

228

LG 72 SH-

is this done?

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7/15

① note to SH, to
go ahead [JA 5975
OK 7-20]

② Dalton v. 11
send letter
+ SH will send
w/ copies

③ Peters will
follow up
w/ work

Hargraves

703 612 1894

—

95 JUL 20 P8:34

THE WHITE HOUSE
WASHINGTON

OFFICE OF THE STAFF SECRETARY

Fax Transmittal Sheet

TO: Steve Honigman

Fax Number: 703 693-7560

Phone Number:

FROM: Todd Stern

SUBJECT: see attached ntoe

DATE: 07/20/95

NUMBER OF PAGES (including cover sheet): 2

MESSAGE:

If all pages are not received, please call 202/456-2702

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07/20/95

Steve Honigman
General Counsel of the Navy

Steve,

Please go ahead and have Secretary Dalton's letter sent out and send me a copy after it goes, so the President can send a short follow-up note.

Many thanks.

Todd

Leon:

A small issue that was hot at this time last year - Port Chicago, where a ship blew up during WWII and killed many black soldiers.

I have checked this response from DOD with George Miller's John Lawrence who says it will be fine with the Members who care. The President has a number of letters to answer on this and Todd Stern has done a cover note for the DOD response (also attached).

JA

DM

Adm. Kimmel
Sen. Thurmond
posthumously promote
to 4 stars
review by
Dip See Ref by year-
end

Flx 703 693 7560
(703) 614 1994 (phone)

DRAFT**THE SECRETARY OF THE NAVY**
WASHINGTON, D. C. 20350-1000

July 3, 1995

Honorable Ronald V. Dellums
House of Representatives
Washington, DC 20515

Dear Mr. Dellums:

As we approach the fiftieth anniversary of the end of World War II, I would like to ask you to convey a message to your constituents who were among the African-American sailors whose lives were affected by the explosion of the Port Chicago Naval Magazine in 1944.

As a result of the racial prejudice that afflicted national policy during that period, these patriotic Americans were not given an opportunity to defend their country in combat. Instead, they were relegated to hard, dangerous, menial physical labor loading ammunition ships. Moreover, while they were called upon to perform their hazardous duties they were also subjected to racial segregation and denied the dignity accorded to other Americans who wore the same naval uniform.

On July 17, 1944, a vessel taking on ammunition at the naval magazine exploded, killing 320 people and wounding another 400. Approximately three weeks later, in order to preserve the flow of ammunition to combat units, a contingent of African-Americans who had been exposed to the immense destructive power of the explosion was ordered to return to work loading ammunition onto ships. Knowing at first hand the danger to which their work exposed them, each of those sailors had a reasonable basis for fear. Many of them went back to work at once.

Others did not. Of those who initially chose to stay away, most returned to duty the next day. A smaller group that persisted in refusing the order to return to work was charged, convicted, and sentenced in accordance with military law.

Significantly, however, that is not the end of their story. When Navy Secretary Forrestal reviewed their proceedings, he suspended the discharges that the military courts had imposed. All of the sailors then voluntarily returned to duty. By the completion of their enlistments they had earned, and were awarded, honorable discharges or general discharges under honorable conditions. (A handful were given lesser discharges because of subsequent unrelated misconduct.) Those discharges are eloquent official testimony that they served their country with honor during the Second World War.

Thus, these brave sailors completed their service honorably. But that is not all that they have reason to be proud of. Historians believe that the Port Chicago explosion and the

DRAFT

following events helped to speed the desegregation of the military by President Truman, an important milestone in the struggle for civil rights in America. In sum, the African-American members of our naval service who were present at the Port Chicago incident should take great satisfaction in their contribution to our nation's victory over armed adversaries abroad and racial prejudice at home.

Sincerely,

John H. Dalton

John Dalton's this book?

7/14/95

Red

July 17, 1995

Dear Representative Dellums:

In letters of September 1994 and February 9, 1995, you and a number of your colleagues asked me to review the 1944 Port Chicago incident with a view toward either having the convictions of the sailors in question expunged or finding "other means of recognizing their contribution to our country."

As you know, Secretary Perry and Secretary of the Navy Dalton, after extensive review of this case last year, determined that the circumstances of the sailors' cases did not provide a basis for expunging their convictions. In response to your letters, I asked Secretary Perry and Secretary Dalton to consider whether any appropriate action might be taken.

I am now pleased to forward to you a statement of Secretary Dalton recognizing the brave and honorable service these men rendered their country during trying times in which they were exposed not only to the dangers of handling war materiel, but also to the indignities of racial prejudice.

I thank you for bringing this matter to my attention and hope that Secretary Dalton's statement will help set the historical record straight.

Sincerely,

John Dalton's this book?

7/14/95

July 17, 1995

Todd

Todd's
copy

Dear Representative Dellums:

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I thank you for bringing this matter to my attention and hope that Secretary Dalton's statement will help set the historical record straight.

Sincerely,



GENERAL COUNSEL OF THE NAVY
WASHINGTON, D.C. 20350-1000

July 3, 1995

MEMORANDUM FOR JOHN C. ANGELL

Subj: PORT CHICAGO EXPLOSION

As we discussed today, I have attached a draft letter from Secretary Dalton to Representative Dellums. Except for a portion of the first paragraph, the language is identical to the proposed press release that Larry Cavaiola and I sent to you earlier. If you agree with the language and the letter format and process, I will ask Secretary Dalton to send the same text to Senators Boxer and Feinstein and Representatives Miller, Stark, and Pelosi. I can be reached by telephone at (703) 614-1994 and by fax at (703) 693-7560.

Steven S. Honigman

cc: Ms. Alice Maroni (with attachment)

DRAFT

THE SECRETARY OF THE NAVY
WASHINGTON, D. C. 20350-1000



July 3, 1995

Honorable Ronald V. Dellums
House of Representatives
Washington, DC 20515

Dear Mr. Dellums:

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As a result of the racial prejudice that afflicted national policy during that period, these patriotic Americans were not given an opportunity to defend their country in combat. Instead, they were relegated to hard, dangerous, menial physical labor loading ammunition ships. Moreover, while they were called upon to perform their hazardous duties they were also subjected to racial segregation and denied the dignity accorded to other Americans who wore the same naval uniform.

On July 17, 1944, a vessel taking on ammunition at the naval magazine exploded, killing 320 people and wounding another 400. Approximately three weeks later, in order to preserve the flow of ammunition to combat units, a contingent of African-Americans who had been exposed to the immense destructive power of the explosion was ordered to return to work loading ammunition onto ships. Knowing at first hand the danger to which their work exposed them, each of those sailors had a reasonable basis for fear. Many of them went back to work at once.

Others did not. Of those who initially chose to stay away, most returned to duty the next day. A smaller group that persisted in refusing the order to return to work was charged, convicted, and sentenced in accordance with military law.

Significantly, however, that is not the end of their story. When Navy Secretary Forrestal reviewed their proceedings, he suspended the discharges that the military courts had imposed. All of the sailors then voluntarily returned to duty. By the completion of their enlistments they had earned, and were awarded, honorable discharges or general discharges under honorable conditions. (A handful were given lesser discharges because of subsequent unrelated misconduct.) Those discharges are eloquent official testimony that they served their country with honor during the Second World War.

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Sincerely,

John H. Dalton

EXECUTIVE OFFICE OF THE PRESIDENT

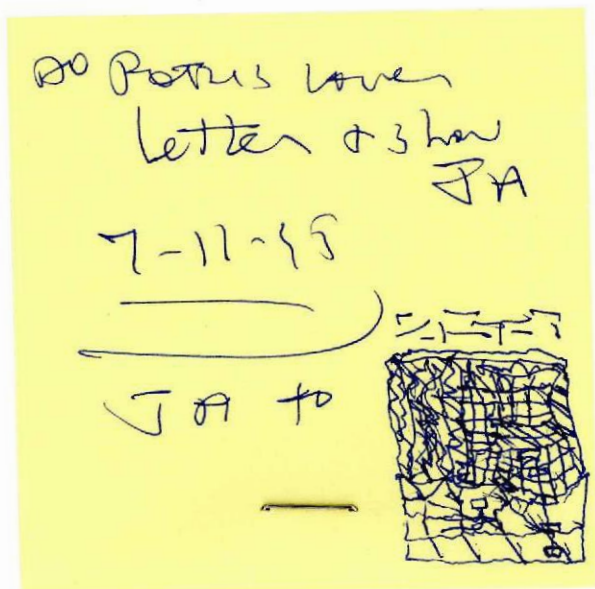
13-Jul-1995 03:50pm

TO: Todd Stern

FROM: John C. Angell
Office of the Chief of Staff

SUBJECT: Port Chi

Rep. George Miller's staff is o.k. with the DOD letter on Port Chicago.



TS.

THE WHITE HOUSE
WASHINGTON

February 20, 1995

MEMORANDUM FOR LEON PANETTA

FROM: TODD STERN *TS*

SUBJECT: Congressional letters on "Port Chicago" Incident

We have received two letters from Congressmen seeking to have the World War II mutiny and disobedience convictions of 258 African-American sailors expunged.

The basic facts: in July 1944, 320 persons were killed, including 202 African-Americans, when a vessel taking on ammunition at Port Chicago exploded. The next month, 258 black sailors refused an order to return to work. Fifty were convicted of mutiny, the rest of disobedience. All were recommended for discharge, but the discharges were revoked after further review. All the sailors were allowed to return to service and all but five earned honorable discharges or general discharges under honorable conditions. The five who didn't had engaged in additional misconduct subsequent to Port Chicago.

In September 1994, 19 members of the Black Caucus wrote the President, asserting that the convictions were tainted by racism and should be expunged. Secretary Perry sent a detailed letter explaining the reviews undertaken by the Navy, as directed by the DOD Authorization Act for FY 92 and 93, and endorsing the Navy's conclusion that the convictions should be left alone. While racial prejudice obviously existed at the time (the Navy was officially segregated) the finding that the sailors disobeyed orders was clearly correct. Secretary Perry also points out that nearly all the sailors were permitted to complete their service on an honorable basis; that the incident occurred at a time when a great many Americans were dying in battles like D-Day and Okinawa, making strict discipline understandable; and that it would be unfair to give these sailors special treatment when thousands of others were court-martialed in circumstances that might not reflect today's standards.

On February 9, Congressmen Dellums, Stark and George Miller wrote another letter, dismissing Secretary Perry's letter as the standard military line and appealing for the President's personal assistance. The significant point is that the writers seem to offer a fall-back position, asking that the President reconsider expunging "or perhaps find some other means of recognizing [the sailors'] contribution to our country."

