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ROBERT P. HASTINGS (1910-1996)
 COUNSEL
 LEE G. PAUL
 LEONARD S. JANOFSKY
 CHARLES M. WALKER

1299 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D.C. 20004-2400

TELEPHONE (202) 508-9600

FACSIMILE (202) 508-9700

INTERNET www.phjw.com

600 PEACHTREE ST., N.E. STE 2400
 ATLANTA, GEORGIA 30308-2222
 TELEPHONE (404) 815-2400

695 TOWN CENTER DRIVE
 COSTA MESA, CALIFORNIA 92626-1024
 TELEPHONE (714) 668-6200

555 SOUTH FLOWER STREET
 LOS ANGELES, CALIFORNIA 90071-2371
 TELEPHONE (213) 683-6000

399 PARK AVENUE
 NEW YORK, NEW YORK 10022-4697
 TELEPHONE (212) 318-6000

345 CALIFORNIA STREET
 SAN FRANCISCO, CALIFORNIA 94104-2638
 TELEPHONE (415) 835-1800

1055 WASHINGTON BOULEVARD
 STANFORD, CONNECTICUT 06901-2217
 TELEPHONE (203) 961-7400

1899 OCEAN AVENUE
 SANTA MONICA, CALIFORNIA 90401-1078
 TELEPHONE (310) 319-3300

ARK MORI BUILDING, 30TH FLOOR
 12-32, AKASAKA 1-CHOME
 MINATO-KU, TOKYO 107, JAPAN
 TELEPHONE (03) 3586-4711

January 7, 2000

WRITER'S DIRECT ACCESS

(202)508-9573

ghyamada@phjw.com

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The Honorable J. Carter Brown
 Chairman
 Commission of Fine Arts
 National Building Museum
 441 F Street, N.W.
 Washington, D.C. 20001

Re: National Japanese American Memorial to Patriotism

Dear Chairman Brown:

I. INTRODUCTION.

I am submitting comments in response to letters that the Fine Arts Commission ("Commission") has received regarding the National Japanese American Memorial to Patriotism ("Memorial"). These letters ask the Commission to delete Mike Masaoka's quotation from the inscriptions that have been approved and submitted by the National Japanese American Memorial Foundation ("NJAMF").

In particular, I am addressing comments submitted by Professors Yamamoto and Iijma in a letter dated November 10, 1999, and by Professor Takahashi in a letter dated December 3, 1999. Both letters contain misleading information which I will discuss in detail in this letter.

I ask that this letter be included in the administrative record in support of the NJAMF approved inscriptions.

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II. UNFOUNDED ALLEGATIONS ABOUT MIKE MASAOKA.

In their letter, Professors Yamamoto and Iijma state that "Mr. Masaoka's place in that history [Japanese American experience during World War II] has become increasingly controversial and problematic." They offer no specifics in support of their request to remove Mr. Masaoka from the Memorial's inscriptions but rather ask in their letter the Commission to adopt a paper that was rejected by the Japanese American Citizens League ("JACL"):

While this is neither the time nor place to debate either his role or his legacy it is important to note for the record that there is evidence in material commissioned by the Japanese American Citizens League itself that he proposed a "suicide battalion" of Japanese Americans be formed whose loyalty would be assured by family and friends being held by the government, and in 1942 proposed to the government that Japanese Americans be branded, stamped and utilized as cheap labor in the sugar beet fields. In addition, Masaoka failed to support the first Japanese American redress legislation in 1979, and initially opposed individual monetary redress for Japanese Americans. [Emphasis added.]

These allegations could have been easily dismissed as untrue if an effort was made to investigate and analyze the substance of the assertions rather than to record them as fact. The allegations are part of a specious smear campaign.

A. *Mike Masaoka Did Not Propose That Japanese Americans Be Branded, Stamped, And Utilized as Cheap Labor.*

The material relied upon by Professors Yamamoto and Iijma is a paper which was prepared by a Deborah K. Lim in 1990 ("Lim Paper"). This paper was rejected by JACL which Professors Yamamoto and Iijma neglect to mention in their letter.

