

# **Against All Odds:**

## **The Campaign in Congress for Japanese American Redress**

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### Against All Odds: The Campaign in Congress for Japanese American Redress

For most Americans who lived through it, World War II was a period of trial and triumph, a time when the nation united to defeat a common enemy: the forces of fascism. As events from the war reached significant anniversaries in the 1980s, they were commemorated in stories in the news media and in ceremonies—such as the 1984 observance, attended by President Ronald Reagan, of the 40th anniversary of D-Day—that underscored the heroism and suffering of soldiers and citizens alike. But at the same time that the nation was honoring those who had fought in “the good war,” a small group of citizens was trying to call attention to a darker chapter in the history of that conflict. They were Japanese Americans from the West Coast states who had been evacuated from their homes and interned in “relocation centers” or camps in the months following the bombing of Pearl Harbor, and had remained there for most of the war, forced to sell or abandon their property and placed under a cloud of suspicion as potential traitors to the nation.

Outside the West Coast, the internment had attracted relatively little public attention or comment; and in the years following the war, aided by the reticence of the internees, many of whom remembered it as a time of shame and humiliation, the relocation faded from the minds of most Americans. But in the Japanese American community, the bitter memories did not recede. In the late 1970s, there was a surge of interest among many Japanese Americans in seeking legal redress for what they saw as a grievous abridgement of their constitutional rights justified in the name of national security but at its base motivated by racism. Redress for the internees meant not just an acknowledgement of the wrong that had been done, and not just an apology from the government, although both were important: redress also meant monetary compensation for the loss of their freedom.

To get that redress, some Japanese Americans turned to Congress, seeking legislation that would include both a statement of apology and a financial settlement on internees or their families. But a political route to redress would face formidable obstacles. The Japanese American community was tiny, representing less than one-half of one percent of the total population of the United States; never a particularly active force in the political arena, it had little clout to wield in Congress. Most Americans—including most members of Congress—remained ignorant of the internment and the circumstances surrounding it, and more than a few of those who did remember continued to confuse Japanese American citizens with the Japanese aggressors in World War II. Moreover, developments in the early 1980s seemed to conspire to make a tough battle tougher: the election of a conservative administration suspicious of discrimination claims; a skyrocketing federal deficit that put Congress and the nation in a cost-cutting mood; and a growing trade imbalance with Japan that would add to the confused hostility with which some Americans regarded their fellow citizens of Japanese descent.

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These were among the concerns of a small group of Japanese Americans who gathered in Washington in 1979 to map out a strategy for a redress campaign. Their number included grassroots lobbyists from the West Coast and the four Japanese American members of Congress, among them two of Congress' most highly decorated veterans of World War II and two whose childhoods had been disrupted by the internment. As the group discussed what first steps to take in what promised to be a long battle, they agreed that the road ahead was unclear and the likelihood of success at best uncertain.

### Background: The Internment

The relocation and internment of Japanese Americans officially began on February 19, 1942, just 10 weeks after the bombing of Pearl Harbor, when President Franklin D. Roosevelt signed Executive Order 9066. The order authorized the secretary of war to exclude civilians from designated areas in order to secure them against espionage or sabotage by enemy sympathizers; while it did not specify any particular group, there was no question that the target of the order was Japanese Americans on the West Coast—an area considered at risk of attack from Japan in the early days of the war.

The signing of the exclusion order came after weeks of outcry for such an action from West Coast politicians and the press, particularly the Hearst newspapers, whose call for the removal of Japanese Americans frequently took on ugly racial overtones. Although protection of Japanese Americans from angry mobs was offered by administration officials as one reason for removing them from the West Coast, the chief rationale was national security. While there was no evidence that any Japanese Americans had been involved in espionage, one memo to Secretary of War Henry Stimson argued that Japanese Americans might be willing to do such work, asserting that they differed from Italian and German-Americans in that their "racial strains are undiluted," thus making the Japanese Americans of the West Coast "112,000 potential enemies ... at large today." Such reasoning met with no vociferous opposition, at least publicly, nor was there any strong protest raised when Roosevelt signed Executive Order 9066. A month later, on March 21, Congress approved legislation that made it a criminal offense to violate the order.

Within weeks of its signing, the effects of the exclusion order were widely felt throughout the Japanese American community on the West Coast. After a brief, failed effort at "voluntary relocation," the Army and then the Wartime Civil Control Administration instituted a systematic mandatory evacuation that removed ethnic Japanese from designated "military areas." A series of proclamations and announcements informed "persons of Japanese ancestry, both alien and non-alien" of pending exclusions, usually giving them no more than a week to dispose of their property and goods. As Japanese Americans scrambled frantically to find caretakers or, more commonly, buyers for their property, they found themselves easy prey for bargain hunters.

