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96TH CONGRESS  
1ST SESSION

# H. R. 5977

To provide for payments to certain individuals of Japanese ancestry who were interned, detained, or forcibly relocated by the United States during World War II.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 1979

Mr. LOWRY introduced the following bill; which was referred to the Committee on the Judiciary

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# A BILL

To provide for payments to certain individuals of Japanese ancestry who were interned, detained, or forcibly relocated by the United States during World War II.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "World War  
5 II Japanese-American Human Rights Violations Redress  
6 Act".

7 PURPOSE

8 SEC. 2. The purpose of this Act is—

1 (1) to recognize and redress the injustices and vio-  
2 lations of human rights perpetrated during the World  
3 War II internment period against individuals of Japa-  
4 nese ancestry by the United States;

5 (2) to discourage similar injustices and violations  
6 of human rights in the future; and

7 (3) to make more credible and sincere any decla-  
8 rations of concern by the United States over violations  
9 of human rights committed by other nations.

#### 10 DEFINITIONS

11 SEC. 3. For purposes of this Act—

12 (1) the term "eligible individual" means any indi-  
13 vidual of Japanese ancestry who was interned or de-  
14 tained or forcibly relocated by the United States at any  
15 time during the World War II internment period;

16 (2) the term "interned or detained" means con-  
17 fined or held in custody by the United States pursuant  
18 to—

19 (A) Executive Order 9066, dated February  
20 1942;

21 (B) Executive Order 9489, dated October  
22 18, 1944;

23 (C) section 67 of the Act entitled "An Act to  
24 provide a government for the Territory of Ha-  
25 waii", approved April 30, 1900 (31 Stat. 153);

1 (D) sections 4067 through 4070 of the Re-  
2 vised Statutes of the United States; or

3 (E) any other statute, rule, regulation, or  
4 order;

5 (3) the term "World War II internment period"  
6 means the period beginning on December 7, 1941, and  
7 ending on December 31, 1952.

#### 8 PAYMENTS

9 SEC. 4. (a)(1) The Attorney General shall locate, as  
10 soon as practicable after the date of the enactment of this  
11 Act, each eligible individual and shall pay to each such indi-  
12 vidual the sum of \$15,000 plus an amount equal to \$15 mul-  
13 tiplied by the number of days, if any, during which such indi-  
14 vidual was interned or detained during the World War II  
15 internment period, as determined by the Attorney General by  
16 a preponderance of the evidence.

17 (2) If an eligible individual is deceased or can not be  
18 located by the Attorney General, the Attorney General shall  
19 locate, as soon as practicable after the date of the enactment  
20 of this Act, and shall pay the sum of \$15,000 plus an amount  
21 equal to \$15 multiplied by the number of days, if any, during  
22 which such individual was interned or detained during the  
23 World War II internment period, as determined by the At-  
24 torney General by a preponderance of the evidence, to the  
25 following individuals—

1 (A) any legal spouse of such individual on the  
2 date the Attorney General determines that such indi-  
3 vidual died or can not be located;

4 (B) any sons and daughters of such individual who  
5 are legal heirs of the individual, in equal shares, if the  
6 Attorney General determines that such spouse is de-  
7 ceased, can not be located, or that the individual had  
8 no such spouse;

9 (C) the parents of such individual who are legal  
10 heirs of the individual, in equal shares, if the Attorney  
11 General determines that such legal spouse, sons, and  
12 daughters are deceased, can not be located, or that the  
13 individual had no such spouse, sons, or daughters; or

14 (D) the brothers and sisters of such individual who  
15 are legal heirs of the individual, in equal shares, if the  
16 Attorney General determines that such legal spouse,  
17 sons, daughters, and parents are deceased, can not be  
18 located, or that the individual had no such spouse,  
19 sons, daughters, or parents.

20 (b) In determining for purposes of subsection (a) the  
21 number of days that an eligible individual was interned or  
22 detained or forcibly relocated, the Secretary shall use any  
23 available records from the Wartime Civil Control Adminis-  
24 tration and the War Relocation Authority and shall obtain, if

1 the Attorney General determines it is necessary, affidavits  
2 from eligible individuals and witnesses.

3 (c) In finding eligible individuals and their legal heirs  
4 residing in nations other than the United States, the Attor-  
5 ney General may use any available facilities or resources of  
6 the International Committee of the Red Cross and shall pay  
7 to the International Committee of the Red Cross for each  
8 such individual or heir located with the assistance of such  
9 committee an amount equal to 2 per centum of the payment  
10 made to such individual or heir.

11 (d) No individual shall be denied a payment made pursu-  
12 ant to subsection (a) because of the residence or citizenship of  
13 the individual.

14 (e) Any payment made pursuant to subsection (a) shall  
15 not be considered income or receipts for purposes of any Fed-  
16 eral taxes or for purposes of determining the eligibility for or  
17 the amount of any benefits or assistance provided under any  
18 Federal program or under any State or local program fi-  
19 nanced in whole or part with Federal funds.

20 AUTHORIZATION OF APPROPRIATIONS

21 SEC. 5. Effective October 1, 1980, there are authorized  
22 to be appropriated to the Attorney General such sums as  
23 may be necessary to carry out this Act.