The question now is whether to ask Tony and Ab to see if there might be "some other means" short of expunging the records that would (a) respond to the concerns of the Black Caucus and other concerned Congressmen, without (b) doing violence to the military's basic position, which seems substantively sound.

THE WHITE HOUSE
WASHINGTON

January 13, 1995

95 JAN 13 P2:02

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*
PATRICK GRIFFIN *PG*
ALEXIS HERMAN *AH*
ABNER MIKVA *AM*

SUBJECT: Letters from Representatives regarding "Port
Chicago" Incident

Purpose

To respond to two letters from Representatives requesting that you overrule Secretary Dalton's January 1994 decision not to set aside the convictions of 258 African American sailors for mutiny and disobedience in the "Port Chicago" incident during World War II (Tab B).

Background

Last July, you sent an interim reply to a similar letter from Representative Dellums, noting that Secretary Perry was considering this matter. At Tab C is a letter from Secretary Perry to Congressmen Dellums and other members of the Congressional Black Caucus informing them of his decision to endorse Secretary Dalton's finding in this matter. Secretary Dalton's decision was based on two independent reviews, first by the Judge Advocate General of the Navy and later by the Board for Correction of Naval Records, a board composed entirely of civilians. Secretary Perry's letter was coordinated with, and cleared by, Joel Klein and Alexis Herman.

The facts of the case are as follows: In July 1944, a vessel taking on ammunition at Port Chicago exploded, killing 320 persons. The next month, 258 sailors refused an order to return to work loading ammunition. They were convicted either for disobedience or mutiny and recommended for discharge from the Service; however, their discharges were later revoked after a review by the Secretary of the Navy at the time.

cc: Vice President
Chief of Staff

Recent reviews of the incident concluded that while racial discrimination did play a part in the assignment policies for African Americans in World War II, the convictions themselves were not tainted by prejudice. The panels found that while there was a reasonable basis for fear after the explosion, the danger to the sailors was no greater than that faced by those in combat. The panels also noted that as part of the post-trial review the Secretary of the Navy gave the sailors a chance to complete their service honorably, which was not typical for such cases. With the exception of five sailors, all those convicted in the "Port Chicago" incident did complete their enlistments and earned either honorable discharges or general discharges under honorable conditions. The other five were separated early and/or received dishonorable discharges for subsequent misconduct not related to the incident.

RECOMMENDATION

That you sign the letters at Tab A.

Attachments

Tab A Letters to Representatives
Tab B Incoming correspondence
Tab C Secretary Perry's letter

THE WHITE HOUSE

WASHINGTON

Dear Julian:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

As Secretary Perry notes in his letter, all of the sailors involved in this incident were subsequently given the opportunity to complete their military service, and none was separated under less than honorable conditions as a result of his actions or conduct during the incident. As was true of so many thousands of their brothers-in-arms, this record is a testament to the enormous contribution African Americans made to America's victory in World War II -- an achievement I will be proud to join in celebrating during special World War II commemoration activities next month honoring the African American role in winning the war.

I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Julian C. Dixon
House of Representatives
Washington, D.C. 20515

Congress of the United States

House of Representatives

Washington, DC 20515

04 OCT 12 P2:12

September 23, 1994

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

July 17, 1994, marked the 50th anniversary of the Port Chicago Naval Base disaster and for many African Americans, recalled a tragic chapter in race relations in this country. We write to you today to respectfully urge your review of the Port Chicago travesty. We trust you will concur that it is time to clear the records of those sailors who were charged with mutiny and court martialed following the Port Chicago tragedy.

During the segregated Navy of the 1940s, only African American sailors were assigned the dangerous task of loading potentially hazardous munitions aboard ships. They did so under the supervision of white officers. They had little or no training in the handling of such dangerous weaponry. On January 17, 1944, a cataclysmic explosion occurred at Port Chicago Naval Base that resulted in the deaths of over 300 sailors and officers, most of them African American. Over 390 military personnel sustained injury. The Port Chicago disaster was the deadliest single war-related disaster in the continental United States during World War II, and accounted for 15 percent of the total of African American naval casualties during that war.

The loss of life and serious physical injury that occurred following the Port Chicago explosion was compounded by the largest mutiny conviction in naval history. 258 sailors refused to return to work, citing the unsafe working conditions and inadequate training in loading dangerous munitions. 208 of those African American sailors eventually returned to work; the 50 who remained were charged and convicted of mutiny. Some of the men received sentences ranging from eight to 15 years; other sailors were stripped of their rank and demoted.

Honorable William J. Clinton
September 23, 1994
Page 2

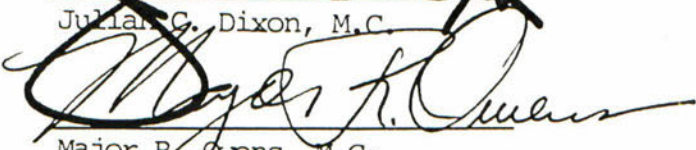
As you know Mr. President, two years ago Congress requested that the Navy review the Port Chicago case. Notwithstanding the submission of new evidence which we believe clearly demonstrated the existence of substantial and significant racial prejudice and racial discrimination in the trial proceedings, Secretary of the Navy John Dalton upheld the convictions.

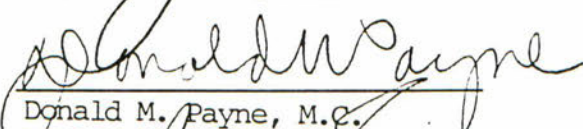
We believe it is time to correct the unjust convictions of the Port Chicago sailors. Though little can be done to remove the stigma suffered by the surviving victims of this tragedy, we can and we should allow them the dignity of righting an injustice that has been allowed to stand for far too long. We would sincerely appreciate your personal review of this case. We hope that your review will lead to a Presidential Order expunging the convictions of the men who were court martialed following the tragic explosion at Port Chicago, and in putting to rest a tragic period in America's history.

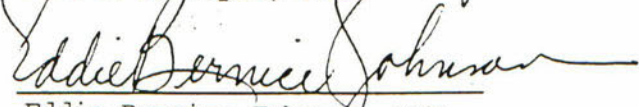
Thank you for your consideration of this request. We look forward to hearing from you in the near future.

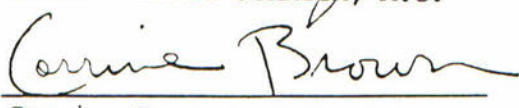
Sincerely,

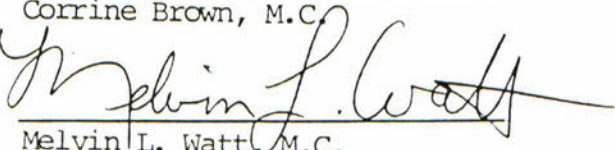

Julian G. Dixon, M.C.

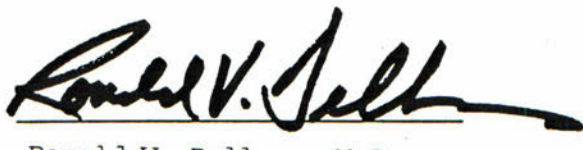

Major R. Owens, M.C.


Donald M. Payne, M.C.

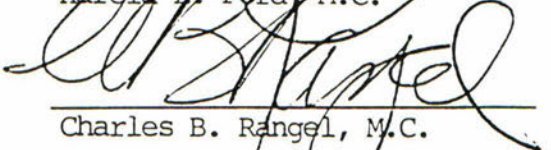

Eddie Bernice Johnson, M.C.

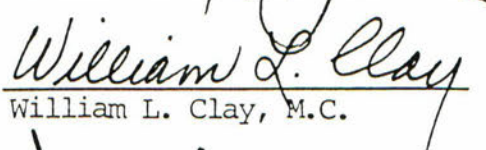

Corrine Brown, M.C.


Melvin L. Watt, M.C.

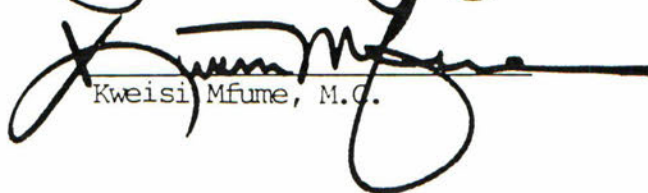

Ronald V. Dellums, M.C.


Harold E. Ford, M.C.


Charles B. Rangel, M.C.


William L. Clay, M.C.


John Conyers, M.C.


Kweisi Mfume, M.C.

Alcee L. Hastings
Alcee L. Hastings, M.C.

Barbara Rose Collins
Barbara Rose Collins, M.C.

Walter Tucker
Walter Tucker, M.C.

Louis Stokes
Louis Stokes, M.C.

Delphus Towns
Delphus Towns, M.C.

William J. Jefferson
William J. Jefferson, M.C.

Eleanor Holmes Norton
Eleanor Holmes Norton, M.C.

FORTNEY PETE STARK
THIRTEENTH DISTRICT, CALIFORNIA

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

8006
COMMITTEES:
WAYS AND MEANS
DISTRICT OF COLUMBIA

34 SEP 26
ALL: 15

September 20, 1994

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I understand that on Friday, September 16, you had an opportunity to meet Dr. Robert Allen, author of The Port Chicago Mutiny. The occasion of the meeting was the African American Veterans Awards Ceremony sponsored by the Congressional Black Caucus. At that time Dr. Allen presented you with a copy of his book.

As you may recall, on June 13, Representatives George Miller, Ronald Dellums and myself wrote you concerning the Port Chicago court martial proceedings of 1944. We expressed the hope that you would see fit to issue a Presidential Order expunging the convictions from the records of a group of 258 African-American sailors who were unjustly court martialed (50 of them were convicted of mutiny). Research by Dr. Allen and others has shown that the trial took place in a racially poisoned atmosphere which affected the outcome. The surviving sailors are now old men, and they and their families have borne the stigma of mutiny for 50 years.

It is our hope that on October 24, the 50th anniversary of the conclusion of the mutiny trials, it could be announced that you have made a decision to set aside the convictions of all 258 sailors. This would go far toward healing a still festering wound from World War II.

If you have an opportunity to read Dr. Allen's book, you will better understand our strong support for this request.

Sincerely,



Pete Stark
Member of Congress



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

22 DEC 1994

The Honorable Ronald V. Dellums
Chairman, Committee on Armed Services
House of Representatives
Washington, DC 20510-0509

Dear Mr. Chairman:

This is in response to your letter of June 8, 1994, asking that the convictions of 258 sailors for disobedience and mutiny following the July 17, 1944, explosion at the Port Chicago Naval Magazine be expunged. As your letter pointed out, this matter was reviewed by the Secretary of the Navy pursuant to Section 552 of the Department of Defense Authorization Act for Fiscal Years 1992 and 1993, P.L. 102-190 (1991). On January 6, 1994, the Secretary upheld the convictions on the basis of two independent reviews, first by the Judge Advocate General of the Navy (JAG) and later by the Board for Correction of Naval Records (BCNR), a board composed entirely of civilians.

