

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: June 9, 2016

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations, and Neighborhoods Committee

FROM: Sharon M. Tso *Sharon M. Tso* Council File Nos.: 15-0002-S164; 15-0002-S165
Chief Legislative Analyst Assignment Nos.: 16-04-0357; 16-04-0358

SUBJECT: Resolutions to support HR 4146 (Lofgren) and HR 4147 (Lofgren) Relative to Treatment of Italian Americans During World War II

CLA RECOMMENDATION: That the City Council:

1. Adopt Resolution (Buscaino – Bonin) to include in the City's 2015-16 Federal Legislative Program SUPPORT for HR 4146 (Lofgren) which would authorize the United States Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans During World War II (C.F. 15-0002-S165).
2. Adopt Resolution (Buscaino – Bonin) to include in the City's 2015-16 Federal Legislative Program SUPPORT for HR 4147 (Lofgren) which would declare that Congress apologize on behalf of the nation for violations of the civil liberties and constitutional rights of Italian Americans during World War II (C.F. 15-0002-S164).

SUMMARY

Resolution (Buscaino – Bonin), introduced on April 22, 2016, states that the mistreatment of Italian Americans during World War II is a tragic but nearly forgotten episode of United States history. Currently pending in the United States House of Representatives, is HR 4146 (Lofgren) which would authorize the United States Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II.

Resolution (Buscaino – Bonin), introduced on April 22, 2016, states that HR 4147 (Lofgren) would declare that Congress apologize on behalf of the nation for violations of the civil liberties and constitutional rights of Italian Americans during World War II. The Resolution states that the story of the treatment of Italian Americans during World War II should be told to the public to ensure that we remember those whose civil liberties were violated.

The Resolutions recommend that the City support HR 4146 and HR 4147.

BACKGROUND

Between 1901 and 1950, approximately 3,736,405 Italians immigrated to the United States with many residing in the San Francisco Bay Area. In June 1940, Italy formed an alliance with Germany and entered World War II as part of the Axis powers. After the attack on Pearl Harbor and the declaration of war against the United States by the Axis powers in December 1941, a climate of fear arose in the United States regarding potential treasonous activities among Italian Americans.

The federal government classified approximately 600,000 Italian Americans who were not naturalized citizens as “enemy aliens” in January 1942. Italian Americans that were classified as such were required to do the following: carry photo identification booklets at all times, be subjected to travel restrictions and curfews, and be required to hand over "contraband" including cameras, weapons, and flashlights. Approximately 1,600 Italian Americans were arrested, and 250 individuals were interned in military camps in Missoula, Montana and Ellis Island. In addition, the establishment of a restricted zone along the California coast forced some 10,000 Italian Americans to move into the state’s interior. Naturalized citizens were also among those subjected to restrictions. The 500,000 Italian Americans who resided on the East Coast were forced to carry identification cards and to report all job changes.

On October 12, 1942 (Columbus Day), United States Attorney General Francis Biddle announced the discontinuation of restrictions against Italian nationals living as long-term residents in the United States.

Related Federal Legislation – HR 2442

On November 7, 2000, President Bill Clinton signed HR 2442 (Lazio) into law. The law, also known as the Wartime Violation of Italian Civil Liberties Act, provides for the preparation of a report detailing injustices suffered by Italian Americans during World War II, and a formal acknowledgment of such injustices by the President.

Related State Legislation – SCR 95

On August 27, 2010, the California Legislature adopted SCR 95 (Simitian) which acknowledged that the treatment of Italian Americans during World War II represented a fundamental injustice, and that the Legislature regretted these acts.

HR 4146

On December 1, 2015, HR 4146 (Lofgren) was introduced in the United States House of Representatives. The bill would authorize the United States Secretary of Education to provide grants for the development and implementation of public awareness education programs on the history of the treatment of Italian Americans during World War II. The bill would allocate a total of \$3 million toward grant programs, with a maximum individual grant award of \$50,000. Italian American historical and cultural organizations, as well as any other entities the Secretary of Education deems appropriate, would be eligible to apply for funds.

