

WARTIME TREATMENT STUDY ACT

DECEMBER 13, 2010.—Ordered to be printed

Mr. CONYERS, from the Committee on the Judiciary,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 1425]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1425) to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
The Amendment	2
Purpose and Summary	7
Background and Need for the Legislation	7
Hearings	8
Committee Consideration	8
Committee Votes	9
Committee Oversight Findings	10
New Budget Authority and Tax Expenditures	10
Congressional Budget Office Cost Estimate	11
Performance Goals and Objectives	12
Constitutional Authority Statement	12
Advisory on Earmarks	12
Section-by-Section Analysis	12
Dissenting Views	15
Appendix	17

THE AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wartime Treatment Study Act”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as “enemy aliens” more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families, requiring them to carry Certificates of Identification and limiting their travel and personal property rights. At that time, these groups were the two largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, thousands of European Latin Americans, including German and Austrian Jews, were arrested, relocated to the United States, and interned. Many were later repatriated or deported to European Axis nations during World War II and exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the German American and Italian American communities, individuals, and families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930s and 1940s, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government’s wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government’s policies. Many who suffered have already passed away and will never know of this effort.

SEC. 3. DEFINITIONS.

In this Act:

(1) **DURING WORLD WAR II.**—The term “during World War II” refers to the period beginning September 1, 1939, and ending December 31, 1948.

(2) **EUROPEAN AMERICANS.**—

(A) **IN GENERAL.**—The term “European Americans” refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) **GERMAN AMERICANS.**—The term “German Americans” refers to United States citizens and resident aliens of German ancestry.

(C) **ITALIAN AMERICANS.**—The term “Italian Americans” refers to United States citizens and resident aliens of Italian ancestry.

(3) **EUROPEAN LATIN AMERICANS.**—The term “European Latin Americans” refers to persons of European ancestry, including German or Italian ancestry, residing in a Latin American nation during World War II.

(4) **LATIN AMERICAN NATION.**—The term “Latin American nation” refers to any nation in Central America, South America, or the Caribbean.

TITLE I—COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS

SEC. 101. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) **IN GENERAL.**—There is established the Commission on Wartime Treatment of European Americans (referred to in this title as the “European American Commission”).

(b) **MEMBERSHIP.**—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of the enactment of this Act as follows:

(1) 3 members shall be appointed by the President.

(2) 2 members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) 2 members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

The selections of the members of the European American Commission shall be done to ensure that all of the members are fully able to adequately and fairly review the facts and discharge the duties of the commission without bias.

(c) **TERMS.**—The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) **REPRESENTATION.**—The European American Commission shall include two members with professional expertise relating to the treatment of Italian Americans and two members with professional expertise relating to the treatment of German Americans.

(e) **FIRST MEETING.**—The President shall call the first meeting of the European American Commission not later than 120 days after the date of the enactment of this Act.

(f) **QUORUM.**—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) **CHAIRS.**—The European American Commission shall elect a Chairperson and Vice Chairperson from among its members. The term of office of each shall be for the life of the European American Commission.

(h) **COMPENSATION.**—

(1) **IN GENERAL.**—Members of the European American Commission shall serve without pay.

(2) **REIMBURSEMENT OF EXPENSES.**—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 102. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) **IN GENERAL.**—The European American Commission shall review the United States Government’s wartime treatment of European Americans and European Latin Americans, as provided in subsection (b).

(b) **SCOPE OF REVIEW.**—The European American Commission’s review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding action by the United States Government during World War II with respect to European Americans and European Latin Americans pursuant to United States laws and directives, including the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to these and other pertinent laws, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludées and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall also include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as “World War II detention facilities”);

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(2) An assessment of the underlying rationale of the decision of the United States Government to develop the programs and policies described in paragraph (1), the information the United States Government received or acquired suggesting these programs and policies were necessary, the perceived benefit of implementing such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(3) A brief review of the participation by European Americans in the United States Armed Forces, including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including public education programs and the creation of a comprehensive online database by the National Archives and Records Administration of documents related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) **FIELD HEARINGS.**—The European American Commission shall hold public hearings in such cities in the United States as it considers appropriate.

(d) **REPORT.**—The European American Commission shall submit a written report of its findings and recommendations to the Congress not later than 18 months after the date of the first meeting called pursuant to section 101(e).

SEC. 103. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) **IN GENERAL.**—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member considers advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) **GOVERNMENT INFORMATION AND COOPERATION.**—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime Relocation and Internment of Civilians Act (Public Law 96-317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106-451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. 104. ADMINISTRATIVE PROVISIONS.

The European American Commission may—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for the procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairperson of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$600,000 to carry out this title.

SEC. 106. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to the Congress under section 102(d).

