese in this State are very closely organized. There are a large number

of Japanese organizations covering every branch of life. There are Japanese agricultural, commercial, educational, social, religious, and patriotic associations in every Japanese community. Almost every Japanese in the State is included in one or more of these organizations.

The actions of individual Japanese have been in the past very largely controlled by the organizations to which they belong. Although the several organizations in Japanese communities are concerned with different fields of activity, they are all quite closely integrated by means of interlocking directorates and officers, honorary advisers, and interlocking membership among the ordinary members. This organizational machinery, reaching as it does into every phase of Japanese life and exercising very real control over the actions and conduct of most of the Japanese in the State, is a type of organization that is ideally adapted to carrying out a plan for mass sabotage. If the leadership of the main Japanese organizations fell into the wrong hands, it is quite conceivable that some, though certainly not all, of the Japanese organizations could be utilized for carrying on a program of sabotage and fifth-column activity.

State and local law enforcement authorities have no other knowledge of the purposes and objectives of Japanese organizations than what has been acquired from common experience with the Japanese in their several communities, the investigation of all subversive matters having been left to the Federal Bureau of Investigation in accord with the request of the President. However, the inter-relationship of the many Japanese associations and their control over the Japanese population of the State has been a matter of general knowledge and has been apparent from items appearing in the Japanese newspapers. These Japanese newspaper items also show that in the past years there has been a close relationship between Japanese associations in California and parent or governmental organizations in Japan and that on many occasions the associations in California have contributed to and assisted in the war effort of the Japanese Government.

While we have no complete information as to the number of Japanese organizations existing in California, Japanese sources indicate that the number is large. Thus the public press carried an item from Tokyo April 25, 1941, to the effect that the Japanese "Central Council of Overseas Organizations announced that there are 2,700 Japanese organizations in the United States, representatives of which will meet for a convention in Tokyo in November 1941."

The organization of Japanese in California follows a quite definite pattern. The associations are almost invariably broken down into very small units, dependent upon geographical location and graduating into larger and larger units of the association until all are embraced in at least a State-wide organization. A typical example is the Japanese Association of the Gardena Valley which at first glance would appear to be a very small organization. It is composed, however, of a large number of other smaller organizations and thus includes within its control a very large number of persons. At the same time it is a component of larger district and State organizations. The true situation appears from a petition filed by the Japanese Association of Gardena Valley under-date of September 4, 1932, directed to the Administrator of the National Industrial Recovery Act, disclosing that the association represents some 11 vegetable growers' associations in Gardena Valley, consisting of approximately 1,200 members.

Similarly, a resolution adopted on September 2, 1934, by the Japanese Vegetable Growers of Orange and Los Angeles Counties, protesting against certain provisions of the Code of Fair Competition for the Wholesale Fresh Fruit and Vegetable Distributive Industries in the cities of Vernon and Los Angeles, shows the resolution to have been signed by a large number of Japanese, each of whom in turn was the representative of a smaller Japanese organization, the total number of individuals who are members of all of the associations being of necessity quite large. In this case the resolution was signed by representatives of the following Japanese organizations:

- Irvine Farmers Association.
- San Fernando Industrial Association.
- Long Beach Farmers Association.
- Growers Association of San Gabriel Valley.
- Vista Vegetable Growers Association.
- Orange County Japanese Association.
- Garden Grape and Berry Growers Association.
- Nippon-California Farmers Association.
- Burbank Farmers Association.

Laguna Beach Farmers Association.
 Norwalk Farmers Association.
 Industrial Association of Montebello.
 Growers Association of San Pedro.
 Japanese Association of Gardena Valley.
 Lomita and WALTERIA Industrial Association.
 Santa Ana Garden Grove Japanese Association.
 San Gabriel Valley Japanese Association.

The Japanese social, cultural, and educational associations have a similar integrated structure. At the top of the pyramid is the Japanese Association of America in Northern California and the Japanese Central Association in Southern California. The connection between these associations and the Japanese Government has always been very close. The Japanese Association of America was organized many years ago and its bylaws provide:

"ARTICLE 3. This association is organized by the local Japanese association under the jurisdiction of the Japanese consulate general of San Francisco."

That the Japanese associations as organizations have in the past supported and aided the military campaigns of the Japanese Government is beyond doubt. The contributions of these associations toward the Japanese war effort have been freely published in Japanese papers throughout California. Some of these newspaper items are as follows:

"MARCH 13, 1941.—Thirty-two bales of tinfoil were shipped to Japan through the Japanese consulate general and were contributed by Japanese associations of Fresno County, Kern County, Delano, and San Bernardino.

"JULY 6, 1941.—Central California Japanese Association announces the collection and transmission to the War Ministry of the sum of \$3,512.05.

"MARCH 6, 1938.—G. Yoshida, San Francisco Japanese Association, yesterday sent 400 pounds of tinfoil, making a record total of 2,800 pounds of tinfoil which he has collected, according to the records of the consul general's office."

The Japanese Veterans Association was similarly engaged:

"MARCH 20, 1941.—It is announced that the War Veterans Associations in Japan, Germany, and Italy, in keeping with the spirit of the Axis Treaty, have formed joint and advisory committees to aid and establish the new world order. There are 3½ million veterans and reservists, headed by General Imci, who have pledged their cooperation to Axis aims."

"JULY 6, 1941. The Japanese Veterans Association of America, in its sixty-sixth meeting, reported the collection of \$5,968.60, making a total of \$29,440.34 yen collected and transmitted to Japan for use of the military services, the collection being from Japanese organizations in the following places: Chico, Monterey, Tulare, Thornton, Richmond, Sonoma County, Eden Township, Alameda County, Marin County, Lodi, Mountain View, Alvarado, San Benito County, Contra Costa County, Watsonville, Santa Cruz, Redwood City, Vacaville, San Mateo, Bingham, Utah, Berkeley, Oakland, San Francisco, Pescadero, Salinas, Ogden, Utah, Reno, Nevada, Honeyville, Rock Springs, Wyoming, Idaho Falls, Idaho, Salt Lake City."

The same item announces that during the 5 years since the outbreak of the China incident, the organization has collected 850,000 yen for the aid of Japanese soldiers and a tremendous number of bundles for Japanese soldiers overseas. It was announced further that because of the American freezing policy against Japan it would no longer be possible to transmit relief funds and that the organization had decided to disband.

At one time it is said the association numbered 8,000 members and at the meeting at which dissolution was decided upon some 300 representatives were present. At that meeting it was announced that \$2,300 which had not been transmitted to Japan was caught by the freezing order. The meeting closed with the showing of a Japanese motion picture entitled "Flaming Skies."

This organization sponsored the tour of Maj. G. Tanaka, of the Japanese Army, and a member of the army general staff, who arrived in San Francisco January 1, 1941, with full uniform, sword, and medals and toured the State lecturing before various Japanese groups, eventually returning to Japan via New York. While here, he is reported to have said: "Japan and the United States will go to war this autumn."