Bearing only what they could carry—much of it stipulated in instructions issued by the military and all of it, including their own persons, carefully labeled with ID tags—the evacuees were sent first to Army-run "assembly centers," most often located at fairgrounds or racetracks, where they were temporarily housed in makeshift and often primitive facilities. From there, some months later, they were transported by bus or train (with the shades drawn, as per orders of the military) to one of 10



“relocation centers,” most of them in western states such as Idaho, Arizona, Wyoming, and the interior of California, and two as far away as Arkansas; many of the relocation centers—or detention camps, as most Japanese Americans labeled them—were in bleak and remote outposts. In all, some 120,000 Japanese Americans were evacuated; the majority of them—roughly 73,000—were US citizens.

While most Japanese Americans, eager to show their loyalty, complied with the evacuation, some chose to defy the government orders and related curfew provisions, and were arrested; three of them appealed their convictions all the way up to the Supreme Court. In all three cases, the court let stand the convictions, upholding the government’s right to impose curfews and exclusion orders against one group in times of war, and refusing to question the validity of the military judgment that had found those measures necessary.

Most of those who were relocated remained in the camps for over two years, living in often crude conditions and harsh climates, and hedged in by guard towers and barbed wire. There were essentially two ways out of the relocation centers: evacuees could be granted leave to help fill labor shortages in farms or factories in the interior or to attend college, or (starting in the spring of 1943) they could volunteer to serve in military intelligence in the Pacific or in a segregated Japanese American infantry unit—the 442nd Regimental Combat Team, which, serving in the European theatre, went on to become the most decorated unit of its size in World War II. (Later, in 1944, the military service became mandatory, as the US began drafting Japanese American men out of the relocation centers.) In all, some 33 percent of the internees were “conditionally released” for various leaves or military duty. The rest stayed on until the federal government decided to end the exclusion in December 1944—long after, in the opinion of many, Japan had ceased to pose a real threat to the West Coast.

When the interned Japanese Americans returned to the West Coast, very few of them retained their prewar holdings. Their losses in income and property, according to later estimates, ranged in the hundreds of millions, in 1945 dollars—and anywhere from \$2 billion to \$6 billion in 1983 dollars. Congress did make some effort to compensate for those losses by passing the Evacuation Claims Act in 1948. The measure established a procedure for internees to file claims for property loss or damage due to the relocation, but it placed a strong burden of proof on the claimants, many of whom—in the rush of the evacuation—had not retained records documenting their holdings. Less than one-third of those eligible filed for compensation. Eventually, though claims totalling \$148 million were filed under the act, the total in payments distributed amounted to only \$37 million—an average of \$200 for each family that filed a claim.

But perhaps more painful than the economic losses were the feelings of many Japanese Americans that they had been uniquely singled out as objects of suspicion and hostility. German Americans and Italian Americans were not subjected to mass exclusion and relocation; and in Hawaii, where ethnic Japanese accounted for over one-third of the population, only a couple of thousand people of Japanese descent were detained during the war. While the rest of the US quickly put the internment out of its mind, many former internees retreated into silence. Later, a woman who had been evacuated



explained her reticence: "I did not want my children to feel the burden of shame and feelings of rejection by their fellow Americans."<sup>1</sup>

### The Roots of the Redress Movement

Despite the reticence, memories of the internment rankled in the minds of many Japanese Americans in the years following the war. It was not until the 1970s, however, that their feelings about the exclusion began to find expression in the idea of reparations or, as it came to be known, redress. The victories of the civil rights movement, says Rep. Norman Mineta (D-Calif.), toughened the attitude of the Japanese Americans: "In 1942, Japanese Americans were being subservient, and they said, 'Well, okay, if I do this [acquiesce to the internment], then I'll prove my Americanism. But I think that thinking has changed. ... People know [now] that they have rights, and if they're maligned, then they deserve an apology."<sup>2</sup>

Even so, it was not easy for the Japanese American community to unite around the notion of redress. The issue first arose in 1970, when a resolution in support of redress was placed before the biennial national convention of the Japanese American Citizens League (JACL), a civic and patriotic organization founded in 1930 that claimed 27,000 members in 114 chapters nationwide. Although the convention approved the resolution in 1970, and similar ones in 1972 and 1974, little was done to put flesh on an otherwise vague principle, largely due to divisions within JACL, and in the larger Japanese American community, as to the wisdom of seeking redress. Memories of the internment were painful and humiliating, and many had little desire to revisit them. There were concerns, moreover, that an effort to bring up past wrongs would only backfire. Many felt, in the words of one, that "we don't want to rake these coals, because if we do, there's going to be a white backlash."

