

MEMORANDUM FOR THE FILES

DATE: May 22, 2017

FROM: Christa D. Jones*
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RE: “Documents and Citations”: Original Sources and Research Concerning Census Bureau Efforts to Support Japanese Internment

With each decennial census for the last 40-50 years, the question of whether the Census Bureau provided confidential data to facilitate the evacuation and relocation of the Japanese Americans during World War II (i.e., the “Japanese internment”) rematerializes, seemingly never resolved. The question is important because it speaks to the Census Bureau’s integrity. If the Census Bureau had supplied such data, it would have violated the Census Law, as the Second War Powers Act was not effective for the planning and evacuation phases of the Japanese internment. And it is important to maintain this distinction between later, lawful Second War Powers Act disclosures and any potential, unlawful disclosure to the War Department or the Army’s Western Defense Command (WDC) for the purposes of the Japanese interment. The timeline from Pearl Harbor to the evacuation simply does not support the legal disclosure of confidential data, as the Presidential Executive Order No. 9066 was signed February 19, 1942 and the first Civil Exclusion Order was issued March 24, 1942. The Census Bureau did not have the authority to share confidential data before March 27, 1942, with the enactment of the Second War Powers Act, and the Department of Commerce instructions for doing so were not issued until even later that summer.

“Documents and Citations” is a catalog of documents and materials from the National Archives and various research papers. I gathered these materials starting in the mid-2000s through 2017 for the purpose of examining the question of whether the Census Bureau provided confidential data during the critical planning and implementation phase of the Japanese Relocation Program, otherwise known as the Japanese internment.

Background

The earliest public references to 1940 Census data used for the Japanese internment are the Tolan Committee’s Fourth Interim Report (1942) and the WDC *Final Report* (1943). Both reports include tabulations of aggregate 1940 Census data of the Japanese population by various demographic characteristics and geographies. The lowest geography was “minor civil division” for which the Census Bureau provided limited information for the Japanese population in Arizona, California, Oregon, and Washington. Based on the archive materials, the 1940 Census data supplied to the WDC, which included tabulated aggregate data for the states, counties, and a limited number minor civil divisions, by age, sex, and head of family or household, were crucial in delineating the boundaries for each exclusion order.

* While this document describes the resource “Documents and Citations,” it is also a summary of my personal views concerning these documents and the Census Bureau’s participation in the Japanese internment. It is not an official document of the Census Bureau and the views expressed herein are my own.

The Census Bureau also drafted a history of its wartime contributions in 1946. The war history was not published and only working drafts were retained, but the draft does indicate no confidential data were sent to the Army—an assertion maintained over decades by Census Bureau individuals present at the time.[†]

However, as time passed and those with firsthand knowledge of actions during World War II died, researchers have turned to the National Archives and other materials. As to these primary sources, the materials in the National Archives were never preserved or organized to answer this question, and the task locating an insight or faithfully interpreting the meaning of isolated phrases among the archived materials can be problematic. The records of the Census Bureau and the 1940 Census were not curated at the time. Materials concerning the 1940 Census are dispersed, complicating efforts to cross check conflicting claims about the disclosure of confidential data or the preparation of tabulations.[‡]

The archive materials of the WDC and its Wartime Civil Control Administration offer more information about the evacuation planning and the daily operations of the statistical unit led by Dedrick. These archive materials offer a more comprehensive vantage of the planning considerations and how Civil Exclusion Areas were delineated, as well as examples of the Census Bureau data used for planning and communicated within that command. There are also materials related to the reimbursement arrangements to compensate the Census Bureau for salaries of Calvert Dedrick, a senior statistician, and other personnel and for the special tabulations. However, as noted before, I did not locate any references or examples of confidential materials.

“Documents and Citations” is a collection of archival materials of the Census Bureau, Commission on Wartime Relocation and Internment of Civilians, War Relocation Authority, Commerce Department, Department of War, Provost Marshal General, and the Army WDC, as well as the subsequent accounts and inquiries of the Census Bureau’s activities. The document catalog also includes the letter of then-Secretary Jesse H. Jones to the President in 1945, as discussed by William Seltzer and Margo Anderson “Census Confidentiality Under the Second War Powers Act (1942-1947)” (2007), as well as the accounts of former Supreme Court Justice Tom C. Clark and Henry Field. These accounts are often cited as the basis for asserting that the Census Bureau violated confidentiality. The spreadsheet materials are organized topically to address the question of whether material the Census Bureau provided to the WDC for the Japanese internment, specifically the evacuation phase, which some characterize as “rounding up the Japanese.”

This phrase connotes a powerful image, yet it is important to consider that the Army did not conduct a house-to-house operation to collectively arrest or apprehend Japanese individuals in implementation of the Civil Exclusion Orders, which along with the planning phase, is the critical period for which the 1940 Census most useful. According to the *Final Report*, the 1940 Census of Population was “of prime importance in shaping the evacuation procedure,” and the report mentions statistics on population totals, concentrations, and general demographic data such as family structures and occupations. “From these data and a study of the structure and characteristics of each basic area, it was possible to define and map Exclusion Areas, 108 in all.”[§]

[†] In the 1960s, the concern about confidentiality prompted then Census Bureau Director Ross Eckler to seek information from J. Edgar Hoover as to whether the Federal Bureau of Investigation (FBI) held any information. This inquiry was likely misdirected, as the principal mover in the Japanese internment was the War Department and the Army, not the Department of Justice or the FBI.

[‡] The Census Bureau did not even write its own procedural history of the 1940 Census. It was written at the University of Wisconsin-Madison in the 1980s.