PREFECTURAL ASSOCIATIONS

These associations are composed of natives of a particular prefecture living in the locality where the association is located. They usually hold annual joint conventions attended by natives from that particular prefecture, who come from

all over the United States. There are 21 prefectural societies in San Francisco alone. These associations, like most other Japanese organizations, have in past years actively engaged in the collection of money and materials for the Japanese war effort. Most of these funds are accumulated by the associations as gifts from members, usually made to commemorate some family occurrence, as a birth, death, marriage, or departure on a trip, the money being transmitted to Japan. No one knows how much material and money has been collected by these organizations, but the Japanese newspapers have been replete for years with items of which the following are typical:

"MARCH 6, 1938.—Mr. Shidgu Oka, on behalf of the Okayama Overseas Association, has been appointed by the collection committee and is engaged in collecting army service funds in San Bernardino from natives of Okayama.

"VISALIA, FEBRUARY 13, 1939.—Natives of Hiroshima Prefecture, Anza District, village of Yakki, each contributed \$10 to buy bundles for the families of soldiers sent overseas from the village. The funds were sent to the Japanese Town Hall in Visalia."

The Japanese produce associations have similarly supported the Japanese war effort. For example, Japanese papers in 1937 carried the thanks and acknowledgment of the Japanese Minister of War for contributions to army funds of the Chula Vista Mellon Growers Association as follows:

"Referring to the recent incident and the service funds and packages contributed for the expeditionary forces, I am grateful, and hereby express my most sincere thanks. Signed General Sugiyama, Minister of War. Dated December 19, 1937.

"July 27, 1941. It was announced that the Niland Produce Association contributed \$35 to the Japanese military attaché of the Imperial Embassy in Washington, D. C."

Besides sending financial and material support to Japan, the Japanese associations have also engaged as organizations, and almost uniformly, in promoting loyalty to Japan and the Japanese Emperor in the hearts of all Japanese in California.

In Tokyo, under date of April 25, 1941, the Central Council of Overseas Organizations announced that there are 2,700 Japanese organizations in the United States, representatives of which will meet for a conference in Tokyo in November 1941. The character of the Central Council of Overseas Organizations is easily determined from the nature of the Imperial Rule Assistance Association, which is the most important organization in the central council. The Imperial Rule Assistance Association is the Japanese Fascist Party and its officers are the present heads of the Japanese Government. The Japanese papers in California have from time to time carried news items concerning the Imperial Rule Assistance Association which are not without significance. For example, under date of October 11, 1941, it was announced from Tokyo that the association has decided (1) to assemble and study all reports on the Far Eastern situation; (2) to completely propagandize the advance Asia idea; (3) to work in cooperative planning; (4) to arrange to shift a portion of the work to Japanese leaders and organizations abroad.

On September 4, 1941, the Imperial Rule Assistance Association announced the formation of a subsidiary organization of Japanese youth over the age of 21 years to follow the same policy as the parent organization, with branches in every prefecture in Japan, to be formed with the aid of officials of the War, Navy, Home, and Education Ministries. And on September 7, 1941, the Congress of Japan-Italian Cultural Society met at Rimini, Italy, the subjects under discussion including: (1) The Fascist Party and its political functions in the lives of the Italian people; (2) Japanese nationalists and the function of the Imperial Rule Assistance Association in the lives of the Japanese people; (3) Japanese youth organizations.

While ostensibly there is no branch of the Imperial Rule Assistance Association in the United States, an organization in California with similar aims is the Military Virtue Society of North America, with headquarters at Alvarado, Alameda County, and a branch office in Tokyo. The purpose of this organization is to instill the Japanese military code of bōshido and to teach fencing and other Japanese military exercises among the Japanese throughout North America. This organization is regarded as the most strongly nationalistic Japanese organization in the country and probably the most dangerous.

Although not organized until 1931, its membership and activities have been widespread for several years. Simply as illustrative of its wide territorial extent and rapid spread, is the following item:

"FEBRUARY 13, 1938, VISALIA. Yesterday the local branch of the Military Virtue Society of North America in Dinuba met jointly with four other branches,

with all members in attendance. Henceforth meetings will be held Tuesday night every week. The southern California branch of the Military Virtue Society will on July 20, beginning at noon in the Koyasan Hall, Los Angeles, hold its yearly military virtue festival and military (fencing) exercises with groups from places as follows competing: Brawley, El Centro, Central School of Los Angeles, Uptown School of Los Angeles, Keystone, Gamita, Redondo Beach, Baldwin, Hawthorne, El Monte, San Bernardino, Riverside, Coachella, Pasadena, Sawtelle, Santa Monica, Alpine, Huntington Beach, Oceanside, San Diego, and Chula Vista, in all numbering 26 groups. A heated contest is anticipated."

The manner in which the Military Virtue Society is closely integrated with other Japanese organizations, both business and social, is well illustrated by the postal addresses of some of its branches. For example, in Alvarado, Alameda County, post office box 215 is the address of the following:

- (1) Headquarters, Military Virtue Society of North America.
- (2) Kinyai Kumia Finance Association.
- (3) Japanese-American News correspondent.
- (4) New World Sun correspondent.
- (5) Hochi Shimbun correspondent.
- (6) Alvarado Japanese School.
- (7) Takichi Nakamura (president), Military Virtue Society of North America.

In Sebastopol, post-office box 57 is the address of the following:

- (1) Military Virtue Society of North America.
- (2) Japanese Sunday school.
- (3) Hiroshima Prefectural Society.
- (4) Sabura baseball team.

In Suisun, post-office box 252 is the address of:

- (1) Military Virtue Society of North America.
- (2) Mint Grill.
- (3) Suisun Fishing Club.

In Auburn, post-office box 57 is the address of:

- (1) Military Virtue Society of North America.
- (2) Japanese School.
- (3) Young Men's Buddhist Association.
- (4) Young Women's Buddhist Association.
- (5) Buddhist Church.

In Lindsay, 157 Mount Vernon Avenue is the address of:

- (1) Military Virtue Society of North America.
- (2) Japanese School.
- (3) Lindsay Women's Association.

The locations of the regional headquarters of the Military Virtue Society of North America are:

- Southern California area: 230 Terminal Island.
- Seattle branch: 503 Main Street.
- Fresno area: 832 F Street.
- Sacramento area: 1300 Fourth Street.

Another Japanese organizational activity which is worth noting is the Kibei Shimin movement. The Kibei Shimin movement was sponsored by Japanese Association of America and had as its policy the encouragement of the return to America from Japan of American-born Japanese. At the time the movement commenced it was ascertained that there were around 50,000 American-born Japanese in Japan. The Japanese Association of America sent representatives to Japan to confer with prefectural officials on the problems of financing and transportation, and a policy of publicity to induce these Japanese to return to America. The Japanese Association of America also arranged with the steamship companies for special rates for groups of 10 or more returning to America and requested all Japanese associations to secure employment for returning American-born Japanese. In addition, they printed leaflets and sponsored lectures throughout Japan to urge American-born Japanese to return to this country. That this campaign was successful in securing the return of a large number of American-born Japanese is apparent.

Newspaper items such as the following are typical:

"MAY, 1936. Tatsuki Sahada, president of the Woodland Japanese Association, returned to America with several American-born Japanese whose return he sponsored, and reported on his efforts on behalf of the Kibei movement."