In reviewing the Secretary's decision, a matter of particular concern to me was how the racial prejudice that afflicted national policy at the time played into official actions after the Port Chicago tragedy. That prejudice in the first instance resulted in the assignment of African-American sailors to hard, dangerous work, but segregated them and denied them the dignity accorded to others in uniform. I wanted to know if that prejudice also afflicted the military justice and administrative procedures that followed the explosion. I now believe this element of the tragedy has been thoroughly examined.

After careful consideration, I have decided that the Secretary's decision is the correct one. Significantly, all of the sailors convicted at Port Chicago, unlike many other sailors convicted by courts martial in World War II, were given a chance to complete their service honorably. With the exception of the five sailors who received dishonorable or bad conduct discharges as the result of subsequent misconduct, all of those convicted in the Port Chicago incident did complete their enlistments and earned either honorable discharges or general discharges under honorable conditions.

I regret that the circumstances of these cases do not provide a basis for expunging the Port Chicago court martial convictions as you requested. However, their discharges are compelling official testimony that they served their country with honor during the Second World War.

The basis for my conclusion is as follows:

Background:

- The DOD Authorization Act for FY 92 & 93 required SECNAV to review the 258 convictions of African-American sailors who were court-martialed following the explosion at the U.S. Naval Magazine at Port Chicago, California, to determine whether the convictions were tainted by racial prejudice.

- SECNAV referred the matter to the Judge Advocate General (JAG) who concluded that 256 of the 258 were legally sufficient and supported by evidence. One conviction was found to be defective because of insufficient evidence, and was set aside by Secretary O'Keefe on 14 January 1993. The other conviction had been set aside in 1946, because the accused was not mentally competent at the time of the offense.

- SECNAV then referred the cases to the Board for Correction of Naval Records (BCNR) with direction to review all aspects of the allegations of racial prejudice and discrimination. A special three member panel of the BCNR, consisting of Mr. Kreitzer (a career member of the SES from the office of the ASN(RDA)), Mr. Saul (a career member of the SES from OGC), and Mr. Mathews (the GM-14 Deputy for EEO, HQ USMC), was convened to consider all aspects of the Port Chicago convictions and discharges.

The Port Chicago Explosion:

- During World War II, the Navy followed an established policy of racial segregation. Pursuant to these policies, African-American sailors were not assigned to combat duties. Instead, they were assigned to menial duties including loading ammunition at naval depots and magazines under the supervision of white officers.

- On July 17, 1944, a vessel taking on ammunition at the Port Chicago Naval Magazine exploded, killing 320 and wounding another 400. Of the 320 killed, 202 were African-Americans.

The Court Martial Proceedings:

- On 9 August 1944, approximately three weeks after the Port Chicago explosion, 328 sailors were ordered to return to work loading ammunition. 70 sailors from this group and an undetermined number of African-Americans from other units obeyed orders and returned to work.

- 206 men initially refused the order. They returned to work the next day after being warned that their refusal was mutiny and given an opportunity to return. Of these 206 men, 205 were later convicted by summary courts-martial of disobedience and one was convicted of conduct prejudicial to good order and discipline. All 206 were awarded bad conduct discharges. The bad conduct discharges were later suspended by Secretary Forrestal upon post-trial review. The 206 were then given the opportunity to complete their enlistments and all but three did so and received either honorable discharges (188 men) or general discharges under honorable conditions (15 men), based on the average marks in conduct and proficiency during their entire enlistments. This was the same procedure used for all sailors regardless of race. One of the convictions was set aside by SECNAV in 1993 for insufficient evidence. The remaining three sailors received bad conduct discharges, but only because of misconduct after the Port Chicago incident.

- Two other sailors were convicted by summary courts-martial of unauthorized absence and breaking arrest and sentenced to 30 days confinement on bread and water. One sailor earned an honorable discharge after returning to duty; the other received a bad conduct discharge for subsequent misconduct.

- The fifty remaining Port Chicago sailors refused to load ammunition following the explosion and, as a group, continued to refuse after being warned that their actions were mutiny and given an opportunity to return to work. All 50 were tried by general court-martial for mutiny. All were found guilty, sentenced to various periods of confinement, and given dishonorable discharges. On post trial review, these discharges were suspended by Secretary Forrestal and all were returned to duty. Of this group, 45 completed their enlistments and received general discharges under honorable conditions (regulations then in effect prohibited issuing honorable discharges to persons convicted by general courts-martial). Three others were issued honorable discharges, apparently through administrative error. One received a dishonorable discharge for subsequent misconduct. One conviction was set aside in 1946 because the accused was not mentally competent, and he received a discharge under honorable conditions.

BCNR Findings and Recommendations:

- After review by the JAG, the Secretary directed the Board for Correction of Naval Records (BCNR), a panel composed of three civilian members, to conduct an independent review. A special panel of the BCNR was convened. The BCNR panel was specifically tasked by the Secretary to review all aspects of the allegations of racial prejudice and discrimination.

- The BCNR panel concluded that racial discrimination did play a part in the assignment policies that resulted in African-American sailors being assigned to menial, unskilled work, such as loading ammunition. The BCNR further found that racial prejudice and discrimination played no part in the court-martial convictions or sentences.

- In reaching the conclusion that the convictions were not tainted by prejudice, the BCNR panel acknowledged that the sailors who refused to load ammunition after the explosion had a reasonable basis for fear. The panel noted, however, that the danger to them was no greater than that faced by sailors in combat and that 70 other sailors assigned to their divisions followed orders to load ammunition after the explosion.

- The incident also has to be placed in the perspective of contemporaneous events in the War. For example, the D-Day invasion had just taken place. Moreover, the BCNR panel observed that some of the hardest and bloodiest fighting of the War was yet to come. In the spring of 1945, 23,000 Americans lost their lives in the battle for Okinawa. This followed by just three months the savage battle for the island of Iwo Jima. The BCNR stated that, at the time of the Port Chicago courts martial, naval authorities would have taken stern disciplinary action against anyone, regardless of race, whose actions threatened to disrupt the smooth flow of ammunition to combat units.

- The BCNR panel noted that racial prejudice in assignments and living conditions which existed at the time could provide a basis for leniency. They recognized, however, that in this case leniency had already been granted as part of the post-trial review. The initial Port Chicago discharges were all suspended and those convicted were given an opportunity to complete their enlistments and receive honorable discharges or general discharges under honorable conditions. As a result, no sailor received a discharge under other than honorable conditions solely as a result of the Port Chicago court-martial convictions.

Senior Level Review:

- The reports and recommendations of the JAG and the BCNR were personally reviewed by the current General Counsel of the Navy and the Assistant Secretary of the Navy (Manpower and Reserve Affairs) prior to action by the Secretary of the Navy. The Secretary of the Navy also personally reviewed the reports and recommendations and approved them on 6 January 1994.

Considerations:

- Sailors are required to obey the orders of their superiors even if those orders subject them to life-threatening danger. Under military law, an intentional overt act in opposition, resistance, or defiance of superior military authority (as in the case of the 50 sailors who acted in concert to refuse orders) is mutiny.

- All members of the military are accountable for failure to obey orders. The convictions for disobedience and mutiny reflect that accountability here. There is no question that the conduct which was the basis of the convictions actually took place as charged. Thus, the

legal conclusion that disobedience or mutiny occurred cannot be challenged as the result of racial prejudice during the court martial proceedings.

- Every one of the sailors convicted at Port Chicago was given a second chance. All but 5 subsequently earned honorable discharges (or general discharges under honorable conditions) by serving honorably for the balance of their enlistments. The nature of their discharge characterizes the quality of their service and expresses the nation's gratitude for their contributions to the victory in WW II. The 5 who were not discharged under honorable conditions committed other misconduct unrelated to Port Chicago.

- Except for the 5 who engaged in subsequent misconduct, all of the Port Chicago sailors received the same veterans benefits as every other service member who served honorably in WW II. The sole difference between a veteran with an honorable discharge and a veteran with a general discharge under honorable conditions is that only the former can wear the Honorable Discharge lapel pin.

- The discriminatory assignment policies were reflective of the attitudes and prejudices of American society at the time, and were not unique to the Navy or the other services. Such policies, which assigned African-Americans to demeaning work and did not recognize their capacity to successfully participate in combat, would not be tolerated today.

In these cases, as with convictions generally, society has an important interest in finality. Thousands of sailors were court martialed during WW II under rules which do not reflect today's standards. Concerns about the fairness of military justice in WW II led to the enactment of the first Uniform Code of Military Justice (UCMJ) in 1951. In the absence of evidence of racial prejudice in the court martial proceedings themselves, singling out these individuals by expunging their convictions would be unfair to the thousands of others whose convictions are not reviewed or expunged.

Sincerely,

A handwritten signature in cursive script, reading "William J. Perry". The signature is written in dark ink and is positioned below the word "Sincerely,".

0950

Congress of the United States
House of Representatives
Washington, DC 20515

February 9, 1995

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President

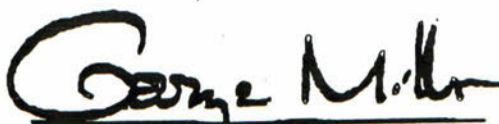
Last week, on the first day of Black History Month, we received the letter from Secretary Perry regarding the Port Chicago court-martial convictions. In response to our letter asking you to expunge the records of these 258 African-American sailors, you asked Secretary Perry to review the matter. The Secretary supported the previously stated positions within the military community that prejudice did not affect the court-martial, although he did admit racial prejudice resulted in the assignment of African-American sailors to this hard and dangerous work. We are very familiar with the military's position and realize this is their story and they're sticking to it. That is why we sought your help.

It was our hope that you would have taken it upon yourself to recognize that the court-martial convictions of these 258 African-American sailors was not only a great injustice, but also an event in our country's history that should be duly recognized. Historians believe that the Port Chicago explosion and the following events helped speed the desegregation of the military by President Truman. As you well know, this was an action which earned him a place in our history books as a great advocate of civil rights. Unfortunately, the men who valiantly protested the conditions in Port Chicago have had to live with the shame of being "mutineers".

Many of these veterans and their families have lived with this unjust decision for many years. It is time for the United States to admit to this national disgrace and remove the stigma of dishonor from these brave men. We respectfully urge you

to reconsider expunging their records or perhaps find some other means of recognizing their contribution to our country. It would be a fitting contribution to Black History Month and it would be the just thing to do.

