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Although many past congressional statutes and presidential proclamations have commented in passing that a grave mistake was made in our wartime evacuation and subsequent actions, as far as I know none expressed a formal apology on behalf of the nation to us victims. I personally would welcome such an official statement of national apology, and I am certain that almost without exception Japanese Americans will join me in the celebration. More too, I believe that the peoples of many nations, especially the Japanese and other Asian and Pacific peoples, will notice with satisfaction this belated gesture.

But, even words of public apology are not sufficient or appropriate in themselves.

What is the value of a formal, public apology, per se? Would a simple "I'm sorry" suffice for an automobile deliberately wrecked by a negligent driver? Or for a home and its possessions which were maliciously set on fire by a careless party who just "didn't like Japs"? Or for land condemned by resort to "eminent domain" for the construction of a playground without pay "just compensation"? These are crimes, but what about civil remedies

How many individuals do you know who are willing to give up his home, employment, and possessions and spend two and a half years in a maximum security jail for only \$20,000?

Recommendations 2 and 3, treating of needed presidential pardons and administrative remedies to certain evacuees, are also welcomed as concrete expressions of regret.

To us Nisei war veterans, though, Recommendations 4 and 5 are most vital and important, as we have stressed in an earlier statement to this effect. The Commission suggests that a "special foundation" be established for humanitarian and educational purposes, with Congress appropriating some \$1.5 billion, to be allocated first to some 60,000 surviving evacuees on a one-time compensatory redress basis in the amount of \$20,000 each, and, secondly, to administer the fund proposed in Recommendation 4. Those evacuees who do not want to accept the individual allocations may have their payments put into the educational and humanitarian fund.

Since GFB has, in an earlier section, recommended how at least part of the educational and humanitarian fund should be used, we will not repeat them now.

Still, we are most grateful to the Commission for providing us with the "best possible" answer to that of monetary compensation.

We must, however, confess we are not privy as to just how the CWRIC determined that a token, nominal payment of \$20,000 was reasonable and proper under the circumstances. In these days, \$20,000 is a relatively "manini"

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(small, insignificant) amount which does not begin to, even very partially, repay us for a minimal replacement of our household losses, let alone businesses and farms. At the same time, we recognize the truth in Senator Inouye's comment that "\$20,000 doesn't begin to pay enough to individuals for their evacuation losses, but the \$1.5 billion total is a big sum for the Congress to appropriate, especially nowadays when we are looking for ways to increase taxes and reduce government expenditures".

We Nisei war veterans may be too close to the subject to be impartial and unbiased; our self-interest in some cases may override our better judgment.

If, however, a distinguished panel of leading Americans, selected by the President, the Speaker of the House, and the President pro tempore of the Senate, determines unanimously that we were victims of grave and unprecedented mistreatment in World War II, and, with only one dissent of nine, crafts a list of recommendations which they feel is as adequate as humanly possible to devise, we feel we must accept those recommendations, which include monetary compensation, as being most appropriate and generous under the conditions which prevail today in this nation and this world.

Since seven of the nine commissioners are lawyers by profession, and since they are learned in the law and American legal precedents and tradition, any recommendation of theirs which includes monetary compensation must be correct and proper, and in keeping with the spirit of redress.

Added to this, the seven lawyers express their opinion that only by redressing in these terms, including money, may there be a "critical immunization against infection by the virus of prejudice and the emotions of wartime struggle. 'It did happen here' is a message that must be transmitted, not as an exercise in self-laceration but as an admonition for the future. Among our strengths as a nation is our willingness to acknowledge imperfection as well as to struggle for a more just society. It is (in) the spirit of continuing that struggle that the Commission" submitted its five recommendations, of which two deal with monetary compensation. While all seven of the attorneys agreed on the findings of fact and conclusions, one (Lungren) could not agree to monetary indemnification as such.

Added up, then, largely because we accept the reasoning and findings of the Presidential-Congressional Commission, we also approve of their recommendations for monetary compensation as being as fair, just, and unbiased as any distinguished Commission could be. If they recommend what they did, how can we who are mostly inexperienced lay people accept less.

These Commissioners know what is in the national interest, and what is not, for all have served in one capacity or another the public good for many decades. They studied this subject matter more thoroughly than any others have done, individual or organization, using the facilities of government to help them, as well as the personal testimonies of more than half a thousand

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witnesses who actually experienced camp life. They are aware of the many questions asked and have answered the legitimate ones after due consideration. They are aware of the injustices endured by other American minorities and the relief accorded them, both as individuals and as minorities. They know both sides of the legal and social arguments for redress and money compensation, from the legal precedents and from the human elements involved.