TITLE II—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

SEC. 201. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) **IN GENERAL.**—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this title as the “Jewish Refugee Commission”).

(b) **MEMBERSHIP.**—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of the enactment of this Act as follows:

(1) 3 members shall be appointed by the President.

(2) 2 members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) 2 members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

The selections of the members of the Jewish Refugee Commission shall be done to ensure that all of the members are fully able to adequately and fairly review the facts and discharge the duties of the commission without bias.

(c) **TERMS.**—The term of office for members shall be for the life of the Jewish Refugee Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) **REPRESENTATION.**—The Jewish Refugee Commission shall include two members with professional expertise relating to the treatment of Jewish refugees.

(e) **FIRST MEETING.**—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of the enactment of this Act.

(f) **QUORUM.**—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) **CHAIRS.**—The Jewish Refugee Commission shall elect a Chairperson and Vice Chairperson from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) **COMPENSATION.**—

(1) **IN GENERAL.**—Members of the Jewish Refugee Commission shall serve without pay.

(2) **REIMBURSEMENT OF EXPENSES.**—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. 202. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) **IN GENERAL.**—The Jewish Refugee Commission shall review the United States Government’s refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States, as provided in subsection (b).

(b) **SCOPE OF REVIEW.**—The Jewish Refugee Commission's review shall cover the period beginning January 1, 1933, and ending December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) **FIELD HEARINGS.**—The Jewish Refugee Commission shall hold public hearings in such cities in the United States as it considers appropriate.

(d) **REPORT.**—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to the Congress not later than 18 months after the date of the first meeting called pursuant to section 201(e).

SEC. 203. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) **IN GENERAL.**—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member considers advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) **GOVERNMENT INFORMATION AND COOPERATION.**—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law. For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the "Privacy Act of 1974"), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. 204. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission may—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS-15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for the procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$600,000 to carry out this title.

SEC. 206. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to the Congress under section 202(d).

PURPOSE AND SUMMARY

H.R. 1425, the "Wartime Treatment Study Act," creates one commission to review the United States Government's treatment of European Americans and European Latin Americans during World War II, and a second commission to review the United States Government's refusal to allow refugees fleeing persecution or genocide in Europe entry to the United States during that same period.

BACKGROUND AND NEED FOR THE LEGISLATION

The Commission on Wartime Relocation and Internment of Civilians Act established a commission to review the history of the internment and relocation of Japanese Americans and legal permanent residents and to recommend appropriate remedies.¹ In 1983, the Commission produced an extensive report of its findings, and made a series of recommendations ranging from a formal apology to restitution payments.² While the Commission's report consisted of a thorough examination of the World War II internment of 120,000 Japanese Americans, the treatment of other populations during the same time period was either insufficiently examined, or not addressed at all.

European Latin Americans, European Americans, and Jewish refugees were among the populations that were not thoroughly addressed by the Commission's report. Although the Commission detailed the treatment of German and Italian Latin Americans during World War II, it did so only in the appendix of its report.³ The report observes that "approximately 3,000 residents of Latin America were deported to the United States for internment to secure the Western Hemisphere from internal threats and to supply exchanges for American citizens held by the Axis. Most of these deportees were citizens, or their families, of Japan, Germany and Italy."⁴

The appendix states that:

[n]ormal legal proceedings were ignored. . . . On entering the United States, officials of Axis nations were placed in State Department custody and private citizens were sent to INS internment camps in Texas. In most cases passports had been confiscated before landing, and the State Department ordered American consuls . . . to issue no visas prior to departure. Despite their involuntary arrival, deportees were treated by INS as having illegally entered this country. Thus the deportees became illegal aliens in U.S. custody who were subject to deportation proceedings, i.e., repatriation.⁵

In addition to the appendix on European Latin Americans, the Commission included one chapter detailing the treatment of Ger-

¹ Pub. L. No. 96-317, 94 Stat. 964 (1980).

² The Commission on Wartime Relocation and Internment of Civilians, *Personal Justice Denied* (U.S. Government Printing Office 1983).

³ *Id.* at 305-14.

⁴ *Id.* at 305.

⁵ *Id.* at 308.

man and Italian Americans in the U.S. In this single chapter on German and Italian Americans, the Commission noted that “[b]y February 16, 1942, the Justice Department had interned 2,192 Japanese; 1,393 Germans and 264 Italians.”⁶

The German and Italian American and Latin American communities have long advocated for a study similar to the one completed by the Commission in 1983. These communities argue that their experiences were never given a proper and thorough review by the Federal Government.

The treatment of the Italian American community during WWII was the subject of the Italian American Civil Liberties Act in 2000 and a subsequent report by the Department of Justice. However, many Italian Americans believe they received less with an Act requiring a Department of Justice report—but no recommendations for follow up action—than the Japanese American community received through an Act that established a Federal commission and resulted in the production of a report and recommendations.

