

Since July, 1980, the NCRR, a coalition of organizations and individuals from major Japanese American communities throughout California and the nation, has continued to make a nationwide impact through its work in the Redress/Reparations Movement.

At the first nationwide conference on R/R held in November, 1980, the NCRR adopted 5 principles of unity which have been the basis for which organizations and individuals have joined and endorsed the NCRR. The 5 principles are:

1. R/R means monetary compensation to all individuals or their heirs who suffered evacuation and/or incarceration;
2. R/R means restitution to the Japanese American community in the form of a community fund - the exact use of which is to be determined by the needs of each respective community;
3. R/R means exposing the racism of and overturning the legal basis that has justified the evacuation and the camps;
4. R/R means supporting others who have or are suffering from unjust actions taken by the U.S. Government;
- and 5. R/R means that we seek the education of the American public so that future generations may learn from the mistakes of the past and not knowingly allow them to happen again.

Since the founding of the NCRR, a major part of its work has been devoted to doing community education and promotion of community involvement in the R/R issue. The Japanese American community has taken the initiative in this campaign for justice and will continue its efforts in this struggle through unified strength and determination.

The NCRR's 5 principles of Unity serve as the general framework for the direction of the campaign for R/R. Mobilization to the public hearing of the Commission on Wartime Relocation and Internment of Civilians (CWRIC) was a major focus of the NCRR during the past 6 months.

Hundreds spoke out, thousands more supported them, and the message has been made clear: The U.S. Government is responsible for making substantial, meaningful redress and reparations to the Japanese American community now. Thus, the NCRR's proposed recommendations to the Commission is to stress the importance of the Commission's accountability and responsibility of addressing the issue of R/R in your final recommendation to Congress.

RECOMMENDATIONS FOR CONGRESSIONAL ACTION

I. Individual Compensation

1. \$25,000 per individuals (minimum).
2. Eligibility:
 - a. Former evacuees.
 - b. Detention center evacuees.
 - c. Persons forced to live in WRA camps.
 - d. Persons jailed for noncompliance with military edicts.
 - e. South American & Central American residents relocated to and imprisoned in the U.S.
 - f. Persons who relocated voluntarily.
 - g. Aleutians and Pribiloff Islanders imprisoned by the U.S.
 - h. Direct heirs of all of the above if principle is deceased.

3. Method of Payment:

- a. Payments to be made directly to eligible individuals in one lump sum, free of administrative costs, and exempt from taxes,
- b. Payments should not affect eligibility of individuals in consideration for social services or other benefits, governmental or private.
- c. Unclaimed payments are to be credited to the Community Fund.

PERSPECTIVE:

The tremendous social, economic, and psychological trauma of the violation of constitutional rights requires meaningful restitution on the part of the U.S. Government in the way of monetary compensation to individuals.

While the NCRR feels that there is no fair amount possible, the figure of \$25,000 represents a symbolic amount and as such, is the minimally acceptable figure.

The U.S. Government is also responsible to further investigate their culpability of those Japanese citizens living in other countries who were directly or indirectly affected during the evacuation period.

III Community Fund

1. Amount: 3 Billion

2. Administrative & Method of Payment:

- a. The Community Fund shall be administered by a Community Trust Fund Board elected by the Nikkei community. Board members shall be elected regionally. Regions shall be divided equitably throughout the United States, including, both urban and non-urban regions. Administrative costs shall be asked for at a rate of 2% in addition to the original amount.
- b. The sum of 3 billion shall be returned to the communities in one lump sum, and further, that priorities for the allocation of the funds shall be decided by each respective community based on their particular needs.

PERSPECTIVE:

The evacuation and the imprisonment of JA's destroyed the cohesion, unity, cultural, social, political and economic life of the community. This is the basis on which we are seeking redress for the community to rebuild and meet the needs of the Japanese American people.

In addition to the INDIVIDUAL PAYMENT and the COMMUNITY FUND, the NCRR calls for the Commission to make the following recommendations:

Addressing the Sovereign Immunity waiver, and the Enabling Legislation, the latter specifically to allow for implementing law suit actions by individuals and/or classes related to the evacuation.

N.C.R.R. STEERING COMMITTEE MEETING - DECEMBER 5, 1981

Attended by: Los Angeles, Sacramento, San Diego, San Francisco, San Jose

Agenda: 1. Regional reports; 2. Finalization of NCRR recommendation to CWRIC; 3. Strategies; 4. Expectations of CWRIC; 5. Building unity in the R/R movement; 6. Miscellaneous

Pre-meeting decision: If, in the discussion of NCRR recommendations to the CWRIC, a vote on specific points is necessary, each regional will have one vote.