1. Lim Paper Is Not Definitive.

In her paper, Ms. Lim extracted the following quote from Minutes of a Special JACL Emergency Meeting ("Minutes"), March 8-10, 1942, First Session, pp. 15-16:

Mr. Mike Masaoka, reported on conditions in Wyoming, Nebraska, Colorado, and Montana. [Underlining in original.] At the Tolan hearing, to fifteen telegrams sent to governors, nine answered. Eight were in the negative and one qualified. This state was Colorado. Colorado, Wyoming [sic] Nebraska and Montana will take Japanese, but the government must guarantee adequate protection. He recommends one of the three following methods:

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1. Be put into Labor Concentration camps to be farmed out to large sugar beet combines as cheap laborers.
2. The Japanese internees be brought in for roadmaking.
3. The Japanese be branded and stamped and put under the supervision of the Federal government.

Ms. Lim speculated in her paper that the phrase "he recommends" could refer to "Masaoka or to one of the governors of the four states mentioned." Lim Paper at p. 36. Ms. Lim further implied in her paper that it was Mr. Masaoka, who made the recommendation because she believed that he had the opportunity to correct any typographical or transcription errors in the 1942 Minutes in 1970, some 28 years later. Id. However, the statement she is relying upon and quoted in her paper stated that Mr. Masaoka reviewed the Minutes in writing a forward. He did not state that he reviewed in particular the above quoted portion of the Minutes. Furthermore, he was not reviewing the Minutes – some 28 years later – to make typographical or transcription errors.

It is counter intuitive that a Japanese American would even suggest that other Japanese Americans should be branded and stamped. Any Japanese American, including Mr. Masaoka, would have had to be completely out of touch with reality if he were to suggest to other Japanese Americans that their mothers, fathers, wives, children, grandparents, and grandchildren should be branded like animals.

2. **Lim Paper Is Flawed By Its Omissions.**

- a. **Omitted Minutes Showed That Mike Masaoka Was Making a Report and Not Making a Recommendation.**

Ms. Lim failed to include in her paper the entire portion of the Minutes summarizing Mr. Masaoka's report. The omitted portion of the Minutes states that Mr. Masaoka concluded his report with the following:

<u>Montana:</u>	The farming season is growing short.
<u>Colorado:</u>	The best agricultural state is already occupied except for small patches here and there which is available.
<u>Wyoming:</u>	Worse than Nevada, since it is a long and extensive prairie.
<u>Nebraska:</u>	Japanese are welcome as they wish to build two highways. The best homestead lands are unavailable for those people who are interested in other things besides farming, prospects are very negligible. House conditions everywhere are very poor.

This omission is important in that it shows that Mr. Masaoka was making a report and not making a recommendation. With the omission, Ms. Lim's presentation of Mr.

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Masaoka's report implies that he spoke about the conditions in the four states and then moved onto other matters making a recommendation at the end of this report. However, the omission is directly related to the conditions in the four states which the Minutes stated was the purpose of Mr. Masaoka's report. By ending his report on the conditions in the four states, Mr. Masaoka clearly is shown to be making a report throughout his presentation.

Another reason why it is obvious that Mr. Masaoka was not making a recommendation was that no action was reported as taken by JACL in response to such a purported recommendation. Furthermore, no one attending the Special Emergency Meeting has ever mentioned that Mr. Masaoka or anyone else attending the special meeting made this alleged recommendation about branding and stamping. In other words, it is inconceivable that such a bizarre and inflammatory recommendation would not have come to light given the amount of retrospective examination given to the events related to this period of history.

b. Ms. Lim's Interview of Mr. Masaoka Omitted from Paper.

Ms. Lim failed to include in her paper, any reference or excerpt from her interview with Mr. Masaoka on or about February 2, 1990. In this interview, he clearly denied making the recommendation that he proposed that his fellow Japanese Americans be branded and stamped:

LIM: . . . Here it say you are reporting on the conditions in Wyoming, Nebraska, Colorado and Montana. I'll just read it. [Ms. Lim read only the portion of the Minutes quoted in her paper and not the omitted portion described above.]

MASAOKA: Who made that recommendation?