Sincerely,



Hon. George Miller
Seventh District, California



Hon. Ron Dellums
Ninth District, California



Hon. Pete Stark
Thirteenth District, California

NOV 70
J-A
7-10-55

?
Whitaker
being awarded
posthumously
on June 9
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Call
Fred w/NSC
6/9/61
2:10 pm
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with this. Just
let me know.~~
1.

THE WHITE HOUSE
WASHINGTON

February 20, 1995

MEMORANDUM FOR LEON PANETTA

FROM: JOHN PODESTA
TODD STERN *TS*

SUBJECT: Congressional letters on "Port Chicago" Incident

We have received two letters from Congressmen seeking to have the World War II mutiny and disobedience convictions of 258 African-American sailors expunged.

The basic facts: in July 1944, 320 persons were killed, including 202 African-Americans, when a vessel taking on ammunition at Port Chicago exploded. The next month, 258 black sailors refused an order to return to work. Fifty were convicted of mutiny, the rest of disobedience. All were recommended for discharge, but the discharges were revoked after further review. All the sailors were allowed to return to service and all but five earned honorable discharges or general discharges under honorable conditions. The five who didn't had engaged in additional misconduct subsequent to Port Chicago.

In September 1994, 19 members of the Black Caucus wrote the President, asserting that the convictions were tainted by racism and should be expunged. Secretary Perry sent a detailed letter explaining the reviews undertaken by the Navy, as directed by the DOD Authorization Act for FY 92 and 93, and endorsing the Navy's conclusion that the convictions should be left alone. While racial prejudice obviously existed at the time (the Navy was officially segregated) the finding that the sailors disobeyed orders was clearly correct. Secretary Perry also points out that nearly all the sailors were permitted to complete their service on an honorable basis; that the incident occurred at a time when a great many Americans were dying in battles like D-Day and Okinawa, making strict discipline understandable; and that it would be unfair to give these sailors special treatment when thousands of others were court-martialed in circumstances that might not reflect today's standards.

On February 9, Congressmen Dellums, Stark and George Miller wrote another letter, dismissing Secretary Perry's letter as the standard military line and appealing for the President's personal assistance. The significant point is that the writers seem to offer a fall-back position, asking that the President reconsider expunging "or perhaps find some other means of recognizing [the sailors'] contribution to our country."

The question now is whether to ask Tony and Ab to see if there might be "some other means" short of expunging the records that would (a) respond to the concerns of the Black Caucus and other concerned Congressmen, without (b) doing violence to the military's basic position, which seems substantively sound.

Congress of the United States
House of Representatives
Washington, DC 20515

February 9, 1995

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

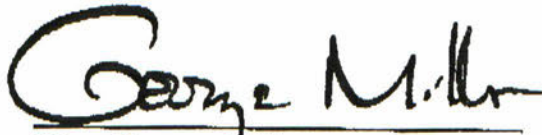
Last week, on the first day of Black History Month, we received the letter from Secretary Perry regarding the Port Chicago court-martial convictions. In response to our letter asking you to expunge the records of these 258 African-American sailors, you asked Secretary Perry to review the matter. The Secretary supported the previously stated positions within the military community that prejudice did not affect the court-martial, although he did admit racial prejudice resulted in the assignment of African-American sailors to this hard and dangerous work. We are very familiar with the military's position and realize this is their story and they're sticking to it. That is why we sought your help.

It was our hope that you would have taken it upon yourself to recognize that the court-martial convictions of these 258 African-American sailors was not only a great injustice, but also an event in our country's history that should be duly recognized. Historians believe that the Port Chicago explosion and the following events helped speed the desegregation of the military by President Truman. As you well know, this was an action which earned him a place in our history books as a great advocate of civil rights. Unfortunately, the men who valiantly protested the conditions in Port Chicago have had to live with the shame of being "mutineers".

Many of these veterans and their families have lived with this unjust decision for many years. It is time for the United States to admit to this national disgrace and remove the stigma of dishonor from these brave men. We respectfully urge you

to reconsider expunging their records or perhaps find some other means of recognizing their contribution to our country. It would be a fitting contribution to Black History Month and it would be the just thing to do.

Sincerely,



Hon. George Miller
Seventh District, California



Hon. Ron Dellums
Ninth District, California



Hon. Pete Stark
Thirteenth District, California

093152 8335

THE WHITE HOUSE
WASHINGTON

January 13, 1995

95 JAN 13 P2:02

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*
PATRICK GRIFFIN *PG*
ALEXIS HERMAN *AH*
ABNER MIKVA *AM*

SUBJECT: Letters from Representatives regarding "Port
Chicago" Incident

Purpose

To respond to two letters from Representatives requesting that you overrule Secretary Dalton's January 1994 decision not to set aside the convictions of 258 African American sailors for mutiny and disobedience in the "Port Chicago" incident during World War II (Tab B).

Background

Last July, you sent an interim reply to a similar letter from Representative Dellums, noting that Secretary Perry was considering this matter. At Tab C is a letter from Secretary Perry to Congressmen Dellums and other members of the Congressional Black Caucus informing them of his decision to endorse Secretary Dalton's finding in this matter. Secretary Dalton's decision was based on two independent reviews, first by the Judge Advocate General of the Navy and later by the Board for Correction of Naval Records, a board composed entirely of civilians. Secretary Perry's letter was coordinated with, and cleared by, Joel Klein and Alexis Herman.

The facts of the case are as follows: In July 1944, a vessel taking on ammunition at Port Chicago exploded, killing 320 persons. The next month, 258 sailors refused an order to return to work loading ammunition. They were convicted either for disobedience or mutiny and recommended for discharge from the Service; however, their discharges were later revoked after a review by the Secretary of the Navy at the time.

cc: Vice President
Chief of Staff

Recent reviews of the incident concluded that while racial discrimination did play a part in the assignment policies for African Americans in World War II, the convictions themselves were not tainted by prejudice. The panels found that while there was a reasonable basis for fear after the explosion, the danger to the sailors was no greater than that faced by those in combat. The panels also noted that as part of the post-trial review the Secretary of the Navy gave the sailors a chance to complete their service honorably, which was not typical for such cases. With the exception of five sailors, all those convicted in the "Port Chicago" incident did complete their enlistments and earned either honorable discharges or general discharges under honorable conditions. The other five were separated early and/or received dishonorable discharges for subsequent misconduct not related to the incident.

RECOMMENDATION

That you sign the letters at Tab A.

Attachments

Tab A Letters to Representatives
Tab B Incoming correspondence
Tab C Secretary Perry's letter

THE WHITE HOUSE

WASHINGTON

Dear Julian:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

As Secretary Perry notes in his letter, all of the sailors involved in this incident were subsequently given the opportunity to complete their military service, and none was separated under less than honorable conditions as a result of his actions or conduct during the incident. As was true of so many thousands of their brothers-in-arms, this record is a testament to the enormous contribution African Americans made to America's victory in World War II -- an achievement I will be proud to join in celebrating during special World War II commemoration activities next month honoring the African American role in winning the war.

I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Julian C. Dixon
House of Representatives
Washington, D.C. 20515

Tab B

Congress of the United States
House of Representatives
Washington, DC 20515

04 OCT 12 P2:12

September 23, 1994

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

July 17, 1994, marked the 50th anniversary of the Port Chicago Naval Base disaster and for many African Americans, recalled a tragic chapter in race relations in this country. We write to you today to respectfully urge your review of the Port Chicago travesty. We trust you will concur that it is time to clear the records of those sailors who were charged with mutiny and court martialled following the Port Chicago tragedy.

During the segregated Navy of the 1940s, only African American sailors were assigned the dangerous task of loading potentially hazardous munitions aboard ships. They did so under the supervision of white officers. They had little or no training in the handling of such dangerous weaponry. On January 17, 1944, a cataclysmic explosion occurred at Port Chicago Naval Base that resulted in the deaths of over 300 sailors and officers, most of them African American. Over 390 military personnel sustained injury. The Port Chicago disaster was the deadliest single war-related disaster in the continental United States during World War II, and accounted for 15 percent of the total of African American naval casualties during that war.

The loss of life and serious physical injury that occurred following the Port Chicago explosion was compounded by the largest mutiny conviction in naval history. 258 sailors refused to return to work, citing the unsafe working conditions and inadequate training in loading dangerous munitions. 208 of those African American sailors eventually returned to work; the 50 who remained were charged and convicted of mutiny. Some of the men received sentences ranging from eight to 15 years; other sailors were stripped of their rank and demoted.

Honorable William J. Clinton
September 23, 1994
Page 2

As you know Mr. President, two years ago Congress requested that the Navy review the Port Chicago case. Notwithstanding the submission of new evidence which we believe clearly demonstrated the existence of substantial and significant racial prejudice and racial discrimination in the trial proceedings, Secretary of the Navy John Dalton upheld the convictions.

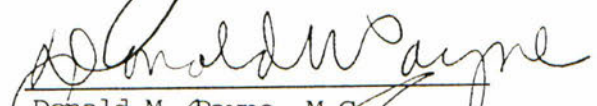
We believe it is time to correct the unjust convictions of the Port Chicago sailors. Though little can be done to remove the stigma suffered by the surviving victims of this tragedy, we can and we should allow them the dignity of righting an injustice that has been allowed to stand for far too long. We would sincerely appreciate your personal review of this case. We hope that your review will lead to a Presidential Order expunging the convictions of the men who were court martialed following the tragic explosion at Port Chicago, and in putting to rest a tragic period in America's history.

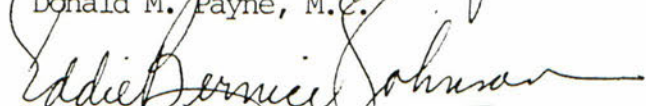
Thank you for your consideration of this request. We look forward to hearing from you in the near future.

Sincerely,

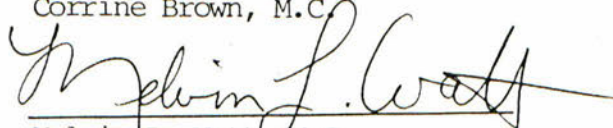

Julian G. Dixon, M.C.


Major B. Owens, M.C.

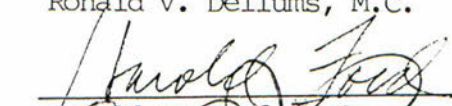

Donald M. Payne, M.C.

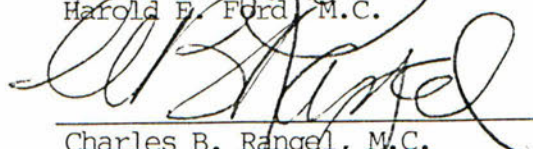

Eddie Bernice Johnson, M.C.

