



National Council for Japanese American Redress

925 WEST DIVERSEY PARKWAY
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VOLUME XI, NUMBER 2
APRIL 1989

Dear Friends,

We can thank the U.S. Congress for taking seriously the Civil Liberties Act of 1988. A day after its April 5 hearing on the Act, the Subcommittee on Commerce, Justice, State, and the Judiciary of the House Appropriations Committee marked up (recommended) special appropriations for fiscal year 1989—which began in October 1988—with \$250 million for redress payments and \$6.4 million for related administration. In contrast, President Reagan, echoed by President Bush, had budgeted zero for payments and \$2.1 million for administration. For fiscal 1990, their budgets had \$20 million for payments and \$3.5 million for administration. The sum of \$250 million will pay \$20,000 to 12,500 persons. By my *unofficial* estimate, this includes all persons 70 or older in 1988.

While we can be thankful, we must be careful. These special appropriations, which cover needs ranging from the costs of fighting last year's fire at Yellowstone to the war on drugs, as well as redress, must confront Gramm-Rudman-Hollings, the congressional rule to reduce the federal deficit. Gramm-Rudman-Hollings can either be waived or the amount for these appropriations collected from an across-the-board cut of the total budget. Neither will be easy. The \$250 million may still be cut as the subcommittee's proposals are considered by the full committee, as the committee's proposal is considered by the House, and so on. Still, this action augurs well for the Subcommittee's 1990 budget to be defined later this year.

I was part of a group of about 27 persons who testified on April 5. I was most impressed by the support of the Democratic leadership of the House, Majority Leader, Thomas Foley, and Majority Whip, Tony Coelho, as well as that from Representatives Norman Mineta, who stayed for the entire three hours, Robert Matsui, who stayed for most of it, Daniel Akaka, Don Edwards, and Hamilton Fish, Jr. I think this congressional delegation had the most push. A contingent of the Lillian Baker brigade, including Baker, spoke and complained in opposition. Their manners and rhetorical excesses were their own worst enemies. Subcommittee chair, Neal Smith, sharply gaveled to order one particularly raucous opponent and warned him to speak to the issue or leave.

Continued

An Issue for All Americans

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*ronin contributor of \$1,000 or more; some remain anonymous.
+member, NCJAR board.

Continued DEAR FRIENDS

The brigade of six was outnumbered by JACL-LEC, Go for Broke, NCJAR, NCR/R, with six testifiers, Anti-Defamation League, Leadership Conference on Civil Rights, Eugene Rostow, Robert Drinan, and Angus MacBeth.

On March 15, there was a smaller hearing before Don Edwards and his Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee. Representatives Norman Mineta and Robert Matsui began the testimony. They were followed by JACL-LEC, NCJAR, and NCR/R. This subcommittee oversees the Civil Rights Division of the Department of Justice and was seeking comments on the performance of the Division's Office of Redress Administration. We were uniform in our praise of ORA and our disappointment in the \$20 million budgeted by the administration. I concluded my remarks with the suggestion that ORA include with each payment a personal letter that acknowledges the government's wrongdoing and apologizes. (I borrowed this idea from the late Winifred McGill who proposed it in the 1981 hearings of the Commission on Wartime Relocation and Internment of Civilians.) I felt such a letter would link payment with apology, making both far more meaningful to their recipients.

Later in the day, Aiko and Jack Herzig and I met with the staff of the Office of Redress Administration. They seemed receptive to the idea of a letter. We also suggested to Bob Bratt, director of ORA, that a public ceremony be held in Washington when the first checks are issued. We could have the various communities of Japanese-Americans send their elder citizens to Washington to receive their checks from a high—preferably the highest—official. It could be a real act of reconciliation. Again, he seemed receptive to this.

Meanwhile, Aiko and Jack Herzig have urged the Smithsonian to update their exhibition on Japanese-American history at the National Museum of American History. The Smithsonian has agreed. Washington could be an exciting place for us to be this summer.

If a public ceremony is announced, I hope we will select representatives from our eligible elders, raise funds for their journey, and accompany them to Washington. It will be a memorable event. We can greet each other, visit our elected representatives and senators—if Congress is in session—take in the Smithsonian's Japanese-American History exhibit, see the sights, and exult.

