

JACL's Legislative Guidelines for Redress

Ed. Note: Here are the JACL's Legislative Guidelines for Redress, which were approved at the National Convention in Gardena, Ca. in August of 1982. During the National Board meeting this weekend (Mar. 18-20), JACL's National Committee for Redress will propose some changes in these guidelines to the Board, and any changes made will be published in the PC.

I. CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

Congress shall make findings, in accordance with the "Final Report and Recommendations" of the Commission on Wartime Relocation and Internment of Civilians, that the forced removal, relocation and internment of persons of Alaskan Aleut background and of persons of Japanese ancestry during World War II were wrong, and that the United States is therefore enacting this legislation to rectify such wrongs;

That it is hereby reiterated and reconfirmed that it is the policy of the United States to make appropriate and adequate redress available to individuals who were wronged and to make such individuals whole, to the degree possible, for any injuries or losses wrongfully caused by the federal governmental actions;

That it is hereby declared the policy of the United States that distinctions based on race or ancestry are odious to the fundamental principles upon which this nation is founded, and that such distinctions shall never be used to impose differential obligations or responsibilities upon any person subject to the jurisdiction of the United States;

It is further declared as a matter of public policy of the United States that individuals who suffered losses as a consequence of Executive Order #9066, and official governmental actions, laws, judicial decision, rules or regulations subsequently flowing therefrom, shall be fully and individually compensated to the degree possible, as hereinafter provided;

In the event that the individual who suffered such losses as above described is no longer living, then in such event, the amounts appropriated by Congress shall be distributed and disbursed in accordance with provisions hereinafter set forth.

Finally, it is intended by Congress that federally chartered corporations or foundations shall be created hereby, to exist in perpetuity as an ever-present and living memorial to those Alaskan Aleuts and persons of Japanese ancestry who were forcibly removed from their homes, relocated en masse under regimented conditions, and arbitrarily confined in desolate, makeshift camps during World War II;

Such federally chartered corporations or foundations, the first being for Alaskan Aleuts and the second being for persons of Japanese ancestry who were forced to move from their homes by the U.S. military during World War II, shall make disbursements from funds appropriated by the Congress for such individuals and for such programs, projects or other

Continued on Next Page

Marin JACL president raps Hayakawa on redress views

NOVATO, Ca.—Former U.S. Sen. S.I. Hayakawa, who once called the World War II internment of Japanese Americans "a vacation" for many Issei, was at it again, this time commenting on the report of the Commission on Wartime Relocation and Internment of Civilians that was released last month.

In a Feb. 25 article of the Independent Journal, Hayakawa, now a private citizen, sharply disagreed with the conclusions of the CWRIC.

"Whatever injustices there were in the relocation, it accelerated the absorption of Japanese Americans into the mainstream of American life by one full generation," said Hayakawa, who never faced internment because he was a native of Canada and lived in Chicago during the war.

"The relocation, like many things that look like a disaster at the time and may cause suffering, turned out to have some real beneficial effects in the long run," he noted.

He pointed out that many young Japanese Americans attended

high schools in the Midwest and East and also attended the nation's prestigious universities because of government efforts after the war.

"They got to places they never would have gotten to picking strawberries in Los Angeles," Hayakawa said.

He added that without the relocation, it would have been the current strides into the mainstream of this country rather than their mothers and fathers.

He felt that the CWRIC's criticism of President Franklin D. Roosevelt and other government leaders in the 1940s was "unfair."

"If you have a war on against Japan, what you're trying to do is unite the country against Japan. I think criticizing Roosevelt for this is unfair," Hayakawa said. "He had a war to fight and a country to lead. His primary responsibility as president was to beat the hell of the Japanese."

Hayakawa, however, did acknowledge that racism played a large role in the internment, but he also said that it would have been difficult to believe that after Pearl

Harbor, no action would have been taken against the Nikkei.

Hayakawa has maintained that reparations for Japanese Americans is a "dishonor" because, as he said, the Japanese notion is that if one is dishonored, one must demonstrate honorability.

"The 442nd (Regimental Combat Team) wrote in blood that they were loyal Americans. The Japanese American soldiers wiped the slate clean and it never could be doubted they were loyal Americans," he said. "That's the end. They don't need a cash indemnity."

As for the organizations seeking reparations, Hayakawa said "they've lost all sense of Japanese tradition—the ancient warrior idea to wipe out an insult with your own blood."

