

## Japanese American Citizens League

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WILLIAM J. YOSHINO  
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### MEMORANDUM

TO: MDC Chapter Presidents  
DATE: February 1, 1983

FROM: Bill Yoshino *BW*  
SUBJ: Redress Update

The JACL National Redress Committee met in San Francisco on January 22, 23, 1983. In summary, the following recommendations were determined for approval by the JACL National Board/EXECOM.

1. That the JACL redress guidelines specify a minimum of \$50,000 per person as fair and meaningful compensation.
2. That an independent government agency will process claims and individual payment will be directly from the U.S. Treasury.
3. That residual funds will be appropriated to establish a Japanese American Foundation.
4. That payments will be phased over a period of years.
5. That eligibility will include all those who were affected by the government's policy of exclusion and detention.
6. That heirs will be included in the claims process.

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A petition to reopen and reverse the evacuation test case of Fred Korematsu was filed in federal district court in San Francisco on January 19. The petition alleges that evidence was suppressed in order to influence the outcome of the case. Similar petitions will be filed in Portland and Seattle for Min Yasui and Gordon Hirabayashi. (See enclosed)

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A San Francisco city ordinance was signed by Mayor Feinstein on January 24 allowing compensation for San Francisco city employees who were forced to leave their jobs because of the evacuation. The ordinance provides for payment of \$1250 per year for 4 years. The measure is similar to those passed last year by the state of California and Los Angeles county. A similar measure is currently under study in the state of Washington.

As you may already be aware, the Commission has announced a press conference for February 24 to release the findings portion of the report. The recommendations portion of the report will probably be released at mid-year.

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For your information, the February, 1983 edition of Harper's magazine has an extensive article on John McCloy, former Assistant Secretary of War, who had jurisdiction over the removal of Japanese from the West Coast.

# FBI Memo Exonerated U.S. Japanese

San Francisco Chronicle 7  
★ Thurs., January 20, 1983

By Edward Iwata

U.S. Justice Department officials ignored a six-page memo from FBI Director J. Edgar Hoover that concluded Japanese Americans in the coastal states posed no security threat to the United States at the outbreak of the Pacific war, according to papers filed yesterday in federal court in San Francisco.

The documents were filed by attorneys for three Japanese Americans who, in the early 1940s, challenged in the Supreme Court the legality of the World War II evacuation order that led to the internment of nearly 120,000 Japanese Americans. The three are asking that their cases be reopened.

Their attorneys have produced newly discovered documents that they said were suppressed by government officials. The documents would have convinced the Supreme Court to rule for the defendants, the lawyers said.

Hoover's declassified memo disputed the findings of an Army report by General John L. DeWitt that described Japanese Americans as an "enemy race" and claimed they were signalling with lights and transmitting radio messages to Japanese ships.

Addressed to Attorney General Francis Biddle, the FBI memo read: "Every complaint in this regard has been investigated, but in no case has any information been obtained which would substantiate the allegations."

The three defendants, Minoru Yasui, Fred Korematsu and Gordon Hirabayashi, all convicted in federal courts of refusing to obey the evacuation order, took their cases to the Supreme Court with the help of Quakers and American Civil Liberties Union attorneys. All three lost their test cases when the Supreme Court ruled the Army used legal war powers, and they all served prison sentences.

"We're not just asking for sympathy, but for the justice denied these men 40 years ago," said Dale Miyami, chief attorney for Korematsu and coordinator of a national legal committee for the men.

According to the documents filed in court:

• Justice Department attorneys who worked on the Supreme Court cases tried to warn the court about the erroneous Army information in a legal brief for the cases.

But five days before the brief was due, Assistant Secretary of War John J. McCloy persuaded Justice Department officials to cut out any references questioning the validity of the Army report.

• War Department and Justice Department officials — including McCloy and Attorney General Biddle



Photos by Gary Fong

The three asking their cases be reopened are (clockwise from lower left) Gordon Hirabayashi, Minoru Yashi and Fred Korematsu

— had known as early as 1942 that government intelligence reports said it was possible to separate loyal Japanese Americans from the few who were disloyal.

"New evidence will put these cases in a new light," said Peter Irons, a political science professor at the University of California at San Diego who dug up the

new documents through Freedom of Information Act requests.

The three Japanese Americans, who have become historical heroes in the Asian American community, were introduced at a press conference yesterday at the San Francisco Press Club.

"I was born and schooled in Oakland, I'm just like any other American," said Fred Korematsu, 64, a San Leandro man who was a 22-year-old shipyard welder when police arrested him in 1942 for failing to report for evacuation.

A federal jury convicted and sentenced Korematsu in 1942 to five years of probation, and he lost his Supreme Court case two years later.

Hirabayashi, 63, now a sociology professor in Canada, was a University of Washington student in 1942. He refused to obey both the evacuation order and the military curfew that required Japanese Americans to stay indoors between 8 p.m. and 6 a.m.

"If I gave in to this, it would cause me to change my ideals, my beliefs, my whole philosophy of life," said Hirabayashi. "I knew I'd be accused of disloyalty, but I couldn't sit back and passively endorse the orders."

Hirabayashi spent the next 3½ years in county jail and federal prison, and the Supreme Court ruled against him in 1943.

"In my youth and naivety, I subscribed to this nation's principles, I had used them as guidelines to lead my life," he said yesterday. "When I tested them, they didn't stand up. (The legal action) may change things."

Yasui, executive director of the Denver Commission on Community Relations, lost his case the same day the Supreme Court ruled against Hirabayashi. An attorney in Portland, Ore., at the time, Yasui spent nine months in solitary confinement in county jail.

## New Soviet Envoy to France

Moscow

The Soviet Union announced yesterday that Yuli Vorontsov, who is considered a specialist on disarmament and U.S. affairs, has been named ambassador to France.

He replaces Stepan Chervonenko, who left Paris last month after nine years as Soviet ambassador, according to the announcement by the official news agency Tass. Reuters