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Statement by Congressman Mike Lowry
upon introduction of The World War II
Japanese-American Human Rights
Violation Redress Act
November 28, 1979

On February 19, 1942, soon after the United States entered World War II, President Franklin D. Roosevelt issued Executive Order 9066. By doing so, the United States government violated the Constitutionally-guaranteed rights of 110,000 Americans. This Executive Order and other related Administrative, Congressional and Judicial orders forced Americans of Japanese ancestry residing on the Pacific Coast to submit to relocation and confinement in detention camps. No concern was shown for the basic rights to due process. Individuals were torn from jobs and had educations interrupted. Homes, farms and businesses were abandoned in compliance with relocation directives. In the camps, internees were crammed into barrack-like living quarters, their time and activities severely regimented and restricted. Freedom of movement was dictated by the barbed-wire fences that surrounded the compounds. For those Japanese-Americans who were interned, normal business, family and community life ceased to exist.

This total disregard for due process was supported by a belief at the time that the United States' security was threatened from within. Fundamental legal procedures and principles were swept aside by all levels and branches of government. The voice of reason was not heard. Racial prejudice fueled by wartime hysteria allowed Japanese-Americans to be singled out and persecuted. Their loyalty to the U.S. was held suspect and questioned before the world. Over two-thirds of those interned were American citizens, and the vast majority of the others were resident aliens, legal guests in our country. There were never any direct accusations against individuals, no formal arrests, no trials. Not a single person was ever convicted of any crime in connection with his or her internment. The average internment period was about three years. This was truly an inglorious chapter in the history of our country.

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Redress Statement - Page 2

Over the years, a general acknowledgement has emerged from the American government and the American people that a greivous injustice had been perpetrated against Japanese-American citizens and others of Japanese ancestry during World War II. Numerous government officials, private organizations and individuals have come forth to acknowledge this gross violation of civil rights, and to resolve that such an act must never be allowed to reoccur. While those admissions and acknowledgements of wrongdoing do serve to bring visibility to the injustice of internment, I believe that stronger measures are necessary to provide fair redress and to ensure the continued integrity of Constitutional rights and procedures. Significant compensation to those interned for material and personal losses must be made.


To this end, I am introducing The World War II Japanese-American Human Rights Violations Redress Act. Its purpose is to:

1. assure that this nation will never again allow the mass violation of civil liberties of citizens and legal residents of the U.S.
2. make a direct financial reimbursement to the people who were interned as a minimal repayment for their losses incurred.

The serious abuse of governmental power that caused the unfair imprisonment of 110,000 Americans must be condemned in the strongest possible manner. We must clearly admit our mistake and make redress to the people who were harmed. America cannot afford to do less.

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TO BE INTRODUCED 11-28-79
96TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. LOWRY introduced the following bill; which was referred to
the Committee on _____

A BILL

To provide for payments to certain individuals of Japanese
ancestry who were interned, detained, or forcibly relocated
by the United States during World War II.

- 1 Be it enacted by the Senate and House of Representatives
2 of the United States of America in Congress assembled,

1 SHORT TITLE

2 SECTION 1. This Act may be cited as the "World War II
3 Japanese-American Human Rights Violations Redress Act".

4 PURPOSE

5 SEC. 2. The purpose of this Act is--

6 (1) to recognize and redress the injustices and
7 violations of human rights perpetrated during the World
8 War II internment period against individuals of Japanese
9 ancestry by the United States;

10 (2) to discourage similar injustices and violations
11 of human rights in the future; and

12 (3) to make more credible and sincere any
13 declarations of concern by the United States over
14 violations of human rights committed by other nations.

15 DEFINITIONS

16 SEC. 3. For purposes of this Act--

17 (1) the term "eligible individual" means any
18 individual of Japanese ancestry who was interned or
19 detained or forcibly relocated by the United States at
20 any time during the World War II internment period;

21 (2) the term "interned or detained" means confined
22 or held in custody by the United States pursuant to--

23 (A) Executive Order 9066, dated February 1942;

24 (B) Executive Order 9489, dated October 18,

25 1944;

1 (C) section 67 of the Act entitled "'An Act to
2 provide a government for the Territory of Hawaii'",
3 approved April 30, 1900 (31 Stat. 153);

4 (D) sections 4067 through 4070 of the Revised
5 Statutes of the United States; or

6 (E) any other statute, rule, regulation, or
7 order;

8 (3) the term "'World War II internment period'"
9 means the period beginning on December 7, 1941, and
10 ending on December 31, 1952.

11 PAYMENTS

12 SEC. 4. (a)(1) The Attorney General shall locate, as
13 soon as practicable after the date of the enactment of this
14 Act, each eligible individual and shall pay to each such
15 individual the sum of \$15,000 plus an amount equal to \$15
16 multiplied by the number of days, if any, during which such
17 individual was interned or detained during the World War II
18 internment period, as determined by the Attorney General by
19 a preponderance of the evidence;

20 (2) If an eligible individual is deceased or can not be
21 located by the Attorney General, the Attorney General shall
22 locate, as soon as practicable after the date of the
23 enactment of this Act, and shall pay the sum of \$15,000 plus
24 an amount equal to \$15 multiplied by the number of days, if
25 any, during which such individual was interned or detained

1 detained or forcibly relocated, the Secretary shall use any
2 available records from the Wartime Civil Control
3 Administration and the War Relocation Authority and shall
4 obtain, if the Attorney General determines it is necessary,
5 affidavits from eligible individuals and witnesses.

6 (c) In finding eligible individuals and their legal
7 heirs residing in nations other than the United States, the
8 Attorney General may use any available facilities or
9 resources of the International Committee of the Red Cross
10 and shall pay to the International Committee of the Red
11 Cross for each such individual or heir located with the
12 assistance of such committee an amount equal to two percent
13 of the payment made to such individual or heir.

14 (d) No individual shall be denied a payment made
15 pursuant to subsection (a) because of the residence or
16 citizenship of the individual.

17 (e) Any payment made pursuant to subsection (a) shall
18 not be considered income or receipts for purposes of any
19 Federal taxes or for purposes of determining the eligibility
20 for or the amount of any benefits or assistance provided
21 under any Federal program or under any State or local
22 program financed in whole or part with Federal funds.

23 AUTHORIZATION OF APPROPRIATIONS

24 SEC. 5. Effective October 1, 1980, there are authorized
25 to be appropriated to the Attorney General such sums as may

1 during the World War II internment period, as determined by
2 the Attorney General by a preponderance of the evidence, to
3 the following individuals--

4 (A) any legal spouse of such individual on the date
5 the Attorney General determines that such individual
6 died or can not be located;

7 (B) any sons and daughters of such individual who
8 are legal heirs of the individual, in equal shares, if
9 the Attorney General determines that such spouse is
10 deceased, can not be located, or that the individual had
11 no such spouse;

12 (C) the parents of such individual who are legal
13 heirs of the individual, in equal shares, if the
14 Attorney General determines that such legal spouse,
15 sons, and daughters are deceased, can not be located, or
16 that the individual had no such spouse, sons, or
17 daughters; or

18 (D) the brothers and sisters of such individual who
19 are legal heirs of the individual, in equal shares, if
20 the Attorney General determines that such legal spouse,
21 sons, daughters, and parents are deceased, can not be
22 located, or that the individual had no such spouse,
23 sons, daughters, or parents.

24 (b) In determining for purposes of subsection (a) the
25 number of days that an eligible individual was interned or

1 be necessary to carry out this Act.