[§] DeWitt, *Final Report: Japanese Evacuation from the West Coast 1942*, 3 June 1943, 79-86.

Specifically, data from the 1940 Census provided the basic population information for localities and were used to identify the exclusion areas, the planning units for the evacuation.

The basic population data for the program were provided from a special tabulation by the Bureau of the Census of Japanese cards of the 1940 Population Census. The total number of Japanese individuals and families in each county, township and incorporated place, and for each census tract in the larger cities, was plotted on maps. These census data, though two years old, were found satisfactory for planning purposes when corrected for emigration,...

President Franklin Delano Roosevelt had launched the Japanese interment by signing Executive Order 9066 on February 19, 1942, permitting the military to designate areas within the United States as military areas and to exclude and restrict populations within those areas. The WDC followed with its Public Proclamations Nos. 1 and 2 to prescribe such areas in Arizona, California, Oregon, and Washington, as well as other states within the region, which touched off a voluntary, then mandatory evacuation. The mandatory evacuation began March 24, 1942, with the issuance of Civil Exclusion Order No. 1 to “all Japanese persons, both alien and non-alien” living on Bainbridge Island, Washington. A total of 108 exclusion orders were carried out through mid-May of 1942.

Each exclusion order directed Japanese families to report to a Civil Control Office, where they registered their household and were instructed to report within days with limited personal and property items to be evacuated to a reception or assembly center. Working with other agencies and localities, the WDC ensured that the instructions were posted publically and were shared broadly with the media and stakeholders in the area. The WDC collected a “social data registration,” that was later augmented by the assembly center and relocation camp records. Ultimately, the evacuation and relocation, or interment, meant that Japanese Americans were deprived of their communities, compelled to give up their livelihoods, and obliged to abandon or to sell property at below market prices.

The Question of Census Bureau Data

Undoubtedly, the Census Bureau assisted this program by providing special tabulations and the technical expertise in the form of a senior statistician and other representatives to facilitate planning. Despite the references from Jones, Clark, and Field, however, I do not think the archival record supports the notion that confidential data were utilized during the critical planning and implementation phase of the Japanese interment. I think there is reasonable doubt as to whether the Census Bureau committed any unlawful disclosure based on the following considerations.

- *Timing*: the time between the attack on Pearl Harbor and the decision to relocate or intern the Japanese was brief. Executive Order No. 9066 was signed on February 19, 1942 and Civil Exclusion Order No. 1 for Bainbridge Island, Washington was issued March 24, 1942. The Census Bureau did not have the authority to share confidential data before March 27, 1942, at the earliest, and the regulations to do such were not issued until even later that summer.

Additionally, in refuting the Henry Field account, which appeared in *Day of Infamy: Pearl Harbor and its Aftermath* by John Toland, Theodore “Ted” Clemence provided a compelling account based on his interviews. Clemence highlighted the difficulty of conducting, in secret, a largescale clerical operation to review of the 1940 Census schedules to produce a list of names and addresses in the necessary timeframe.

** Ibid., 86.

- *Legitimacy and transparency*: the Census Bureau actively and openly cooperated in giving statistics to the Army, which lends to the idea that the Census Bureau was interested in being legitimately involved with the defense activities. The fact Census Bureau Director J.C. Capt sought a revision the Census Law to permit the sharing of confidential data for the war effort prior to Pearl Harbor demonstrates both knowledge and respect for the law, and should not be conflated with a willingness to violate that law. In fact, the reporting of the Census Bureau’s contributions to the war effort in 1942, cites work done for the Japanese internment in several instances.
- *Operational considerations*: transcripts of telephone conversations and early planning memoranda in the WDC archives demonstrate, the Army’s evacuation and relocation strategy was largely based on the assumption that the Japanese were a visible minority, and therefore unable to hide. Therefore, the use of aggregate statistical data based on geographies makes sense.
- *Consistency*: descriptions of the tabulations and other information are consistent across multiple sources, including initial descriptions in the Tolan Committee’s Fourth Interim Report and the *WDC Final Report*, as well as the Census Bureau’s report to the Department of Commerce from 1942. Moreover, from the 1946 draft war history through the next several decades, key Census Bureau staff avowed that no confidential data were sent to the West Coast. The accounts of Jones, Clark, and Field, which do not offer a consistent alternative account regarding the use of confidential data, are not necessarily persuasive upon examination and cannot be substantiated.

Documents and Citations Organization

The organization of “Documents and Citations” corresponds with my reasoning. Each individual worksheet or tab is a list of documents with citations, relevant text, location, and file name. Many documents are referenced on several worksheets. In addition to the Timeline, Capt and Violation of Law, EO 91577 Disclosures, Accounts of WW2 and Census, and Data References tabs, there are three other worksheets.

- Info re 1940 Census: a selection of documents describing operational aspects of the 1940 Census, including availability of small area data, description of punch cards, and references to special tabulations for the war.
- 2000s Papers: papers of the Census Bureau and other academic researchers.
- Census Data: comparison of the tables included in the Tolan Committee Fourth Interim Report and the *WDC Final Report*, as well as the Census Bureau lists compiled in 1942.

My ultimate recommendation is that the Census Bureau should make these documents available to other researchers. There is no confidential information contained in the documents and all of the documents are publically accessible at the National Archives or online. In so doing, the Census Bureau would permit other researchers to examine not only my conclusions and others’, but also to potentially spur other explorations of this topic that may yield the proof that ultimately answers the question of the confidentiality of the 1940 Census and Japanese internment.