Divisions over redress intensified when activist members of the Seattle chapter of the JACL, frustrated with the national organization's lack of progress on the issue, developed a concrete proposal for redress which included, for the first time, monetary compensation for individual internees. The concept did not, however, inspire immediate consensus. John Tateishi, who chaired JACL's National Committee for Redress from 1978-85, recalls many who felt that "it really demeans the whole idea of liberty and freedom to put a price tag on it."

While the Seattle plan languished in the national JACL organization, members of the Seattle chapter were successful in their efforts to persuade the White House to revoke Executive Order 9066 which, it turned out, had never been formally rescinded. On February 19, 1976, President Gerald Ford signed a proclamation officially terminating the order. Terming the exclusion "a national mistake," Ford wrote, "We now know what we should have known then—not only was that evacuation wrong, but Japanese-Americans were and are loyal Americans." But by this time, the Japanese American community had become interested in more concrete signs of apology. A 1976 poll of JACL board members

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<sup>1</sup> *Time*, August 17, 1981, p. 32.

<sup>2</sup> David H. Eun, "The Civil Liberties Act of 1988: A Study of Congressional Bill H.R. 442 and its Impetus, the Japanese American Redress Movement," (undergraduate thesis, Harvard University, 1989), p. 15.



throughout the nation, conducted by the Seattle group, indicated that over 94 percent of those polled were willing to lend support to legislation mandating payments to individual internees.<sup>3</sup>

By 1978, the push for redress had gathered enough momentum within the leadership of the Japanese American community to prompt the JACL's National Committee for Redress to propose a plan that included provisions for monetary compensation. The plan, presented at the organization's national convention in July of that year, called for a flat payment of \$25,000 per internee, as well as the establishment of a \$100 million trust fund to be used for the benefit of Japanese American community organizations. Total cost of such a program was put at \$3 billion. Although the JACL convention adopted the plan and agreed to make redress the top priority in the organization's activities in the coming two years, the action was still controversial and provoked an angry response from then-US Senator S.I. Hayakawa (R-Calif.) who argued that a demand for monetary compensation was "absurd and ridiculous"<sup>4</sup> and "not Japanese."

But even among those who had supported redress there was controversy, in this instance about how to press their case for compensation. As they considered their next move, disagreement arose among redress advocates over the best means to the end they sought: the courts, redress legislation submitted to Congress, or a special commission.

#### A Meeting in Washington

After the 1978 biennial convention, John Tateishi, newly appointed chair of the JACL's National Committee for Redress, set two goals for his group: a campaign to educate the American public on the internment, and the drafting of redress legislation that would be introduced in Congress. The latter began with a meeting with four of the five Japanese American members of Congress: Representatives Norman Mineta and Robert Matsui, both Democrats from California, and Senators Daniel Inouye and Spark Matsunaga, Democrats of Hawaii.<sup>5</sup>

Tateishi and his committee had asked for the meeting, which took place on January 30, 1979 in Inouye's chamber office, to discuss redress and "try to develop a legislative strategy." By this time, Tateishi had already sought the opinions of the heads of national civil rights organizations and Washington lobbyists, and the advice he had gotten was somewhat disheartening. "There was an absolute consistency among all of them," he recalls. "They said, 'You know, no one knows about this issue, and those who do think you guys are guilty anyway. You're never going to get this kind of legislation introduced, let alone passed, in Congress.' And every single one of them suggested that we consider creating a federal commission to investigate." Tateishi's instincts took him in the opposite direction:

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<sup>3</sup> Yasuko Takezawa, "Breaking the Silence: Ethnicity and the Quest for Redress among Japanese Americans" (PhD dissertation, University of Washington, 1989), p. 49.

<sup>4</sup> Takezawa, p. 57.

<sup>5</sup> The fifth member was, of course, Hayakawa, who left the Senate in 1982. Hayakawa, who was living in Chicago at the outbreak of World War II, was not interned.



In my gut, what I really wanted to do was take this thing straight up. Go in with an appropriation bill ... make an honest fight of it and see what we could do in a battle in the Congress. And if we lost, then we would lose it in an honest fight, and we would have it over with. I knew the commission route would be long and ... difficult and that it wouldn't be popular at all [with Japanese Americans].