I. Regional reports

Los Angeles:

1. videotapes--showings have been held at community centers, churches schools, and house meetings. Copies have been sent to Hawaii and Chicago for showing in those areas. More local showings planned. Conversion of existing 3/4 inch tape to 1/2 inch tape for home use is being planned.
2. legislation discussions--workshops held on individual monetary compensation and community fund. Met with Mervyn Dymally re. his offer to facilitate dealings with CWRIC and Congress.
3. recent endorsements-
442nd/100th Battalion Organization of So. Calif.
Asian Caucus of the Lutheran Church of the U.S.
UCLA School of Social Welfare

San Francisco:

1. structure--set up outreach/education and publicity/media committees. Elections planned to select officers.
2. updating slide show
3. continuing letter writing campaign and petition campaign.
4. received major endorsement from the Community Action Program (CAP) of the U.A.W. of No. Calif. This endorsement is to be pursued to the regional level (western states) and hopefully to the international level of the UAW CAP.
5. Radio program on station KQED re:evacuation and the redress movement. Very supportive station. Audience call-in program with no hostile calls.

San Diego:

1. discussions on forming committees.
2. held meetings on legislation proposal.
3. showing videotapes of S.D. witnesses at L.A. Hearings.
4. continuing campaign to urge more written testimony.
5. received invitation to participate in December 7 program on radio station KPBS--declined by all J.A. groups in San Diego including NCRR.

San Jose:

1. videotape of S.F. Hearings shown at S.J.C.C.
2. held discussions on legislative draft proposals.
3. continuing letter writing campaign--petition campaign
4. presentations done at Wesley Methodist Church and local colleges.
presentation pending to Stanford Law School.
5. Stanford AASA R/R Committee to submit student perspectives report to CWRIC.

N.C.R.R. STEERING COMMITTEE MEETING - DECEMBER 5, 1981 (cont.)

Sacramento:

1. presentations to organizations continues--includes slide show and audio tapes of hearings
Recent--U.C. Davis students & house meetings
Pending--Martin Luther King Law School
2. urging articles in organization newsletters
3. general meeting planned for December 9 to report on Steering Committee meeting.

II. N.C.R.R. Recommendations to CWRIC

1. Individual monetary compensation
 - A. Eligibility--the following categories of people will be eligible for full individual compensation under the terms of the N.C.R.R. recommendations:
 1. former evacuees
 2. detention center detainees
 3. persons forced to live in WRA camps
 4. persons jailed for noncompliance with military edicts
 5. South American and Central American residents relocated to and imprisoned in the U.S.
 6. persons who relocated voluntarily.
 7. Aleutians and Pribiloff Islanders imprisoned by the U.S.
 8. direct heirs of all of the above if principle is deceased.

The following categories of people are either difficult to identify or it is not yet decided that the U.S. Government should be held accountable for their suffering or losses. These people are to be considered for eligibility in future N.C.R.R. discussion. (They will definitely be mentioned by N.C.R.R. in the recommendation to the CWRIC.)

1. those imprisoned in countries outside the U.S. but as a result of pressure from the U.S. Government
 2. those in other areas of the U.S. not imprisoned, but suffering losses and racist degradation because of the refusal of the U.S. to support their loyalty
 3. those who were drafted or in the U.S. Armed Services
 4. those who repatriated
 - B. Amount of compensation
 1. \$25,000 per individual, minimum (decided)
 2. S.D. felt that \$100,000 more accurately represented actual losses. All other regionals saw the \$25,000 as a "popular" figure "reasonably" representing losses--a figure around which to organize the campaign. S.D. agreed to go along with the \$25,000.
 3. Recognizing the validity of S.D.'s claim, the consensus was that there should be no limitation on the right of individuals or organizations to seek additional compensation on the basis of actual losses or personal views of what amount is adequate as damages.

N.C.R.R. STEERING COMMITTEE MEETING - DECEMBER 5, 1981 (cont.)

C. Miscellaneous

1. payment to be made once, in full, no installments.
2. payment not included as taxable income
3. payment not to be included in "assets" affecting eligibility of individuals in consideration for social services or other benefits, governmental or private
4. if no heirs, money goes to community fund
5. if payment is refused, money goes to community fund

VI. Miscellaneous

1. CWRIC Extension Bill

- has cleared subcommittee and is in House Judiciary Committee Decision due December 10, 1981
- if passed by Judiciary Committee, bill goes to floor for vote.
- if passed by Senate and signed by Reagan, CWRIC's life will be extended one year
- J. Hibino suggests pushing for preliminary recommendations and additional hearings
- M. Iwataki suggests asking to see CWRIC's timelines and work planned for the additional time period

2. Treasurer's report (as of 12-4-81)

assets	\$ 3850
owed	993

net	<u>\$ 2857</u>
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Almost 1000 individual members in N.C.R.R.