Though born in America, most of the Japanese who have returned to this country as a result of the Kibei movement are unable to speak English. These American-born Japanese, educated in Japan, and who have returned to this country instilled with loyalty to the Emperor and with Japanese patriotic fervor, have formed an organization of their own known as the Kibei Shimin which is evidently of considerable size. On February 24, 1941, a San Francisco Japanese newspaper carried the following item, which gives some idea of the extent of the Kibei movement:

"The convention committee of the Kibei Shimin, together with representatives of the Japanese organizations backing them, met at the Japanese Association Hall in San Francisco to discuss plans for the convention. It was decided to have a contest for a 50-word slogan for the convention for which prizes would be given. Slogans should be mailed to the Kibei Shimin convention, 1623 Webster Street, San Francisco."

That Japanese in California are thoroughly conscious of and interested in their relationship to military figures in Japan is illustrated by the following item:

[The Japanese-American News]

"San Francisco, August 14, 1941.—Admiral Neimi, commander and chief of our squadron dispatched to the South Pacific, and upon whose shoulders rests the full power of the Japanese Navy and pressure in the South Pacific, has relatives in Fowler we heard. After seeking and looking for them it was disclosed that in the area lived a farmer by name of Akira Soraoka. We heard from his wife, 'He is our younger cousin, not our brother. Three years ago Neimi was attached to the party of Prince Chichibu and attended the crowning of the former King George VI of England, and on his way through the United States back to Japan we saw him in Fresno, and later received from the admiral's elder sister Mineko detailed letters about our birthplace and about the admiral. Seich is a good man and we did not think he would go to the front. However, having been entrusted with great national responsibility, we pray from a distance that he will live completely free from accident.' "

There are also Japanese organizations devoted to the worship of particular persons. For example, the Meiji Kai, which is devoted to the worship of Emperor Meiji. Also the Togo Kai, devoted to the worship of Admiral Togo and holding observances, particularly on the 10th day of August, in commemoration of the Battle of the Japan Sea. This society has headquarters in Japan and branches throughout the United States; in San Francisco the Togo Society being at 1860 Buchanan Street; in Sacramento at 1309½ Fourth Street. At the same address in Sacramento is also located the Japanese Association of Sacramento, the Sacramento Produce Association, and the Sacramento Sewing School. The personnel of the Togo Kai is thought to be composed mainly of former naval officers and reserve officers.

Another important Japanese organization existing in California is the Japanese Tourist Bureau, which, at the suggestion of the Imperial Rule Assistance Association, changed its name to the East Asia Travel Agency. This organization is a subsidiary of the board of tourist industries operating under the Japanese Ministry of Communications. It maintained agencies in a number of cities in the United States, usually in connection with Japanese transportation companies. It published a series of pamphlets in English on Japan, Japanese art, culture, etc., and made available motion-picture films through the Japanese consulate on Japan. It also sponsored broadcasts in English from Japan for the benefit of American-born Japanese.

One of these persons thus sponsored was Kazumaro (Buddy) Uno, an American-born Japanese formerly on the staff of the New World Sun newspaper. He was employed by the Japanese Tourist Bureau to travel to Japan, China, Korea, and Manchukuo, and returned to the United States where he was given office space in the office of the consulate general in San Francisco, from which headquarters he made trips over the entire west coast making speeches to groups of American-born Japanese.

The significance of these integrated Japanese associations lies in the fact that through them it is possible for those at the head to exercise control over the conduct of other Japanese throughout the State. All persons coming into close contact with the Japanese in California have seen repeated manifestations of such control. Many examples could be cited. The experience of Mr. Homer Harris, secretary-manager of the Associated Produce Dealers and Brokers of Los Angeles, a concern which has one of the largest produce markets in the State, is typical. In 1939 the commission merchants in his market had under consideration the matter of charging an increased percentage as commission, and called a mass meeting of commission merchants in the market to consider the question.

Although more than half of the commission houses in the market were Japanese, only one Japanese came, and he was secretary of the Japanese Produce Merchants Association. The white commission merchants insisted on talking to his members as being merchants like themselves. The Japanese representative said he would try to get his people out for the week following. When the day arrived, only one Japanese merchant appeared with the secretary. However, about 10 days later the Japanese commission men through their secretary announced a willingness to increase their commission rate and notices were thereupon sent out to the growers. A week later the secretary of the Japanese Produce Merchants Association came back to the white commission men and informed them they could not stand by their agreement which they had made and signed. When they were asked why they could not the secretary informed Mr. Harris that although the Japanese commission men hated to wench on the agreement they were compelled to do so by the Central Japanese Association, which was insistent on no increase in commissions as a result of representations made to the Central Japanese Association by the Japanese Southern California Farm Federation, an organization of Japanese growers. Indeed through his years of experience, Mr. Harris states that every detail of the business of Japanese commission men in his market is subject to the control of the Japanese associations, and it has always been evident that no Japanese can take any action contrary to the orders and dictates of the Japanese Associations to which he belongs.

With integrated organizations such as these exercising such complete control over the conduct of all Japanese in the State, it is quite evident that it would be extremely easy for those at the top to direct the Japanese throughout the State and wherever located in a widespread simultaneous campaign of sabotage which could carry the most serious consequences.

ALIEN LAND LAW

The California alien land law is the only statute available to law-enforcement officers to meet the situation presented by the presence of Japanese in many strategic localities. The statute is, however, by no means a complete remedy for the condition. In some of the most menacing situations the citizenship of the parties has been found to be such that the alien land law has no application. However, in spite of its limitations I believe the statute is applicable in enough serious cases to be of some assistance at least in meeting the law enforcement problem.

The purpose of the alien land law is to reserve ownership and control of the land, either to citizens or to those aliens who are eligible to become citizens. The statute denies to aliens who are ineligible to citizenship the right to acquire or possess real property or any interest in it except insofar as such rights may be conferred by a treaty between the alien country and the United States. The statute declares a conspiracy to violate its terms to be a felony. It also provides that the interest of any alien in real property held in violation of the terms of the law shall escheat to the State. These are the only sanctions provided. In previous efforts to enforce the alien land law great difficulty was experienced because of the lack of evidence to prove the alien's place of birth from which his lack of citizenship and ineligibility thereto would appear. In 1927 two sections were added to the statute which were intended to place upon the defendant-alien the burden of proving citizenship, but these sections have been held to be unconstitutional by the United States Supreme Court for all practical purposes. It is to be hoped that the alien registration records of the United States Immigration and Naturalization Service will be made available for use in evidence in alien land law cases. I have requested Major Schofield, who is the special assistant to the United States Attorney General in charge of Immigration and Naturalization

Service on behalf of all of the law enforcement officers of the State for such permission.

If the alien registration records are not made available no doubt the same difficulties of proof will be experienced as in former years. On February 2 of this year, I called a meeting which was attended by the district attorneys and sheriffs of some 40 counties, at which it was decided that an immediate survey should be made of the land ownership in each county and that appropriate proceedings should be commenced in cases where the alien land law was being violated. The first step in the survey was the preparation of maps for each county showing all lands owned, leased, or occupied by Japanese. It was not until these maps were prepared that we realized how thoroughly the Japanese had infiltrated themselves into every strategic spot in our coastal and valley counties.