Still, Tateishi felt that if Inouye—the Japanese American senior member in Congress—recommended the formation of a commission, “we [would be] really tied to it.” As they waited outside Inouye’s office for the meeting to begin, Tateishi turned to a redress committee member and remarked, “The one thing I hope Inouye doesn’t say in this meeting is ‘a commission.’”

At first, in fact, Inouye said little. The JACL delegation presented two proposals for redress: the original Seattle plan and the guidelines approved in the 1978 JACL convention. After that, Matsunaga and Mineta did most of the talking (Matsui, a freshman representative, had been in the House for just a few weeks), laying out the difficulties of getting a redress bill through Congress. Congressional attitudes, they said, were little different from those in the general public and were colored by racism, ignorance of the issue, and a belief that this was mere special interest legislation calling for a large appropriation for a small group. Moreover, logical supporters of the legislation—such as civil rights advocates—were little-versed in the issue, as well. During a lull in this bleak discussion, Inouye, who had remained largely silent, finally spoke up. “He said,” Tateishi remembers, “‘Maybe what you fellows ought to think about is considering legislation that would establish a federal commission.’” “Frankly,” says Tateishi, “my heart sank. ... At that point, we went silent on our side of the table, because I don’t think anyone’s heart on our side was to go that route.” But Inouye pressed his point, arguing that a commission would generate publicity and establish an official record of government wrongdoing. Mineta supported the idea as well, telling the JACL delegation that a commission, as Tateishi puts it, “would really help a lot. ... There was a real consensus [on a commission] among the members of Congress.”

### Choosing a Path

When the JACL members returned to the West Coast, Tateishi convened a two-day session of the National Committee for Redress to discuss their choices. “When I felt the discussion had been exhausted,” Tateishi recalls, “I said that I was going to bring it to a vote.” The vote would be over whether to pursue redress legislation immediately or first seek the creation of a commission. Committee members had discussed the possibility of legal action, particularly in the form of a class action suit, but concluded that it would be too costly and time-consuming a route and would not likely generate the same kind of publicity that a legislative battle would. The committee did not reject the judicial approach outright, but put it on “a back burner” while they aimed their sights at Congress. “Our feeling,” explains Tateishi, “was that it was the Congress and the public that had convicted us in



1942, and that we wanted this country to realize what had happened and to have Congress take responsibility for the action of that body.”

As for which legislative route to take, either alternative had its pluses and minuses. A commission would have the advantage, as had been pointed out, of establishing a record and educating the public and Congress, as well as the backing of arguably the most powerful Japanese American in the US—Sen. Inouye who, as third-ranking member of the Democratic party, wielded considerable clout in Washington; his support—or his opposition—to any legislative initiative had to be weighed carefully in any redress strategy. On the other hand, a commission would greatly lengthen the time frame in which a redress campaign would be played out. The process of approving the commission legislation and then conducting the study could take years, at a time when many in the Japanese American community were becoming increasingly impatient to begin a redress effort, and when the population of surviving internees was aging fast.

This sense of urgency, plus the feeling that it was insulting to have to prove that there had in fact been any government wrongdoing, made the option of pursuing redress legislation very attractive to some. But while pressing for immediate action would placate some, there was a strong risk that Congress would reject a redress bill, particularly if it included provisions for individual compensation. As Mineta and the rest of the Japanese American congressional delegation had pointed out, redress legislation was likely to be squeezed between the twin pillars of prejudice and indifference. Moreover, the Japanese American community was too small and too dispersed to bring much convincing pressure to bear on Congress. There were only roughly 760,000 Japanese Americans in the US (out of a total population of 240 million), half of whom lived in Hawaii. Eighty-five percent of the mainlanders lived in California, but—a sign of their high degree of assimilation—in numbers too scattered to effect election outcomes. “I believe there’s only one congressional district in the entire country where Japanese Americans make up anything close to a significant number of the population,” says Glenn Roberts, Mineta’s legislative director in the early 1980s. “You’re talking about a community of a few hundred thousand people scattered around the country.”

In the end, the redress committee, though divided, voted to support the idea of the commission.<sup>6</sup> And, as Inouye had anticipated, the concept proved relatively uncontroversial in Congress. Inouye’s position in the Senate assured passage in that body. There was, however, more resistance in the House, where Norman Mineta was furious at colleagues who raised questions as to how the US could tell whether or not Japanese Americans might have been spies. “Members of Congress,” recalls John Tateishi, “were saying, ‘After all, we were at war with Japan and we couldn’t trust you folks.’” Nonetheless, the House did pass the commission legislation on July 21, 1980, by a vote of 297-109. The level of opposition was a sign of tougher battles to come.