Marin's Shimizu Responds

In response to the Hayakawa article, Marin JACL Chapter president Bruce K. Shimizu wrote a letter to the Journal's editor March 3 which called the former senator's comments "very distressing" and his words "mislead" readers.

Shimizu added that Hayakawa

was stating his own opinions, as a private citizen.

"He is not, and has never been, a spokesman for the Japanese American community," said Shimizu, noting that Hayakawa was never interned nor ever served with the 442nd.

"He does not consider himself a Japanese American and has always remained outside of the Japanese American community," said Shimizu.

"The issue at hand is the abrogation of the constitutional rights of American of Japanese ancestry. Whether the Japanese American community fared better as a result of the internment, as the senator contends, is irrelevant and disputable," said Shimizu.

He also reminded the Journal that 80,000 Nikkei suffered a "grave injustice" through the internment and 40,000 other Nikkei were denied citizenship until 1952.

He added that the JACL wants the findings of the CWRIC "presented clearly and understood so that a similar incident (like the internment) will never happen again in this country."

Yoshino, Harano named to Ill. panel

CHICAGO—Illinois Governor James Thompson's Office of Interagency Cooperation announced the appointment of William Yoshino and Ross Harano as members of the Asian American Advisory Council to the Governor's Office.

The Council was created by the Governor's Office to facilitate ongoing positive communication between state government and the Asian American community with the purpose of improving the well being of Asian Americans by promoting full and active participation in government, business, education and social services.

The eleven-member council

is composed of representatives of the Asian American community. Yoshino is the JACL's Midwest Regional Director and Harano, owner of an import/export company, is past Chicago JACL president.

"The Council has an ongoing open dialogue with the Governor's Office and has advised state government representatives of the concerns and needs of the Asian American community," said Harano. "We are looking forward to positive action and results from the Governor's Office."

PSW hold forum on camp's psychological impact on JAs

LOS ANGELES—The "Psychological Impact of the World War II Evacuation Experience" will be the topic of a community meeting on Friday, March 18, 7 p.m., at Little Tokyo Towers, 455 East Third Street.

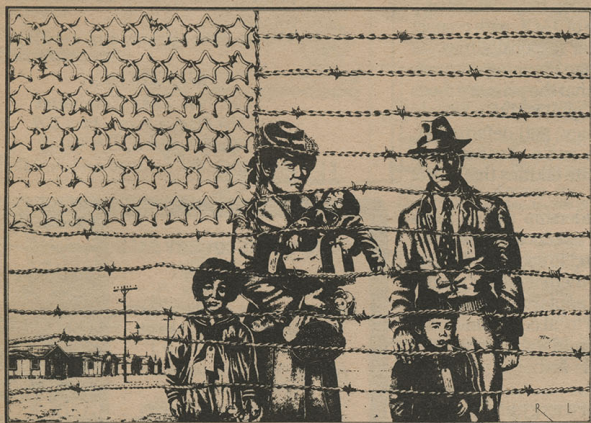
This will be a follow-up meeting to the session that was held at the time of the Redress Hearings and will focus on individual experiences, discussion about forming "rap groups" in local areas,

and comments from resource people. The videotape of the Redress Hearing panel on the psychological impact will be shown.

For further information contact Ford H. Kuramoto, D.S.W. at (213) 669-1060 or John Saito at 626-4471. The meeting is sponsored by the Redress Committee of the Japanese American Citizens League (JACL), Pacific Southwest District. #

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GUIDELINES *Continued from Page 9*

activities as would benefit such individuals, their descendants, communities or groups, as well as for the general welfare and protection of human rights of all persons in these United States in the name and memory of such individuals.

II. MONETARY COMPENSATION TO BE PAID TO INDIVIDUALS

Congress shall authorize and appropriate adequate monetary compensation to all individuals who suffered injuries, physical or psychic, and losses, tangible or intangible, as a proximate consequence of Executive Order Number 9066, issued on February 19, 1942, and from all official governmental actions flowing therefrom;

Such appropriation(s) by Congress shall be paid into the treasury of the two federally chartered corporations, as hereinafter provided, and shall be disbursed in accordance with provisions hereinafter set forth.

III. ELIGIBILITY AND QUALIFICATIONS OF PAYEES

As hereinabove provided, all persons who suffered injuries or losses because of Executive Order #9066 and the governmental actions flowing therefrom shall be fully entitled to compensations herein provided. Proof of residence or actual physical presence on those areas cleared by the military during World War II shall be sufficient for full entitlement of compensation from the United States government.

