

DRAFT #2

Bert Nakano

TO: THE COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS

AUGUST 4, 1981

*change legal grounds for EO 9066
suppl. legal measures
historical education
contingency plans for Concentration Camps*

Presidential Commission

Chairwoman Bernstein, Commissioners, and staff
DISTINGUISHED GUESTS,
members of the Commission, on behalf of the National

Coalition for Redress/Reparations, I appreciate this opportunity to speak to you here in ~~Los Angeles~~ **THE NATION CAPITAL.**

The National Coalition for Redress/Reparations considers these hearings as a very important means of educating the public about the concentration camp experience and the impact it made on the Japanese American community. We in the National Coalition as well as others have been busy organizing in communities nationwide. The National Coalition for Redress/Reparations has been working through community groups, churches, social service agencies, clubs, academic institutions, as well as individuals of several generations to address this issue. We have conducted our outreach work - programs in communities and on campuses; street petitioning and leafletting; house meetings; speaking and multi-media presentations - accordingly, and have built good relations with many groups. The National Coalition for Redress/Reparations has forwarded many memoranda and documents to the Commission and is continuing

its work throughout California, the Pacific Northwest, the East Coast, Chicago, and other parts of the country.

The National Coalition for Redress/Reparations was formed in July of last year for the expressed purpose of seeking restitution for losses and injuries suffered by Japanese Americans and others unjustly uprooted and incarcerated by the U.S. government, and to seek preventive steps so that similar situations and violations of constitutional rights will never happen again. Our ranks include _ _ _

(members) -----

as well as ----- . Our supporters include -----

----- (endorsers, etc.) -----

as well as ----- .

Even prior to our formation ~~back in July of last year~~, member organizations of the National Coalition have seen and experienced enough to cover several lifetimes. We have seen and shared experiences in the hotels and sweatshops of Little Tokyos, Nihonmachis, and Japantowns of the West Coast, the struggle for low-income housing during times of redevelopment. We come from church fellowship settings, legal service offices, civil liberties unions, citizens leagues, student unions, gardeners' federations, hot meals programs, and senior citizens clubs. We have talked with first generation, second generation,

third generation, and fourth generation Americans of Japanese Ancestry. Through all of this, we have culminated in several points that we as the National Coalition for Redress/Reparations believe^e is essential in addressing and redressing the "wartime relocation and internment of civilians."

We believe in five points:

First and foremost, we believe that a just commission recommendation means monetary compensation to individuals or heirs of individuals who suffered evacuation or incarceration due to the actions of the U.S. government during World War II. Numerous surveys conducted by member organizations of the National Coalition, as well as those conducted by JACL and the National Council for Japanese American Redress have all shown that monetary compensation to individuals is overwhelmingly the form of restitution sought by the victims. No sum of money can approach complete compensation for the tremendous social, economic and psychological trauma or the violation of constitutional rights. But meaningful restitution on the part of the U.S. government is imperative and must include monetary compensation to individuals.

The National Coalition recommends a minimum of \$25,000 for each individual who was uprooted or incarcerated as a result of U.S. government action during World War II. Besides the 120,000 who were incarcerated, a significant number of Japanese

Americans were uprooted and forced to relocate in regions outside of the West Coast, where they lived and worked under hostile physical and social conditions. In both cases, the losses suffered by the victims are clearly documented.

Japanese have suffered hardships as a national minority ever since first immigrating to the U.S. But the U.S. government-promoted anti-Japanese propaganda leading to the incarceration was not isolated and did not end with World War II. Our people have been left with scars of more than 500 pieces of anti-Japanese legislation, lower professional status for the education level--an untold history that attests to the infamous acts of the U.S. government. The argument that evacuation was necessary for the protection of Japanese people is erroneous. There is no justification for victims being punished instead of criminals.

We also seek monetary compensation for Japanese who had to relocate from the West Coast but were not incarcerated. The experience of these people tells of continued intense oppression on and off the job during the war years. Branded as "the enemy," people were living day-to-day not knowing whether they would survive the conditions of their lives. They were forced to live the stigma of the anti-Japanese propaganda as did those who were in the camps.

The figure of \$25,000 is based on property losses which are conservatively estimated at \$400 million +

interest and inflation, lost wages, lost employment and educational opportunities as well as damages for false imprisonment. The figure does not include compensation for psychological, emotional, or cultural damage.

Early Japanese immigrants came over mainly as contract laborers who were exploited while their back-breaking contributions to the rapid growth of the nation's agricultural industry and other areas of the economy were ignored. Japanese were kept out of labor unions, though many fought militantly to better the lives of working people. Japanese children were not allowed to go to public schools. Media attacks culminated in the infamous "yellow peril" of the pre-World War II era. All these things led up to numerous pieces of anti-Japanese legislation including the Oriental Exclusion Act of 1924.

The first generation of Japanese Americans, issei, should rightfully be given first priority for payments as most are late in years and many have already died. There should be a speedy payment process set up. Iseii were pioneers in this country and faced long-term struggles for their rights as workers who helped create the wealth of this land. Their efforts were countered by alien land laws and other legislation aimed at preventing Japanese and other national minorities from achieving full equality.

Payments should be direct payments made by the U.S. government to individuals or their heirs and should be free of all taxes and exempt from any administrative costs.

Secondly, we believe that a just commission recommendation means restitution to the Japanese American community through funds appropriated from Congress.