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<sup>6</sup> Seattle chapter members held out for filing immediate redress legislation. At their urging, Washington Congressman Mike Lowry submitted such legislation, which died in subcommittee after Norman Mineta made it clear to committee members that he preferred to support the commission bill. Nevertheless, says Cherry Kinoshita, JACL’s vice president for public affairs, “we have a great deal of respect and admiration for Mike Lowry who—as a freshman congressman—was willing to break the ice.”



### The Commission Hearings

On July 31, President Carter signed into law the bill creating a Commission on Wartime Relocation and Internment of Civilians. The nine commission members—three each appointed by the president, the House and the Senate—included former Health and Human Services General Counsel Joan Bernstein, who served as chair; former Supreme Court Justice Arthur Goldberg; former Massachusetts Republican Senator Edward Brooke; Republican Congressman Dan Lungren of California; Judge William Marutani, of the Philadelphia Court of Common Pleas; and Dr. Arthur Fleming, chairman of the US Civil Rights Commission and Secretary of Health, Education and Welfare under the Eisenhower administration. Their task was threefold: 1) review the facts and circumstances surrounding Executive Order 9066, and its impact; 2) review the military directives requiring relocation and, in some cases, detention in internment camps; and 3) recommend appropriate remedies.

On July 14, 1981, the commission kicked off its study with a hearing in Washington, DC. Over the next year and a half, its members crisscrossed the country, holding a total of 20 days of public hearings in nine cities and collecting testimony from, among others, former government officials, public figures, historians, and Japanese Americans who had been interned. It was the latter who provided the most emotional moments of the hearings, offering what the commission later described as “poignant, searing testimony” of their experiences during the evacuation. Witness after witness, many of them weeping, recalled the fear and degradation of the enforced round-ups and transports to assembly centers and relocation camps. “To this day,” one woman told the commission,

I can remember vividly the plight of the elderly, some on stretchers, orphans herded onto the train by caretakers, and especially a young couple with four pre-school children. The mother had two frightened toddlers hanging on to her coat. In her arms, she carried two crying babies. ... The shades were drawn on the train for our entire trip. Military police patrolled the aisles.

There were stories of troops with bayonets fixed on the incoming internees, of some who were housed in horse stables at a race track, of a regimented life under armed guard. Gradually, the hearings began to generate stories in the press. “It did happen” began a sympathetic story in *Time* that ran on August 17, 1981. Whatever their effect on the general public, the hearings had a galvanic impact on the Japanese American community. Many of the stories that emerged in testimony were being told for the first time, and the airing of long-suppressed grief and anger created an atmosphere of emotional intensity. Amid the painful outpouring of memories, there was also what Glenn Roberts calls a “great unlocking of passion,” which, with some exceptions, brought the “rank and file” of the Japanese American community more solidly behind the idea of redress. “Talking about it” became the first step along the path to political activism, adds Rep. Mineta, on whom the commission hearings



were to have a particularly powerful impact. "It was only after talking about it that people could go on to the next step and actually do something about it."<sup>7</sup>

### The Commission Report and Recommendations

In taking that next step, Japanese Americans were aided by the report of the commission, which was submitted to Congress in February 1983. Entitled *Personal Justice Denied*, the 467-page document was a relentless indictment of almost every aspect of the evacuation and relocation. Tracing the decision to evacuate back to a history of hostility to ethnic Japanese on the West Coast as well as to fears of attack that followed the bombing of Pearl Harbor and the string of Japanese victories over US forces immediately thereafter, the commission found the exclusion of Japanese Americans totally without foundation. The US had, the report asserted, acted as a result of "race prejudice, war hysteria and a failure of political leadership." Relocation and internment had been, it said, "a grave injustice."

Several months later, in June 1983, the commission released its recommendations, outlining how the US could atone for that injustice. In regard to the Japanese Americans, the commission recommended, among other things, that: 1) Congress pass a joint resolution, to be signed by the president, apologizing for the internment; 2) Congress appropriate funds to establish a foundation to sponsor research and educational activities related to the evacuation and internment; and 3) Congress establish a fund to provide "personal redress to those who were excluded. ..." In order to fund both the personal redress and the foundation, the commission recommended that Congress appropriate \$1.5 billion, to be used first for a one-time payment of \$20,000 to each of the approximately 60,000 "surviving persons excluded from their places of residence pursuant to Executive Order 9066"; the remaining funds would then be dedicated to the educational foundation. In making the individual payments, the commission further recommended that the burden of locating survivors should rest with the government, and that payments be made to the oldest survivors first. All the recommendations (as well as the findings) of the commission had the unanimous support of its members, with one signal exception: Dan Lungren, the sole active member of Congress in the commission, dissented from the recommendation on personal redress.

