

Testimony of

The Honorable Russ Feingold

March 14, 2002

Mark-Up of S. 1356, the Wartime Treatment Study Act

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Thank you, Mr. Chairman. I am pleased that the Committee today will consider the Wartime Treatment Study Act. I want to thank my colleagues Senators Grassley and Kennedy for their support of this important legislation. Senator Grassley has worked closely with me in drafting this bill before it was introduced, and again over the last week or so in preparing this bill for Committee action. I have always enjoyed working with him, but I especially appreciate his time, effort, and support on this bill.

Mr. Chairman, as you know, during World War II, the United States fought the spread of Nazism and fascism. Nazi Germany was engaged in the persecution and genocide of Jews and certain other groups. By the end of the war, six million Jews had perished at the hands of Nazi Germany. Unfortunately, while we were at war with Germany, Italy, and Japan, the United States treated as suspect the Japanese American, German American, and Italian American communities, depriving them of fundamental rights of liberty and due process.

As a nation, we have been slow to study and to acknowledge this conduct. Most Americans are now aware of the U.S. government's treatment of Japanese Americans during World War II. Through the work of a commission created by Congress in 1980, the Commission on Wartime Relocation and Internment of Civilians, this disgraceful episode in American history finally received the official acknowledgment and condemnation it deserved.

Thus far, there has not been sufficient study of the injustices suffered by German Americans, Italian Americans and other Americans of European descent during World War II. The U.S. government limited their travel, imposed curfews, and seized their personal property. Thousands were selectively interned in camps - often separated from other members of their family and living in miserable conditions. Approximately 11,000 ethnic Germans living in the United States, 3,200 ethnic Italians, and scores of ethnic Bulgarians, Hungarians, Romanians, and other European Americans were taken from their homes and placed in internment camps. Hundreds were interned for up to three years even after the war had ended. Many of these families, including American children, were later shipped back to war-torn Europe in exchange for Americans held there, and suffered terribly.

In addition, there has been no justice for European Latin Americans - including German and Austrian Jews - who were repatriated or deported to hostile, war-torn European Axis powers, often as part of an exchange for Americans being held in those countries.

It is past time for the U.S. Government to recognize the pain and anguish these actions caused scores of European Americans and European Latin Americans by conducting an independent, fact-finding review.

Another tragic episode in our country's history, Mr. Chairman, was the treatment of Jewish refugees fleeing Nazi persecution and genocide the years before and during World War II. German and Austrian Jews applied for visas, but the United States severely limited their entry due to strict immigration policies, as well as a fear that our enemies would send spies under the guise of refugees, and the widespread anti-foreigner and anti-Semitic attitudes that pervaded American public opinion at that time.

Mr. Chairman, Congress has previously reviewed the treatment of Japanese Americans through a commission. It is time for an independent review of the treatment of German Americans and Italian Americans, as well as Jewish refugees.

My bill, as amended, would create two commissions. The Commission on Wartime Treatment of European Americans would review the facts and circumstances surrounding the U.S. government's treatment of German Americans, Italian Americans, and other European Americans during World War II. The Commission's review would include an assessment of the underlying rationale for the U.S. government's actions and recommendations for how civil liberties can be better protected during war in the future. Particularly given that we are currently engaged in a war to respond to the first attack on the United States since World War II, our nation has an opportunity to learn both the good and the bad lessons from our history. And we should take this opportunity to do so.

The second commission created by my bill, the Commission on Wartime Treatment of Jewish Refugees, would review the facts and circumstances surrounding the U.S. government's treatment of Jewish and other refugees fleeing Nazi persecution and genocide. I hope that by establishing this commission, our nation can better understand how we allowed such a gross injustice and how we can guard against repeating these mistakes in the future.

Mr. Chairman, I appreciate your support and patience while Senator Grassley and I worked during the last week to modify this bill to address concerns raised by some Jewish American groups. I understand that some of my colleagues on the other side continue to have some concerns about the bill. Let me say to them that I pledge to work with them to address their concerns before this bill goes to the floor. But I think the Committee should report the bill out today. It is past time for Congress to act. It has been almost 50 years since the end of World War II, and 20 years since the Japanese American commission completed its work. I urge my colleagues to support this bill.

Thank you again, Mr. Chairman.