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**SR-10** (2021-2022)

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ENROLLED MARCH 04, 2021

PASSED IN SENATE MARCH 01, 2021

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

## SENATE RESOLUTION

**NO. 10**

Introduced by Senator Pan

February 12, 2021

Relative to Japanese American concentration camps.

### LEGISLATIVE COUNSEL'S DIGEST

SR 10, Pan.

WHEREAS, On February 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066 (EO9066), under which more than 120,000 people of Japanese ancestry were incarcerated in 10 concentration camps scattered throughout western states during World War II; and

WHEREAS, EO9066 deferred the American dream for more than 120,000 Americans and residents of Japanese ancestry by inflicting a great human cost of abandoned homes, businesses, farms, careers, professional advancements, disruption to family life, and public humiliation; and

WHEREAS, Despite their families being incarcerated behind barbed wire in the United States, approximately 33,000 veterans of Japanese ancestry fought bravely for our country during World War II, serving in the 100th Infantry Battalion, the 442nd Regimental Combat Team, the 522nd Field Artillery Battalion, and the Military Intelligence Service; and

WHEREAS, On June 21, 2000, President William Jefferson Clinton designated 20 Japanese Americans, who served in the 100th Infantry Battalion and the 442nd Regimental Combat Team to receive the nation's highest military decoration, the Medal of Honor, bringing the total number of Japanese Americans who so received the Medal of Honor to 21; and

WHEREAS, In 2010, President Barack Obama granted the Congressional Gold Medal, collectively, to the 100th Infantry Battalion and 442nd Regimental Combat Team in recognition of their dedicated service during World War II; and

WHEREAS, Nearly 6,000 veterans of Japanese ancestry served with the Military Intelligence Service and have been credited for shortening the war by two years by translating enemy battle plans, defense maps, tactical orders, intercepted messages and diaries, and interrogating enemy prisoners; and

WHEREAS, Many Japanese American veterans continued a life of public service after the war, including Medal of Honor recipient and United States Senator Daniel Inouye, who passed away in December, 2012, while representing his home state of Hawaii; and

WHEREAS, On February 19, 1976, President Gerald Rudolph Ford rescinded EO9066 and proclaimed, "We now know what we should have known then—not only was that evacuation wrong, but Japanese-Americans were and are loyal Americans"; and

WHEREAS, Nearly 40 years after the United States Supreme Court decisions upholding the convictions of Fred Korematsu, Min Yasui, and Gordon Hirabayashi for violations of curfew and EO9066, it was discovered that officials from the United States Department of War and the United States Department of Justice had altered, destroyed, and withheld information that testified to the loyalty of the people of Japanese ancestry from the United States Supreme Court; and

WHEREAS, On May 24, 2011, Acting Solicitor General Neal Katyal said World War II Solicitor General Charles Fahy, who represented the United States Department of Justice in the Korematsu, Yasui, and Hirabayashi cases, "acted dishonorably" by withholding relevant information; and

WHEREAS, Dale Minami, Peggy Nagae, Kathryn Bannai, Dennis Hayashi, Rod Kawakami, and many attorneys and interns contributed innumerable hours to win a reversal of the original convictions of Korematsu, Yasui, and Hirabayashi in 1983, by filing a petition for writ of error coram nobis on the grounds that fundamental errors and injustice occurred; and

WHEREAS, In 1980, the United States Congress created the Commission on Wartime Relocation and Internment of Civilians to examine the actions and impact of EO9066. The commission held 20 days of public hearings, conducted 18 months of thorough investigation, and published its findings in 1983, which concluded that EO9066 was not justified by "military necessity" but was due to racial prejudice, wartime hysteria, and a failure of political leadership; and

WHEREAS, On August 10, 1988, President Ronald Wilson Reagan signed into law the federal Civil Liberties Act of 1988, finding that EO9066 was not justified by military necessity and, instead, was caused by racial prejudice, wartime hysteria, and a failure of political leadership; and

WHEREAS, The federal Civil Liberties Act of 1988 apologized on behalf of the people of the United States for the evacuation, incarceration, and relocation of Americans and permanent residents of Japanese ancestry during World War II. The act also provided for restitution to those individuals of Japanese ancestry who were incarcerated; and

WHEREAS, Given recent national events, it is all the more important to learn from the mistakes of the past and to ensure that such an assault on freedom will never again happen to any community in the United States; and

WHEREAS, February 19, 2021, marks 79 years since the signing of EO9066 and a policy of grave injustice against American citizens and residents of Japanese ancestry; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate declares February 19, 2021, as a Day of Remembrance in this state to increase public awareness of the events surrounding the incarceration of Americans of Japanese ancestry during World War II; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Governor, the Superintendent of Public Instruction, the California State Library, the California State Archives, and to the author for appropriate distribution.