

Testimony of Congressman Mike Lowry
On H.R. 4110
Before The House Subcommittee on
Administrative Law and Governmental Relations
Committee on the Judiciary
Wednesday, June 20, 1984

Mr. Chairman, and distinguished members of the Committee, I appreciate the opportunity to testify before you today as you consider H.R. 4110, the Civil Liberties Act of 1983. As an original cosponsor of H.R. 4110 and a long-time supporter of monetary redress for those interned during World War II, I strongly support this measure.

Over forty-two years have passed since the United States government ordered the internment of more than 120,000 Japanese American citizens and legal aliens solely because of their racial ancestry. I believe this was one of the most shameful episodes in our nation's history. It was, as the American Civil Liberties Act of 1981, "the greatest deprivation of civil liberties by our government since slavery." If we are to prevent this kind of grave injustice

from ever taking place again, we must take strong, decisive action. I believe that H.R. 4110 provides for such action.

H.R. 4110 is based largely on the findings and recommendations of the Commission on Wartime Relocation and Internment of Civilians. Early last year, this body completed the first congressionally mandated review of the facts and circumstances underlaying the Japanese American wartime experience. After examining many previously classified documents and hearing testimony from over 750 people in 20 days of nationwide hearings, the Commission issued its official report, entitled Personal Justice Denied.

The Commission concluded that a grave injustice was done to American citizens and resident aliens of Japanese ancestry who, without individual review or any probative evidence against them, were excluded, removed, and detained by the United States during World War II. It further concluded that Executive Order 9066, which authorized the internment, was not justified by military necessity and that the decision about when to end detention was not based on an analysis of military conditions. In short, the Commission found that the broad historical cause for the government was a failure of political leadership at the highest levels of government -- a failure fueled by wartime hysteria and racial prejudice.

In response to this travesty of justice, the Commission made several recommendations which are also incorporated into H.R. 4110. I believe the most important of these is the call for individual payments of \$20,000 to those who were interned. This amount cannot begin to provide adequate

compensation for the tremendous amount of property which was lost by Japanese Americans when they were given approximately five days to sell or arrange for the safekeeping of homes, businesses, farms, pets, furniture, household goods, treasured memorabilia, and other belongings. Moreover, no amount of money could ever provide compensation for lives that were disrupted and sometimes shattered because rights were restricted, families and friends were separated, educations were interrupted, careers were left dangling, and honor was lost.

Despite the inability to provide true compensation for these losses, it is imperative that we make the monetary payments mandated in H.R. 4110. We must underscore our nation's complete rejection of the constitutional violations which preceded and accompanied the internment of citizens and legal aliens. An official apology, although laudable, will simply not suffice.

The motto over the Supreme Court Building states "Equal Justice Under Law." When Executive Order 9066 was promulgated by then President Roosevelt, supported by Congress, and upheld by the Supreme Court, our nation forgot this cherished guarantee. Mr. Chairman and my esteemed colleagues, we can never completely redress the wrong of internment. However, the passage of H.R. 4110 will be an important step toward ensuring that this grave violation of constitutional rights never happens again.

Thank you.