Specifically, all Alaskan Aleuts and persons of Japanese ancestry enrolled on the records of the United States government during the period from December 8, 1941 until December 19, 1944, as being in the prohibited military zones, shall be automatically deemed eligible to receive compensation for injuries and losses as herein described.

It should be noted, however, that there were and are certain individuals of other racial and ancestral backgrounds who were similarly affected by Executive Order #9066, and upon proper showing, should also be fully entitled to compensation as herein provided.

IV. AUTHORIZATION AND APPROPRIATIONS BY CONGRESS

Congress shall authorize and appropriate such sums of money as would adequately and fully compensate all individuals for injuries and losses incurred because of Executive Order #9066 and governmental actions flowing therefrom, and shall cause such sums to be paid and distributed to the federally

chartered corporations or foundations herein above provided, in such amounts and in such proportions as are appropriate.

Method for Determining Losses:

Congress shall instruct the Office of Management and Budget (OMB) of the U.S. government, within a period of not more than twelve (12) months, to:

(1) Tabulate all physical losses, by whatever method feasible, and as suggested by the Commission on Wartime Relocation and Internment of Civilians, suffered by Alaskan Aleuts and persons of Japanese ancestry who were forcibly moved or required to move from the West Coast of the United States during World War II as a result of Executive Order #9066 and governmental actions flowing therefrom, and after having computed such total aggregate amount, deduct therefrom all amounts heretofore paid by the U.S. government under the Evacuation Claims Act of 1948;

(2) Compute the average earnings of above such individuals, on the basis of 1940 statistics, to date of re-establishment of their normal lives, adding thereto unusual or extraordinary costs and expenses incurred by such individuals to preserve and protect their property or to re-establish their normal lives;

(3) Canvass all federal tort cases in which the U.S. government was found liable by competent courts, including awards for pain and suffering, false imprisonment, humiliation and degradation, and all other similar or related intangible injuries, and by means of computers arrive at average amounts, to be multiplied by the number of individuals so involved in the involuntary movement from their homes on the West Coast during World War II, and compute the aggregate total thereof;

(4) Inflationary factor: After having arrived at such total aggregate figure, appropriate adjustment shall be made for the inflation since the first quarter of 1942;

(5) Interest computation: Interest at the rate of 6% per annum shall be computed and added to the total aggregate amount due since 1942;

APPROPRIATIONS BY CONGRESS

Congress shall authorize and appropriate an initial fund of \$500,000,000 and subsequent sums to be paid and deposited with the federally chartered corporations hereinabove referred to, in accordance with the fol-

- lowing schedule:
- (1) \$100,000,000 during the fiscal year in which this Act becomes effective; and
 - (2) \$100,000,000 during the second, third, fourth and fifth fiscal years thereafter; and
 - (3) \$50,000,000 per year during each fiscal year thereafter until the full, total, aggregate amount determined by the OMB shall have been paid in full.

Amounts above shall be divided proportionately between the corporation or foundation for Alaskan Aleuts and the corporation or foundation for persons of Japanese ancestry, based of the number of individuals involved.

V. ALASKAN ALEUTS FOUNDATION AND JAPANESE AMERICAN FOUNDATION

In fulfillment of the policy hereinabove enunciated, there is hereby created two federally chartered, charitable, educational and non-profit corporations, to be known as: (a) Alaskan Aleut Foundation, and (b) Japanese American Foundation, to exist and to function in perpetuity as hereinafter set forth:

The purposes of these foundations are:

- (1) To receive appropriations from the Congress of the United States as hereinabove provided;
- (2) To invest or re-invest such funds as deemed prudent or appropriate, from time to time as convenient or advisable;
- (3) To disburse and pay out to individuals who are eligible and qualified, on a per capita basis, in the following order of priorities, during each fiscal year, until all such individuals are paid in full:

- (a) First priority: 100% of the per capita share shall be paid to individuals who were at least 18 years of age, as of Feb. 19, 1942;
- (b) Second priority: After all those in Category (a) above have been paid in full, then those who attained the age of 18 by Sept. 1945 (when the camps closed) shall be paid in full;
- (c) Third priority: Thereafter, all others who are duly qualified and eligible shall be paid in full;
- (d) Exceptional cases: In the event that the Board of Directors finds that there are exceptional cases deserving special attention, in such event such individuals may be paid without regard to the priorities above set forth.
- (e) General Rule: Payments shall generally be made in the order in which requests or claims are made, subject to the priorities and exceptions above stated.

