



JAPANESE AMERICAN CITIZENS LEAGUE

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 Karl K. Nobuyuki, National Executive Director

MEMORANDUM

From: Clifford I. Uyeda
 Date: August 8, 1978
 To: Committee members,
 National Council members,
 National Board members
 Subject: Revised REDRESS
 Proposal

The JACL National Council, on July 19th, approved the following REDRESS guidelines:

- 1) Eligibility is limited to those actually detained or interned in camps, or were compelled to move from the "exclusion" areas.
- 2) Individual payments are limited to survivors and to heirs of deceased detainees.
- 3) Persons of Japanese ancestry brought over from Central and South American and interned in the United States are included.
- 4) Processing and paying individual claims will be the responsibility of the United States Government.
- 5) Trust foundation for the benefit of Japanese Americans will be administered by a presidential Commission, majority of which are Japanese Americans, and also including members of Congress.

The National Council approved the concept that the Bill which will be presented to Congress of the United States, based on the above guidelines, provide the broadest possible coverage.

Further details may be worked out during negotiations with the Government.

Attached is the revised proposal as promised to the National Council on July 19, 1978, at the Salt Lake City convention.

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REDRESS PROPOSAL

- (A) PURPOSE: To provide redress to persons of Japanese ancestry, two-thirds of whom were American citizens, and to their immediate family members who, during World War II, suffered injustices by official actions of the United States Government; to remind our nation of the need for continued vigilance and to render less likely the recurrence of similar injustices.
- (B) BASIS FOR CLAIM: Imprisonment, expulsion from homes, and/or injustices suffered arising out of the issuance of Presidential Executive Order Number 9066 and other official acts of the United States Government. These acts of our Government, based solely on racial ground, were imposed without criminal charges or indictments and in gross violation of basic human rights guaranteed by the Bill of Rights of the Constitution of the United States.
- (C) ELIGIBILITY: All persons of Japanese ancestry and their immediate family members, who, during World War II, were detained or interned by the United States Government, or were compelled to move from their homes in the "exclusion" areas in order to comply with Government orders.
- (1) Proof of detention or internment shall be conclusive where such is reflected in any governmental record or document, including but not limited to papers of the War Relocation Authority (WRA), the Wartime Civil Control Administration (WCCA), the Justice Department or the War Department.
 - (2) Proof of residence within the "exclusion" areas may be established by any federal, state, county or municipal records, documents or personal affidavits.
 - (3) Redress which would have been paid to eligible persons who are now deceased shall be paid directly to said beneficiaries' surviving family members; and if no such surviving families exist, then to the special trust fund referred to in Section "F" below.
- (D) REDRESS: The United States Congress shall be called upon to appropriate a total sum based upon \$25,000. for each "eligible person" as defined under "C" above; such a total sum for the 120,000 would be approximately three billion dollars.

(continued)

- (1) Payment and receipt therefrom shall be free from any federal, state or local taxes, shall not escheat to any state or municipality, and shall not affect eligibility to receive any benefits.

(E) METHOD OF DISBURSEMENT:

- (1) Direct individual payment of \$25,000. from the United States Government shall be due to each living eligible person, and to the heirs of each deceased eligible person. The eldest living eligible persons shall be given priority.
- (2) Amounts unclaimed and sums which living eligible persons, or the heirs of deceased eligible persons, wish to renounce shall be placed in a special trust fund to be used as set forth in Section "F."
- (3) Administrative costs for disbursement shall be borne by the Government, and shall not be taken out of the redress appropriations.

(F) JAPANESE AMERICAN COMMISSION:

- (1) Purpose of the Commission shall be to provide funds from the trust for social, economic, cultural, educational interests, and any other legitimate concerns of the Japanese American community.
- (2) The Commission shall consist of at least twelve voting members with staggered fixed terms. Three-fourth of the initial voting members shall be eligible persons as defined in the "Eligibility" section.

Subsequent voting members shall reflect a similar percentage of "eligible" persons whenever possible.

Additionally, the Commission may include two government representatives, one each from the United States Senate and the House of Representatives.

- (3) The Commission shall be empowered to oversee the administration of the entire program, including payments referred to in Section "E" above. The Commission shall make at least one annual report in writing to the President and to Congress.

(continued)

- (4) Appointment to the Commission and vacancies therein shall be by the President of the United States from a list of nominees submitted by the Japanese American Nominating Committee.

Any Commissioner shall be subject to prompt removal for malfeasance, misfeasance or nonfeasance.

The Japanese American Nominating Committee shall act as a fact-finding body in the event of such charges and make recommendations to the President of the United States regarding the removal of any Commissioner.

(G) JAPANESE AMERICAN NOMINATING COMMITTEE:

- (1) The initial nominating committee shall consist of one representative elected from each of the eight Japanese American Citizens League (JACL) Districts, plus one representative delegated from each of the eight non-JACL Japanese American organizations with the largest memberships who desire to be represented.
- (2) The initial sixteen members may enlarge the committee with additional non-JACL representatives in order to make the Nominating Committee broadly representative of all elements of the Japanese American community.

(H) DEFINITIONS: For the purpose of this bill, the following definitions will apply.

- (1) "Expelled, detained, or interned" refers to expulsion from the "exclusion" areas, detention, or internment pursuant to --
- (a) Executive Order Number 9066, dated February 19, 1942.
- (b) Any other statute, rule, regulation, or order directed toward persons of Japanese ancestry who were citizens or permanent residents of the United States.
- (c) Acts of the United States Government directed toward persons of Japanese ancestry who were citizens or permanent residents of Central or South American nations.
- (2) "Exclusion" areas refer to the areas from which persons of Japanese ancestry were excluded by Government orders.

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- (3) "World War II" refers to the period beginning on December 7, 1941 and ending on October 1, 1952 (the date the last internee was released from confinement).
- (4) "Persons of Japanese ancestry" refers to anyone who has one or more ancestors who was a national of Japan.

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COMMENTS

METHOD OF DISBURSEMENT:

There is still strong concern expressed among some committee members that the fund be placed at the disposal of the Japanese American Commission, and that vouchers be written against such funds for individual claims.

Otherwise, it is felt that the trust fund may never be created, or be unduly delayed, to benefit the Japanese American community in any foreseeable future.

This in no way, it is said, goes against the mandate for individual payments which is guaranteed under the present proposal.

Proponents of "(2)" state that there will be significant amount in the trust fund early because of the large number of deceased eligible persons with no heirs.

JAPANESE AMERICAN COMMISSION:

There appears to be an increasing support for the concept of major responsibility being vested in the Commission, that the government agency responsible for dispensing individual payments be made directly accountable to the Commission, that the Commission should have the authority to bring direct action against employees and management of the governmental agency for non or poor performance.

(F) 3 was, therefore, added.

JAPANESE AMERICAN NOMINATING COMMITTEE:

In selecting the non-JACL groups, membership appears to be about the only criterion that can be used--considering the vast political, religious, generational, and regional differences that exist.

The non-JACL organizations are given the right to decide for themselves how to select their own representatives.

Provision for enlarging the committee is included as a safe-guard in case some smaller, but important, groups get left out.

Many of the social service groups have small memberships, but they play key functions in the community, so they must be included.

The choice is left to the good judgement and discretion of the initial 16 members. Huge expansion of the committee is not anticipated, because each additional person will dilute the original members own influence in the committee.