Additionally, the Commission did not report on the treatment of Jewish refugees seeking safe haven in the U.S. from genocide and persecution in Europe during World War II. The Jewish community has advocated for a Federal commission to study this history and report to Congress with findings and recommendations.

HEARINGS

The Committee’s Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law held 1 day of hearings on “The Treatment of Latin Americans of Japanese Descent, European Americans, and Jewish Refugees During World War II” on March 19, 2009. Testimony was received from Daniel M. Masterson, Professor of Latin American History, U.S. Naval Academy; Grace Shimizu, Director, Japanese Peruvian Oral History Project; Libia Yamamoto, former Japanese of Latin American Descent Internee; John Christgau, author of *Enemies: World War II Alien Internment*; Karen E. Ebel, President, German American Internee Coalition; Heidi Gurcke Donald, Board and Founding Member, German American Internee Coalition; John Fonte, Director, Center for American Common Culture and Senior Fellow, Hudson Institute; David A. Harris, Executive Director, American Jewish Committee; Leo Bretholz, author of *Leap Into Darkness*; Valery Bazarov, Director, Location and Family History Service, Hebrew Immigrant Aid Society; and Michael Horowitz, Senior Fellow, Hudson Institute. Additional materials were submitted for the hearing and may be found in the Appendix to the Committee’s report.

COMMITTEE CONSIDERATION

On July 23, 2009, the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law met in open session and ordered the bill H.R. 1425 favorably reported with an amendment by a vote of 9 to 1, a quorum being present. On October 21, 2009, the Committee met in open session and ordered the bill H.R. 1425 favorably reported with an amendment by a rollcall vote of 19 to 7, a quorum being present.

⁶Id. at 284.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that the following rollcall votes occurred during the Committee's consideration of H.R. 1425:

1. An amendment by Mr. King to limit the ability of commissioners to consider all appropriate remedies by barring them from recommending monetary compensation. Defeated 10 to 17.

ROLLCALL NO. 1

	Ayes	Nays	Present
Mr. Conyers, Jr., Chairman		X	
Mr. Berman			
Mr. Boucher			
Mr. Nadler		X	
Mr. Scott		X	
Mr. Watt		X	
Ms. Lofgren			
Ms. Jackson Lee			
Ms. Waters		X	
Mr. Delahunt		X	
Mr. Wexler		X	
Mr. Cohen		X	
Mr. Johnson		X	
Mr. Pierluisi		X	
Mr. Quigley		X	
Ms. Chu		X	
Mr. Gutierrez			
Ms. Baldwin		X	
Mr. Gonzalez			
Mr. Weiner		X	
Mr. Schiff		X	
Ms. Sánchez		X	
Ms. Wasserman Schultz			
Mr. Maffei		X	
Mr. Smith, Ranking Member	X		
Mr. Sensenbrenner, Jr.			
Mr. Coble	X		
Mr. Gallegly			
Mr. Goodlatte	X		
Mr. Lungren			
Mr. Issa	X		
Mr. Forbes	X		
Mr. King	X		
Mr. Franks			
Mr. Gohmert	X		
Mr. Jordan			
Mr. Poe	X		
Mr. Chaffetz			
Mr. Rooney	X		
Mr. Harper	X		
Total	10	17	

2. Motion to report H.R. 1425 favorably, as amended. Passed 19 to 7.

ROLLCALL NO. 2

	Ayes	Nays	Present
Mr. Conyers, Jr., Chairman	X		
Mr. Berman			
Mr. Boucher	X		
Mr. Nadler	X		
Mr. Scott	X		
Mr. Watt	X		
Ms. Lofgren			
Ms. Jackson Lee			
Ms. Waters	X		
Mr. Delahunt			
Mr. Wexler	X		
Mr. Cohen	X		
Mr. Johnson	X		
Mr. Pierluisi	X		
Mr. Quigley	X		
Ms. Chu	X		
Mr. Gutierrez			
Ms. Baldwin	X		
Mr. Gonzalez			
Mr. Weiner	X		
Mr. Schiff	X		
Ms. Sánchez	X		
Ms. Wasserman Schultz			
Mr. Maffei	X		
Mr. Smith, Ranking Member		X	
Mr. Sensenbrenner, Jr.			
Mr. Coble		X	
Mr. Gallegly			
Mr. Goodlatte		X	
Mr. Lungren			
Mr. Issa	X		
Mr. Forbes		X	
Mr. King		X	
Mr. Franks			
Mr. Gohmert			
Mr. Jordan			
Mr. Poe		X	
Mr. Chaffetz			
Mr. Rooney	X		
Mr. Harper		X	
Total	19	7	

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 1425, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 18, 2009.

Hon. JOHN CONYERS, Jr., *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1425, the “Wartime Treatment Study Act.”