COMMUNITY FUND:

The proposal for the Community Fund as presented by Little Tokyo People's Rights Organization was for the amount of \$1.8 billion. The amount was calculated at \$15,000 per individual affected by E.O. 9066. However, it was concluded that we should not use the rationale of "per individual" for the Community Fund since it may become confused with the individual monetary compensation demand of \$25,000 per individual.

The evacuation and the imprisonment of JA's destroyed the cohesion, unity, cultural, social, political and economic life of the community. This is the basis on which we are seeking redress for the community to rebuild and meet the needs of the Japanese American people.

The Community Fund is intended to provide for much needed human/social services for JA's, including housing and other needs, which are in the process of being cutback by the government. Administrative costs shall be asked for at a rate of 2% in addition to the original amount.

The five regionals voted to adopt a \$3 billion figure for the community fund. It is NCRR's view that this sum should be returned to the communities in one lump sum, and furthermore that priorities for the allocation of the funds shall be decided by each respective community based on their particular needs. Those designated in each community to coordinate the funds shall be responsible to that community and exercise their decision making powers accordingly.

OTHER

STRATEGIES TO GET REPARATIONS AND REDRESS1. Seattle Tax Write off Plan - (written by two to three individuals)

A voluntary tax write off by Nikkei and Aleuts with one-sixth or more Japanese blood.

-Those people participating in the plan will indicate the monetary amount in their federal income tax, which will then be put into a pot.

-Individual compensation will be to those participating only and the amount will be based on what monies are available.

-They approximate about \$15,000 plus \$15.00 per day incarcerated.

-Priority of payment will be to the elderly.

-First payment will be made 10 years from the start of the plan.

-Provision for a community fund: a. unclaimed "reparations" monies. b. those who are deceased and therefore cannot collect.

They have submitted this plan to the Commission on Wartime Relocation and Internment and have given it to Rep. Mike Lowry. However, according to our contacts in Washington D.C., it was reported that Lowry is more supportive of individual monetary compensation than a tax write off plan.

The Seattle group is currently focusing on getting support from non-Nikkei for their proposal.

It was concluded that NCRR will not be taking up a tax write off plan at this time. Two shortcomings with this proposal were brought up. 1. Many Issei's may not be around 10 years from the time the plan begins. 2. We believe that the government is responsible for the damages and should be made to pay. Not Nikkei people putting our own money into a pot and then paying ourselves 10 years later.

2. Class Action Suit - proposed by National Committee for Japanese American Redress

What is required

One or more persons must be able to represent the whole Nikkei people.

This is so that they can suit the government.

After that a certification hearing will take place, at which time the suit must fit the following criteria:

1. class must be large
2. must be a common grievance
3. must be a typical claim
4. must protect the interest of that class

In order to file the suit, once clear of the hearing, it must be proven that the original "claims act" was in-appropriate.

NCJAR has so far raised \$50,000 but needs another \$75,000 to pay the attorneys investigation fees before filing suit. Then more money after filing. This class action suit only speaks to those directly affected, therefore it would exclude sanseis, yonseis or direct heirs.

In addition a statute of limitations must be lifted before a suit can be filed against the government. The way to do it would be to include enabling legislation into the package.

- The government has "sovereign immunity" from the suit. This just means that the government is immune from the suit because they previously paid the Evacuation Claims Act.

This has to be proven inadequate.

NCRR's comments on the Class Action Suit were:

- timewise a court case could take years and a settlement is difficult.
- the government would be put in the position of being the defendant and would have to defend the reasons why they incarcerated JA's, which could bring on a right wing reaction.
- attorneys fees could be overwhelming.

IN CONCLUSION

The five regionals represented voted to go with the legislative route rather than the Tax Write off Plan or the Class Action Suit.

It was agreed that NCRR must strive to work together with other groups (Seattle group, NCJAR, JACL, et al) and be open minded and seek as much unity as possible. We are not against the other plans, but we see that a bill for direct monetary payment and community fund as the most realistic approach at this time. As for the JACL, we should seek their support through the grass roots level (chapters).

(Dymally Up-date)- In November Congressman Mervyn Dymally of the 31st Congressional District in California covering Gardena, Torrance and the Hawthorne area, spoke before the commission and urged the group to "actively seek and report the truth" regarding the incarceration of JA's during WW 2.

STEPS FROM NOW

- continue building our mass base in the community
- seek support and endorsements from other communities and groups
- start fund raisings
- discuss how to get Nisei's and sansei's more actively involved in fighting for redress and reparations.
- take the plans out to the community for discussion, debate, feedback and work to build support for the movement.

Day of Remembrance -(D.O.R.) - February 19th.

- It was decided that we go with one unifying theme; calling for unity around reparations and redress.
- we should use this event to work together with as many groups as we can, i.e. JACL, Tule Lake Committee, Manzanar Committee and all endorsing organizations.
- LA will be having their program on Feb. 20th, Saturday. LA will be designing the poster and leaflet for that event in general.