CONSENSUS OF LAW-ENFORCEMENT OFFICERS UPON THE SERIOUSNESS OF THE SITUATION AND THE STEPS WHICH SHOULD BE TAKEN TO REMEDY IT

Upon learning that the House Committee Investigating National Defense Migration desired to ascertain the nature and extent of the law-enforcement problem arising from the presence of enemy aliens in California, I wrote to all sheriffs, district attorneys, and chiefs of police in the larger cities of the State, asking their views on the matter, and particularly on—

1. What, in your opinion, is the extent of the danger by way of sabotage and fifth-column activities in your jurisdiction and in the State as a whole arising from the presence of enemy aliens?

2. Do you believe that the danger can be adequately controlled by treating all enemy aliens alike regardless of nationality, or do you believe that we should differentiate among them as to nationality?

3. What protective measures do you believe should be taken with reference to each nationality or with reference to enemy aliens as a whole, in order to eliminate the danger of sabotage and fifth-column activities?

Photostatic copies of the replies received to this inquiry are attached hereto as exhibit B. These letters make evident, I believe, that it is almost a universal conviction among law enforcement officers in California that there is grave and immediate danger of sabotage and fifth-column activities from the Japanese population and that their removal at once from the vicinity of vital establishments and areas is imperative in order to eliminate such danger. The letters also express their opinions as to the relative danger from Japanese, German, and Italian aliens.

THE VIEWS OF FARM ORGANIZATIONS AS TO THE EFFECT UPON CALIFORNIA AGRICULTURE OF THE REMOVAL OF JAPANESE THEREFROM

It seems quite plain that the necessities of the present situation require the removal of the Japanese from a considerable portion if not from all of California. Such a course will obviously have a definite effect upon agriculture in this State. While I do not feel qualified to prophesy on this subject, I have been asked to present to the committee the view of a considerable number of farm organizations which are undoubtedly so qualified. Consequently, I am attaching hereto as exhibit C photostatic copies of letters expressing the views of the Grower-Shipper Vegetable Association of Salinas, Western Growers' Protective Association of Los Angeles, Associated Produce Dealers and Brokers of Los Angeles, and the Farm Bureaus of Butte County, Fresno County, Imperial County, Kern County, Los Angeles County, Merced County, Orange County, Riverside County, Sacramento County, San Bernardino County, San Joaquin County, Siskiyou County, Solano County, Sonoma County, Stanislaus County, Sutter County, Tulare County, Yolo County, and Yuba County. While these letters must speak for themselves, the organizations are consistently of the opinion that the removal of Japanese from California would have an appreciable but not a serious effect upon California agriculture.

CONCLUSION

During these difficult times State and local law-enforcement officers have uniformly received the finest cooperation from the Intelligence Services of the United States Navy and the United States Army, as well as from the Federal Bureau of Investigation. This latter organization, charged as it is with our internal security, and our protection against espionage and sabotage, has had a tremendous task and one of peculiar difficulty in California by reason of the very

grave mistake at this time as it would only tend to aggravate present tense situation. All Japanese have been evacuated from Baja, California, Republic of Mexico, just across international boundary line from Imperial County to interior of Mexico. Any proposition bringing additional Japanese into this area strictly opposed by Mexican authorities. Evacuation of any Japanese citizen or alien to this county would create a very serious and unsatisfactory situation. Making every effort at this time to have the Federal Government evacuate all alien Japanese from this county to some point of internment in the interior of the United States. Many alien Japanese have already been arrested by Federal Bureau of Investigation in this county and taken into internment centers. The bringing of any additional Japanese to this county at present time would only tend to aggravate and multiply present difficult law enforcement problems. For foregoing reasons would be opposed to any attempt to bring any additional Japanese into this territory.

ELMER W. HEALD,

District Attorney, County of Imperial.

VISALIA, CALIF., February 20, 1942.

RAY B. WISER,

President, California Farm Bureau Federation, Berkeley, Calif.

Under existing conditions as developed in the past few hours these alien Japanese or dual citizens could not be moved into the county unless the United States Army has charge of them. There are camps available for Japs on the large ranches but due to public opinion we do not believe that Tulare County needs any more Japs unless as stated the Army has complete control over this situation. At the present time there is not strict enough regulation on the enemy alien in Tulare County especially the Jap dual citizen or alien.

TULARE COUNTY FARM BUREAU,
J. E. JORDAN, *President.*

TESTIMONY OF HON. EARL WARREN—Resumed

Attorney General WARREN. Mr. Chairman, we feel in California that it is a fortuitous circumstance that this committee is here at this particular time. We believe that there has been no time in our entire crisis when the need of clarification of the alien situation is as apparent as it is today. There are some things transpiring in our State at the present moment that are rather dangerous and we believe that there is only one way that they can be prevented, and that is by a speedy solution of the alien problem.

I had intended to present a prepared statement to the committee, but I have been working so diligently with the law enforcement officers since I received word from you in order to get the consensus of opinion from them that it has been impossible for me to do so.

The CHAIRMAN. We will hold our record open for you to send in a prepared statement within the next 10 days or 2 weeks. Will that be plenty of time within which to prepare it?

Attorney General WARREN. Thank you. I think that would be more informative to the committee than what I have to say at the present time.¹

The CHAIRMAN. Yes.

Attorney General WARREN. But had I prepared a statement prior to late yesterday afternoon, I think that the necessity of saying many of the things that I had intended to say have been obviated by reason of the latest order of the President in relation to this matter. We believe that the action that the President took yesterday was most wise and that it at least points the way to a real solution of our problem.

¹ This material was submitted later and is included in the witness' statement beginning on p. 10973.

The CHAIRMAN. If I may interrupt there, I might give you a little background of that recommendation to the President. The congressional delegations of Oregon, Washington, and California met almost daily trying to decide what recommendations we would make to the President on this alien problem. I have in mind Senators Downey, Johnson, Congressman Welch, Congressman Rolph. I mention them particularly because this is their district. They were in constant attendance and took deep interest. So, as the attorney general of the State of California, you know better than any of us the legal complications involved striking at any portion of our American citizenship. That Executive order yesterday was the recommendation, in almost the same words, of the Pacific coast delegation.

You may proceed now, Mr. Warren. I just wanted to give you a little background on that.

Attorney General WARREN. Yes. I am happy to have that; I had heard that from the press. We were following your action very closely and with great interest.

ALIEN ENEMIES AS PROBLEM FOR THE MILITARY

For some time I have been of the opinion that the solution of our alien enemy problem with all its ramifications, which include the descendants of aliens, is not only a Federal problem but is a military problem. We believe that all of the decisions in that regard must be made by the military command that is charged with the security of this area. I am convinced that the fifth-column activities of our enemy call for the participation of people who are in fact American citizens, and that if we are to deal realistically with the problem we must realize that we will be obliged in time of stress to deal with subversive elements of our own citizenry.

If that be true, it creates almost an impossible situation for the civil authorities because the civil authorities cannot take protective measures against people of that character. We may suspect their loyalty. We may even have some evidence or, perhaps, substantial evidence of their disloyalty. But until we have the whole pattern of the enemy plan, until we are able to go into court and beyond the exclusion of a reasonable doubt establish the guilt of those elements among our American citizens, there is no way that civil government can cope with the situation.

On the other hand, we believe that in an area, such as in California, which has been designated as a combat zone, when things have happened such as have happened here on the coast, something should be done and done immediately. We believe that any delay in the adoption of the necessary protective measures is to invite disaster. It means that we, too, will have in California a Pearl Harbor incident.