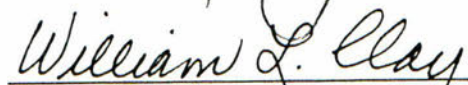

Corrine Brown, M.C.


Melvin L. Watt, M.C.

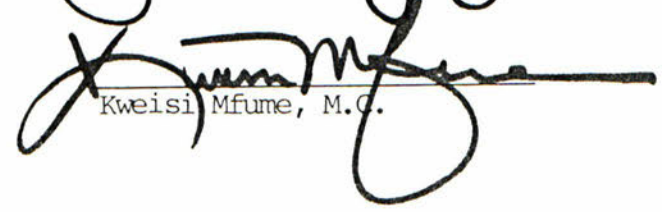

Ronald V. Dellums, M.C.


Harold E. Ford, M.C.


Charles B. Rangel, M.C.


William L. Clay, M.C.


John Conyers, M.C.


Kweisi Mfume, M.C.

Alcee L. Hastings

Alcee L. Hastings, M.C.

Barbara Rose Collins

Barbara Rose Collins, M.C.

Walter Tucker

Walter Tucker, M.C.

Louis Stokes

Louis Stokes, M.C.

Delphus Towns

Delphus Towns, M.C.

William J. Jefferson

William J. Jefferson, M.C.

Eleanor Holmes Norton

Eleanor Holmes Norton, M.C.

FORTNEY PETE STARK
THIRTEENTH DISTRICT, CALIFORNIA

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

8006
COMMITTEE:
WAYS AND MEANS
DISTRICT OF COLUMBIA

September 20, 1994

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I understand that on Friday, September 16, you had an opportunity to meet Dr. Robert Allen, author of The Port Chicago Mutiny. The occasion of the meeting was the African American Veterans Awards Ceremony sponsored by the Congressional Black Caucus. At that time Dr. Allen presented you with a copy of his book.

As you may recall, on June 13, Representatives George Miller, Ronald Dellums and myself wrote you concerning the Port Chicago court martial proceedings of 1944. We expressed the hope that you would see fit to issue a Presidential Order expunging the convictions from the records of a group of 258 African-American sailors who were unjustly court martialed (50 of them were convicted of mutiny). Research by Dr. Allen and others has shown that the trial took place in a racially poisoned atmosphere which affected the outcome. The surviving sailors are now old men, and they and their families have borne the stigma of mutiny for 50 years.

It is our hope that on October 24, the 50th anniversary of the conclusion of the mutiny trials, it could be announced that you have made a decision to set aside the convictions of all 258 sailors. This would go far toward healing a still festering wound from World War II.

If you have an opportunity to read Dr. Allen's book, you will better understand our strong support for this request.

Sincerely,



Pete Stark
Member of Congress



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

22 DEC 1994

The Honorable Ronald V. Dellums
Chairman, Committee on Armed Services
House of Representatives
Washington, DC 20510-0509

Dear Mr. Chairman:

This is in response to your letter of June 8, 1994, asking that the convictions of 258 sailors for disobedience and mutiny following the July 17, 1944, explosion at the Port Chicago Naval Magazine be expunged. As your letter pointed out, this matter was reviewed by the Secretary of the Navy pursuant to Section 552 of the Department of Defense Authorization Act for Fiscal Years 1992 and 1993, P.L. 102-190 (1991). On January 6, 1994, the Secretary upheld the convictions on the basis of two independent reviews, first by the Judge Advocate General of the Navy (JAG) and later by the Board for Correction of Naval Records (BCNR), a board composed entirely of civilians.

In reviewing the Secretary's decision, a matter of particular concern to me was how the racial prejudice that afflicted national policy at the time played into official actions after the Port Chicago tragedy. That prejudice in the first instance resulted in the assignment of African-American sailors to hard, dangerous work, but segregated them and denied them the dignity accorded to others in uniform. I wanted to know if that prejudice also afflicted the military justice and administrative procedures that followed the explosion. I now believe this element of the tragedy has been thoroughly examined.

After careful consideration, I have decided that the Secretary's decision is the correct one. Significantly, all of the sailors convicted at Port Chicago, unlike many other sailors convicted by courts martial in World War II, were given a chance to complete their service honorably. With the exception of the five sailors who received dishonorable or bad conduct discharges as the result of subsequent misconduct, all of those convicted in the Port Chicago incident did complete their enlistments and earned either honorable discharges or general discharges under honorable conditions.

I regret that the circumstances of these cases do not provide a basis for expunging the Port Chicago court martial convictions as you requested. However, their discharges are compelling official testimony that they served their country with honor during the Second World War.

The basis for my conclusion is as follows:

Background:

- The DOD Authorization Act for FY 92 & 93 required SECNAV to review the 258 convictions of African-American sailors who were court-martialed following the explosion at the U.S. Naval Magazine at Port Chicago, California, to determine whether the convictions were tainted by racial prejudice.

- SECNAV referred the matter to the Judge Advocate General (JAG) who concluded that 256 of the 258 were legally sufficient and supported by evidence. One conviction was found to be defective because of insufficient evidence, and was set aside by Secretary O'Keefe on 14 January 1993. The other conviction had been set aside in 1946, because the accused was not mentally competent at the time of the offense.

- SECNAV then referred the cases to the Board for Correction of Naval Records (BCNR) with direction to review all aspects of the allegations of racial prejudice and discrimination. A special three member panel of the BCNR, consisting of Mr. Kreitzer (a career member of the SES from the office of the ASN(RDA)), Mr. Saul (a career member of the SES from OGC), and Mr. Mathews (the GM-14 Deputy for EEO, HQ USMC), was convened to consider all aspects of the Port Chicago convictions and discharges.

The Port Chicago Explosion:

- During World War II, the Navy followed an established policy of racial segregation. Pursuant to these policies, African-American sailors were not assigned to combat duties. Instead, they were assigned to menial duties including loading ammunition at naval depots and magazines under the supervision of white officers.

- On July 17, 1944, a vessel taking on ammunition at the Port Chicago Naval Magazine exploded, killing 320 and wounding another 400. Of the 320 killed, 202 were African-Americans.

The Court Martial Proceedings:

- On 9 August 1944, approximately three weeks after the Port Chicago explosion, 328 sailors were ordered to return to work loading ammunition. 70 sailors from this group and an undetermined number of African-Americans from other units obeyed orders and returned to work.

DEPSECDEF
Dec 20 94

- 206 men initially refused the order. They returned to work the next day after being warned that their refusal was mutiny and given an opportunity to return. Of these 206 men, 205 were later convicted by summary courts-martial of disobedience and one was convicted of conduct prejudicial to good order and discipline. All 206 were awarded bad conduct discharges. The bad conduct discharges were later suspended by Secretary Forrestal upon post-trial review. The 206 were then given the opportunity to complete their enlistments and all but three did so and received either honorable discharges (188 men) or general discharges under honorable conditions (15 men), based on the average marks in conduct and proficiency during their entire enlistments. This was the same procedure used for all sailors regardless of race. One of the convictions was set aside by SECNAV in 1993 for insufficient evidence. The remaining three sailors received bad conduct discharges, but only because of misconduct after the Port Chicago incident.

- Two other sailors were convicted by summary courts-martial of unauthorized absence and breaking arrest and sentenced to 30 days confinement on bread and water. One sailor earned an honorable discharge after returning to duty; the other received a bad conduct discharge for subsequent misconduct.

- The fifty remaining Port Chicago sailors refused to load ammunition following the explosion and, as a group, continued to refuse after being warned that their actions were mutiny and given an opportunity to return to work. All 50 were tried by general court-martial for mutiny. All were found guilty, sentenced to various periods of confinement, and given dishonorable discharges. On post trial review, these discharges were suspended by Secretary Forrestal and all were returned to duty. Of this group, 45 completed their enlistments and received general discharges under honorable conditions (regulations then in effect prohibited issuing honorable discharges to persons convicted by general courts-martial). Three others were issued honorable discharges, apparently through administrative error. One received a dishonorable discharge for subsequent misconduct. One conviction was set aside in 1946 because the accused was not mentally competent, and he received a discharge under honorable conditions.

BCNR Findings and Recommendations:

- After review by the JAG, the Secretary directed the Board for Correction of Naval Records (BCNR), a panel composed of three civilian members, to conduct an independent review. A special panel of the BCNR was convened. The BCNR panel was specifically tasked by the Secretary to review all aspects of the allegations of racial prejudice and discrimination.

- The BCNR panel concluded that racial discrimination did play a part in the assignment policies that resulted in African-American sailors being assigned to menial, unskilled work, such as loading ammunition. The BCNR further found that racial prejudice and discrimination played no part in the court-martial convictions or sentences.

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Dec 20 94

- In reaching the conclusion that the convictions were not tainted by prejudice, the BCNR panel acknowledged that the sailors who refused to load ammunition after the explosion had a reasonable basis for fear. The panel noted, however, that the danger to them was no greater than that faced by sailors in combat and that 70 other sailors assigned to their divisions followed orders to load ammunition after the explosion.

- The incident also has to be placed in the perspective of contemporaneous events in the War. For example, the D-Day invasion had just taken place. Moreover, the BCNR panel observed that some of the hardest and bloodiest fighting of the War was yet to come. In the spring of 1945, 23,000 Americans lost their lives in the battle for Okinawa. This followed by just three months the savage battle for the island of Iwo Jima. The BCNR stated that, at the time of the Port Chicago courts martial, naval authorities would have taken stern disciplinary action against anyone, regardless of race, whose actions threatened to disrupt the smooth flow of ammunition to combat units.

- The BCNR panel noted that racial prejudice in assignments and living conditions which existed at the time could provide a basis for leniency. They recognized, however, that in this case leniency had already been granted as part of the post-trial review. The initial Port Chicago discharges were all suspended and those convicted were given an opportunity to complete their enlistments and receive honorable discharges or general discharges under honorable conditions. As a result, no sailor received a discharge under other than honorable conditions solely as a result of the Port Chicago court-martial convictions.

Senior Level Review:

- The reports and recommendations of the JAG and the BCNR were personally reviewed by the current General Counsel of the Navy and the Assistant Secretary of the Navy (Manpower and Reserve Affairs) prior to action by the Secretary of the Navy. The Secretary of the Navy also personally reviewed the reports and recommendations and approved them on 6 January 1994.

Considerations:

- Sailors are required to obey the orders of their superiors even if those orders subject them to life-threatening danger. Under military law, an intentional overt act in opposition, resistance, or defiance of superior military authority (as in the case of the 50 sailors who acted in concert to refuse orders) is mutiny.