LIM: That is what is not clear from the context of this. I was wondering if you recall this . . .

MASAOKA: No. I recall that Governor Olson called us in, a number of Japanese Americans, and made suggestions pretty much like that. And also, the Governor talked to us about trying to get some of the people to come and help pick the crops, harvest the crops, and so on. And that sounds very much like what Governor Culbert Olson of California suggested.

LIM: You don't remember making that suggestion yourself?

MASAOKA: No. I don't think I would.

LIM: Could it have been one of the governors of those particular states making that suggestion?

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MASAOKA: I think they may have. As I recall, Herbert Moore (?) of Utah and Clark of Idaho were governors. They had quite a few Japanese Americans in their area, and they were both very interested in farm labor for their areas.

Masaoka Interview Transcript at pp 22-23.

This interview with Mr. Masaoka highlights a number of points. First, Ms. Lim admitted that the Minutes were not clear as to who made the suggestion. Second, Mr. Masaoka clearly states that he did not make the suggestion. Third, Mr. Masaoka stated that Governor Olson of California most likely made the suggestion.

These important points were omitted in Ms. Lim's paper. These convenient omissions raise questions about a possible bias on Ms. Lim's part to support her speculation that Mr. Masaoka made the recommendation.

3. Lim Paper Was Not Probing.

If Ms. Lim did not believe Mr. Masaoka's recollection that it was Governor Olson who made the suggestion, she failed to consider the obvious answer to the question of who made the suggestion. The obvious answer is that a representative of the federal government most likely made the suggestion. It is logical that the federal government officials who were focused on implementing Executive Order 9066 could have made the suggestion. By March 1942, the Commanding General of the Western Defense Command had already announced his exclusion and evacuation orders. Method three even stated that the branded and stamped Japanese be "put under the supervision of the Federal government" indicating that the federal government could have promoted the recommendation.

Further, the Select Committee Investigating National Defense Migration, House of Representatives, 77th Congress ("Tolan Committee"), held hearings in the latter part of February and the beginning of March of 1942. JACL representatives appeared and testified at these hearings. Lim Paper at p. 29. The reason for the Special JACL Emergency Meeting held in March 1942 was to respond to these Tolan hearings. The Minutes also reported that meetings were recently held with John J. McCloy, Assistant Secretary of War, and Thomas C. Clark, Department of Justice Liaison to the Western Defense Command. Finally, in Nisei, 1969, at p. 339, author Bill Hosokawa attributed the idea of "work corps" to "clear and develop land, and produce agricultural and manufactured products" to Milton S. Eisenhower, Director of the War Relocation Authority.

It is highly plausible that either the Tolan Committee or other federal government officials recommended branding and stamping Japanese as a means to "guarantee adequate protection."

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4. **Mike Masaoka's Civil Rights Record Belies That He Proposed Japanese Americans Be Branded and Stamped.**

Mr. Masaoka's civil rights record in promoting the interests of persons of Japanese ancestry belies the possibility that he was capable of making such an inhumane recommendation. His civil rights contributions are outlined by Members of Congress who paid tribute to Mr. Masaoka upon his death. Mr. Masaoka is credited with the passage of the following legislation as a direct result of his lobbying efforts.

Congressman Sidney Yates of Illinois stated that "Mike was instrumental in gaining naturalization rights for the Issei," "Mike was also able to prevent the deportation of more than a thousand alien Japanese who had American citizen families at the end of the war," and "he pushed for the passage of the Soldiers' Bride Act, which made it possible for American servicemen to marry Japanese wives and bring them back to the United States." 137 Cong. Rec. H5892.

Congressman Frank Horton of New York stated that "Mike's efforts were instrumental in winning countless legislative victories for the civil rights movement: the repeal of the Japanese Exclusion Act, the right for all legally resident aliens to become naturalized American citizens, the Japanese American Evacuation Claim Act [of 1948], Statehood for Hawaii, the Immigration and Naturalization Act, and Ratification of the Treaty of Peace with Japan--to name just some of the more than 500 legislative changes Mike had a hand in." 137 Cong. Rec. H5895.

