

DETENTION CAMPS OPPOSED BY HOUSE

356-49 Vote Backs Repeal
of a Never-Used Law for
Holding Suspects in War
9-15-71

By MARJORIE HUNTER

Special to the New York Times

WASHINGTON, Sept. 13—The House voted today to repeal a never-used law that gives the Federal Government authority to put suspected spies or saboteurs into detention camps during time of war or insurrection.

The vote was 356 to 49. The bill now goes to the Senate, where quick approval is expected.

Although the detention law has never been used since its enactment in 1950, its existence has given rise in recent years to widespread fears, particularly among Negroes, that it might be used to establish concentration camps for black militants.

Executive Order Barred

While describing such fears as unfounded, the Nixon Administration urged repeal of the law as a symbolic gesture of assurance.

In voting today to repeal the law, the House went even further than the Administration had first proposed. The House voted to ban establishment of

Continued on Page 19, Column 1

Continued From Page 1, Col. 1

such camps except by affirmative action of Congress.

This would prevent a President from setting up such detention camps under Executive order. As President Franklin D. Roosevelt did in 1941, just after the Japanese attacked Pearl Harbor. At that time, approximately 112,000 Japanese-Americans, most of them born in the United States, were rounded up and placed in 10 "relocation centers."

The House fight for repeal of the detention law was led

by Representative Spark M. Matsunaga, Democrat of Hawaii, a captain who was wounded twice in Italy as a member of the United States Nisei regiment during World War II.

He told the House that even while he was fighting for the United States, many of his Japanese-American relatives and friends were being detained in detention camps in this country.

"There is no place for concentration camps in the American scheme," he said quietly.

The law that Congress now seems ready to repeal was enacted during the Korean War, at the height of a wave of anti-Communism that seemed at times to approach hysteria. President Truman vetoed the bill, but a determined Congress overrode him.

'Reasonable Ground'

The law permits the establishment of detention camps to hold "each person as to whom there is reasonable ground to believe . . . probably will engage in . . . or conspire to engage in . . . acts of espionage or sabotage" in time of war, invasion or "insurrection in aid of a foreign enemy."

In 1952, the Government established six detention camps in Arizona, California, Florida, Oklahoma and Pennsylvania. They were never used, except for one, were later abandoned. The Pennsylvania camp is now used as a Federal maximum security prison.

During two days of spirited debate, opponents of outright repeal sought instead to retain the 1950 law but to limit its potential use in time of insurrection.

The proposed substitute was offered by Representative Richard H. Ichord, Democrat of Missouri, chairman of the House Internal Security Committee, formerly the House Committee on Un-American Activities.

Describing himself as a "civil libertarian," Mr. Ichord said he considered the detention of the Japanese-Americans in World War II "a black page in American history."

But he argued that outright repeal of the 1950 law would "prohibit the apprehension of saboteurs and espionage agents in time of war."

The Justice Department has

said that there are numerous other laws dealing with espionage and sabotage and that the detention law is not needed.

The Ichord proposal was defeated, 68 to 22. The House also rejected—by votes of 272 to 124 and 292 to 111—two other moves by Mr. Ichord to strike from the bill the ban on creation of such detention camps by the President without Congressional approval.

Representative Emanuel Celler of Brooklyn, chairman of the House Judiciary Committee, compared Mr. Ichord's arguments to a cypress tree. "They are stately and tall and they bear no fruit," he said.

Also arguing for repeal, Representative Jim Wright, Democrat of Texas, reminded the House that when the law was enacted "hysteria ran like a fever in the American bloodstream, a symptom of a virus dominant in those years."

He suggested that repeal would be a symbol, "an expiation for sins committed before this law was ever enacted."