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford, who can be reached at 226–2860.

Sincerely,

DOUGLAS W. ELMENDORF,
DIRECTOR.

Enclosure

cc: Honorable Lamar S. Smith.
Ranking Member

H.R. 1425—Wartime Treatment Study Act.

H.R. 1425 would establish the Commission on Wartime Treatment of European Americans and the Commission on Wartime Treatment of Jewish Refugees. The first commission would review the conduct of the United States government during World War II towards European Americans and European Latin Americans. The second commission would focus on the government’s treatment of Jewish refugees during World War II.

Each commission, consisting of seven members, would have 18 months to report on its findings and recommendations. Members would serve without pay, but would be reimbursed for travel expenses. In addition, the commissions could hire staff or use personnel from other agencies. Each commission would terminate 60 days after submitting its final report. To fund the costs of the commissions, the bill would authorize the appropriation of \$1.2 million (\$600,000 per commission).

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 1425 would cost about \$1 million over the 2010–2012 period. Enacting the bill would not affect direct spending or revenues. The legislation does not authorize any payment of restitution; such authority would require a separate act of Congress.

H.R. 1425 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford, who can be reached at 226–2860. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1425 will establish a Commission to review the United States Government's treatment of European Americans and European Latin Americans during World War II, and a second Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States during that same period. Each commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of its first meeting.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

ADVISORY ON EARMARKS

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1425 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SECTION-BY-SECTION ANALYSIS

The following discussion describes the bill as reported by the Committee.

Sec. 1. Short title. Section 1 sets forth the short title of the bill as the "Wartime Treatment Study Act."

Sec. 2. Findings. Section 2 sets forth several findings of Congress. Congress finds that during WWII, more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families were deemed "enemy aliens." Thousands of these European Americans were detained in the United States—sometimes for years—and some were returned to European Axis countries for the purpose of prisoner exchanges. Congress also finds that thousands of European Latin Americans, including German and Austrian Jews, were brought to the United States, detained or interned, and later repatriated or deported to European Axis countries in exchange for Americans and Latin Americans held in those countries. Congress also finds that prior to and during WWII, Jewish refugees fleeing persecution and genocide—particularly from Germany and Austria—were unable to gain entry to the United States.

Sec. 3. Definitions. Section 3 provides basic definitions.

TITLE I—COMMISSION ON WARTIME TREATMENT OF
EUROPEAN AMERICANS

Sec. 101. Establishment of Commission on Wartime Treatment of European Americans. Establishes a European American Commission composed of seven members, who shall be appointed not later than 90 days after the date of enactment of the Act as follows: (1) three members shall be appointed by the President; (2) two members shall be appointed by the Speaker of the House of Representa-

tives, in consultation with the minority leader; and (3) two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader. The European American Commission shall include two members with professional expertise relating to the treatment of Italian Americans and two members with professional expertise relating to the treatment of German Americans. Members shall be selected so that they may adequately and fairly review the facts and discharge the duties of the commission without bias. Four members shall constitute a quorum, but fewer members may hold hearings. Members of the European American Commission shall serve without pay.

Sec. 102. Duties of the European American Commission. Directs the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans during World War II. The Commission shall assemble a list of temporary detention and long-term internment facilities, a list of European Americans and European Latin Americans who were born in, or who died in, such camps, and a complete accounting of how European Latin Americans were brought to the United States and how European Americans and European Latin Americans were transported to European Axis countries. The review shall include a consideration of the United States Government's underlying rationale for this treatment, and make appropriate recommendations, including public education programs and the creation of a comprehensive online database by the National Archives and Records Administration of relevant documents. The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate. The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting.

Sec. 103. Powers of the European American Commission. Authorizes the European American Commission to hold hearings and to require attendance or testimony by subpoena or otherwise. Authorizes the European American Commission to acquire relevant information directly from the executive branch.

Sec. 104. Administrative Provisions. Authorizes the European American Commission to take certain administrative actions, including setting pay rates for Commission employees, obtain the services of experts and Federal Government detailees, and enter into agreements to obtain necessary services and supplies.

Sec. 105. Authorization of Appropriations. Authorizes \$600,000 to be appropriated to carry out Title I.

Sec. 106. Sunset. The European American Commission shall terminate 60 days after it submits its report to Congress.

TITLE II—COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES

Sec. 201. Establishment of Commission on Wartime Treatment of Jewish Refugees. Establishes a Jewish Refugee Commission composed of seven members, who shall be appointed not later than 90 days after the date of enactment of the Act as follows: (1) three members shall be appointed by the President; (2) two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader; and (3) two members

shall be appointed by the majority leader of the Senate, in consultation with the minority leader. The Jewish Refugee Commission shall include two members with professional expertise relating to the treatment of Jewish refugees. Members shall be selected so that they may adequately and fairly review the facts and discharge the duties of the commission without bias. Four members shall constitute a quorum, but fewer members may hold hearings. Members of the Jewish Refugee Commission shall serve without pay.