(4) During any fiscal year, not less than 10% of the amounts appropriated and paid to the aforementioned foundations, and any earnings

Continued on Page 12

BY THE BOARD: by Dr. Yosh Nakashima

Why Should Anyone Join JAACL?

San Francisco

If you asked many JAACL members as to their reason for joining, you would hear many reasons, from believing in the organization or because a friend asked them to join. I believe that we need to pursue new avenues for increasing the membership.

If one clearly understands and knows the mission statement of JAACL, as passed at the 1982 National Council meeting, then you can better serve the membership drive and truly get new members who will remain and actively serve their membership and community.

To refresh us, let us state them again:

- 1.) to protect the rights and liberties of Japanese Americans and to secure and uphold civil and human rights for all people.
- 2.) to preserve the traditions and values of Japanese Americans in a multicultural society.
- 3.) to participate in the development of understanding between all racial and ethnic groups.
- 4.) to promote and sponsor programs and activities by which members fulfill their citizenship responsibilities.

We need to be clear as to the role of JAACL with respect to the National, District and Chapter responsibilities. As reported by the National Long Range Planning Committee of the past biennium, I believe that the primary focus of the National JAACL should be a civil rights advocate with activities in legislative advocacy; anti-defamation; political education; citizen action and a monitoring of activities of government and private entities that affect our members.

The District and Chapters' leadership should focus their attention on the above as well as educating the local community on important issues and to sponsor and create programs which meet the local memberships' needs.

It is important to look to the Chapters for the main needs of the local membership and local community, not the National level. The District should work on regional concerns and needs and coordinate National programs for the chapters.

One concern that has used a lot of energy and wasted a lot of time is one of personalities and leadership within JAACL. Also, too many people dwell in the past and hold grudges and dislikes which prevent progress and a meaningful advancement. JAACL has been and can continue to be an effective organization for Japanese Americans advocacy. We can work with other groups and organizations to protect our civil and human rights. Change comes hard but change can come to any organization with dogged determination and participation within. Present leadership should not be held to account for past perceived mistakes and misjudgements. Only with everyone's active participation can JAACL move forward and remain in the forefront as a recognized national civil rights organization. Let us pledge to increase our membership to maintain the important role of JAACL as an important national entity.

JACL IN QUEST OF JUSTICE
The History of the Japanese American Citizens League
J BILL HOSOKAWA

This history of the Japanese American Citizens League was written not only for its thirty thousand members but also to answer JAACL's critics, notably the Sansei—third-generation Japanese Americans—many of whom believe their fathers should have resisted the Evacuation during World War II.

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that might accrue, may be held in reserve to be expended for the following purposes:

- (a) To pay all necessary costs and expenses for normal operations of the Foundation, including payment of salaries, fees, taxes, and/or other personnel or other costs; and
- (b) To fund appropriate programs, projects and activities as would benefit, directly or indirectly, those individuals who suffered injuries or losses because of Executive Order #9066 and subsequent governmental actions flowing therefrom, as well as their descendants or their communities or groups, in charitable, educational, cultural, social, or other legitimate non-profit activities in pursuance of the purposes of this Act;
- (c) The enumeration of the above shall not exclude expenditures for and the funding of other activities as would preserve and protect the human rights of all persons in these United States, inasmuch as such activities would also benefit those individuals first above mentioned.

PRINCIPAL OFFICES

The principal office of the Foundations above named shall be established by resolution of the Board of Directors, and may be moved from place to place as mandated by formal resolution of the Board of Directors.

Other offices may be established in such other place or places as it may be deemed necessary or appropriate in the conduct of its business.

ADMINISTRATION: BOARD OF DIRECTORS

The affairs of the above Foundations shall be under the general direction of the Board of Directors, the majority number of whom shall fairly represent those individuals who suffered losses resulting from actions related to Executive Order #9066 and other related acts of the government. The Board of Directors shall be composed as follows:

- (a) An appointee of the President of the United States, who shall serve as Chairman of the Board;
- (b) An appointee of the Senate of the United States, who shall serve as one of the Vice-Chairs of the Board;
- (c) An appointee of the House of Representatives of the United States, who shall serve as one of the Vice-Chairs of the Board;
- (d) Not fewer than three (3) general members of the Board shall be elected by the first three appointees above named. The total number of members of the Board may be fixed by the Board of Directors, and shall be selected on the basis of their interest and devotion to the policies and principles hereinabove first set forth.