### Looking Ahead

With the emotional upheaval of the commission hearings behind them, and the report in the hands of Congress and the press, advocates of redress in the Japanese American community next faced the question of how to translate the commission's recommendations into reality. A legislative route seemed the most obvious, but there was widespread agreement with the assessment of one JACL member that it would be "very, very difficult to get a bill through [Congress]." Although the commission had served an educative function, it was unclear how far its findings had penetrated into the halls of Congress, or the general public. And, as Lungren's dissenting vote indicated, even those who *were* educated and prepared to apologize for the internment were not necessarily willing to pay for it. Many

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<sup>7</sup> Eun, p. 30.



members of Congress, particularly those on the right, were apt to be suspicious of any bill that seemed to smack of affirmative action, and especially one that would violate their principles of fiscal conservatism.

In considering how to plot a legislative strategy, leaders in the Japanese American community had to ponder what assets they could draw on to help overcome the barriers a redress bill was certain to face. As a small and highly assimilated community, their phone calls and letters alone were unlikely to make a significant impression on Congress. They did, however, have a few influential insiders who could aid their cause. These included, prominently, the four Japanese American members of Congress, but it would take considerable political courage for them to assume a visible role in a legislative battle for redress. "These are people," Glenn Roberts explains, "who spent their whole lives trying to be seen not as Japanese Americans, but as just plain old Americans." Asking them to shepherd a redress measure through Congress, he adds, meant they would have to "approach their colleagues and say, 'You've got to see me as a Japanese American.'" Just how much the Japanese American members of Congress were willing to risk for the sake of redress legislation was uncertain, although there were signs that Inouye, the most senior of the group, was not inclined to take a leading role in the campaign.

Beyond these four members, Japanese Americans had few connections in Washington that might give them access to Congress. Historically, Japanese Americans had not been politically active and had not established strong ties to the nation's capital, thousands of miles away from their home bases in Hawaii and California. Outside their own community, Japanese Americans could look to other members of Congress who had ties to them dating back to World War II. For example, Sen. Alan Simpson, a conservative Republican from Wyoming, had first met Norman Mineta as a child, on a visit to the Heart Mountain relocation center in Wyoming where the latter, then a 10-year-old and, like Simpson, a Cub Scout, was interned with his family; the two had remained in contact for awhile in the years following the war and had renewed their friendship when their careers took them to Washington, DC. Japanese Americans had, in fact, already made use of one of those ties in obtaining Rep. Jim Wright (D-Texas) as lead sponsor of the legislation creating the Commission on Wartime Relocation and Internment of Civilians. Wright, who had served in the Pacific during the war, had been, it was said, deeply affected by the rescue of "the lost battalion" of the 36th Texas Division by the much-decorated 442nd Regiment. The rescue had come after several other outfits had failed, and the 442nd had suffered huge casualties in the effort. Later, the soldiers of the 442nd—including Senators Inouye and Matsunaga—were named "honorary Texans" to commemorate the event. Wright, who was the majority leader in 1979, rarely co-sponsored bills, but for the commission legislation he had made an exception. "Many of my good friends in Texas who served in the 36th Division," he later explained, "owe their lives to the heroism of the soldiers of the 442nd Infantry Regimental Combat Team."<sup>8</sup>

Other such connections, both in Congress and in the public at large, presumably existed, but it would be a tricky task for the JACL and other redress supporters to weave the anecdotal into a coherent

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<sup>8</sup> However, one observer offered another, more prosaic explanation of Wright's support. When Wright was running against Rep. Philip Burton of California for the post of majority leader, the story went, the one member of the California delegation to break ranks and vote for Wright was Norman Mineta. Wright won the job by one vote. Mineta, however, denies that he switched votes.



and coordinated strategy. At the same time, there were others in the Japanese American community urging or pursuing other courses. One group, the National Council for Japanese American Redress (NCJAR), filed a class action suit in March 1983, seeking legal redress of up to \$220,000 for each of the 120,000 internees or their descendants.<sup>9</sup> On another extreme, California Senator S.I. Hayakawa, speaking in the Senate on the 41st anniversary of the Japanese attack on Pearl Harbor and only weeks before the end of his tenure in office, warned that the image of an affluent ethnic group—better off than the national average, better represented politically than other minority groups—seeking financial compensation would result in “a backlash against both Japanese Americans and Japan.”