- All members of the military are accountable for failure to obey orders. The convictions for disobedience and mutiny reflect that accountability here. There is no question that the conduct which was the basis of the convictions actually took place as charged. Thus, the

DEPSECDEF
legal conclusion that disobedience or mutiny occurred cannot be challenged as the result of racial prejudice during the court martial proceedings.

- Every one of the sailors convicted at Port Chicago was given a second chance. All but 5 subsequently earned honorable discharges (or general discharges under honorable conditions) by serving honorably for the balance of their enlistments. The nature of their discharge characterizes the quality of their service and expresses the nation's gratitude for their contributions to the victory in WW II. The 5 who were not discharged under honorable conditions committed other misconduct unrelated to Port Chicago.

- Except for the 5 who engaged in subsequent misconduct, all of the Port Chicago sailors received the same veterans benefits as every other service member who served honorably in WW II. The sole difference between a veteran with an honorable discharge and a veteran with a general discharge under honorable conditions is that only the former can wear the Honorable Discharge lapel pin.

- The discriminatory assignment policies were reflective of the attitudes and prejudices of American society at the time, and were not unique to the Navy or the other services. Such policies, which assigned African-Americans to demeaning work and did not recognize their capacity to successfully participate in combat, would not be tolerated today.

In these cases, as with convictions generally, society has an important interest in finality. Thousands of sailors were court martialed during WW II under rules which do not reflect today's standards. Concerns about the fairness of military justice in WW II led to the enactment of the first Uniform Code of Military Justice (UCMJ) in 1951. In the absence of evidence of racial prejudice in the court martial proceedings themselves, singling out these individuals by expunging their convictions would be unfair to the thousands of others whose convictions are not reviewed or expunged.

Sincerely,

William J. Perry

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

23-Mar-1995 11:36am

TO: Frances R. Wessel

FROM: John C. Angell
 Office of the Chief of Staff

SUBJECT: For Todd

Todd: Leon asked me to go back to DOD on the Port Chicago issue to see if there was anything more to be done - he focused on the line in your note which said that Stark et. al. might settle for some other recognition.

I'll let you know if they come up with anything.

4-5
A
to DOD
Still talking
DOD

THE WHITE HOUSE
WASHINGTON

2/21
TO
Panetta

February 20, 1995

MEMORANDUM FOR LEON PANETTA

FROM: TODD STERN *TS*

SUBJECT: Congressional letters on "Port Chicago" Incident

We have received two letters from Congressmen seeking to have the World War II mutiny and disobedience convictions of 258 African-American sailors expunged.

The basic facts: in July 1944, 320 persons were killed, including 202 African-Americans, when a vessel taking on ammunition at Port Chicago exploded. The next month, 258 black sailors refused an order to return to work. Fifty were convicted of mutiny, the rest of disobedience. All were recommended for discharge, but the discharges were revoked after further review. All the sailors were allowed to return to service and all but five earned honorable discharges or general discharges under honorable conditions. The five who didn't had engaged in additional misconduct subsequent to Port Chicago.

In September 1994, 19 members of the Black Caucus wrote the President, asserting that the convictions were tainted by racism and should be expunged. Secretary Perry sent a detailed letter explaining the reviews undertaken by the Navy, as directed by the DOD Authorization Act for FY 92 and 93, and endorsing the Navy's conclusion that the convictions should be left alone. While racial prejudice obviously existed at the time (the Navy was officially segregated) the finding that the sailors disobeyed orders was clearly correct. Secretary Perry also points out that nearly all the sailors were permitted to complete their service on an honorable basis; that the incident occurred at a time when a great many Americans were dying in battles like D-Day and Okinawa, making strict discipline understandable; and that it would be unfair to give these sailors special treatment when thousands of others were court-martialed in circumstances that might not reflect today's standards.

On February 9, Congressmen Dellums, Stark and George Miller wrote another letter, dismissing Secretary Perry's letter as the standard military line and appealing for the President's personal assistance. The significant point is that the writers seem to offer a fall-back position, asking that the President reconsider expunging "or perhaps find some other means of recognizing [the sailors'] contribution to our country."

The question now is whether to ask Tony and Ab to see if there might be "some other means" short of expunging the records that would (a) respond to the concerns of the Black Caucus and other concerned Congressmen, without (b) doing violence to the military's basic position, which seems substantively sound.

THE WHITE HOUSE
WASHINGTON

January 13, 1995

95 JAN 13 P2:02

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE *AL*
PATRICK GRIFFIN *PG*
ALEXIS HERMAN *AH*
ABNER MIKVA *AM*

SUBJECT: Letters from Representatives regarding "Port
Chicago" Incident

Purpose

To respond to two letters from Representatives requesting that you overrule Secretary Dalton's January 1994 decision not to set aside the convictions of 258 African American sailors for mutiny and disobedience in the "Port Chicago" incident during World War II (Tab B).

Background

Last July, you sent an interim reply to a similar letter from Representative Dellums, noting that Secretary Perry was considering this matter. At Tab C is a letter from Secretary Perry to Congressmen Dellums and other members of the Congressional Black Caucus informing them of his decision to endorse Secretary Dalton's finding in this matter. Secretary Dalton's decision was based on two independent reviews, first by the Judge Advocate General of the Navy and later by the Board for Correction of Naval Records, a board composed entirely of civilians. Secretary Perry's letter was coordinated with, and cleared by, Joel Klein and Alexis Herman.

The facts of the case are as follows: In July 1944, a vessel taking on ammunition at Port Chicago exploded, killing 320 persons. The next month, 258 sailors refused an order to return to work loading ammunition. They were convicted either for disobedience or mutiny and recommended for discharge from the Service; however, their discharges were later revoked after a review by the Secretary of the Navy at the time.

cc: Vice President
Chief of Staff

Recent reviews of the incident concluded that while racial discrimination did play a part in the assignment policies for African Americans in World War II, the convictions themselves were not tainted by prejudice. The panels found that while there was a reasonable basis for fear after the explosion, the danger to the sailors was no greater than that faced by those in combat. The panels also noted that as part of the post-trial review the Secretary of the Navy gave the sailors a chance to complete their service honorably, which was not typical for such cases. With the exception of five sailors, all those convicted in the "Port Chicago" incident did complete their enlistments and earned either honorable discharges or general discharges under honorable conditions. The other five were separated early and/or received dishonorable discharges for subsequent misconduct not related to the incident.

RECOMMENDATION

That you sign the letters at Tab A.

Attachments

Tab A Letters to Representatives
Tab B Incoming correspondence
Tab C Secretary Perry's letter

THE WHITE HOUSE

WASHINGTON

Dear Julian:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

As Secretary Perry notes in his letter, all of the sailors involved in this incident were subsequently given the opportunity to complete their military service, and none was separated under less than honorable conditions as a result of his actions or conduct during the incident. As was true of so many thousands of their brothers-in-arms, this record is a testament to the enormous contribution African Americans made to America's victory in World War II -- an achievement I will be proud to join in celebrating during special World War II commemoration activities next month honoring the African American role in winning the war.

I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Julian C. Dixon
House of Representatives
Washington, D.C. 20515

Congress of the United States

House of Representatives

Washington, DC 20515

04 OCT 12 P2:12

September 23, 1994

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

July 17, 1994, marked the 50th anniversary of the Port Chicago Naval Base disaster and for many African Americans, recalled a tragic chapter in race relations in this country. We write to you today to respectfully urge your review of the Port Chicago travesty. We trust you will concur that it is time to clear the records of those sailors who were charged with mutiny and court martialed following the Port Chicago tragedy.

During the segregated Navy of the 1940s, only African American sailors were assigned the dangerous task of loading potentially hazardous munitions aboard ships. They did so under the supervision of white officers. They had little or no training in the handling of such dangerous weaponry. On January 17, 1944, a cataclysmic explosion occurred at Port Chicago Naval Base that resulted in the deaths of over 300 sailors and officers, most of them African American. Over 390 military personnel sustained injury. The Port Chicago disaster was the deadliest single war-related disaster in the continental United States during World War II, and accounted for 15 percent of the total of African American naval casualties during that war.

The loss of life and serious physical injury that occurred following the Port Chicago explosion was compounded by the largest mutiny conviction in naval history. 258 sailors refused to return to work, citing the unsafe working conditions and inadequate training in loading dangerous munitions. 208 of those African American sailors eventually returned to work; the 50 who remained were charged and convicted of mutiny. Some of the men received sentences ranging from eight to 15 years; other sailors were stripped of their rank and demoted.

Honorable William J. Clinton
September 23, 1994
Page 2

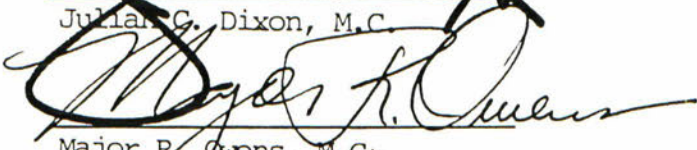
As you know Mr. President, two years ago Congress requested that the Navy review the Port Chicago case. Notwithstanding the submission of new evidence which we believe clearly demonstrated the existence of substantial and significant racial prejudice and racial discrimination in the trial proceedings, Secretary of the Navy John Dalton upheld the convictions.

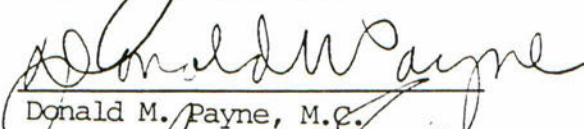
We believe it is time to correct the unjust convictions of the Port Chicago sailors. Though little can be done to remove the stigma suffered by the surviving victims of this tragedy, we can and we should allow them the dignity of righting an injustice that has been allowed to stand for far too long. We would sincerely appreciate your personal review of this case. We hope that your review will lead to a Presidential Order expunging the convictions of the men who were court martialed following the tragic explosion at Port Chicago, and in putting to rest a tragic period in America's history.

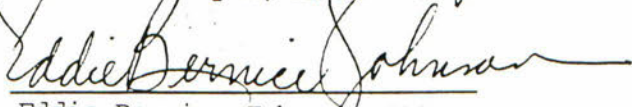
Thank you for your consideration of this request. We look forward to hearing from you in the near future.

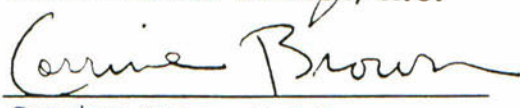
Sincerely,

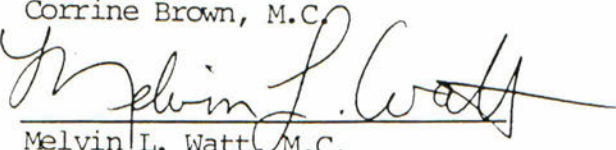

Julian C. Dixon, M.C.