I believe that up to the present and perhaps for a long time to come the greatest danger to continental United States is that from well organized sabotage and fifth-column activity.

OPPORTUNITIES FOR SABOTAGE

California presents, perhaps, the most likely objective in the Nation for such activities. There are many reasons why that is true. First,

the size and number of our naval and military establishments in California would make it attractive to our enemies as a field of sabotage. Our geographical position with relation to our enemy and to the war in the Pacific is also a tremendous factor. The number and the diversification of our war industries is extremely vital. The fire hazards due to our climate, our forest areas, and the type of building construction make us very susceptible to fire sabotage. Then the tremendous number of aliens that we have resident here makes it almost an impossible problem from the standpoint of law enforcement.

A wave of organized sabotage in California accompanied by an actual air raid or even by a prolonged black-out could not only be more destructive to life and property but could result in retarding the entire war effort of this Nation far more than the treacherous bombing of Pearl Harbor.

I hesitate to think what the result would be of the destruction of any of our big airplane factories in this State. It will interest you to know that some of our airplane factories in this State are entirely surrounded by Japanese land ownership or occupancy. It is a situation that is fraught with the greatest danger and under no circumstances should it ever be permitted to exist.

I have some maps here that will show the specific instances of that character. In order to advise the committee more accurately on this subject I have asked the various district attorneys throughout the State to submit maps to me showing every Japanese ownership and occupancy in the State. Those maps tell a story, a story that is not very heartening to anyone who has the responsibility of protecting life and property either in time of peace or in war.

To assume that the enemy has not planned fifth column activities for us in a wave of sabotage is simply to live in a fool's paradise. These activities, whether you call them "fifth column activities" or "sabotage" or "war behind the lines upon civilians," or whatever you may call it, are just as much an integral part of Axis warfare as any of their military and naval operations. When I say that I refer to all of the Axis powers with which we are at war.

It has developed into a science and a technique that has been used most effectively against every nation with which the Axis powers are at war. It has been developed to a degree almost beyond the belief of our American citizens. That is one of the reasons it is so difficult for our people to become aroused and appreciate the danger of such activities. Those activities are now being used actively in the war in the Pacific, in every field of operations about which I have read. They have unquestionably, gentlemen, planned such activities for California. For us to believe to the contrary is just not realistic.

Unfortunately, however, many of our people and some of our authorities and, I am afraid, many of our people in other parts of the country are of the opinion that because we have had no sabotage and no fifth column activities in this State since the beginning of the war, that means that none have been planned for us. But I take the view that that is the most ominous sign in our whole situation. It convinces me more than perhaps any other factor that the sabotage that we are to get, the fifth column activities that we are to get, are timed

just like Pearl Harbor was timed and just like the invasion of France, and of Denmark, and of Norway, and all of those other countries.

INVISIBLE DEADLINE FOR SABOTAGE

I believe that we are just being lulled into a false sense of security and that the only reason we haven't had disaster in California is because it has been timed for a different date, and that when that time comes if we don't do something about it it is going to mean disaster both to California and to our Nation. Our day of reckoning is bound to come in that regard. When, nobody knows, of course, but we are approaching an invisible deadline.

The CHAIRMAN. On that point, when that came up in our committee hearings there was not a single case of sabotage reported on the Pacific coast, we heard the heads of the Navy and the Army, and they all tell us that the Pacific coast can be attacked. The sabotage would come coincident with that attack, would it not?

Attorney General WARREN. Exactly.

The CHAIRMAN. They would be fools to tip their hands now, wouldn't they?

Attorney General WARREN. Exactly. If there were sporadic sabotage at this time or if there had been for the last 2 months, the people of California or the Federal authorities would be on the alert to such an extent that they could not possibly have any real fifth column activities when the M-day comes. And I think that that should figure very largely in our conclusions on this subject.

Approaching an invisible deadline as we do, it seems to me that no time can be wasted in making the protective measures that are essential to the security of this State. And when I say "this State" I mean all of the coast, of course. I believe that Oregon and Washington are entitled to the same sort of consideration as the zone of danger as California. Perhaps our danger is intensified by the number of our industries and the number of our aliens, but it is much the same.

Gentlemen, it has become no longer a simple question of protecting life and property in this State, because people can't fight in the dark and you can't protect against things about which you don't know. We have all been good soldiers out here and we played the game. We have cooperated with the Federal authorities in every respect, and individual agencies have cooperated with us. As Chief Dullea told you, we work in complete harmony with the Federal authorities and I think that we have accomplished something, but we haven't scratched the surface and because of certain fundamental things.

In our civilian defense we are supposed as State and local officers to protect the lives and the property of our people whether it is in normal times or whether it is in times of great emergency. But when this emergency comes along we are going to have to deal with enemy aliens and those who are acting in concert with them.

CIVILIAN AUTHORITIES INSTRUCTED NOT TO INVESTIGATE SUBVERSIVE ACTIVITIES

We don't know in this State who the enemy aliens are and it is not permitted for us to know. In the first place, the directive of the

President (and I think wisely) at the outset of this situation placed the internal security in the hands of a Federal agency, the F. B. I. All local and State officers were instructed not to investigate subversive activities, but immediately upon the receipt of any information to turn it over to the F. B. I.

We have played the game in California. We have followed that directive, and everything we have had we have turned over to them. We have not made independent investigations concerning subversive activities or espionage matters or things of that kind. As a result, we don't have as local officers the pattern of the Axis plans for fifth column activities and sabotage.

In addition to that, we are not permitted to have the names, even, of the alien enemies in our midst. And at the present time every police station in this State, every sheriff's office, every law-enforcement agency can be flanked by aliens with weapons that we know absolutely nothing about.

Gentlemen, I say to you that if we expect local law enforcement officers to compete against a situation of that kind it is just like putting a blindfold over a man's face and asking him to go out and fight someone that he cannot see.

The CHAIRMAN. What is the objection to your not having that information?

Attorney General WARREN. I am afraid you will have to get that from the Department of Justice. The only information I have is what I gathered at the first Federal-State Conference that we had at Washington in August 1940. At that time there was discussion as to what should be done in these matters and it was thought that if local authorities started independently to investigate things of that kind they would develop perhaps into witch hunts in some instances. In other instances local authorities might destroy the pattern that the F. B. I. was working on. They might stumble into something that should not be disclosed at the time and in various ways might cause bungling in the counter-espionage work.

The CHAIRMAN. But we were not at war then.

INFORMATION ON REGISTRATION OF ALIENS NOT AVAILABLE TO LOCAL AUTHORITIES

Attorney General WARREN. We were not at war at that time. Then the alien registration came along immediately after war was declared, and the local authorities then wanted to know who the aliens in their communities were, but they were not permitted to have their names.

The registration, as you know, is through the Post Office Department, and the Postal authorities have their instructions not to give that information to the local authorities.

The CHAIRMAN. Is that same procedure applicable throughout the United States?

Attorney General WARREN. Yes, sir; it is. Recently they had a second registration. It was thought at that time that it would be done through law-enforcement officers because of the tremendous problems that we have. But that registration also was made through the Postal authorities, and we were denied the right to get any infor-

mation concerning aliens, even to ask them a question after they had registered with the Government.

