



National Council for Japanese American Redress

925 West Diversey Parkway, Chicago, Illinois 60614

August 9, 1980

An Analysis of the July 30, 1980 Guidelines of the JACL's National Committee for Redress which were approved by the JACL's National Council on August 1, 1980

These guidelines apparently update the ones written in Augst, 1978, following the last JACL National Council meeting. These guidelines are to guide the JACL's presentations before the Study Commission. That in itself is ominous. We do live in a democratic society and individuals must be allowed to state their opinions without the intimidation of guidelines. Worse yet, I find the guidelines seriously flawed in their use of the English language and perilously and probably deliberately ambiguous in key areas and damningly unjust and exclusive.

1. Under "Eligibility" the limitation of military action and action flowing from E.O. 9066 exclude those who were interned by the Dept. of Justice, such as my father and the fathers of thousands of families. And it was the Dept. of State that, I believe, caused thousands of Latin Americans of the Japanese ancestry to be interned in U.S. camps. They, too, are excluded.
2. "Beneficiaries of any remedies enacted by Congress" is vague. One can be the beneficiary of anything from a redress payment to a formal apology.
3. The expression "reparations will be based upon the damages and injuries incurred by each individual . . . , which amount shall be . . ." describe damages and injuries as amounts. In other words, those who suffered damages and injuries which were not monetary, such persons as infants and the poor, will receive nothing while those who lost lots of money will receive substantial amounts. This is clearly unequal justice.
4. Moreover, this method will clearly disregard the long years of incarceration spent by the no-no folks in Tule Lake and elsewhere and the draft resisters. The more you study these guidelines, the more you are reminded of Mike Masaoka's House Judiciary speech. ("Are you going to give the same amount to infants as to adults?")
5. "We (JACL) reserve the right . . ." For whom does the JACL speak? To speak for its membership is one thing. To presume to speak for all Japanese Americans is quite another.
6. ". . . it being explicitly understood that individual payments may be made from such fund. . . ." No where else in this document is there mention of individual payments. So, is this how individual payments are to be made? Through a JACL-controlled trust fund?
7. I even disagree with the primary purpose. There isn't a helluva lot we can do about future occurrences of injustice. We ought to concentrate on the current case of injustice: the internment of Japanese Americans and the failure by the government to compensate the victims.

W3A.

An Issue for All Americans



JAPANESE AMERICAN CITIZENS LEAGUE

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RECOMMENDED GUIDELINES July 30, 1980

I. Eligibility

Beneficiaries of any remedies enacted by Congress, in connection with the exclusion and subsequent internment of civilians during World War II, 1941-46, shall include not only those who were forcibly expelled by the military and detained, or who were compelled to move because of military orders in force or pending, but shall also include all those who were adversely and directly affected by Executive Order 9066, and governmental actions taken pursuant thereto, and who show proximate consequences resulting therefrom;

II. Monetary Reparations

The overwhelming consensus of those who underwent the unprecedented experiences of deprivation of their liberty and civil rights as a result of the exclusion and internment, is that a significant and substantial reparations must be appropriated by the Congress of the United States. These reparations will be based upon the damages and injuries incurred by each individual at the time of the forced expulsion and incarceration, and subsequent, which amount shall be appropriately adjusted for accruable interest over the intervening years and for the determinable inflation rates since 1941;

Recommended Guidelines

III. Trust Fund

There shall be established a trust fund, to be administered by a perpetual, non-profit, Japanese American Foundation to be created and established by Act of Congress. We (JACL) reserve the right to judge the appropriateness of such terms and conditions.

Disbursements from such fund shall be in accordance with such rules and regulations to be established by said Foundation, it being explicitly understood that individual payments may be made from such fund, as well as other disbursements, such as social, civil rights, educational, and welfare programs.

IV. Purpose

The primary purpose of such Congressional action shall be to deter the reoccurrence of such arbitrary action by the government in the future which is contrary to the principles upon which this nation is founded.