

REDRESS PROPOSAL

PURPOSE: To provide reparative compensation to those persons of Japanese ancestry and their immediate family members who, during World War II, suffered injustice by official action of the United States Government. By this action to make such injustice less likely to occur in the future.

BASIS FOR CLAIM: Expulsion from their homes, imprisonment and/or severe harassments as consequences of Presidential Executive Order #9066. These unconscionable acts of our government, based solely on ancestry, were performed without specific charges or indictments and constitute a gross violation of human rights guaranteed by the Bill of Rights and the Constitution of the United States.

Recognizing that the wrong of this magnitude can never be fully rectified, the United States Congress must provide a meaningful restitution to those victims of injustice.

ELIGIBILITY: All persons of Japanese ancestry and their immediate family members who, during World War II, were: 1) detained or interned in U.S. government camps, or were 2) affected unjustly by the consequences of Executive Order #9066 while living within the Western Defense Command area (States of Washington, Oregon, California, Arizona, Utah, Nevada, Idaho and Montana).

Proof of detention or internment shall be conclusive when such is reflected in any governmental record, including but not limited to records of the War Relocation Authority (WRA) or the Wartime Civil Control Administration (WCCA).

Proof of residing in the Western Defense Command may be established by any federal, state, county or municipal records. Those not detained in camps would need to make prima facie showing of injustices suffered as a consequences of Executive Order #9066.

Suggested modifications:

- 1) Instead of the entire Western Defense Command area, limit the area to Military Zones #1 and #2 (States of Washington, Oregon, California and Arizona). Proof of residence by satisfactory proof is all that is necessary to be eligible.
- 2) Include heirs that qualify for Social Security dependents benefits-- minor children 18 years of age and under, and up to 22 years of age if still in school.

RESTITUTION: The United States Congress will be asked to make direct appropriation of \$25,000 for each victim. The total sum for the 120,000 persons of Japanese ancestry affected would be three billion dollars.

Payments received would be free from any federal, state or local taxes and shall not affect eligibility to receive any other benefits.

METHOD OF DISBURSEMENT: Appropriations authorized by Congress will be paid into trust to be disbursed by a Japanese American Commission established by Congress.

Direct individual payments are due to all survivors who qualify. Priority payments will begin with the eldest survivors.

Portion remaining after individual payments will be kept in trust and will be used for the welfare and benefits of Japanese Americans as determined by the Nikkei Commission.

Suggested modifications:

- 1) Heirs be given the right to designate the non-profit organization (501 c 3 or 501 c 4) of their choice to which the money is to go.
- 2) Surviving claimants may specify recipient(s) in his/her will upon Congressional approval for appropriation.

NIKKEI COMMISSION: It is strongly urged that the Commission be an all Nikkei group, with two non-voting Ex Officio representatives from 1) the Treasury Department and the 2) Department of Justice. Appointment to the Commission is by the President of the United States.

RECOMMENDING COMMITTEE: Suggestion for the initial nominating committee is a representative from each of the eight Japanese American Citizens League (JACL) Districts (not limited to JACL members) plus outstanding representatives of recognized Nikkei groups.

DEFINITIONS: For the purpose of this bill, the following definitions will apply:

- (A) "Expelled, detained, or interned" refers to expulsion from the military zones, detention, or internment pursuant to --
- (1) Executive Order Number 9066, dated February 19, 1942.
  - (2) Executive Order Number 9489, dated October 18, 1944.
  - (3) Any other statute, rule, regulation, or order.

- (B) "World War II" refers to the period beginning on December 7, 1941 and ending on October 1, 1946 (the date the last mass detention camp closed).

\* Note: June 30, 1946 was the date the WRA control of the camps ended.