Who, in the United States or elsewhere, knows more about this tragic era in American history and who are better equipped by training, experience, and conscience to render a more meritorious report that takes into account all shades of opinion, prejudice, and equity?

As long suffering Americans, we can--and do--accept the Commission's Reports in its entirety because they meet the several valid objections raised and supplies the most compelling and reasonable responses.

Though we do have a few, relatively minor perfecting amendments to offer, which we have done, we Nisei war veterans believe that enactment of H.R. 4110 will not only provide some solace and consolation to our wartime buddies who are still with us, but also give concrete evidence that we are entitled to the same presumption of loyalty, without question, as any other ethnic American.

15. Why Redress After 42 Years?

As a matter of principle, a crime committed 42 years ago remains a crime. The passage of time does not alter that fact. Neither does resort to any statute of limitations to prevent the prosecution of that wrongdoing. Two wrongs, no matter how much time lapses between them, does not make a "right".

Forty-two years may seem like a long time ago to many, but to most evacuees it often seems like only yesterday, for the memories are so haunting that even now they disturb our revelries. For myself, I will never forget Pearl Harbor day and how I was jailed by local police as a "possible dangerous Jap spy". I cannot forget when I learned that the citizenship that I had so cherished meant less than a corporal's command. That the Constitution meant only a passport to eviction, exclusion, imprisonment, etc., still disturbs my sleep.

And those days in the Army, being shot at by an enemy who didn't distinguish between me and other American GIs. I remember looking over the bloody battleground over which the 442nd rescued the Lost Texas Battalion to try to find my brother's body, because he didn't come back that night with the rest of his squad. I also recall vividly visiting my brother in a hospital near Rome where he weighted only 55 pounds and was considered 100% disabled. A combat medic, an exploding land mine nearly killed him while he was moving about taking care of his wounded comrades.

Also high in memory is the time in 1942 when Capitol Police detained me "because (I) might try to blow up the place" as I tried to see my Congressman. And, just before being shipped overseas, wearing the uniform of an enlisted

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volunteer to the 442nd, I was charged with "dictating" the policies of the WRA as a dangerous "Jap", trying to embarrass the United States and damaging the war effort, by Texan Martin Dies and his House UnAmerican Activities Committee.

For some four decades I believe that I have spent some waking moments every day or two trying to discover a formula for the redress of our wartime agonies. I have a special and extra personal reason for developing such a prescription, having been charged as "Moses Masaoka who led my people out of their comfortable homes in the cities to desert wilderness camps". I now would like to complete that circle by restoring them to their former status and condition.

Actually, I cannot forget those young Nisei men who responded to the call to volunteer for the 442nd partly because I was able to persuade them for reasons in the future. Some of those young men did not return alive, while others have returned handicapped for life. Then, there were those who gave up their slit trenches and otherwise risked their lives for me on the front lines, while I tried to secure news stories or pictures that could be sent to their homes and elsewhere for publicity that would help make their returning home more meaningful and worthwhile. It is for these Nisei particularly that I would like to speak out for redress.

During the past 40 and more years, largely through JAACL as its Representative, we have secured many corrective and remedial statutes and judicial findings and decisions that have proved most helpful to the rebuilding, reconstruction, and rehabilitation of the lives and fortunes of those of Japanese background in these United States, where most of them are accepted as the 100% Americans that they are.

Most of this legislation, and the court rulings too, were made possible only because of favorable references to their wartime contributions to victory, not only as soldiers but also as evacuees who responded patriotically to "constructively cooperate" in their great and magnificent sacrifice to what is now known to have been unnecessary demands.

This Judiciary Committee was instrumental in the enactment of the majority of the corrective and remedial bills into laws. It has been estimated that more than 300 bills of both private and public nature were approved, mostly benefitting those of Japanese ancestry in the past four decades. Some of these went back into the historical past, such as the one relating to the use of coolie labor and another that prohibited the use of Mongolian labor on reclamation projects, the latter becoming effective in the late sixties after being on the books since long before World War I and the former dating back to the late 1880s and also becoming effective in the sixties. Senator Spark Matsunaga was the prime mover in each case.