Sec. 202. Duties of the Jewish Refugee Commission. Directs the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States between January 1, 1933, through December 31, 1945. The review shall include, to the greatest extent possible, consideration of the rationale underlying the decision to refuse entry to Jewish and other refugees and all relevant Federal laws and policies relating to persons fleeing persecution or genocide. The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate. The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting.

Sec. 203. Powers of the Jewish Refugee Commission. Authorizes the Jewish Refugee Commission to hold hearings and receive testimony and evidence. The Commission is also authorized to request the Attorney General to invoke judicial intervention to require, by subpoenas or otherwise, attendance, testimony, or production of records. The Jewish Refugee Commission may acquire relevant information directly from the Executive Branch.

Sec. 204. Administrative Provisions. Authorizes the Jewish Refugee Commission to take certain administrative actions, including setting pay rates for Commission employees, obtaining the services of experts and Federal Government detailees, and entering into agreements to obtain necessary services and supplies.

Sec. 205. Authorization of Appropriations. Authorizes \$600,000 to be appropriated to carry out Title II.

Sec. 206. Sunset. The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

DISSENTING VIEWS

We oppose H.R. 1425, which creates a seven-member Commission to “review the United States Government’s wartime treatment of European Americans and European Latin Americans . . .” and of Jewish refugees, during World War II.¹

Section 102(b)(4) requires the Commission, as one of its duties, to recommend “appropriate remedies” based on the Commission’s review of facts and circumstances surrounding the U.S. government’s actions during WWII.² Because there is no specific definition of “remedies,” such remedies can include reparations. During both Subcommittee and Full Committee markup of the bill, Subcommittee Ranking Member King offered an amendment to prevent “remedies” from including “monetary compensation.” The amendment was defeated both times despite assurances from many Members of the Majority, including the bill’s author, that the bill was not intended as a conduit for monetary compensation for those affected.

Our concern is well warranted. The “Commission on Wartime Relocation and Internment of Civilians Act”³ enacted in 1980, established a commission to review the history of the internment and relocation of 120,000 Japanese Americans and legal permanent residents during World War II *and to recommend appropriate remedies*.⁴ One of the Commission’s *recommended remedies* was for Congress to establish a fund which would provide a one-time per capita compensatory payment of \$20,000 to each of the approximately 60,000 surviving persons interned.⁵ Congress did so with the Civil Liberties Act of 1988.⁶

As noted by Rep. Dan Lungren, current Member of this Committee, and a member of the original Commission on Wartime Relocation and Internment of Civilians, concerns were raised during debate on the bill to create the Commission on Wartime Relocation and Internment of Civilians that the Commission would recommend reparations. During a March 19, 2009, Immigration Subcommittee hearing, Rep. Lungren stated, “I do recall at the very first meeting that we had of the commission, one of the commissioners turned to us assembled and said, ‘Okay, how much money are we talking about?’ which, frankly, put off alarm bells in my head because I had promised Members [of Congress] that was not the purpose of it. Rather, I had thought it was important for us to investigate that period of time, since it was fairly well unknown about the treatment of fellow citizens and people who were here legally at that time.”⁷

Our concerns about future reparations are justified. It is one thing to require a Commission to investigate and report on U.S. government activities, and quite another to expect U.S. taxpayers

¹H.R. 1425, Wartime Treatment Study Act.

²H.R. 1425, Wartime Treatment Study Act, § 102(b).

³Pub. L. No. 96-317, 94 Stat. 964 (1980).

⁴*Id.*

⁵U.S. COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS: PERSONAL JUSTICE DENIED 462-63 (University of Washington Press 1997) (1983).

⁶Pub. L. No. 100-383, 102 Stat. 903 (1988).

⁷Statement of Congressman Daniel Lungren, Hearing before the Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, “Treatment of Latin Americans of Japanese Descent, European Americans, and Jewish Refugees During World War II,” 111th Congress, Mar. 19, 2009.

to hand over perhaps millions of dollars to the people who felt that they were victims of injustice.

Proponents of the bill claim they simply want to be recognized, and for the government to acknowledge its actions. However, much of this issue has been previously studied by a commission, Congress and the U.S. Department of Justice.

In its report, the Commission on Wartime Relocation and Internment of Civilians included one chapter, of thirteen, on mistreatment of German and Italian Americans in the U.S.

