

### § 4217. Documents relating to the internment

#### (a) Preservation of documents in National Archives

All documents, personal testimony, and other records created or received by the Commission during its inquiry shall be kept and maintained by the Archivist of the United States who shall preserve such documents, testimony, and records in the National Archives of the United States. The Archivist shall make such documents, testimony, and records available to the public for research purposes.

#### (b) Public availability of certain records of the House of Representatives

(1) The Clerk of the House of Representatives is authorized to permit the Archivist of the United States to make available for use records of the House not classified for national security purposes, which have been in existence for not less than thirty years, relating to the evacuation, relocation, and internment of individuals during the evacuation, relocation, and internment period.

(2) This subsection is enacted as an exercise of the rulemaking power of the House of Representatives, but is applicable only with respect to the availability of records to which it applies, and supersedes other rules only to the extent that the time limitation established by this section with respect to such records is specifically inconsistent with such rules, and is enacted with full recognition of the constitutional right of the House to change its rules at any time, in the same manner and to the same extent as in the case of any other rule of the House.

(Pub. L. 100-383, title I, §107, Aug. 10, 1988, 102 Stat. 909.)

#### CODIFICATION

Section was formerly classified to section 1989b-6 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

### § 4218. Definitions

For the purposes of this subchapter—

(1) the term “evacuation, relocation, and internment period” means that period beginning on December 7, 1941, and ending on June 30, 1946;

(2) the term “eligible individual” means any individual of Japanese ancestry, or the spouse or a parent of an individual of Japanese ancestry, who is living on August 10, 1988, and who, during the evacuation, relocation, and internment period—

(A) was a United States citizen or a permanent resident alien; and

(B)(i) was confined, held in custody, relocated, or otherwise deprived of liberty or property as a result of—

(I) Executive Order Numbered 9066, dated February 19, 1942;

(II) the Act entitled “An Act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones”, approved March 21, 1942 (56 Stat. 173); or

(III) any other Executive order, Presidential proclamation, law of the United

States, directive of the Armed Forces of the United States, or other action taken by or on behalf of the United States or its agents, representatives, officers, or employees, respecting the evacuation, relocation, or internment of individuals solely on the basis of Japanese ancestry; or

(ii) was enrolled on the records of the United States Government during the period beginning on December 7, 1941, and ending on June 30, 1946, as being in a prohibited military zone;

except that the term “eligible individual” does not include any individual who, during the period beginning on December 7, 1941, and ending on September 2, 1945, relocated to a country while the United States was at war with that country;

(3) the term “permanent resident alien” means an alien lawfully admitted into the United States for permanent residence;

(4) the term “Fund” means the Civil Liberties Public Education Fund established in section 4214 of this title;

(5) the term “Board” means the Civil Liberties Public Education Fund Board of Directors established in section 4216 of this title; and

(6) the term “Commission” means the Commission on Wartime Relocation and Internment of Civilians, established by the Commission on Wartime Relocation and Internment of Civilians Act (Public Law 96-317; 50 U.S.C. App. 1981 note).<sup>1</sup>

(Pub. L. 100-383, title I, §108, Aug. 10, 1988, 102 Stat. 910; Pub. L. 102-371, §3, Sept. 27, 1992, 106 Stat. 1167.)

#### REFERENCES IN TEXT

Executive Order Numbered 9066, dated February 19, 1942, referred to in par. (2)(B)(i)(I), is not classified to the Code.

The Act entitled “An Act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones”, approved March 21, 1942 (56 Stat. 173), referred to in par. (2)(B)(i)(II), is act Mar. 21, 1942, ch. 191, 56 Stat. 173, which was classified to section 97a of former Title 18, Criminal Code and Criminal Procedure, and was repealed by act of June 25, 1948, ch. 645, §21, 62 Stat. 868 and reenacted as section 1383 of Title 18, Crimes and Criminal Procedure. Section 1383 of Title 18 was repealed by Pub. L. 94-412, title V, §501(e), Sept. 14, 1976, 90 Stat. 1258.

The Commission on Wartime Relocation and Internment of Civilians Act, referred to in par. (6), is Pub. L. 96-317, July 31, 1980, 94 Stat. 964, which was classified as a note under section 1981 of the former Appendix to this title and was omitted from the Code due to termination of the Commission not later than 90 days after June 30, 1983.

#### CODIFICATION

Section was formerly classified to section 1989b-7 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1992—Par. (2). Pub. L. 102-371 inserted “, or the spouse or a parent of an individual of Japanese ancestry,” after “Japanese ancestry” in introductory provisions.

<sup>1</sup> See References in Text note below.