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Other, better known bills related to staying the deportation of legally admitted Japanese who because of the war lost their status and were subject to deportation even though many were then married to Nisei wives, had American born children, and some served in the Office of Strategic Services in still secret operations against their own Japanese homeland; repeal of the infamous 1924 Immigration Exclusion Act that many historians credit for contributing to the coming of the Pacific War and authorizing naturalization for legally admitted Japanese immigrants; Statehood for the long deserving Territory of Hawaii; nullification of the racist National Origins formula for the entry of immigrants to the United States for all countries of earth and the voiding of the doubly racist Asia-Pacific Triangle immigration formula that applied only to Asian and Pacific countries; the Treaty of Peace with Japan and the companion Treaty of Commerce, Navigation, and Friendship; repeal of the Emergency Detention Title II of the Internal Security Act; etc.

Specifically, insofar as redress measures are concerned, successful efforts included the amending of the Social Security Act to allow time spent in the camps to count for social security credit; to authorize time spent in the Armed Services and in the WRA camps to count toward retirement and pension credits; to provide retirement and pension credits for time in the WRA camps for federal retirement purposes; etc.

On state, county, and city levels, with local JAACL chapters in the lead, token monetary compensation was authorized to discharge or resigned evacuees of their respective civil services. This is a recent phenomenon that is still moving forward.

In this same era, JAACL became more involved in the civil rights movement affecting all Americans, including especially the ethnic and racial minorities. JAACL was among the founding members for both the National Leadership Conference on Civil Rights in 1948 and the National Civil Liberties Clearing House in 1946, both of which were instrumental in securing the first meaningful civil rights bills since Reconstruction Days after the Civil War a hundred years earlier. These included the early Civil Rights Act of 1964 and the Voting Rights Act a year later, as well as several other companion and supplemental statutes to eliminate legalized racial discrimination and to increase voting opportunities for the blacks throughout the nation, especially in the States of the Old South, the former Confederacy.

Joining with these same organizations in the historic court battles of the times, JAACL submitted amicus briefs in such pivotal cases as those declaring unconstitutional the "separate but equal" statutes of most Southern and Border States, the use of public facilities and accommodations, and the so-called miscegenation cases. CWRIC Commissioner William Marutani, then the National JAACL Legal Counsel, joined in the oral arguments in the mixed-marriage case success.

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In the meantime, the United Nations adopted a human rights treaty and has tried to implement it. In the United States, civil and human rights became not only a national policy but a national practice. The revelations of Watergate and its aftermath, the divisive conflict in Vietnam and the antiwar demonstrations created a new generation of Americans who questioned not only the establishment but also the validity of their actions, the expose of FBI and CIA activities of a clandestine character and their efforts to influence domestic and foreign policy, the notorious Abscam cases involving members of Congress, etc.--these and more resulted in new leadership in JACL which had little, or no, experience with evacuation and the traumatic consequences of that frightful period.

But these new leaders were not the "Quiet Americans" that their elders, with few exceptions, were. They wanted to know "Why", "How", "Who", and "When" of events and programs.

The National JACL Handbook on Redress, prepared by its National Committee on Redress, chaired by Min Yasui of Denver and directed by John Tateishi of San Francisco, answers the 40-year question in these words:

The time lag is an indication of the severity of emotional damage incurred. The wounds have to be at least partially healed before the victims can confront the offender. Japanese Americans have been unable and unwilling to talk publicly about their World War II experiences, partly because of the stigma wrongfully placed upon them by their incarceration. In many cases, Nisei parents could not even discuss their wartime experiences with their own children, many of whom had to learn about the incarceration when they entered college history classes. The incarceration and the accompanying stigma of dishonor, disloyalty and shame brought upon Japanese Americans made it almost impossible for them to speak out publicly about the experience for forty years. Until the Japanese American community could address the issue publicly, there could be no established redress effort since no other independent efforts were made to rectify the wrong...

Hawaii became a State in 1959 and for the first time American Japanese had some official spokesmen in the nation's capital. Then Congressman, now Senator, Daniel K. Inouye became the first elected member of the National Congress who was of Japanese ancestry. After a few years, Inouye went on to the Senate and Spark M. Matsunaga succeeded him. When Hawaii was given two seats in the House, Patsy Takemoto Mink was elected to the second seat. When Hiram Fong, a Chinese American who served as Hawaii's senior Senator after a flip of the coin gave him seniority when the Territory first attained Statehood status, retired in 1976, Matsunaga with ten years of successful and popular service in the House moved up and joined Inouye in the Senate.