The House Judiciary Committee held hearings in 1999 and 2000, to study the issue as it relates to Italian Americans.⁸ As a result, the Wartime Violation of Italian-American Civil Liberties Act was enacted.⁹ The Italian-American Civil Liberties Act required the Attorney General,

“to conduct a comprehensive review of the treatment by the United States Government of Italian Americans during World War II (between September 1, 1939, and December 31, 1945) and to submit to Congress a report that documents the findings of such review.”¹⁰

The Attorney General issued its Report on November 7, 2001. No further action was taken by the Administration or the Congress.

So the story has been told and the actions of the U.S. government have been acknowledged. We should not rehash the issue—especially when it makes the possibility of reparations more likely. In addition to the basic belief that we should not have to re-evaluate decisions made by Administrations nearly sixty years ago for national security reasons during a period of grave peril to our country, we oppose this bill because it may very well lead to reparations.

STEVE KING.
GREGG HARPER.

⁸ 145 CONG. REC. H11904 (1999); 146 CONG. REC. H10627 (2000).

⁹ WARTIME VIOLATION OF ITALIAN-AMERICAN CIVIL LIBERTIES ACT, 50 U.S.C. app. 1981 note, Pub. L. No. 106-451, 114 Stat. 1947 (2000).

¹⁰ WARTIME VIOLATION OF ITALIAN-AMERICAN CIVIL LIBERTIES ACT, 50 U.S.C. app. 1981 note, Pub. L. No. 106-451, § 3, 114 Stat. 1947, 1947 (2000).

APPENDIX

The Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law received the following additional materials in conjunction with the March 19, 2009, hearing entitled: “The Treatment of Latin Americans of Japanese Descent, European Americans, and Jewish Refugees During World War II.”

Signatories to Scholars’ Letter of Support: Lane Hirabayashi, University of California, Los Angeles; Jerry Kang, University of California, Los Angeles; Tetsuden Kashima, University of Washington; Daniel Masterson, Naval Academy; Valerie Matsumoto, University of California, Los Angeles; Don T. Nakanishi, University of California, Los Angeles; Natsu Taylor Saito, Georgia State University; Robert L. Tsai, American University; Greg Robinson, Université du Québec A Montréal; Frank H. Wu, University of Maryland; Sumi Cho, DePaul University; Louis Fiset, University of Washington; Cynthia Lee, George Washington University; Judy Yung (Professor Emerita), University of California, Santa Cruz; Hiroshi Motomura, University of California, Los Angeles; Robert S. Chang, Seattle University School of Law; Lisa C. Ikemoto, University of California, Davis; Gerald P. Lopez, University of California, Los Angeles; Carol Izumi, George Washington University; Jeffrey A. Ow, Arizona State University; Roger Daniels (Professor Emeritus), University of Cincinnati; Craig D. Uchida, George Mason University; Rita Takahashi, San Francisco State University; Stephen Mastrofski, George Mason University; Tazuko Shibusawa, New York University; Jere Takahashi, University of California, Berkeley; Eric Yamamoto, University of Hawaii; Karen J. Leong, Arizona State University; Wayne H. Maeda, California State University, Sacramento; Roshni Rustomji-Kerns (Professor Emerita), Sonoma State University; R. Benedito Ferrao, Birkbeck College, University of London; Hatem Bazian, University of California, Berkeley; Satsuki Ina (Professor Emeritus), California State University, Sacramento; Roger B. Parks, Indiana University; Emily S. Ihara, George Mason University; Max Paul Friedman, American University; John E. Eck, University of Cincinnati; Bill Ong Hing, University of California, Davis; Jonathan Y. Okamura, University of Hawaii; David K. Yoo, Claremont McKenna College; Paul G. Clark, George Mason University; Stephen S. Fugita, Santa Clara University; Felix F. Gutierrez, University of Southern California; Sudarat Musikawong, Willamette University; Brad Yamauchi, Golden Gate University School of Law; Nelson Nagai, San Joaquin Delta College; C. Keith Wingate, University of California, Hastings College of the Law; Naomi Roht-Arriaza, University of California, Hastings College of the Law; Josephine Lee, University of Minnesota; Priscilla Wegars, University of Idaho; Joanne Doi, Franciscan School of Theology; Viet Thanh Nguyen, University of Southern California; Thomas Kim, Scripps College; Jane H. Yamashiro, Sophia University; Sue Chan, University of California, San Francisco; Janelle Wong, University of Southern California; Wayne H. Cole, Cape Breton University, Sierra Nevada College; Alan Nishio, California State University, Long Beach; Akemi Matsumoto, Bellevue Community College; Takeyuki (Gaku) Tsuda, Arizona State University; Bill Carpenter, City College of San Francisco; Sabrina Alimahomed, University of California, Riverside; Rebecca Alvarez,