The redress movement seems to be heading down the homestretch. Already agile minds are asking, "After redress, what?" I think this question might be premature. I don't think we comprehend the reality of apology and restitution and what these imply for our self understanding. Many of us suffer under the burden of being Japanese-Americans who have earned our acceptance into America, as though acceptance requires earning and rejection was our failure. It was the government and America that vilified and abused us. We victims victimize ourselves. As Lawson Inada observed, "And if there could have been a magic pill to eradicate one's 'Jap-ness,' I shudder to think how many would have taken it." When the government acknowledges its wrongdoings to us, apologizes, and presents us with a substantial token of its desire to make amends, I think we will finally begin to realize acceptance and begin to come home to America.

Peace,

William Hohri

**Mr. Chairman
and members of
the Committee**

- Testimony presented on April 5, 1989
before the Subcommittee on Commerce,
Justice, State, and Judiciary,
Committee on Appropriations
House of Representatives

My thesis is that restitution addresses both the injuries to the individual and to the Constitution.

The principle underlying this appropriation was stated in the 1987 Report on H.R. 442 of the Committee on the Judiciary:

In recommending restitution payments * * * , the Committee, which regularly considers the claims of individuals who have been wronged by the Federal Government, followed precedents in awarding damages to those who have been convicted or detained without due process of law. The Committee concluded that restitution payments demonstrate a tangible commitment by the government of the United States that such activities should not happen again.

I would add that it is only when restitution reaches an individual victim that an apology to that victim transpires. Exile and detention were suffered by individuals, by Aiko, Asa, Daisuke, Chizu, George, Hannah, Harry, Kinnosuke, Michi, Sam, Sohei, Theresa, and thousands of others. Each has a name and face. Asa, Daisuke, Kinnosuke, and Theresa have died, as have many thousands. I think they understood that apology sometimes takes a long time. Racial hatred takes time to subside. We had to wait for a civil rights movement to occur. The Congress established a commission to conduct hearings, retrieve documents, and write history. We had to wait for a lawsuit to make its way through the courts. Congress needed time to act on redress. But now that the Congress has authorized restitution and apologized on behalf of our nation, we are obliged to realize this apology for each victim with acts of restitution.

Secondly, the fulfillment of this Act is the only means remaining to repair the breach these wartime events inflicted on the Constitution. In our lawsuit of *William Hohri et al. v. United States*, we sought to be heard by the Supreme Court. After five years of adversarial struggle, the issues narrowed to the question of whether the Court's landmark decision in *Korematsu* had been influenced by the fraudulent suppression of evidence in the government's brief. In our 1987 ascent to the Court, we were remanded to the Federal Circuit on a technical, jurisdictional question based on the 1982 Federal Courts Improvement Act. On August 5, 1988, we again petitioned to be heard by the Supreme Court. We hoped to have the Court deal with the merits of our case. Five days later, President Reagan signed the Civil Liberties Act into law. Three months later, the Court denied our petition for certiorari. Despite the silence of this denial, it is not unreasonable to infer that the Court was deferring the broad issue of acknowledging error and redressing Japanese-Americans to the new law. The ball is in your court.

Continued

Continued **Mr. Chairman and members of the Committee**

While only the Supreme Court can fully address its wartime decisions, the U.S. Congress has enacted law that acknowledges and apologizes for the injustice and provides restitution. This law does help to repair the constitutional breach. But more than enactment is required. The enactment of the Civil Liberties Act in August 1988 was like a wedding ceremony. The marriage must be consummated, its vows upheld. Your committee confronts many budget priorities. I can think of none more important than making whole Japanese America and the Constitution of the United States.

WILLIAM HOHRI

Another five years

The Smithsonian exhibit "A More Perfect Union: Japanese Americans and the U.S. Constitution" may be extended another five years—beyond 1992—the scheduled closing on the bicentennial of the Bill of Rights. This was noted by Edward C. Ezell, supervising curator of the Smithsonian Institute.

The exhibit on the internment of Japanese Americans during World War II, opened on October 1, 1987, and can be seen in the Smithsonian's National Museum of American History. Assembled at a cost in excess of a million dollars, "A More Perfect Union" has proved to be a prime attraction with tourists visiting the Nation's capitol.

Eligible recipients in Japan

The Office of Redress Administration has been looking for eligible redress recipients in Japan. The Justice Department estimate that there are some 4,000 to 6,000 recipients eligible for compensation under the Civil Liberties Act of 1988.

Persons eligible are those who were interned and were citizens or permanent resident aliens between December 17, 1941 and June 30, 1946, and who were alive on August 10, 1988 when the Act was signed into law by then President Ronald Reagan.

Two telephone lines installed in February at the U.S. Embassy in Tokyo has enabled potential recipients the opportunity to make inquiries regarding the Voluntary Information Forms. Should the forms be filled out in Japanese, it has been urged by ORA director Bob Bratt, that they spell their names in English or *hiragana* in addition to the *kanji*. This will aid in the data entry process at ORA's Washington, D.C. office.