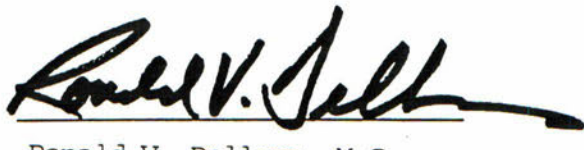

Major R. Owens, M.C.


Donald M. Payne, M.C.

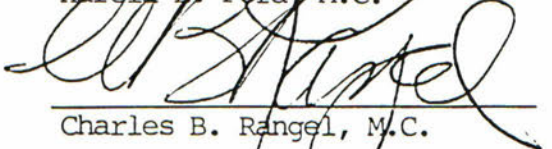

Eddie Bernice Johnson, M.C.

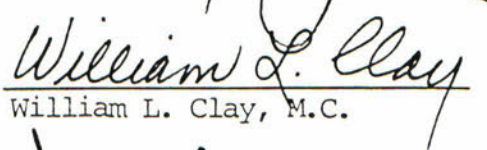

Corrine Brown, M.C.


Melvin L. Watt, M.C.

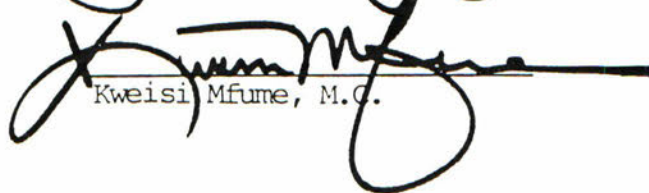

Ronald V. Dellums, M.C.


Harold E. Ford, M.C.


Charles B. Rangel, M.C.


William L. Clay, M.C.


John Conyers, M.C.


Kweisi Mfume, M.C.

Alcee L. Hastings
Alcee L. Hastings, M.C.

Barbara Rose Collins
Barbara Rose Collins, M.C.

Walter Tucker
Walter Tucker, M.C.

Louis Stokes
Louis Stokes, M.C.

Rolphus Towns
Rolphus Towns, M.C.

William J. Jefferson
William J. Jefferson, M.C.

Eleanor Holmes Norton
Eleanor Holmes Norton, M.C.

FORTNEY PETE STARK
THIRTEENTH DISTRICT, CALIFORNIA

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

8006
COMMITTEES:
WAYS AND MEANS
DISTRICT OF COLUMBIA

34 SEP 26
11:15

September 20, 1994

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

I understand that on Friday, September 16, you had an opportunity to meet Dr. Robert Allen, author of The Port Chicago Mutiny. The occasion of the meeting was the African American Veterans Awards Ceremony sponsored by the Congressional Black Caucus. At that time Dr. Allen presented you with a copy of his book.

As you may recall, on June 13, Representatives George Miller, Ronald Dellums and myself wrote you concerning the Port Chicago court martial proceedings of 1944. We expressed the hope that you would see fit to issue a Presidential Order expunging the convictions from the records of a group of 258 African-American sailors who were unjustly court martialed (50 of them were convicted of mutiny). Research by Dr. Allen and others has shown that the trial took place in a racially poisoned atmosphere which affected the outcome. The surviving sailors are now old men, and they and their families have borne the stigma of mutiny for 50 years.

It is our hope that on October 24, the 50th anniversary of the conclusion of the mutiny trials, it could be announced that you have made a decision to set aside the convictions of all 258 sailors. This would go far toward healing a still festering wound from World War II.

If you have an opportunity to read Dr. Allen's book, you will better understand our strong support for this request.

Sincerely,



Pete Stark
Member of Congress



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

22 DEC 1994

The Honorable Ronald V. Dellums
Chairman, Committee on Armed Services
House of Representatives
Washington, DC 20510-0509

Dear Mr. Chairman:

This is in response to your letter of June 8, 1994, asking that the convictions of 258 sailors for disobedience and mutiny following the July 17, 1944, explosion at the Port Chicago Naval Magazine be expunged. As your letter pointed out, this matter was reviewed by the Secretary of the Navy pursuant to Section 552 of the Department of Defense Authorization Act for Fiscal Years 1992 and 1993, P.L. 102-190 (1991). On January 6, 1994, the Secretary upheld the convictions on the basis of two independent reviews, first by the Judge Advocate General of the Navy (JAG) and later by the Board for Correction of Naval Records (BCNR), a board composed entirely of civilians.

In reviewing the Secretary's decision, a matter of particular concern to me was how the racial prejudice that afflicted national policy at the time played into official actions after the Port Chicago tragedy. That prejudice in the first instance resulted in the assignment of African-American sailors to hard, dangerous work, but segregated them and denied them the dignity accorded to others in uniform. I wanted to know if that prejudice also afflicted the military justice and administrative procedures that followed the explosion. I now believe this element of the tragedy has been thoroughly examined.

After careful consideration, I have decided that the Secretary's decision is the correct one. Significantly, all of the sailors convicted at Port Chicago, unlike many other sailors convicted by courts martial in World War II, were given a chance to complete their service honorably. With the exception of the five sailors who received dishonorable or bad conduct discharges as the result of subsequent misconduct, all of those convicted in the Port Chicago incident did complete their enlistments and earned either honorable discharges or general discharges under honorable conditions.

I regret that the circumstances of these cases do not provide a basis for expunging the Port Chicago court martial convictions as you requested. However, their discharges are compelling official testimony that they served their country with honor during the Second World War.

The basis for my conclusion is as follows:

Background:

- The DOD Authorization Act for FY 92 & 93 required SECNAV to review the 258 convictions of African-American sailors who were court-martialed following the explosion at the U.S. Naval Magazine at Port Chicago, California, to determine whether the convictions were tainted by racial prejudice.

- SECNAV referred the matter to the Judge Advocate General (JAG) who concluded that 256 of the 258 were legally sufficient and supported by evidence. One conviction was found to be defective because of insufficient evidence, and was set aside by Secretary O'Keefe on 14 January 1993. The other conviction had been set aside in 1946, because the accused was not mentally competent at the time of the offense.

- SECNAV then referred the cases to the Board for Correction of Naval Records (BCNR) with direction to review all aspects of the allegations of racial prejudice and discrimination. A special three member panel of the BCNR, consisting of Mr. Kreitzer (a career member of the SES from the office of the ASN(RDA)), Mr. Saul (a career member of the SES from OGC), and Mr. Mathews (the GM-14 Deputy for EEO, HQ USMC), was convened to consider all aspects of the Port Chicago convictions and discharges.

The Port Chicago Explosion:

- During World War II, the Navy followed an established policy of racial segregation. Pursuant to these policies, African-American sailors were not assigned to combat duties. Instead, they were assigned to menial duties including loading ammunition at naval depots and magazines under the supervision of white officers.

- On July 17, 1944, a vessel taking on ammunition at the Port Chicago Naval Magazine exploded, killing 320 and wounding another 400. Of the 320 killed, 202 were African-Americans.

The Court Martial Proceedings:

- On 9 August 1944, approximately three weeks after the Port Chicago explosion, 328 sailors were ordered to return to work loading ammunition. 70 sailors from this group and an undetermined number of African-Americans from other units obeyed orders and returned to work.

- 206 men initially refused the order. They returned to work the next day after being warned that their refusal was mutiny and given an opportunity to return. Of these 206 men, 205 were later convicted by summary courts-martial of disobedience and one was convicted of conduct prejudicial to good order and discipline. All 206 were awarded bad conduct discharges. The bad conduct discharges were later suspended by Secretary Forrestal upon post-trial review. The 206 were then given the opportunity to complete their enlistments and all but three did so and received either honorable discharges (188 men) or general discharges under honorable conditions (15 men), based on the average marks in conduct and proficiency during their entire enlistments. This was the same procedure used for all sailors regardless of race. One of the convictions was set aside by SECNAV in 1993 for insufficient evidence. The remaining three sailors received bad conduct discharges, but only because of misconduct after the Port Chicago incident.

- Two other sailors were convicted by summary courts-martial of unauthorized absence and breaking arrest and sentenced to 30 days confinement on bread and water. One sailor earned an honorable discharge after returning to duty; the other received a bad conduct discharge for subsequent misconduct.

- The fifty remaining Port Chicago sailors refused to load ammunition following the explosion and, as a group, continued to refuse after being warned that their actions were mutiny and given an opportunity to return to work. All 50 were tried by general court-martial for mutiny. All were found guilty, sentenced to various periods of confinement, and given dishonorable discharges. On post trial review, these discharges were suspended by Secretary Forrestal and all were returned to duty. Of this group, 45 completed their enlistments and received general discharges under honorable conditions (regulations then in effect prohibited issuing honorable discharges to persons convicted by general courts-martial). Three others were issued honorable discharges, apparently through administrative error. One received a dishonorable discharge for subsequent misconduct. One conviction was set aside in 1946 because the accused was not mentally competent, and he received a discharge under honorable conditions.

BCNR Findings and Recommendations:

- After review by the JAG, the Secretary directed the Board for Correction of Naval Records (BCNR), a panel composed of three civilian members, to conduct an independent review. A special panel of the BCNR was convened. The BCNR panel was specifically tasked by the Secretary to review all aspects of the allegations of racial prejudice and discrimination.

- The BCNR panel concluded that racial discrimination did play a part in the assignment policies that resulted in African-American sailors being assigned to menial, unskilled work, such as loading ammunition. The BCNR further found that racial prejudice and discrimination played no part in the court-martial convictions or sentences.

- In reaching the conclusion that the convictions were not tainted by prejudice, the BCNR panel acknowledged that the sailors who refused to load ammunition after the explosion had a reasonable basis for fear. The panel noted, however, that the danger to them was no greater than that faced by sailors in combat and that 70 other sailors assigned to their divisions followed orders to load ammunition after the explosion.

- The incident also has to be placed in the perspective of contemporaneous events in the War. For example, the D-Day invasion had just taken place. Moreover, the BCNR panel observed that some of the hardest and bloodiest fighting of the War was yet to come. In the spring of 1945, 23,000 Americans lost their lives in the battle for Okinawa. This followed by just three months the savage battle for the island of Iwo Jima. The BCNR stated that, at the time of the Port Chicago courts martial, naval authorities would have taken stern disciplinary action against anyone, regardless of race, whose actions threatened to disrupt the smooth flow of ammunition to combat units.

- The BCNR panel noted that racial prejudice in assignments and living conditions which existed at the time could provide a basis for leniency. They recognized, however, that in this case leniency had already been granted as part of the post-trial review. The initial Port Chicago discharges were all suspended and those convicted were given an opportunity to complete their enlistments and receive honorable discharges or general discharges under honorable conditions. As a result, no sailor received a discharge under other than honorable conditions solely as a result of the Port Chicago court-martial convictions.