### Filing a Bill

Such cross-currents notwithstanding, the four Japanese American members of Congress decided to submit legislation to implement the commission’s recommendations, in the words of Senator Inouye, “from alpha to omega.” The bill they would endorse called for a one-time payment of \$20,000 to each surviving internee, a public education fund to “prevent recurrence of any similar event” and an appropriation of \$1.5 billion to pay for the measure. But Glenn Roberts, the legislative aide to Norman Mineta who actually wrote the bill, calls the title of the bill the group’s “most critical strategic decision. [It] was not titled ‘the Japanese American Redress Act.’ [It] was entitled ‘The Civil Liberties Act.’” With that wording, the measure announced the basic strategy of its supporters, which was, in Roberts’ words, “that this is about the Constitution, this is about civil rights, this is for future generations. ...” Constitutional rights, rather than property loss, would be their focus.

Despite such positioning, and despite the record of the commission, the legislation inspired a long, emotional battle in Congress over a five-year period. The struggle to pass the redress bill would call on its supporters to succeed in the use of an array of techniques: rallying the public to pressure members of Congress; calling on the goodwill the bill’s legislative sponsors had accumulated over the years with their peers; being ready to respond to substantive objections. As the redress bill appeared and reappeared in Congress over the course of five years, strong responses were frequently the order of the day for supporters and opponents alike. In testimony and debate, the measure proved to be a vehicle for uncovering memories of the war and discovering personal links to the historical events under scrutiny. “Unlike other bills that are decided after a flurry of special-interest lobbying and political bargaining,” one commentator was to write, “votes for and against restitution are being wrenched straight from the heart.”<sup>10</sup>

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9 Other, individual legal initiatives were also launched in 1983. *Coram nobis* petitions were filed seeking to overturn the wartime misdemeanor convictions of the three Japanese Americans who had tested the curfew and exclusion orders, on the grounds that the government had suppressed evidence and misrepresented facts when the cases were originally brought before the Supreme Court. In each case, the petition was ultimately granted or the government moved to vacate the conviction.

10 *Los Angeles Times*, October 4, 1987.



**Round One: The Civil Liberties Act of 1983**

The redress bill made its first appearance on October 6, 1983, when it was introduced in the House, with 74 co-sponsors, as HR 4110, "a bill to accept the findings and to implement the recommendations of the Commission on Wartime Relocation and Internment of Citizens."<sup>11</sup> Prominently heading the list of sponsors was Rep. Jim Wright, then House majority leader, whose association with the bill was considered a coup. After Wright had agreed to be lead sponsor of the bill, Roberts recalls, "Norm [Mineta] and I walked out of his office ... and [when we] stepped into the doorway of the elevator and out of people's sight, we both let out this enormous whoop. Because that was the day we knew we had a real bill."

Not all their efforts to recruit support ended so well, however. When Mineta paid a "courtesy call" on Rep. Thomas Kindness (R-Ohio), the ranking Republican in the Subcommittee on Administrative Law of the House Judiciary Committee, which would hold hearings on the bill, he was not at all happy with what he heard. "Kindness said," Roberts recalls, "'Well, I actually know about this [the internment] because I've worked with somebody who was involved in it, and I'll certainly look to him for guidance on that.' Norm said, 'Oh really, who?' And [Kindness] said, 'Karl Bendetsen.' And Norm just said, 'Oh,' and he finished the conversation and left. I said to Norm in the hallway, 'What was that all about?' Norm said, 'Don't you know Bendetsen? He was the general who put us in the camps, the son of a bitch.'"

Bendetsen, an Army colonel who had overseen the military's part in the evacuation effort, testified before the Subcommittee on Administrative Law at its June 1984 hearings on the redress measure, and, like others who had played a role in the internment, objected to the commission's conclusion that prejudice and war hysteria had motivated them. Indeed, the commission's work notwithstanding, the basic justification for redress legislation would be debated anew at the subcommittee level. Bendetsen pointed particularly to intercepted Japanese diplomatic cables, kept secret at the time, which indicated the intention of Japanese officials to attempt to recruit Japanese Americans for espionage and information-gathering activities. Commission critics, including dissenting member Rep. Dan Lungren, argued that the commission had failed to consider the impact of the cables. Several witnesses disputed these claims, however, arguing, in the words of one, that the cables were "unsubstantiated information, subject to many errors" and that public officials were aware of their shortcomings. Moreover, some experts asserted that the controversial cables had not in fact played a role in the decision to intern Japanese Americans, and that they were being used retroactively to justify the government's action. Still, the issue of the cables did not go away and whenever debate arose in Congress over the need for redress, they were cited as justification for the internment by redress opponents.