TERM OF OFFICE

The term of office of members of the Board of Directors shall be prescribed by the Board of Directors, but in no case shall exceed a period of four (4) years.

A successor to a general member of the Board shall be chosen in the same manner as above provided, and shall have a term expiring four years from the date of expiration of the term for which his predecessor was chosen, except that a successor chosen to fill a vacancy occurring prior to the expiration of such term shall be chosen only for the remainder of that term.

COMPENSATION

Each member of the Board of Directors shall be paid at the daily rate for each day of actual service and away from their usual place of abode or business, and shall be reimbursed for travel and actual expenses necessarily incurred in attending board meetings and performing other official duties, at the direction of the Board.

POWERS AND DUTIES

Both the Alaskan Aleut Foundation and the Japanese American Foundation shall have the following powers, in order to carry out the functions hereinabove set forth:

- (a) To have succession until dissolved by Act of Congress, in which event, title to the properties of the Foundations, both real and personal, shall insofar as consistent with existing contractual obligations and subject to all other legally enforceable claims or demands by or against such Foundation, pass to and become vested in the United States of America.
- (b) To sue and be sued in its corporate name.
- (c) To adopt, alter, and use a corporate seal which shall be judicially noticed.
- (d) To adopt a constitution and to make such by-laws, rules, and regulations, not inconsistent with the laws of the United States or of any State, as it deems necessary for the administration of its functions asset forth herein, including among other matters, by-laws, rules and regulations governing disbursements or investments of funds, administration of corporate funds, and the organization and procedure of the Board of Directors.
- (e) To accept, hold, and administer gifts and bequests of money, securities, or other personal property of whatsoever kind and character, absolutely or in trust, for the purposes for which these Foundations were created. Unless otherwise restricted by terms of the gift or bequest, the Foundations are authorized to sell, exchange, or otherwise dispose of and to invest or re-invest in such investments as they may determine from time to time the moneys, securities, or other property given or bequeathed to them.
- (f) The principal of such corporate funds, together with income therefrom and all other revenues received by the Foundations from any source whatsoever, may be placed in such depositories as their respective Board of Directors shall determine and shall be subject to expenditures by the Foundations for their corporate purposes hereinabove set forth.
- (g) To acquire by gift, devise, purchase, or otherwise, absolutely or in trust, and to hold and, unless otherwise restricted by the terms of the gift or devise, to encumber, convey, or otherwise dispose of, any real property, or any estate or interest therein, as may be necessary and proper in carrying into effect the purposes of these Foundations.
- (h) To contract and make cooperative agreements with Federal, State, or municipal departments or agencies, corporations, associations, or individuals, under such terms and conditions as deemed advisable, respecting the programs, projects and activities hereinabove authorized and approved by the Board of Directors.
- (i) To enter into contracts generally and to execute all instruments necessary or appropriate to carry out the corporate purposes for which these Foundations were established, which instruments may include contracts, leases, or permits of any and all kinds, as necessary or desirable.
- (j) To appoint and prescribe the duties of such officers, agents, employees as may be necessary to carry out its functions, and to fix and pay such compensation for their services as the Boards of Directors shall determine.
- (k) And generally to do any and all lawful acts necessary or appropriate to carry out the functions and purposes for which these Foundations were established.

Sansei turnout at Chicago brunch

CHICAGO—Over 30 persons attended the Chicago Chapter's Orientation Brunch, held at the home of Chapter member Janet Suzuki on Feb. 13.

The brunch was designed to acquaint new board members and interested people with the structure and activity of JAACL. This was the 1983 kick-off program under Chapter VP (Programs) Kathy Nakamoto.

The Program consisted of a variety of guest speakers: Bill Yoshino, MDC Regional Director (who explained the National staff and structure); John Tani, MDC governor; and Shig Wakamatsu, past National JAACL president and chairman of the Japanese American Research Project.

The program also focused on the Chapter's activities, with committee chairs Ron Yoshino (redress), Mike Yasutake (Human Rights), and Betty Hasegawa (membership). Chapter president Jane Kaihatsu gave a brief history of the chapter.

The brunch was deemed successful as 90% of the turnout was Sansei, who were specifically targeted for the event. The Chapter is working on recruiting more Sansei and younger Nikkei members, as Chicago has had a long history of Sansei involvement including the first Sansei president Ross Harano in 1969, to the current president, Kaihatsu, the sixth Sansei to hold the post. The Chapter's 1983 Board of Directors is composed of 12 Sanseis out of 15 total members.

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