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Two years earlier, in 1974, San Jose Mayor Norman Mineta was elected as the first Mainland Nisei to the House of Representatives. Now in his fifth consecutive term, the popular Mineta is considered a future possibility for the Speakership, according to the "Washington Post's" political writer David Broder. Mineta and his staff were mainly responsible for drafting H.R. 4110 and he personally solicited most of the co-sponsors of the bill, including James Wright of Texas, Majority Leader, Thomas Foley of Washington, Majority Whip, Gillis Long of Louisiana, Chairman of the Democratic Caucus, Peter Rodino and Hamilton Fish of New Jersey and New York, respectively, who are the Chairman and ranking Republican on the House Judiciary Committee.

Four years later, in 1978, Robert Matsui of Sacramento, California, was the second American Japanese to be elected to the House of Representatives. Ten years younger than Mineta, Matsui also shows political acumen, being appointed to the prestigious tax and trade House Ways and Means Committee. With Mineta, they could form a formidable team to lead the redress drive in the House.

Since Hawaii was not as affected by evacuation as were the mainland Nisei and Sansei, both Inouye and Matsunaga are waiting for cues from the House side. Matsunaga, the Deputy Chief Democrat Whip and a member of the Senate Veterans' Committee, will take the lead in the Senate on this legislation.

Sparked by Inouye and Matsunaga in the Senate and Mineta and Matsui in the House, Congress in 1980 enacted legislation establishing the Commission on Wartime Relocation and Internment of Civilians and directed it to "review the facts and circumstances surrounding Executive Order Numbered 9066, issued February 19, 1942, and the impact of such Executive Order on American citizens and permanent resident aliens" and to "review directives of United States military forces requiring relocation and, in some cases, detention in internment camps of American citizens..."

The Commission concluded its investigations and issued its Reports two years ago (1982). These were the first official government-inspired findings, conclusions, and recommendations regarding this important part of the history of the Japanese in the United States, and formally opened the campaigns of such organizations as the JACL, NCJAR, NCJARR, and GFB to seek redress, based on the excellent and outstanding Reports of the Commission.

A few exploratory bills were introduced, but not until H.R. 4110 and its Senate companion S. 2116 were introduced late last year did the campaign begin in earnest.

Forty two years have passed since General DeWitt had his way and ordered the Pacific Coast Evacuation of alien and nonalien Japanese.

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Instead of questioning the value of considering an awful and terrible epoch in our history, when alien and nonalien Japanese were expelled from their lifetime homes and associations on the Pacific Coast in 1942, as an amateur historian who in college majored in American history I would respectfully venture to suggest that this 42-year interim period may place the events and the involved personnel in a more realistic and more unbiased perspective.

Two generations of Americans have passed on, including many of the leading characters in this episode; so too have most of the more aggressive advocates with their prejudices, fears, and distorted views of California's future. More than half of the evacuees are dead.

A specially appointed Presidential-Congressional Commission of outstanding individuals has just completed the most exhaustive and intensive investigation of the facts ever gathered together and printed in official government documents.

Two of the leading survivors remain to be examined in the light of present day realities and memories of 42 years ago, John McCloy, the Assistant Secretary of War, representing the Army point of view, and Edward Ennis, representing the thoughts of the Justice Department, both now of New York. Each advanced diametrically opposed concerns and conclusions as to what should have been done in that great War regarding a relatively small and minor ethnic minority.

By coincidence, it is my understanding that each was his Department's officer-in-charge when the first news of the attack on Pearl Harbor were reported to Washington. From that point on, they became protagonists on this issue from beginning to today, one espousing the "military necessity" need to defend the nation at all costs, with the the other, challenging that "military necessity" actually existed, propounding the constitutional rights of American citizens.

These past 42 years may well provide the hindsight necessary to reach an important national policy decision. At the same time, there are a few of us left, not only among the evacuees but also the government policy makers, who are in a position to provide on-sight and on-the-spot perspectives.

It may well be that the Committee may want to look into some of the arguments to the effect that, since so many of the evacuees and the Japanese American population may appear to have attained unusual successes that could not be contemplated in prewar times when Japan-town ghettos flourished along with small garden farms, the whole evacuation experience was a valuable one for Japanese Americans. They are now located in every State in the Union and many are engaged in businesses and professions that were closed to them when they were on the West Coast before World War II. They are more integrated and assimilated than had they remained in the coastal region.

My Nisei veterans agree that, while there may be some few who are "better off" because of evacuation, the overwhelming majority are "worse off"

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due to that arbitrary wartime eviction. Aside from their economic and other losses, and the deprivation of their constitutional and human rights, and having the mark of disloyalty tattooed to their skins, possibly forever, they believe that they lost the equivalent of from four to six years of high-paying defense jobs.