The purpose of this fund shall be to counteract the effects of the incarceration on the Japanese American communities. For example, funding the development of housing for the issei, and funding needed services and cultural and educational projects. The forced removal of the Japanese and their incarceration for as long as four years in harsh conditions brought collective losses and suffering as community centers were destroyed by the evacuation. Following the camps, Japanese were strongly urged to resettle in the Midwest and East to avoid returning to the hostile West Coast. Dispersal of our communities was a direct result of the camps as well as urban renewal.

The community as a whole was pressured by the War Relocation Authority of the U.S. government to reject anything "Japanese" and "prove loyalty" by accepting incarceration and volunteering for the U.S. Army. The government tried to deny the right to even exist as a community. The general resettlement program included a questionnaire for

Japanese Americans to state such things as whether they would stay away from large groups of Japanese, or whether they would try to develop ~~develop~~ such American habits which will cause them to be accepted readily into American social groups.

For each respective community, particular concerns exist. Many issei have special needs to meet and must rely on the community services because of the conditions they face as elderly Japanese Americans.

The Japanese American community trust fund should be funded by appropriations from Congress as well as unclaimed or donated individual payments. These funds should also be administered by an independent body consisting of a wide range of individuals who represent a wide spectrum of the Japanese American community. To serve the needs, joint administrative decisions should be made in the respective community. Because of the nature and purpose of such a fund, administrative costs should be borne by the U.S. government.

Thirdly, we believe that a just recommendation from the commission means to do what is necessary to overturn the legal basis and expose the racism that has justified the evacuation all these years. [Test cases: Hirabayashi vs U.S.(320 U.S. 81) Korematsu VS U.S.(323 U.S. 214) Yasui VS U.S.(320 U.S. 115)]

To prevent such an occurrence to be repeated

in the future, we think it is important to change the legal grounds for E.O. 9066. Legal means of deterring the future possibility is one part of what we understand to be a long-term struggle for actual equal rights for all people.

We support legal possibilities of winning reparations through examining legal precedents for reparations. For example, the Native American claims settlement, and class action suits such as the one initiated by the National Council for Japanese American Redress.

Forthly, we in the National Coalition believe in supporting others who have or are suffering from similar unjust action taken by the U.S. government.

We support the Aleutian/Pribilof Islanders in Alaska who were incarcerated and had their communities destroyed during World War II by the U.S. government. We support the Iranians in the U.S. who have recently been the victims of harassment and racism during the hostage situation. Japanese Americans were hostages of our own country for 4 years.

Americans had celebrated the return of the hostages from Iran last January with yellow ribbons. It seemed to be a momentous occasion for many. However, there were no yellow ribbons awaiting the Americans of Japanese ancestry after the camps. Being alone in a struggle for justice can be quite hard at times. It is for this reason that we will support efforts by Native Americans, Native Hawaiians,

Blacks, Chicanos, other Asians, as well as other people who are struggling for reparations and justice.

And, fifthly, the National Coalition for Redress/Reparations believes in seeking broad education of the American public so that people may learn from the situation and not knowingly allow them to happen again. We share this concern with many others, including the JACL as well as, we trust, the members of the Commission for Wartime Relocation and Internment of Civilians.

What happened to Japanese Americans is not an isolated situation. The underlying reasons for the concentration camps still exist today. During the sixties, in the midst of the civil rights movement, there were contingency plans on the part of certain members of Congress to reopen the camps for Black demonstrators. Just this past year, Senator Hayakawa wanted to introduce legislation that would declare all Iranian nationals in the U.S. as "enemy aliens" so that they can be interned "the way we did the Japanese during World War II."

These, then, are our basic views of what we are fighting for - basic points that bind us together in a common cause. As we all know, one of the objectives of the Commission is to "determine whether a wrong was committed." It almost seems inconceivable to think that we have to "prove" that a wrong was

committed. The National Coalition believes it should be the utmost priority to correct what is a fact. The National Coalition for Redress/Reparations will use whatever vehicle is necessary that will result in the fastest, most direct, and most substantial form of restitution. Call it redress and reparations.

The Commission has the responsibility of determining whether appropriate remedies should be recommended. We applaud the attempt on the part of the Commission to conduct research. However, no further research is needed to determine whether a wrong was committed. Restitution is not only deserved, it is long overdue. The National Coalition believes that we should not have to ask for reparations. The Japanese American community has a right to demand it.

Commissioners, be aware of the contradiction involved in the Presidential Commission. We shouldn't forget that it was a Presidential Executive Order, along with the help of some political and economic interests, that put Japanese Americans into camps in the first place. We will do more than just present the facts for you to decide. Keep in mind the analogy of a doctor guilty of malpractice. You do not let the doctor decide what the form or degree of restitution should be. By the same token, Japanese Americans should not be expected to accept any decision made by the ^{very} government that put us into the camps.

We uphold our right to recommend the degree and form of restitution. As the victims, we indict the U.S. government for violations of human rights and constitutional rights, for destroying Japanese communities, for destroying lives and homes, for contributing to greed, racism, and economic exploitation.⁴ The time is now for commissioners, Congress, Japanese Americans, as well as other Asian Americans, Blacks, whites, Latinos, Native Americans, and Native Hawaiians to take action and demand justice, now. The time for determining "whether a wrong was committed" occurred 39 years ago. The time for redress and reparations . . . is NOW!