The phone numbers in Japan are:

(03)-505-3514 and (03)-505-3622.

The lines will continue to operate until this summer.

Printed materials from the Justice Department may be obtained at the U.S. consulates in Osaka, Kobe, Sapporo, Fukuoka and Okinawa, as well as the U.S. Embassy in Tokyo.

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NOTES

All of NCJAR—
keep up
the good fight!

David C. Moore
Phoenix AZ

I guess
you can't retire
just yet.
Let's go!

George K. Matsuda
New York NY

GO FOR IT!

George A. Maruyama
Pasadena CA

Thank you—
again, and always—
for your
invaluable efforts
on our behalf!

Gratefully,

Kazu Iijima
New York NY

Continued

- It was on a Sunday afternoon in December that a special service was held by NCJAR in which Rev. Martha Coursey presented the following:

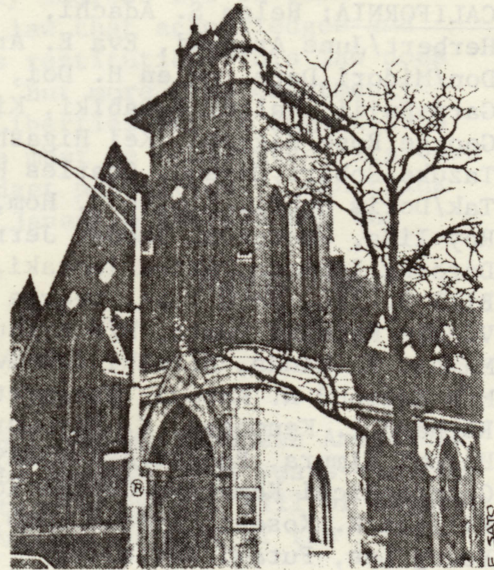
Remembering the Movement

It's December 4, 1988. We're three days shy of the 47th year since the Japanese Imperial Navy bombed Pearl Harbor, an event that triggered the United States entry into World War II. Within hours, the government was detaining Japanese resident aliens viewed by someone as potential threats to national security.

The Jewish community was making plans to celebrate Hanukkah, their Festival of Lights—a time of great joy and celebration. The Christian community was in the midst of Advent—a time of promise, preparation, hope and anticipation. There can be no doubt that darkness came over the minds and hearts of all the U.S. residents as the news flashed from coast to coast. But there were other plans afoot. Time and space has given form and shape, substance and insight into history. We are gathered here not to remember 47 years ago, but to remember and celebrate a movement that has enlightened the darkness, educated the masses and challenged old assumptions.

We most appropriately are gathered at this time and this place. The place is the Parish of the Holy Covenant United Methodist Church, where on February 6, 1979—almost ten years ago—an action happened to support the redress initiative which would give life to the National Council for Japanese American Redress. The time, not just 47 years of history, but Advent. The Redress movement, and most especially the people who made her take life and form have kept the promises and have lived with hope. Old ideas have been challenged with facts, research, long hours of labor and dedication. A small number of persons took on the United States government, the prejudices of the uninformed, the history books, hatred and racism, the Congress, the Courts and sometimes one another.

I have flashed on a hundred, a thousand memories precious to me, as I remember the Movement. Some have challenged my faith, called forth my anger, caused bitterness, astonished my trust and beliefs but mostly whatever other responses, they have heightened my pride, my faith and my love. My vision has been expanded, my knowledge deepened, my hope undaunted, my faith reinforced. The Movement has been so much, particularly inclusive. Being less than 47, and a white woman was no bar to joining the cause—in fact, it was anticipated and expected, necessary.



Continued

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Continued

Remembering the Movement

My very favorite story may be about William (Hohri). Reporting one Sunday about his weeks' journey, William told us about a radio interview show he did in a town in Indiana. It was a small station. It's signal did not reach Chicago. A caller, after listening to William, phoned in this challenge: "You sound like a Jap lover!" William reported to us that he was dumbstruck. And only later thought of the response—"Yes, I love my Jap mother, my Jap father, my Jap brothers and sisters." I think I was equally astonished at such a statement and the idea of William being without words.

We don't all come from a faith grounding, nor a Christian one, but we do I believe share faith in what we are, have been and can be. The Supreme Court made a decision but we are not diminished; we have given life and hope. Each of us are invited to remember the movement, and to celebrate. Death does not diminish us. Given a choice between good and evil, life and death, we choose life. Let us rejoice!


MARTHA A. COURSEY

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