Congressman Mel Levine of California stated that "Mike Masaoka also helped to repeal the sections of the Internal Security Act of 1950, which codified the presidential authority used to justify the internment of Japanese-Americans during the Second World War. Its repeal will help ensure that no one else will be forced to suffer the wholesale violation of civil liberties that Japanese-Americans endured." 137 Cong. Rec. H5896.

Congresswoman Nancy Pelosi of California stated that "Mike was instrumental in the repeal of the Japanese Exclusion Act of 1924, which barred Japanese immigrants from becoming citizens and from owning land." 137 Cong. Rec. H5896.

Congressman Howard Berman of California stated that "Mike was again at the forefront of efforts to amend the Walter-McCarran Immigration and Naturalization Act of 1952 giving Japanese immigrants the same rights as Europeans under visa preference categories based on national origin. Our earlier immigration system effectively barred entry to Japanese and other Asian immigrants because preference was first given to Europeans." 137 Cong. Rec. H5896.

Based on his lifetime commitment to civil rights, Mr. Masaoka has earned his place in history by making unparalleled contributions in promoting the interests of persons of

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Japanese ancestry. His contributions are real and significant as opposed to the vague innuendos made by Professors Yamamoto and Iijma.

B. *Mike Masaoka Supported Redress Legislation.*

Professors Yamamoto and Iijma are opposing including Mr. Masaoka in the Memorial's inscription because he allegedly opposed redress. This is simply untrue. This unfounded allegation can be dismissed out-of-hand by the attribution made by Senator Daniel Inouye of Hawaii:

Mike was the founder of Japanese-American redress--an enlightened and bright chapter in our Nation's history which has helped to cleanse the darkness of internment . . . In large part, Mike was responsible for making it a reality. 137 Cong. Rec. S9099. A

As a sponsor of the redress legislation, Senator Inouye was in a key position to speak with authority about Mr. Masaoka's contribution to the redress legislation.

C. *"Suicide Battalion" Proposal.*

The Lim paper reported that JACL leaders proposed a "suicide battalion" to the federal government. Mr. Masaoka addressed the name "suicide battalion" in an article written by Baltimore Sun reporter Gene Oishi, entitled "The Anxiety of Being a Japanese-American," that was submitted by Senator Inouye for reprinting in the Congressional Record:

Once they [Japanese] were there [in the relocation camps], the league [JACL] lobbied Washington successfully to allow nisei to volunteer for the armed forces and to be subject to the draft. At one point, Mike Masaoka, a league leader, was reported to have urged the formation of an all-Japanese "suicide battalion." Masaoka today says he does not recall having used the words "suicide battalion," and goes on to say that even if he had he did not have in mind anything like the kamikaze units formed later in the war by the Japanese enemy. 131 Cong. Rec. S5222.

Mr. Masaoka's proposal was rejected initially but later accepted by the federal government resulting in the formation of the 442nd Regimental Combat Team. See Michi Weglyn's Years of Infamy, 1976, at p. 38. The significant contributions made by this heroic U.S. Army unit while suffering extremely high casualty rates are undisputed. Mr. Masaoka's

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proposal resulting in such a substantial contribution to the war effort and to the later acceptance of Japanese Americans into the mainstream is not a reason to exclude Mr. Masaoka from the Memorial's inscriptions.

III. JACL ROLE IN EVACUATION.

Dr. Takahashi is asking the Commission not to include the "JACL Creed" in the Memorial's inscriptions because of JACL's positions and actions in the 1940's.

A. *JACL Collusion?*

In support of her request, Dr. Takahashi submitted a portion of her unpublished 1980 Ph.D. dissertation, entitled "Comparative Administration and Management of Five War Relocation Authority Camps: America's Incarceration of Persons of Japanese Ancestry During World War II." There is a fundamental difference in perspective between JACL and Dr. Takahashi in addressing the federal government's role during World War II.

Dr. Takahashi's perspective is reflected by the following statement in her unpublished dissertation at p. 79:

The purpose of this section is to pinpoint the significant functions and roles this organization [JACL] played, as well as to analyze its impact on evacuee behaviors in WRA [War Relocation Authority] camps. It will be seen that the WRA and JACL collusion caused a great deal of unrest and bitterness among the evacuees. [Emphasis added.]

