

PROVISIONS NECESSARY IN ANY REPARATIONS PLAN

Each week brings a further reduction in the already sharply depleted ranks of the Issei. If these ageing victims of American racism are to enjoy any meaningful form of justice and compensation for the totally unjustified evacuation and imprisonment they were forced to suffer during World War II, rapid and resolute action by the National J.A.C.L. is essential.

The only J.A.C.L. group which has studied the matter of reparations with any degree of systematic effort for the past two years is the Seattle Evacuation Redress Committee. Its studies and conclusions have received the approval and backing of the Pacific Northwest District Council. In the hope that any resumption of efforts by a new permanent National Evacuation Reparations Committee will not find it necessary to introduce needless delay by laboriously covering the same ground already gone over by the Seattle committee, we are submitting our conclusions for consideration by the entire J.A.C.L. membership. We believe that any bill on reparations should include the following provisions.

1. Direct payment of \$5,000 would be made to each person who moved from his usual domicile in 1942 as a result of Executive Order 9066, regardless of whether the person went directly into a concentration camp or moved "voluntarily" to places outside the areas he was forbidden to remain in.
2. In addition to the preceding \$5,000 to each evacuee, a direct payment would be made to any former evacuee of \$10 a day for each day spent in the concentration camps.
3. Payments would be made from an Internal Revenue Service Trust Fund which would receive Federal Income Taxes paid by persons of Japanese

descent for a period of up to 10 years or until all claims were satisfied.

4. The decision to have one's Federal Income Taxes put into the Trust Fund would be entirely voluntary.
5. Persons who choose not to have their Federal Income Taxes put into the Trust Fund would not be eligible to receive reparations payments.
6. The fact that any former evacuee's current income is not subject to income taxes would in no way harm his eligibility to apply for and receive reparations payments.
7. Reparations payments would be exempt from all federal, state and city income taxes.
8. First priority in reparations payments would be given to those 65 and over, starting with the oldest. Second priority would be given to former evacuees who are disabled and unable to earn their living. Third priority would be given to all others starting with those 64 and continuing down the age scale. Fourth priority would be given to claims by surviving members of the families of deceased former evacuees.
9. Reparations which would have been paid to former evacuees who are now dead would be paid to surviving family members in the following order of priority of claim: first, the person who was the spouse of the deceased evacuee at the time of the evacuee's death; second, children of the deceased evacuee; third, parents of the deceased evacuee; and fourth, brothers and sisters of the deceased evacuee.
10. In order to expedite rapid processing of claims and prompt payments, claimants of reparations due to deceased former evacuees would be limited to the four classes described in the preceding Section 9 and no other relatives would have a legal right to claim such payments.

11. Unclaimed reparations and reparations which some former evacuees choose not to receive personally would be placed in a special trust fund to be used for educational and cultural purposes by Japanese Americans, on the basis of recommendations made by various Japanese American groups, and for a legal defense fund which would be used to protect Japanese Americans from discriminatory and unequal treatment under federal laws, regulations, and edicts.

In order to reduce possible misconceptions concerning the preceding proposals, answers to the most frequently asked questions are listed below.

Question: How did you arrive at the \$5,000 flat payment plus \$10 a day figures?

Answer: The figures are suggested amounts and are not rigid unchangeable sums. We feel that they are of sufficient size to be meaningful to most recipients and appear reasonable in comparison with amounts of compensation awarded in recent court decisions to other victims of unjustified imprisonment. There is no real precedent for the evacuation and imprisonment of Japanese Americans and no way of precisely equating dollars with human suffering.

Question: Is not the Seattle Plan of funding the reparation payments merely making the Japanese Americans pay their own money to themselves and not real reparations at all?

Answer: Federal Income Taxes have to be paid on personal income in any case. We are merely asking that such taxes paid by Japanese Americans who so wish be earmarked for reparations payments instead of being used for other governmental purposes. Japanese Americans are not being asked to pay out even a penny more than they would continue to pay in their regular Federal Income Taxes.

Question: In view of the fact that nobody bothered to ask for such reparations for over 30 years, why start talking about reparations now?

Answer: Many people have wondered over the years why the J.A.C.L. did not make any effort to get reparations from the Government for their evacuation and imprisonment during World War II. Whenever they asked, they were always told that there was no possibility of getting a reparations bill passed by Congress, particularly when the Government was running up huge deficits year after year. The method of funding reparations payments proposed by the Seattle committee, for the first time outlines a method which, in the opinion of those who have studied it carefully, possesses a definite possibility of eventual passage by both houses of Congress.

Question: Is it not unfair for infants who were put in concentration camps to receive reparations payments on the same basis as adults?

Answer: If variations in the rates of payments should be made to depend on the age of the former evacuee-prisoner, then why not on the basis of educational level, economic level, intelligence level, etc.? What is to be considered the age most deserving of reparations? And who is qualified to determine whether, in the long run, a boy of 10 was hurt less by his being sent to those camps than a man of 35 or 50?

Question: In getting \$10 a day for each day spent in camp, is it not unjust to penalize those who left the camps early and reward those who stayed until the end?

Answer: We know of no one who went to those camps by choice or stayed in them because he loved the places. Those who were able to leave early because they had the youth, ability, or financial resources

to do so are not likely to object to the \$10 a day paid to those unfortunates whose circumstances forced them to remain in those prison camps until the end.

Question: Would it not be more practical to avoid the clerical and processing difficulties which individual reparations disbursements would entail and instead have the reparations given to various Japanese American community groups in lump sums?

Answer: Detailed records on every person who went into the concentration camps are still in the possession of the Government and can be used to easily verify most claims. Lump sum payments to groups in place of direct payments to individuals would result in favoring former evacuees who now live near large concentrations of Japanese Americans. It would unfairly discriminate against former evacuees who live in places remote from such areas.

Seattle Evacuation Redress Committee

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