We were investigating the alien land situation at the time and, of course, we wanted to know who the alien Japanese were. We have no way of knowing. We have almost 100,000 Japanese in California. The Census records show that 33,000 of them are aliens and 66,000 are American-born. But we have no way on earth of knowing who the 33,000 are and who the 66,000 are. Still we are obliged to protect life and property against any activities in which they may engage during the war.

We believe that that information should be made available to the law-enforcement officers and that they never can be of substantial help to any Federal agency that is charged with the solution of the alien problem unless they do have it.

The CHAIRMAN. You see, that is the very object of these hearings. I did not know that.

Attorney General WARREN. I am sure that very, very few people in the country realize it. Maybe some know about it, but they have never thought of the significance of it. But if our civilian defense effort is to be what our Government wants it to be, if we are to assume our full responsibilities for protecting life and property in time of emergency, then we must have some tools to work with. We have at the present time absolutely none, and I say that without any reflection upon any agency. They have all been helpful within the limits of their instruction.

So that is one of the things that led us to the conclusion that it was entirely a military problem and entirely a military decision as to what we do with these aliens. The fact that so many of them are citizens makes the situation far more dangerous.

POTENTIAL DANGER FROM AMERICAN-BORN JAPANESE

I want to say that the consensus of opinion among the law-enforcement officers of this State is that there is more potential danger among the group of Japanese who are born in this country than from the alien Japanese who were born in Japan. That might seem an anomaly to some people, but the fact is that, in the first place, there are twice as many of them. There are 33,000 aliens and there are 66,000 born in this country.

In the second place, most of the Japanese who were born in Japan are over 55 years of age. There has been practically no migration to this country since 1924. But in some instances the children of those people have been sent to Japan for their education, either in whole or in part, and while they are over there they are indoctrinated with the idea of Japanese imperialism. They receive their religious instruction which ties up their religion with their Emperor, and they come back here imbued with the ideas and the policies of Imperial Japan.

While I do not cast a reflection on every Japanese who is born in this country—of course we will have loyal ones—I do say that the consensus of opinion is that taking the groups by and large there is more potential danger to this State from the group that is born here than from the group that is born in Japan.

Mr. ARNOLD. Let me ask you a question at this point.

Attorney General WARREN. Yes, Congressman.

Mr. ARNOLD. Do you have any way of knowing whether any one of this group that you mention is loyal to this country or loyal to Japan?

MANY AMERICAN-BORN JAPANESE EDUCATED IN JAPAN

Attorney General WARREN. Congressman, there is no way that we can establish that fact. We believe that when we are dealing with the Caucasian race we have methods that will test the loyalty of them, and we believe that we can, in dealing with the Germans and the Italians, arrive at some fairly sound conclusions because of our knowledge of the way they live in the community and have lived for many years. But when we deal with the Japanese we are in an entirely different field and we cannot form any opinion that we believe to be sound. Their method of living, their language, make for this difficulty. Many of them who show you a birth certificate stating that they were born in this State, perhaps, or born in Honolulu, can hardly speak the English language because, although they were born here, when they were 4 or 5 years of age they were sent over to Japan to be educated and they stayed over there through their adolescent period at least, and then they came back here thoroughly Japanese.

The CHAIRMAN. There are certain Japanese schools here, are there not?

Attorney General WARREN. Then we have the Japanese school system here. There is no way that we know of of determining that fact.

I had together about 10 days ago about 40 district attorneys and about 40 sheriffs in the State to discuss this alien problem. I asked all of them collectively at that time if in their experience any Japanese, whether California-born or Japan-born, had ever given them any information on subversive activities or any disloyalty to this country. The answer was unanimously that no such information had ever been given to them.

Now, that is almost unbelievable. You see, when we deal with the German aliens, when we deal with the Italian aliens, we have many informants who are most anxious to help the local authorities and the State and Federal authorities to solve this alien problem. They come in voluntarily and give us information. We get none from the other source.

Does that answer your question, Congressman?

Mr. ARNOLD. That answers it fully.

Attorney General WARREN. There is one thing that concerns us at the present time. As I say, we are very happy over the order of the President yesterday. We believe that is the thing that should be done, but that is only one-half of the problem, as we see it. It is one thing to take these people out of the area and it is another thing to do something with them after they get out. Even from the small areas that they have left up to the present time there are many, many Japanese who are now roaming around the State and roaming around the Western States in a condition that will unquestionably bring about race riots and prejudice and hysteria and excesses of all kind.

I hate to say it, but we have had some evidence of it in our State in just the last 2 or 3 days. People do not want these Japanese just loaded from one community to another, and as a practical matter it might be a very bad thing to do because we might just be transposing the danger from one place to another.

So it seems to me that the next thing the Government has to do is to find a way of handling these aliens who are removed from any vital zone.

In the county of Tulare at the present time and in the county of San Benito and in other counties there are large numbers of the Japanese moving in and sometimes the suggestion has come from the place that they leave, that they ought to go to this other community. But when they go there they find a hostile situation. We are very much afraid that it will cause trouble unless there is a very prompt solution of this problem.

VIGILANTISM

My own belief concerning vigilantism is that the people do not engage in vigilante activities so long as they believe that their Government through its agencies is taking care of their most serious problem. But when they get the idea that their problems are not understood, when their Government is not doing for them the things that they believe should be done, they start taking the law into their own hands.

That is one reason why we are so happy that this committee is out here today because we believe that it will help us solve this problem quickly, which is just as important as to solve it permanently.

The CHAIRMAN. We are certainly in a position to get the word right to the heads when we get back to Washington.

Attorney General WARREN. Yes, sir.

The CHAIRMAN. We can give them the facts that you are just giving us. We are the parties that can transmit them. We can get the word there anyway.

Attorney General WARREN. Yes. There has been a lot of talk of how it would disturb the agricultural situation in the State to move the Japanese. I think that is a very debatable question and I think that the records of the Department of Agriculture or the Government will show that it is not as great a problem as it is generally supposed to be. We have seen some very fantastic figures as to what part the Japanese labor plays in California agriculture. I think the facts will not support those figures, and this is one thing that I think should be borne in mind by your committee: That we have a great many large Japanese agricultural operators in this State, and when they operate on a large scale they use exactly the same kind of help that white operators use. In other words, when their crops are to be harvested they don't necessarily harvest them with Japanese. They harvest them with Filipinos and Mexicans and even white people. There is one thing this year that makes it even less desirable to have the Japanese on the land, and that is the fact that the Filipinos and the Mexicans have resolved that they will not harvest crops for Japanese. So they might have their crops on the ground and still

they would not be harvested. If those people don't work for them, I have an idea that probably white people won't work for them, either.

The CHAIRMAN. We are going to have a representative from the Department of Agriculture to get those figures.

JAPANESE LAND OWNERSHIP

Attorney General WARREN. Yes. I merely made that observation.

Now, gentlemen, I have some maps which show the character of the Japanese land ownership and possessory interests in California. I will submit them at the time I submit a formal statement on the subject. These maps show to the law enforcement officers that it is more than just accident, that many of those ownerships are located where they are. We base that assumption not only upon the fact that they are located in certain places, but also on the time when the ownership was acquired.

It seems strange to us that airplane manufacturing plants should be entirely surrounded by Japanese land occupancies. It seems to us that it is more than circumstance that after certain Government air bases were established Japanese undertook farming operations in close proximity to them. You can hardly grow a jackrabbit in some of the places where they presume to be carrying on farming operations close to an Army bombing base.