The use of the term "collusion" is a telltale indication of the perspective with which she wrote her dissertation. The term "collusion" is defined as "secret cooperation for a fraudulent or deceitful purpose <acting in ~ with the enemy>." [Emphasis added.] Webster's Third New International Dictionary (Unabridged). Dr. Takahashi's underlying assumption appears to be that the federal government was the enemy and that JACL should not have colluded with this enemy.

JACL took a different approach. JACL adopted a policy of working in cooperation with the federal government as American citizens even though there were strong feelings that the federal government's actions were infringing the constitutional rights of Japanese Americans.

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Dr. Takahashi's dissertation should be recognized for the purpose for which it was written--an academic exercise in support of obtaining a Ph.D. in the field of social work. Furthermore, Dr. Takahashi's later employment shows that she could not have taken her dissertation thesis of JACL "collusion" seriously. After she wrote the dissertation in 1980, she went to work in 1987 and 1988 for the JACL as its Acting Director for the JACL - Legislative Education Committee and as JACL's Washington Representative working with former JACL leaders such as Mr. Masaoka on redress legislation.

However, if Dr. Takahashi is now seriously advocating the thesis that JACL "collusion" caused the federal government to evacuate more than 115,000 Japanese Americans to 10 remote militarily controlled areas, I am personally appalled by such a thesis or perspective. Such a thesis serves to deflect attention away from or minimize the overtly open discriminatory actions taken by the federal government by attempting to shift blame to JACL, Mr. Masaoka, or other Japanese Americans.

A thesis that JACL "collusion" caused evacuation reflects a complete lack of understanding of the historically open and hostile discrimination that prevailed during the 1940's against Japanese Americans. Followed to its logical conclusion, such a thesis would argue that the federal government erred in making redress payments and issuing a national apology because JACL purportedly caused the evacuation of Japanese Americans. Such a thesis is irresponsible and out of touch with reality.

B. *Achieving Program Goals?*

Dr. Takahashi offered the following insight at p. 94 of her dissertation of what should have been done:

All of these situation factors should have been assessed by an astute administrator and manager. The challenge should have been directed at how to deal with these dynamics in a constructive, creative manner, so that program goals could be achieved. [Emphasis added.]

Her awkward, text-bookish statement of the obvious -- what she would have done if she were there -- is unimpressive. Her dissertation is unpersuasive and fails to recognize that the JACL leaders were in fact attempting to deal with a completely hostile federal government in a constructive, creative manner with no measurable political support at the height of unparalleled war hysteria in American history. Faced with an environment of hate and suspicion unprecedented in our history, Dr. Takahashi appears to be merely concerned about "achieving program goals."

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C. *Japanese Americans Continue to Benefit from Statement of Democratic Principles Written By Mike Masaoka.*

Dr. Takahashi uses the name "JACL Creed," but the statement of democratic principles written by Mr. Masaoka in 1941 is better known as the "Japanese American Creed." The Japanese American Creed was not written by Mr. Masaoka for JACL although JACL adopted it in 1946 as part of its bylaws.

The Japanese American Creed is not, and never has been, an oath of allegiance. The Japanese American Creed sets forth a set of principles that was written to articulate the loyalty of Japanese Americans at a time when such loyalty was being seriously questioned. Although the Japanese American Creed offered a protective shield in 1941, Japanese Americans have continued to benefit from it.

The Japanese American Creed was read on the floor of Congress in support of passage of the redress legislation, 134 Cong. Rec. H6309, and in support of passage of legislation authorizing the establishment of the National Japanese American Memorial, 138 Cong. Rec. H6831. Hence, every person who received a redress payment benefitted from the statement of principles in the Japanese American Creed, and every person who will visit the Memorial will benefit from Japanese Americans' dedication to our shared ideals and principles of justice and equality as reflected in the Japanese American Creed.

