EXHIBIT 3



There are numerous sources for the assertion that there were no acts of espionage or sabotage by Japanese Americans during World War II. Here are some of them (listed by reverse date of publication):

- Personal Justice Denied: Report of the Commission on Wartime Relocation and Internment of Civilians, U. S. Government Printing Office, Washington, D. C., December 1982 (Superintendent of Documents stock number 052-003-00897-1, \$8.50). Page 3:
 "...not a single documented act of espionage, sabotage, or fifth column activity was committed by an American citizen of Japanese ancestry or by a resident Japanese alien on the West Coast." Also see pages 51-60. (You might be able to obtain a complimentary copy of this publication from your representative in Congress.)
- 2. Michi Weglyn, Years of Infamy: The Untold Story of America's Concentration Camps, William Morrow & Company, New York, 1976, \$7.95. Page 29: "...our government had in its possession proof that not one Japanese American, citizen or not, had engaged in espionage, not one had committed any act of sabotage."
- 3. Audrie Girdner and Anne Loftis, The Great Betrayal: The Evacuation of the Japanese Americans During World War II, The Macmillan Company, New York, 1969. Page 16: "The salient fact is that no resident Japanese, either in Hawaii or on the mainland, was convicted of being an unregistered agent of the government in Tokyo nor of having engaged in espionage activities."
- 4. Stetson Conn, "The Decision to Evacuate the Japanese from the Pacific Coast," Command Decisions, Office of the Chief of Military History, Department of the Army, Washington, D. C., 1960. Page 138: "In fact, no proved instances of sabotage or of espionage after Pearl Harbor among the west coast Japanese population were ever uncovered."
- Jacobus tenBroek, Edward N. Barnhart, and Floyd W. Matson,
 Prejudice, War, and the Constitution, University of California
 Press, Berkeley, 1954. Page 95: "...the total inability of
 the FBI to uncover saboteurs among the Japanese population
 was frankly admitted by Attorney General Eiddle in a memorandum
 to President Roosevelt in May, 1942." Page 105: "No Japanese,
 citizen or alien, was indicted or convicted of sabotage,
 espionage, or any major violation of wartime security laws."
 Also see page 393, footnote 167, for the names of white persons
 convicted of espionage.

Morton Grodzins, Americans Betrayed: Politics and the Japanese Evacuation, University of Chicago Press, Chicago, 1949. Page 131: "Mr. John Edgar Hoover, Director of the Federal Bureau of Investigation, has advised me there was no sabotage committed there (Hawaii) prior to December 7, on December 7, or subsequent to that time." Page 131: "The War Department has received no information of sabotage committed by Japanese during the attack on Pearl Harbor." Page 289: "...not a single Japanese--citizen or alien, in the Hawaiian Islands or on the mainland--had been convicted of sabotage or espionage activities." Also see pages 132-137, 290-295.

7. Korematsu v. United States, United States Supreme Court Reports, Volume 323, page 241, December 1944. From the opinion of Mr. Justice Murphy, dissenting: "Nor is there any denial (by the government) of the fact that not one person of Japanese ancestry was accused or convicted of espionage or sabotage after Pearl Harbor while they were still free."

Actually, this preoccupation with spies was a red-herring. Even if there were a few--or even a lot--of spies among the Japanese Americans, that situation would not have justified imprisoning the entire ethnic group. Otherwise, based on the convictions of a dozen or so Caucasians for spying, all of the Caucasians should have been locked up! (Japan followed the perfectly rational course of employing inconspicuous people as their spies: namely, white people.) A basic tenet of American law is that guilt is strictly personal and one cannot be punished for the acts of others, no matter how closely related by family. Thus, even if there were some Japanese Americans convicted of spying, all of the rest of the people who were innocent had the right to remain free.

Besides, it was the height of absurdity to claim that all persons of Japanese descent (including babies, young children, infirm or bedridden elderly persons, blind or paralyzed persons) were serious threats to national security. Espionage or sabotage was a physical impossibility for most of the Japanese Americans targeted for incarceration.

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