Many of our vital facilities, and most of our highways are just pocketed by Japanese ownerships that could be of untold danger to us in time of stress.

So we believe, gentlemen, that it would be wise for the military to take every protective measure that it believes is necessary to protect this State and this Nation against the possible activities of these people.

Mr. ARNOLD. During the past years have the Japanese been shrewd investors when it comes to buying property in cities? Could they have bought this land near these airplane factories because of shrewdness in their investment ability?

Attorney General WARREN. Yes, that could be, Congressman.

Mr. ARNOLD. I mean, does the history of the past 50 years show any shrewdness in that respect?

Attorney General WARREN. The Japanese have been good farming operators. They have competed on very favorable terms with our white farmers.

Mr. ARNOLD. What I mean is, you say some of this farming land surrounding factories is not very productive. It might increase in value because of the large industry. Have they shown ability in the past to invest where land values go up?

Attorney General WARREN. I have no knowledge of that, Congressman. I would be inclined to doubt it because of the limited right they have to buy land in this State. You know, we have an alien land law which prevents them from owning agricultural lands; but it has been honored more in the breach than in the observance in recent years because of the fact that they have placed the ownership in the names of their California-born children. They have not been speculators in lands as far as I know.

Mr. ARNOLD. One thing you are sure of—it just couldn't have happened that way?

PATTERN OF JAPANESE LAND OWNERSHIP

Attorney General WARREN. We don't believe that it could in all of these instances, and knowing what happened at Pearl Harbor and other places we believe that there is a pattern to these land ownerships in California and possessory interests in California.

The CHAIRMAN. In the last few years have purchases by these native-born Japanese increased in the surroundings close to these aircraft factories?

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. I was interested in your whole statement. As you were discussing it, I thought of testimony that was given before the House Military Affairs Committee, of which I am a member, by a French officer who was in the French Army prior to, and at the time of, the French capitulation. He told us of the difficulties that the French had in their own villages; that always their strategy was given away; the enemy found out about it. Their final solution to the problem was simply, when they started operating in a territory, to evacuate everybody, citizens and all. Of course, that was the field of battle.

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. Your thought is that this, too, is a possible combat area?

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. And those in charge of operations should have the authority to evacuate all whom they feel should be evacuated for the defense of the area?

Attorney General WARREN. Precisely. And regardless of citizenship or alienage.

Mr. SPARKMAN. And is it your understanding that the Executive order of yesterday gave such authority to the military commander?

Attorney General WARREN. That is the way I read the newspaper report and that is the only thing that I have. The newspapers stated that specifically.

Mr. SPARKMAN. I do want to add a word to what the chairman said. I am sure you people out here know it, but your congressional delegation in both Houses of Congress has been very much on the alert in discussing and making plans for the defense of this area. A week, 10 days, or 2 weeks ago, this very recommendation was made to the President and, as I read the order, it follows out almost word for word the recommendation that was made by your congressional delegation.

I have noticed suggestions in newspaper stories. I noticed a telegram this morning with reference to the civil rights of these people. What do you have to say about that?

Attorney General WARREN. I believe, sir, that in time of war every citizen must give up some of his normal rights.

EVACUATION AS MILITARY PROBLEM

I believe that no good citizen should object to it. I do believe, however, that it should be done by proper authority and not by sporadic action on the part of agencies that do not function according

to the law. That is the reason that I believe that his is a military problem and not a problem in civil government. We have had instances in this State where extra-legal action has been taken with regard to these very people, without regard to our statutes or our constitution or the Constitution of the United States. Now, I think, that is bad.

Mr. SPARKMAN. May I say there, when you say "without regard" you don't consider this as being without regard of Constitution, because isn't it true that the Constitution makes provision for just such things?

Attorney General WARREN. You mean the action the President took yesterday?

Mr. SPARKMAN. Yes.

Attorney General WARREN. I think that is entirely in keeping with it and that is why I commend it so highly. That is why I believe so sincerely in it because it does transfer the solution of this problem to the military authorities who are charged with the defense of this area and, therefore, have the right morally and legally and every other way to take any protective measures that are necessary to insure the security of the area.

The CHAIRMAN. In other words, there are two alternatives—the suspension of the writ of habeas corpus, or martial law. Is that right?

Attorney General WARREN. Yes, sir.

The CHAIRMAN. We are putting them all on the same footing. I think, like you, that it is absolutely constitutional. But if we took it direct, we would be in the courts for the duration of the war fighting that thing out. Is that not so?

Attorney General WARREN. Yes.

AUTHORITY FOR EXCLUSION OF PERSONS FROM MILITARY AREAS

The CHAIRMAN. Well, we haven't the time to fight it out in the courts. That is the way we feel. Isn't that right?

Attorney General WARREN. Yes. There was a time in the Civil War—I don't have the name of the case in mind at the moment, but I have it available—where the War Department through the commander of the Army, declared certain areas to be danger zones and directed that only those who were given permits were entitled to enter and move about. Then Congress fortified that situation by declaring it in a statute to be a danger zone. When it went to the Supreme Court, the Supreme Court did not sustain the military commander but it did sustain the action of Congress in declaring it to be a zone of danger in which those things could be done by the military.

It may be in this situation that if there is any question about the right of the military to do it, Congress could draw a line so far in from the coast and say that, because of the world conditions and the things that are confronting us, that constituted an area in which the military could do certain things.

The CHAIRMAN. When you prepare your final paper, will you give us that citation? That will be very valuable to us.

ORDERLY MOVEMENT OF EVACUEES REQUIRED

Attorney General WARREN. I will be very happy to do it.

Mr. SPARKMAN. General, you do believe that these people who are evacuated ought to be moved with some system or some order?

Attorney General WARREN. I believe it must be.

Mr. SPARKMAN. In other words, you don't believe that the order should be simply given, "Get out," and then leave it to them to get out?

Attorney General WARREN. No, sir; I think that the Government must provide some solution to that problem, because if we don't, it is not only going to entail hardship on the people who are told to move but it is going to entail hardship on every community to which they go.

We have in California 109,000 enemy aliens. How many of those will be moved out none of us knows, but assuming that a substantial portion of them is moved out and just put on the road indiscriminately. It would be an unspeakable situation for our country.

There must be a solution for them. There must be some resettlement program.

Mr. SPARKMAN. That, too, should be handled by the Army, in your opinion?

Attorney General WARREN. I believe that is a problem of civil government. I believe that the problem of the Army would be to say, "You cannot come into this area because we don't believe that it is consistent with the security of the area." But once out of the area, it seems to me that it would be a problem of civil government to relocate and resettle those people, unless they were dangerous people that the Army wanted to intern or otherwise keep under surveillance. But if they were just doing it as a protective measure, not knowing whether as individuals they were dangerous or not, it would seem to me that it is more of a resettlement program than an Army problem.

Mr. SPARKMAN. You would divide the evacuees into two groups, then: One would be those considered to be dangerous?

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. The other group simply those who were not desirable in a particular defense area and yet not considered necessarily dangerous?

Attorney General WARREN. Yes, sir. I think we must.

In one situation the military would be in charge, and in the other situation it would be the civil government.