Senior Level Review:

- The reports and recommendations of the JAG and the BCNR were personally reviewed by the current General Counsel of the Navy and the Assistant Secretary of the Navy (Manpower and Reserve Affairs) prior to action by the Secretary of the Navy. The Secretary of the Navy also personally reviewed the reports and recommendations and approved them on 6 January 1994.

Considerations:

- Sailors are required to obey the orders of their superiors even if those orders subject them to life-threatening danger. Under military law, an intentional overt act in opposition, resistance, or defiance of superior military authority (as in the case of the 50 sailors who acted in concert to refuse orders) is mutiny.

- All members of the military are accountable for failure to obey orders. The convictions for disobedience and mutiny reflect that accountability here. There is no question that the conduct which was the basis of the convictions actually took place as charged. Thus, the

legal conclusion that disobedience or mutiny occurred cannot be challenged as the result of racial prejudice during the court martial proceedings.

- Every one of the sailors convicted at Port Chicago was given a second chance. All but 5 subsequently earned honorable discharges (or general discharges under honorable conditions) by serving honorably for the balance of their enlistments. The nature of their discharge characterizes the quality of their service and expresses the nation's gratitude for their contributions to the victory in WW II. The 5 who were not discharged under honorable conditions committed other misconduct unrelated to Port Chicago.

- Except for the 5 who engaged in subsequent misconduct, all of the Port Chicago sailors received the same veterans benefits as every other service member who served honorably in WW II. The sole difference between a veteran with an honorable discharge and a veteran with a general discharge under honorable conditions is that only the former can wear the Honorable Discharge lapel pin.

- The discriminatory assignment policies were reflective of the attitudes and prejudices of American society at the time, and were not unique to the Navy or the other services. Such policies, which assigned African-Americans to demeaning work and did not recognize their capacity to successfully participate in combat, would not be tolerated today.

In these cases, as with convictions generally, society has an important interest in finality. Thousands of sailors were court martialed during WW II under rules which do not reflect today's standards. Concerns about the fairness of military justice in WW II led to the enactment of the first Uniform Code of Military Justice (UCMJ) in 1951. In the absence of evidence of racial prejudice in the court martial proceedings themselves, singling out these individuals by expunging their convictions would be unfair to the thousands of others whose convictions are not reviewed or expunged.

Sincerely,

A handwritten signature in cursive script, reading "William J. Perry". The signature is written in dark ink and is positioned below the word "Sincerely,".

0950

Congress of the United States
House of Representatives
Washington, DC 20515

February 9, 1995

Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

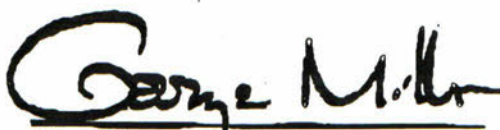
Last week, on the first day of Black History Month, we received the letter from Secretary Perry regarding the Port Chicago court-martial convictions. In response to our letter asking you to expunge the records of these 258 African-American sailors, you asked Secretary Perry to review the matter. The Secretary supported the previously stated positions within the military community that prejudice did not affect the court-martial, although he did admit racial prejudice resulted in the assignment of African-American sailors to this hard and dangerous work. We are very familiar with the military's position and realize this is their story and they're sticking to it. That is why we sought your help.

It was our hope that you would have taken it upon yourself to recognize that the court-martial convictions of these 258 African-American sailors was not only a great injustice, but also an event in our country's history that should be duly recognized. Historians believe that the Port Chicago explosion and the following events helped speed the desegregation of the military by President Truman. As you well know, this was an action which earned him a place in our history books as a great advocate of civil rights. Unfortunately, the men who valiantly protested the conditions in Port Chicago have had to live with the shame of being "mutineers".

Many of these veterans and their families have lived with this unjust decision for many years. It is time for the United States to admit to this national disgrace and remove the stigma of dishonor from these brave men. We respectfully urge you

to reconsider expunging their records or perhaps find some other means of recognizing their contribution to our country. It would be a fitting contribution to Black History Month and it would be the just thing to do.

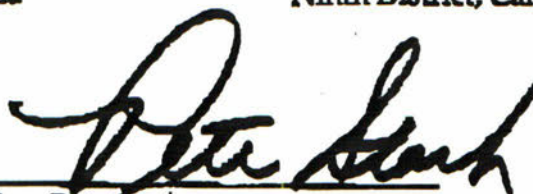
Sincerely,



Hon. George Miller
Seventh District, California



Hon. Ron Dellums
Ninth District, California



Hon. Pete Stark
Thirteenth District, California

E WHITE HOUSE

WASHINGTON

January 17, 1995

2/14

see this before we send it
members of the Black
September about the case of
convicted of mutiny in the
Army in World War II. The
hope that the sailors'
suffered by racial prejudice
convictions ought to be

apparently been reviewed on
by the Navy, including,
John Dalton -- the decision
convictions stand.

Todd Stern
Todd Stern

2/20/95

to

THE WHITE HOUSE
WASHINGTON

January 17, 1995

John --

Leon might want to see this before we send it forward. Nineteen members of the Black Caucus wrote in September about the case of 50 black sailors convicted of mutiny in the Port Chicago tragedy in World War II. The Caucus Members argue that the sailors' convictions were tainted by racial prejudice and that the convictions ought to be expunged.

The matter has apparently been reviewed on several occasions by the Navy, including, most recently, by John Dalton -- the decision being to let the convictions stand.

Todd
Todd Stern

OK per Leon

1/20/95



VETERANS AFFAIRS

STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

P.O. Box 7843, 30 W. Mifflin St., Madison, WI 53707-7843

Council on Veterans Programs

January 25, 1995

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

FAXED TO: 202-456-2461

Dear Mr. President:

The State of Wisconsin Council on Veterans Programs respectfully urges you to pardon the 50 men court-martialled and convicted of mutiny in the "Port Chicago Mutiny" case during World War II. We request you to do so to correct a racial injustice that occurred after 320 sailors, most of whom were African-Americans, were killed in an ammunition explosion at Port Chicago. We further urge you to pardon the 208 other sailors who received summary courts-martial for disobeying orders following the incident. All 258 men for whom we request pardons are African-Americans.

The Council on Veterans Programs adopted a motion in support of this request for the pardons in question at our meeting on January 13, 1995.

Thank you very much for your consideration of this matter, Mr. President.

Sincerely,

Marvin J. Freedman, Chair
Council on Veterans Programs
State of Wisconsin
608-836-6586
FAX: 608-831-6036

American Ex-POWs * American Legion * American Red Cross * AMVETS * Army-Navy Union * Catholic War Veterans
County Veterans Service Officers Association * Disabled American Veterans * Federation of Minority Veterans * Jewish War
Veterans * Marine Corps League * Military Order of the Purple Heart * National Association for Black Veterans * Navy Clubs
of the U.S.A. * Polish Legion of American Veterans * U.S. Submarine Veterans of WWII * United Women Veterans * Veterans
of Foreign Wars * Veterans of World War I of the U.S.A. * Vietnam Veterans Against the War * Vietnam Veterans of America
* Wisconsin Association of Concerned Veterans Organizations



VETERANS AFFAIRS

STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

P.O. Box 7843, 30 W. Mifflin St., Madison, WI 53707-7843

Council on Veterans Programs

January 25, 1995

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

FAXED TO: 202-456-2461

Dear Mr. President:

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Sincerely,

Marvin J. Freedman, Chair
Council on Veterans Programs
State of Wisconsin
608-836-6586
FAX: 608-831-6036

American Ex-POWs * American Legion * American Red Cross * AMVETS * Army-Navy Union * Catholic War Veterans
County Veterans Service Officers Association * Disabled American Veterans * Federation of Minority Veterans * Jewish War
Veterans * Marine Corps League * Military Order of the Purple Heart * National Association for Black Veterans * Navy Clubs
of the U.S.A. * Polish Legion of American Veterans * U.S. Submarine Veterans of WWII * United Women Veterans * Veterans
of Foreign Wars * Veterans of World War I of the U.S.A. * Vietnam Veterans Against the War * Vietnam Veterans of America
* Wisconsin Association of Concerned Veterans Organizations

1-23-95
per NSC

attached
ltis. should
be sent
as follow-up
to Dis ltr.
dtd 7-15-94

#8335

W/PMS

1/13

THE WHITE HOUSE

WASHINGTON

Dear Barbara:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

As Secretary Perry notes in his letter, all of the sailors involved in this incident were subsequently given the opportunity to complete their military service, and none was separated under less than honorable conditions as a result of his actions or conduct during the incident. As was true of so many thousands of their brothers-in-arms, this record is a testament to the enormous contribution African Americans made to America's victory in World War II -- an achievement I will be proud to join in celebrating during special World War II commemoration activities next month honoring the African American role in winning the war.

I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Barbara Boxer
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear Dianne:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

As Secretary Perry notes in his letter, all of the sailors involved in this incident were subsequently given the opportunity to complete their military service, and none was separated under less than honorable conditions as a result of his actions or conduct during the incident. As was true of so many thousands of their brothers-in-arms, this record is a testament to the enormous contribution African Americans made to America's victory in World War II -- an achievement I will be proud to join in celebrating during special World War II commemoration activities next month honoring the African American role in winning the war.

I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Dianne Feinstein
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear George:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable George Miller
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Pete:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Fortney Pete Stark
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Nancy:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Nancy Pelosi
House of Representatives
Washington, D.C. 20515

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

Divider Title: **TAB A**

THE WHITE HOUSE

WASHINGTON

Dear Julian:

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Julian C. Dixon
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

Dear Ron:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Ronald V. Dellums
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Major:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Major R. Owens
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Harold:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Harold E. Ford
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Donald:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Donald M. Payne
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Charlie:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Charles B. Rangel
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Eddie Bernice:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Eddie Bernice Johnson
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Bill:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable William L. Clay
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Corrine:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Corrine Brown
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

Dear John:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Mel:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Melvin L. Watt
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE

WASHINGTON

Dear Kweisi:

Thank you for your letter regarding the "Port Chicago" incident in the summer of 1944. I understand Secretary Perry recently informed you that he had determined after extensive review and careful consideration that the circumstances of the sailors' cases do not provide a basis for expunging their convictions. A similar decision was reached by Secretary of the Navy Dalton last January. I support Secretary Perry and Secretary Dalton's determinations.

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I appreciate your taking the time to let me know of your views on this issue.

Sincerely,

The Honorable Kweisi Mfume
House of Representatives
Washington, D.C. 20515