

For presentation to the National Board

STATEMENT OF THE RESOLUTION

Shall the JACL National Council instruct the Redress Committee to cease its attempts to introduce a congressional bill establishing a constitutional studies commission and, instead, instruct the Committee to draft a bill incorporating into its language the guidelines adopted by the 1978 National Convention?

SUMMARY OF ARGUMENTS

The proponents of the resolution argue that the "commission approach" violates the National Council resolution of July 19, 1978, by seeking less than redress. They argue further that the alternative "IRS Nikkei Trust Fund Method" is an original, non-commission, non-direct appropriations approach that enjoys significant support in Congress.

The opponents of the resolution argue that the "commission approach" falls within the National Council guidelines and that, in the face of "political realities," a multi-stage commission approach is the only method of obtaining redress from Congress likely to pass.

VOTE " _____ "

We believe the commission approach to be in direct violation of the letter and spirit of the resolutions passed by the previous five national conventions. The main points of the 1978 resolution unanimously passed at Salt Lake City cover eligibility for individual payments and the establishment of a trust fund. The National Council guidelines are provisions to be incorporated into a redress bill.

The creation of a constitutional studies commission reduces the guidelines to a voice in the crowd of hundreds of witnesses appearing to testify. The National Council redress guidelines are thus reduced to mere testimony.

The commission approach forces the Redress Committee to yield future control of the campaign to a predominantly non-Nikkei body of "distinguished Americans" and "experts" on Japanese-Americana. Japanese Americans would have no control of a commission nor of its ultimate findings.

The commission hearings will lend greater credibility to those opposing redress. The opposition to redress has not organized or has yet been a forum. Commission hearings will offer a respectable podium to the apologists who will remind commissioners of wartime "military necessity" and rumors of Japanese spies, as well as to former government officials extolling the amenities of barracks life.

The belief that the commission's finding would accrue a necessary credibility represents a retreat into the passive pattern of seeking confirmation ~~from the American~~ ~~public~~ of facts historians, legalists, social scientists, and the government itself have known since 1942.

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Over the past six years, we have discussed the concept of redress for Japanese Americans with 15 white members of Congress. All have indicated a willingness to support a genuine redress bill. Three have volunteered to introduce or cosponsor such a bill.

The "IRS Nikkei Trust Fund" bill is the result of discussions with representatives from 23 Japanese American organizations and of the poll taken in 1975 of all JAACL chapters. The bill states that "the sum of ten thousand dollars (\$10,000) shall be paid for each person affected by the exclusion and evacuation orders, plus the sum of fifteen dollars (\$15) per day of incarceration."

Individual redress payments shall be drawn from a Special Trust Fund. The fund will be created by persons of Japanese ancestry who elect to allocate a portion of their income taxes for this purpose. The Issei, who suffered most during the internment and whose numbers decline every year, would receive benefits first.

Nikkei may also elect to not collect their redress benefits. Their unclaimed benefits will create a Nikkei Trust Fund to be used for educational and cultural purposes.

This IRS Nikkei Trust Fund method, or "bootstrap plan," is particularly attractive to legislators because it does not require Congress to approve a massive direct appropriation from the government. Rather, Congress would authorize Japanese Americans to fund redress payments with their own federal taxes over a period of several years.

We believe this bill gives positive direction to the redress campaign while adhering to the letter and spirit of the Salt Lake City resolution. WE URGE ALL CHAPTERS TO REAFFIRM THIS SPIRIT WITH A "_____" VOTE.