HR 4147

On December 5, 2015, HR 4147 (Lofgren) was introduced in the United States House of Representatives. The bill states that the treatment of Italian Americans during World War II needs to be acknowledged in order to remember those whose lives were unjustly disrupted and whose freedoms were violated. According to HR 4147, acknowledging and apologizing for the treatment of Italian Americans during World War II would discourage the occurrence of similar injustices and violations of civil liberties in the future. The bill would declare that Congress apologize on behalf of the nation for violations of the civil liberties and constitutional rights of Italian Americans during World War II.

Department Notified

El Pueblo de Los Angeles Historical Monument

Bill Status

HR 4146

12/01/2015 Referred to the House Committee on Education and the Workforce.

HR 4147

01/15/2016 Referred to the Subcommittee on the Constitution and Civil Justice.



Brian Randol
Analyst

Attachments:

1. Resolution (Buscaino – Bonon) relative to HR 4146
2. Resolution (Buscaino – Bonin) relative to HR 4147
2. Text of HR 4146
2. Text of HR 4147

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the mistreatment of Italian Americans during World War II is a tragic but nearly forgotten episode in United States history; and

WHEREAS, some of those affected were arrested, had their homes raided, and lived under curfews that resulted in the loss of livelihood for hundreds of thousands of Italian American families; and

WHEREAS, some of those affected (approximately 1,600) were kept in internment camps similar to those that held Japanese Americans; and

WHEREAS, there is no evidence that Italian Americans were engaged in subversive activities against the United States; and

WHEREAS, currently pending in the United States House of Representatives is HR 4146 (Lofgren) which would authorize the United States Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II; and

WHEREAS, under HR 4146, priority for the award of such grants would be given to Italian American historical and cultural organizations; and

WHEREAS, HR 4146 would raise awareness about the experiences of Italian Americans during the war to those within the Italian American community who may not be aware of these past events as well as the general public; and

WHEREAS, the story of the treatment of Italian Americans during World War II should be told to the broader public to ensure that we remember those whose civil liberties and constitutional rights were violated and to prevent such injustice from occurring in the future;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-16 Federal Legislative Program SUPPORT for HR 4146 (Lofgren) which would authorize the United States Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II.

PRESENTED BY: Joe Buscaino

JOE BUSCAINO

Councilmember, 15th District

SECONDED BY: M. R.

APR 22 2016

BMR

ORIGINAL

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, a growing body of evidence has emerged regarding the unjustified civil and constitutional violations perpetuated against Italian Americans during World War II; and

WHEREAS, Italians were the largest group of immigrants in the United States at the start of World War II; of the five million Italian immigrants residing in the United States at the time, all but 600,000 were citizens; and

WHEREAS, in the climate of fear that arose after the attack on Pearl Harbor, the federal government classified these 600,000 immigrants as "enemy aliens"; and

WHEREAS, for much of 1942, most of these immigrants were not allowed to travel more than five miles from their homes without police permission; security restrictions required dozens of Italian American fishermen to surrender their boats to the Coast Guard; in addition, hundreds were forced to give up their jobs as a result of curfews; and

WHEREAS, authorities conducted searches in Italian American neighborhoods in many cities and confiscated firearms, radios, cameras, flashlights, and other objects that could be used as signaling devices; and

WHEREAS, 1,600 Italian immigrants were interned at Fort Missoula in Montana, and 10,000 immigrants were forced to move from California coastal communities to inland areas; and

WHEREAS, there is no evidence whatsoever that any of the Italian Americans targeted by authorities were engaged in treasonous activities; and

WHEREAS, while these violations to civil liberties and constitutional rights were occurring, approximately 500,000 Italian Americans served in the Armed Forces during World War II, and many of these soldiers sacrificed their lives in the defense of the United States; and

WHEREAS, the federal government should issue a formal apology for the treatment of Italian Americans during World War II to allow the healing process to begin for the individuals and families who suffered as a result of these policies;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-16 Federal Legislative Program SUPPORT for HR 4147 (Lofgren) which would declare that Congress apologize on behalf of the nation for violations of the civil liberties and constitutional rights of Italian Americans during World War II.