Just prior to the outbreak of hostilities, JACL testified before the then President's Fair Employment Committee in Los Angeles in 1941 and received assurances that qualified Japanese Americans would be employed in the defense industries. Since the Selective Service would not induct them into the armed forces, these young men were "draft-free" and, therefore, most valuable to their employers since they would not be forced to leave their jobs at any moment that they may be called into service.

Moreover, in that labor scarce market, many of the young men and woman would be offered employment in various industries throughout the country and many would have moved out to secure this work. So, the population would have been dispersed without being expelled from their home areas.

Finally, a word about Secretary McCloy. As veterans, we are grateful to him for enabling us to volunteer and enter the military service. I recall that Colonel Campbell Johnson, Deputy Director of the Selective Service System, told me that, had it not been for the Secretary, the Army would never have accepted us. He is supposed to have told both Secretary Stimson and President Roosevelt that he would stake his job as a sub-Cabinet officer and one of the most influential of presidential advisers that the Japanese American soldiers would perform most valiantly.

I personally remember him, after having served as High Commissioner to Germany and President of the World Bank, coming down from New York and testifying before either Senator John Sherman Cooper or Chairman Pat McCarran of the Judiciary Committee in favor of legislation granting naturalization opportunities to the alien parents of Nisei servicemen or approving the Evacuation Claims Act. After he had finished, the Chairman of either the Subcommittee or the full Committee gently asked him, "Mr. McCloy, of all the many great assignments you have had in your distinguished career, which gives you the most pleasure and satisfaction?"

Mr. McCloy replied, "If there is just one thing that could be written on my tombstone, it would be that I had something to do with the formation of the 442nd Japanese American Combat Team."

Because of this background, and the other matters that he had worked on as the Assistant Secretary of War in connection with the 1942 evacuation, I was surprised to hear him testify before the CWRIC as to his belief that the evacuation had to take place for our own good and safety, although I could understand that, in general at least, he had to defend the Army's behavior and judgments.

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While, as expected, he spoke very highly of the Nisei GIs and their wartime service for our country, he surprised and shocked us when he gratuitously stated his opinion that, in spite of our great combat record, he had reservations about sending the 442nd to the Pacific to fight the Japanese enemy as infantrymen. Although we had heard certain bigots and hatemongers suggest that while the 442nd had a great record against Germans, we couldn't be trusted to fight the Japanese enemy, we never thought that John McCloy would repeat such a canard.

As Assistant Secretary of War, at a time when there were only two assistants, he must have known and approved the establishment of the secret school that developed into MIS before December 7, 1941. Even when Selective Service was not inducting Nisei into the regular Army, he must have known and approved of the quiet campaign to enlist qualified Nisei for Camp Savage, Minnesota and later for Fort Snelling, also in Minnesota.

He too must have known and approved the transfer of Nisei who had volunteered for duty with the 442nd who had some rudimentary knowledge of Japanese to Camp Snelling. As Secretary, he must have known and approved of many 442nd veterans who, after Victory-in-Italy, volunteered and were accepted for infantry duty in the Pacific. He also must have heard rumors that the 442nd would be sent to the Pacific for the final assault on the Japanese home islands, which were not denied as most such rumors were immediately by the Pentagon.

Also, as Secretary he approved the promotion of many Nisei MIS sergeants to Second Lieutenants and higher.

Such was his record with both MIS and the 442nd that we Nisei veterans simply cannot understand why he made the statement he did without being questioned on the subject.

In the 40 odd years that I have known him quite personally, he never before gave any hints that he entertained such misgivings. I have never heard anyone else attribute such fears to Mr. McCloy, for whom I have much affection and respect.

It is our hope that when Mr. McCloy testifies before this congressional subcommittee, he will clarify his remarks and set the record straight. We cannot afford to have a distinguished American leader like Mr. McCloy begin to question our loyalty, after we had vindicated his judgment about the caliber of troops we would be in every battle to which we were assigned, including those which others refused as "suicide" missions.

We went into every battle convinced that he was "on our side" and that he would do everything possible to be helpful to us after the war, as he told us on several occasions when he addressed us. In and with our lives, we tried to prove anew his faith that Americanism is not a matter of race or ancestry,

but rather one of the mind and the heart. We hoped that after the war, he would lead the drive back home in America to have our fellow citizens accept our loyalty with no more question than that asked of German and Italian Americans.

We had looked to him to help rid us of the presumption of disloyalty and being of a race that could not be as trusted and unequivocally devoted and dedicated as are Americans of German and Italian ancestry. It was to remove that false presumption that we had fought to enter the Army and to fight for that Army.

Did we do this all in vain?
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