University of California, Riverside; Meghan Andrew, University of California, Riverside; Suzel Bozada-Deas, University of Southern California; Scott Brooks, University of California, Riverside; Amalia Cabezas, University of California, Riverside; Toi Carter, East Los Angeles College; Piya Chatterjee, University of California, Riverside; Mike Chavez, California State University, Los Angeles; Brianne Davila, University of California, Santa Barbara; Daniel Diaz, University of California, Riverside; Jesse Diaz, University of California, Riverside; Glenda Flores, University of Southern California; Linda Kim, University of California, Riverside; Zack Knorr, East Los Angeles College; Patrick Linder, University of California, Riverside; Alfredo Mirande, University of California, Riverside; Robert Perez, University of California, Riverside; Christine Petit, University of California, Riverside; Ellen Reese, University of California, Riverside; James Thing, University of Southern California; Shiguero Tsuha, University of California, Riverside; Jake Wilson, California State University, Long Beach; James McKeever, University of Southern California; Shinji Sakai-Egi, University of California, Riverside; Ming Tu, California State University, Fullerton; Dolores Ortiz, University of California, Riverside; Juan Pitones, University of California, Riverside; Jose Lopez, University of California, Riverside; Erika Gutierrez, University of California, Riverside; Roy Kwon, University of California, Riverside; Dennis Egi, Norte De Namur University; Henry Neiderneier, Colorado University, Boulder; Ruth Sison, San Jose State University; Vu Pham, University of California, Los Angeles; Paul Von Blum, University of California, Los Angeles; Steve On, University of California, Los Angeles; Pamela Hobbs, University of California, Los Angeles; Susumu Ito, Harvard University; Erin Hashimoto-Martell, Boston College; Christopher Martell, Boston University; Rick Bonus, University of Washington; Ben Kobashigawa, San Francisco State University; Wesley Ueuntten, San Francisco State University; Linda Vo, University of California, Irvine; Claire Jean Kim, University of California, Irvine; Glen Mimura, University of California, Irvine; Sarah Park, College of St. Catherine; Ruben Rumbaut, University of California, Irvine; Russell Jeung, San Francisco State University; Eiichiro Azuma, University of Pennsylvania; Dana Nakano, University of California, Irvine; Dean Adachi, Claremont Graduate School; Diana Pan, University of California, Irvine; Kathy Rim, University of California, Irvine; Rose Cuison Villazor, Southern Methodist University Dedman School of Law; Donna H. Lee, City University of New York School of Law; Thomas W. Joo, University of California, Davis School of Law; Keith H. Hirokawa, Texas Wesleyan School of Law; Wendy Ho, University of California, Davis; Andrew Chin, University of North Carolina School of Law; Isao Fujimoto, University of California, Davis; Taunya Lovell Banks, University of Maryland School of Law; Carwina Weng, Indiana University Maurer (Bloomington) School of Law; Cecilia M. Tsu, University of California, Davis; Roy Yoshio Myose, Wichita State University; Song Richardson, DePaul University; Gabriel "Jack" Chin, University of Arizona; James E. Rogers College of Law; Jan Ting, Temple University Beasley School of Law; Mark A. Chinen, Seattle University School of Law; Margaret Chon, University of Michigan Law School.

Signatories to Organizational Letters of Support: American Friends Service Committee; American Jewish Committee; American-Arab Anti-Discrimination Committee; Anti-Defamation League; Asian American Bar Association of the Greater Bay Area; Asian American Justice Center; German American National Congress; Asian American Legal Defense and Education Fund; Asian Law Alliance; Asian Pacific American Bar Association of Los Angeles County; Asian Pacific American Bar Association of South Florida; Asian Pacific American Labor Alliance; AFL-CIO; Association of Humanitarian Lawyers; Berkeley Fellowship of Unitarian Universalist; Campaign For Justice: Redress Now For Japanese Latin Americans!; Congressional Asian Pacific American Caucus; Council on American-Islamic Relations; Friends Committee on National Legislation; Global Rights; Human Rights First; International Association of Official Human Rights Agencies; Japanese American Bar Association; Japanese American Citizens League—Berkeley Chapter; Japanese American Citizens League—Honolulu Chapter; Japanese American Citizens League—National; Japanese American Citizens League—Pacific Southwest District; Japanese American Citizens League—San Diego Chapter; Japanese American Citizens League—Seattle Chapter; Japanese American Citizens League—SELANOCO Chapter; Japanese American Citizens League—Ventura County Chapter; Japanese American Living Legacy; Japanese Peruvian Oral History Project; Korean American Bar Association of Southern California; Korean American Coalition—DC Chapter; Korean American Resource & Cultural Center; Korean Resource Center; Leadership Conference on Civil Rights; League of United Latin American Citizens; Manzanar Committee; Mennonite Central Committee Washington Office; Mexican American Legal Defense and Education Fund; National Advocacy Center of the Sisters of the Good Shepherd; National Asian Pacific American Bar Association; National Asian Pacific American Women’s Forum; National Association of Japanese Canadians; National Coalition for Redress/Reparations—San Francisco; National Council of La Raza; National Korean American Service & Education Consortium; NETWORK: A National Catholic Social Justice Lobby; Nihonmachi Outreach Committee; Nikkei for Civil Rights & Redress; Orange County Korean American Bar Association; Organization of Chinese Americans; Presbyterian Church (U.S.A.) Washington Office; Sikh American Legal Defense and Education Fund; South Asian Americans Leading Together; Southern California Chinese Lawyers Association; The Episcopal Church; The United Church of Christ; Justice and Witness Ministries; Union for Reform Judaism; Unitarian Universalist Association of Congregations; United Methodist Church; General Board of Church and Society; Washington Office on Latin America; Young Korean American Service and Education Center; Asian Pacific Islander Justice Coalition; Asian American Recovery Services; Asian American Women’s Alliance; Asian Law Alliance; Asian Pacific American Leadership Institute; Asian Pacific Bar Association; Cambodian American Resource Agency; Contemporary Asian Theatre Scene; Filipino National History Society; Santa Clara Chapter; Filipino Youth Coalition; Japanese American Citizens League of San Jose; Japantown Community Congress of San Jose; Korean American Bar Association of Northern California; Korean American Community Services, Inc.; Maitri; MALAYA; Orga-