IV. NJAMF SUPPORTS INSCRIPTIONS THAT INCLUDE MIKE MASAOKA.

The NJAMF Board of Directors on three separate occasions has voted overwhelmingly to accept inscriptions that include Mr. Masaoka. A small number of Board members are unwilling to accept rule by majority vote and are asking the Commission to change the inscriptions already approved by the NJAMF.

The NJAMF "is authorized to establish a memorial on Federal land in the District of Columbia or its environs to honor Japanese American patriotism in World War II." Public Law 102-502, Oct. 24, 1992, Section 1(a). Hence, the NJAMF has been vested with the authority to recommend the design and inscriptions for the Memorial.

However, if the Commission believes that it is better positioned to evaluate the pulse of the Japanese American community in drafting the Memorial's inscriptions, then it should be prepared to receive a barrage of support to include Mr. Masaoka as a part of the Memorial. By opening the door to such a de novo review, the Commission also should be prepared to reopen already resolved issues relating to other parts of the inscriptions. For

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example, the Commission has already received other written comments asking that only quotations of U.S. Presidents be included or that no quotations from U.S. Presidents be included and that challenge the inclusion of the names of only Japanese American soldiers killed in World War II.

V. CONCLUSION.

In closing, the perspective that Mr. Masaoka shared with Ms. Lim in her interview with him should be followed here:

LIM: This is Deborah Lim. This is February 2. I am here in Washington, D.C. with Mike Masaoka and Etsu Masaoka. This interview is pursuant to Resolution Number Seven, the research project. Before we get started, Mr. Masaoka, did you want to make some preface comments?

MASAOKA: I think that, as you found out all along, going back forty-five years or so is very difficult, especially since most of us don't have any documents or reference points to follow through. Not only that, situations have changed so much that I think it is difficult to have people today, in the context of what they know today, to try to assess a situation as it was then. In a sense, as some philosopher has said, to try to pass judgement of what happened forty, fifty years ago honestly, accurately, historically is practically impossible, especially if done in terms of present, more advanced notions of society and so on. For example, I think it is basic in all of our thinking that, basically, democracy at that time practiced the principle of assimilation, that is, trying to make America kind of a melting pot, bringing all the diverse units in American together and trying to make them into a diversified whole. Whereas today our objective is ethnic diversity, which is exactly the opposite. To try apply[ing] the thinking of today in terms of ethnic diversity to what we had to go through and trying to demonstrate our assimilation is quite difficult, particularly when you consider the circumstances of war and the fact that media and other things have changed so much. For example, had there been television in those days, I think an entire situation could have been changed greatly. Because of the lack of media attention, not only among Japanese Americans themselves but among the larger American (population) and such, that we never got historic coverage. Imagine also, if I may put it kind of crudely, that if you were able to use television to focus upon old women and young children, we could demonstrate to the larger population of American that we couldn't be very dangerous to the people and all

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that. None of these things happened at that time. So that the changes in our thinking as a country, our objectives as a country, and media changes was [sic] not available. [Masaoka Interview Transcript at pp. 1-2.]


It is difficult to have a full appreciation of that period of time if one did not actually live through the experiences leading to evacuation. As Commissioner Carolyn S. Brody stated at the Commission's October 21, 1999 meeting, the inscription related to Mr. Masaoka and the Japanese American Creed is an internal issue which should be worked out within the NJAMF.

As mentioned above, the NJAMF has the legal mandate to establish the Memorial. In carrying out its responsibilities, the members of the NJAMF Board of Directors did carefully consider the issues related to the inscriptions. The reasons as to why Mr. Masaoka should not be included in the Memorial's inscriptions were presented by those Board Members who oppose including Mr. Masaoka. The Board of Directors at its October 24, 1999 meeting voted by a three to one margin to accept the inscriptions that included Mr. Masaoka and his quotation.

I strongly urge the Commission to accept the recommended inscriptions approved by an overwhelming majority of the NJAMF Board of Directors.

For the purpose of disclosing my interest in the Memorial, let me inform you that I am serving as NJAMF General Counsel on a pro bono basis. This letter sets forth my personal views.

Sincerely,



Gerald H. Yamada

cc: John Parsons
NJAMF Board Members
Cherry Tsutsumida