The CHAIRMAN. Don't you see right away the problem is looming before us as to where they are going to go as the evacuation increases in the Pacific Coast States? It may run into hundreds of thousands of people. So we will have to feel out—probably this committee will do it—as to where they are going to go; that is, what States, whether Nebraska, Kansas, and so on. For instance, if it were the other way around, and if you evacuated three or four hundred thousand into California, I don't know how we would take care of them here, don't you see.¹

Attorney General WARREN. That is correct. And even in California, that is a problem. A community of Japanese moved out of

¹ See pp. 27-30, House Report 1911, preliminary report by this committee.

one city in our State and just moved over a little range of hills and started moving into another community. There was a tremendous uproar there and it hasn't subsided yet. Every time you move them en masse you create big problems not only for them but for the communities to which they go.

REVIEW OF HARDSHIP CASES

Mr. SPARKMAN. In the mayor's statement he made some mention, I believe, of the hardship cases that might arise.

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. Would you agree with his panel to the effect that there should be some tribunal that could review hardship cases and perhaps give permits or licenses to reenter?

Attorney General WARREN. Well, Congressman, I don't believe that there should be any civil panel that would review the action of the military commander taken as a protective measure.

Mr. SPARKMAN. I didn't say "civil tribunal." I simply said "a tribunal."

Attorney General WARREN. I believe this: That the Army is in the very nature of things not equipped to know or to find out by itself who is loyal and who is not loyal among all of these hundreds of thousands of aliens that we have. I believe that it calls for the assistance of all the local authorities. For instance, when we are dealing with Italians in San Francisco, most of them came here years ago. They have been in established lines of business, and I believe by their conduct through the years the local authorities could come pretty close to telling the Army who at least would unquestionably be loyal. I think that the Army would probably call upon the local authorities and set up some agency for advising them and helping them on that subject. But I wouldn't have any council to which a man could appeal from the decision of the military commander in a situation like this.

Mr. SPARKMAN. I didn't intend to imply that. The point I was trying to get is this. I agree with you that final decisions should rest with those who are charged with responsibility for defending the area. That, of course, is the military.

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. The point I was trying to get at is this: Do you think that there ought to be flexibility in the order so as to permit those people whom the military command believed to be hardship cases and worthy cases to allow them to reenter under a permit or a license?

Attorney General WARREN. I do without question. There are thousands of people who are in this State who are nationals of countries with which we are at war, who would be just as loyal to this country as you and I. I think they can be ascertained.

IDENTIFICATION CARDS

Mr. SPARKMAN. Would you operate that through a system of identification cards or permits?

Attorney General WARREN. After it was determined which was which?

Mr. SPARKMAN. Yes.

Attorney General WARREN. I would. Yes, sir. I am of the opinion that in these areas that are vital everybody ought to operate under a permit. I see no reason why I shouldn't have a permit to go into a vital military area or to move around, and I think about the only way that you can make it effective in an area is to give everybody a license or a permit, because if you just give the aliens a license or a permit all they have to do is to lose their permit or fail to bring it with them and they are in the same position as the rest of us. But if every man has to have a permit to move around in that area, whether he is a citizen or whether he is an alien, and he is called upon to produce his permit, it will show at a glance what his status is and whether he is violating the orders of the military in the area.

The CHAIRMAN. Of course, you are right about that. Now even Congressmen going down to the War and Navy Departments in Washington have to register.

Attorney General WARREN. Certainly.

The CHAIRMAN. We have to get a permit. What's wrong about that? There is nothing wrong about it.

Attorney General WARREN. We don't consider that an invasion of our civil rights.

The CHAIRMAN. Not at all.

Mr. SPARKMAN. And if you or I went over to Hamilton Field and tried to go in, we would certainly have to make some showing. I have no reluctance to carry my permit for entering the public buildings in the Nation's Capital.

Attorney General WARREN. That's right.

Mr. SPARKMAN. And no other person should feel any infringement on his civil rights, you feel, if he should have to carry a permit to go about in strategic areas?

Attorney General WARREN. Positively. And I think that every loyal citizen should welcome such a system.

CARE OF PROPERTY OF EVACUEES

Mr. SPARKMAN. What about the care of these alien properties?

Attorney General WARREN. I am afraid that that is a situation that has not been adequately taken care of up to the present time. There is no Alien Property Custodian in these parts.

Mr. SPARKMAN. I believe the first evacuation is coming next week, is it not?

Attorney General WARREN. The 24th; yes, sir.

Mr. SPARKMAN. That is a limited evacuation, is it not?

Attorney General WARREN. Well, it prohibits alien enemies from being in certain very small zones, and then there are other restricted areas in which they operate under a curfew regulation.

Mr. SPARKMAN. I presume there are enemy aliens who own property within those areas from which they are to be prohibited?

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. You say there is no provision so far as you know for taking care of the aliens' property?

Attorney General WARREN. I said there was no Alien Property Custodian appointed for this area. The Federal Reserve bank has

been the agency of the Treasury Department handling the Trading with the Enemy Act, and they may have some prerogatives in that regard, I can't say. But I believe that there has been no procedure set up here for handling of enemy property such as you have mentioned.

The CHAIRMAN. General, there is a little uncertainty as to the jurisdiction. We hope to get ironed out very soon who shall have the jurisdiction, the Treasury, the Army or someone else.

Attorney General WARREN. Yes, sir.

The CHAIRMAN. That is the hold-up in the matter.

Mr. SPARKMAN. What is going to happen to perishable goods that are owned by these people?

Attorney General WARREN. When they move out?

Mr. SPARKMAN. Yes.

Attorney General WARREN. I suppose until there is some plan for taking care of it, it is very likely to result in waste.

EXPLOITATION OF ENEMY ALIENS

Mr. SPARKMAN. Has there come to your attention any buying of this property for very low prices, speculating in it?

Attorney General WARREN. The statement was made to me a few days ago that in areas like the city of Alameda, where aliens are not permitted to be, there was considerable selling of household effects at a great sacrifice. Now, it was a member of a governmental agency who told me that, but I did not investigate it to see how widespread it was or just what the facts were.

Mr. SPARKMAN. Is it your feeling that there should be an office of the Alien Property Custodian established in this region?

Attorney General WARREN. Yes, sir; I think so without question. I don't believe that people should be permitted to exploit even our enemy aliens. I think there should be some Federal agency that would supervise those matters to see that no one is taken advantage of by designing people.

Mr. SPARKMAN. That is all.

The CHAIRMAN. Mr. Warren, on behalf of the committee we want to thank you. You have certainly made a very valuable contribution to our hearings here, and we are very grateful to you. We shall hold the record open for you so you can send us what you think should be included in addition to what you have said today.

Attorney General WARREN. Thank you very much, gentlemen of the committee. I want to say to you personally, Mr. Chairman, that it is a great pleasure to see you back here in California. I might say to you gentlemen, he is my Congressman.

The CHAIRMAN. We will take a 5-minute recess.

(Whereupon a short recess was taken.)

The CHAIRMAN. Will the committee please come to order?

Mr. Neustadt, will you take that seat there, please?

This committee is very pleased to have you with us again. You always give us a very valuable contribution and I know that you will help us out on this occasion.¹ I wish you would give your name, please, to the reporter and your official designation.

¹ See pp. 4947-4962, pt. 12, San Diego hearings.