nization of Chinese Americans; Silicon Valley; South Bay First Thursdays; Southeast Asia Community Center; Vision New America; Vietnamese Voluntary Foundation; Yu-Ai-Kai; International Children Assistance Network; Akbayan; Vietnamese American Bar Association of Northern California; NETWORK: A National Catholic Social Justice Lobby; Unitarian Universalist Association of Congregations; The United Church of Christ; Justice and Witness Ministries; Union for Reform Judaism; United Methodist Church; General Board of Church and Society; National Advocacy Center of the Sisters of the Good Shepherd; Mennonite Central Committee Washington Office; The Episcopal Church; Friends Committee on National Legislation; Presbyterian Church (U.S.A.) Washington Office.

Stories: Ursula V. Potter, *Searching for Erich Braemer—Interned Father of Fred Braemer, Jimmy Doolittle’s Navigator*; Paul Grayber, *The Grayber Family Story*; Guthrie Graber with assistance from Karen Ebel, *The Graber Family Story*; Arthur D. Jacobs, Major, USAF Retired, *The Prison Called Hohenasperg: An American Boy Betrayed By His Government During World War II*; Max Paul Friedman, Department of History, American University, *The Deportation and Internment of Germans, Japanese, and Italians from Latin America During World War II*; John Heitmann, Ph.D., *World War II German Enemy Alien Case Study: Alfred and Caroline Heitmann*; Deborah McCarty Smith, *Internment: German Americans*; John Eric Schmitz, *Enemies Among Us: The Relocation, Internment, and Repatriation of German, Italian, and Japanese Americans During the Second World War*; John Schmitz, *The Schmitz Family Story*; Kimberly Contag, Ph.D., *The Relocation of a German-Ecuadorian Family in World War II: The Americans Clean House*; Rudy A. Dimmling, *The Reseneder Family Internment Story*; Lawrence DiStasi, Project Director, *Una Storia Segreta: When Italian Americans Were “Enemy Aliens,”* Gertrude Anna Schneider and Paul Schneider, as told to Vilma Schneider Ralston, *A Mother Interned, A Family Left Behind*; Jo Anna Wartemann, *The Internment of Wilhelm and Anna Wartemann and Family*; Bob Wilbanks, *Last Man Out: Glenn McDole, USMC, Survivor of the Palawan Massacre in World War II*; Heidi Gurcke Donald, author of *We Were Not the Enemy: Remembering the United States’ Latin-American Civilian Internment Program of World War II*; Anneliese “Lee” Krauter, *From the Heart’s Closet: A Young Girl’s World War II Story*; David D. Lowman, *Magic: The Untold Story of U.S. Intelligence and the Evacuation of Japanese Residents from the West Coast during WWII*; John Christgau, *Enemies: World War II Alien Internment*.

Testimonies: Josef Baumgartner; Hildegard Maria Mantel Gordon; Theodore A. Eckardt; Frieda Ahrens; Shirley A. Weiss; Eileen P. Kelly; Lothar Eiserloh; Helga (Renner) Emde; José Antonio Gómez Iturralde; Pietro Tosi.

Editorials and Op-Eds: Hon. Xavier Becerra and Hon. Dan Lungren, *Justice for the Forgotten*, WASHINGTON POST, Feb. 19, 2007 at A19; *Japanese Latinos: The Forgotten Internees*, LOS ANGELES TIMES, Mar. 18, 2007.