PRESENTED BY: 

JOE BUSCAINO

Councilmember, 15th District

SECONDED BY: 

APR 22 2016


BMR

ORIGINAL

114TH CONGRESS
1ST SESSION

H. R. 4146

To authorize the Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2015

Ms. LOFGREN introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To authorize the Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GRANTS FOR EDUCATION PROGRAMS ON THE**
4 **HISTORY OF THE TREATMENT OF ITALIAN**
5 **AMERICANS DURING WORLD WAR II.**

6 (a) AUTHORIZATION OF GRANTS.—

7 (1) IN GENERAL.—The Secretary of Education
8 may provide grants for education programs on the

1 history of the treatment of Italian Americans during
2 World War II.

3 (2) MAXIMUM GRANT AMOUNT.—A grant
4 awarded under this section may not exceed \$50,000.

5 (b) USE OF FUNDS.—An eligible entity that receives
6 a grant under this section shall use the grant funds to
7 develop and implement public awareness education pro-
8 grams on the history of the treatment of Italian Ameri-
9 cans during World War II.

10 (c) APPLICATION.—To be selected to receive a grant
11 under this section, an eligible entity shall submit an appli-
12 cation to the Secretary at such time, in such manner, and
13 containing such information as the Secretary may require.

14 (d) PRIORITY.—In awarding grants under subsection
15 (a), the Secretary shall give priority to Italian American
16 historical and cultural organizations.

17 (e) ELIGIBLE ENTITY DEFINED.—In this section, the
18 term “eligible entity” means—

19 (1) Italian American historical and cultural or-
20 ganizations; and

21 (2) such other entities as the Secretary deter-
22 mines appropriate.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—For
2 grants under this section, there is authorized to be appro-
3 priated \$3,000,000 for fiscal year 2017.

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114TH CONGRESS
1ST SESSION

H. R. 4147

To apologize for the treatment of Italian Americans during World War II.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2015

Ms. LOFGREN introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To apologize for the treatment of Italian Americans during
World War II.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. APOLOGY FOR THE TREATMENT OF ITALIAN**
4 **AMERICANS DURING WORLD WAR II.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Over 15 million Italians have immigrated to
7 the United States since 1852.

8 (2) Italian immigrants have provided a culture
9 and heritage that has enriched American life.

10 (3) The treatment of Italian Americans during
11 World War II was authorized by the Act of July 6,

1 1798 (Chapter 66 Sec. 1; 1 Stat. 577; 50 U.S.C. 21;
2 commonly known as the Alien Enemies Act).

3 (4) Additional authority for the treatment of
4 Italian Americans during World War II was based
5 on Executive Order 9066 (7 Fed. Reg. 1407) and
6 Executive Order 9102 (7 Fed. Reg. 2165).

7 (5) These orders required Italian-born citizens
8 and their families to carry identification cards, face
9 travel restrictions, and obey curfews.

10 (6) These orders authorized the seizure of per-
11 sonal property.

12 (7) 10,000 Italian Americans living on the West
13 Coast were forced to leave their homes and were
14 prohibited from entering coastal zones during World
15 War II.

16 (8) Thousands of Italian American immigrants
17 were arrested and hundreds were interned in mili-
18 tary camps during World War II.

19 (9) The treatment of Italian Americans during
20 World War II needs to be acknowledged in order to
21 remember those whose lives were unjustly disrupted
22 and whose freedoms were violated.

23 (10) Acknowledging and apologizing for the
24 treatment of Italian Americans during World War II
25 would help repair the Italian American community

1 and would discourage the occurrence of similar in-
2 justices and violations of civil liberties in the future.

3 (b) STATEMENT OF CONGRESS.—For these funda-
4 mental violations of the basic civil liberties and constitu-
5 tional rights of Italian Americans during World War II,
6 Congress apologizes on behalf of the Nation.

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