While witnesses like Bendetsen bridled at the notion that the internment represented "a grave injustice," others took exception to redress in the form of individual compensation. Testifying before the

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<sup>11</sup> There had actually been an earlier bill submitted by Rep. Mike Lowry right after the commission released its recommendations in June 1983. Once HR 4110 surfaced, however, with its powerful co-sponsors, Lowry agreed to let his bill die and asked the 44 co-sponsors to sign on to HR 4110.



subcommittee on June 21, 1984, Lungren, who had served as vice chairman of the commission, told his colleagues that while he shared the "basic conclusions" of the commission report, he opposed the recommendations for financial redress. Lungren offered a number of reasons for his opposition to restitution, which were picked up by other opponents of redress and became, along with the intercepted cables, a key part of the discourse on the issue. Lungren argued, first, that money essentially debased the value of the nation's acknowledgment of the wrong it had done. "Do we truly believe that nothing can be sincere and credible unless it involves something of a monetary nature?" he asked subcommittee members rhetorically. Lungren warned that financial restitution could set a dangerous precedent for the redress of "other long-past injustices," such as slavery or the treatment of the Indians. Finally, Lungren posed the problem of the nation's fiscal crisis, which would, he said, make the promise of financial redress either "an empty gesture" or a competitor for scarce resources with more pressing social needs, ranging from nutrition programs to senior citizens housing.

Arrayed against these opponents were venerable members of the Japanese American community, like Mike Masaoka and Minoru Yasui, who had played key (though different) roles at the time of the internment.<sup>12</sup> They scoffed at the notion that the internment camps represented a kind of "protective custody." Masaoka, for instance, told of two elderly men who had been shot reaching for a flower outside their camp's barbed wire. He emphasized, too, the heroism of the 442nd Regiment (in which he had served), particularly in the rescue of the lost Texas battalion. "I happen to be an honorary Texan," said Masaoka. "You'd be surprised how much more credence that gives your testimony," replied Subcommittee Chairman Sam Hall of Texas. Perhaps the most poignant testimony was that of Norman Mineta. After making the case for compensation in constitutional terms, Mineta turned from the general to the personal. "[L]et me tell you about my family," he said.

My father was not a traitor. He came to this country in 1902 and he loved this country. ... My mother was not a secret agent. She kept house and raised her children to be what she was, a loyal American. Who amongst us was the security risk? Was it my sister Aya, or perhaps Etsu, or Helen? ... Or maybe I was the one, a boy of 10 1/2 who this powerful nation felt was so dangerous I needed to be locked up without a trial, kept behind barbed wire, and guarded by troops in high guard towers armed with machine guns. Although I cannot say for sure, I don't think my activities in the Cub Scouts appeared in the [intercepted] cables.

On behalf of all Japanese Americans who were interned, said Mineta, "I ask and entreat this subcommittee to give us back our honor. Give us back the dignity and the pride that this government so

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<sup>12</sup> Masaoka was in Washington when Pearl Harbor was bombed; he counseled Japanese Americans to comply with the relocation and also fought for a role for Japanese Americans in the US armed forces. Yasui was one of the Japanese Americans who deliberately violated curfew orders in order to test them in court. His case was ultimately heard before the Supreme Court, which ruled against him. The conviction was later vacated.



unnecessarily took from us in 1942. Every citizen of this land will benefit from our rededication today to equal justice.”

When Mineta concluded his emotional testimony, those in the hearing room applauded. Mineta’s speech was, however, only the public aspect of a long-running inside effort which fell to the four Japanese American members of Congress who, according to Glenn Roberts, approached “virtually every one” of their colleagues to talk to them about redress. Such personal contact was viewed as key by redress proponents. Members of Congress, explains Roberts, routinely received thousands of pieces of mail each week. “Everybody’s cause is absolutely imperative—and many of them are truly right. But when members of Congress had these well-respected, obviously patriotic, loyal people saying, ‘As children we were put in [camps] for three years because we were suspected of disloyalty—that was something that made members of Congress stop and pay attention.’”

Powerful as was Mineta’s public presentation and private lobbying, it failed to erase the doubts of some subcommittee members, particularly its chairman. Hall, whom Glenn Roberts describes as “a gruff old conservative rural Texan,” was swayed by what he had heard of the intercepted cables and other evidence justifying the internment. “Hall seemed genuinely interested,” says Roberts, “but he just couldn’t believe that [the internment] had happened the way it did.” The redress measure stayed bottled up in his subcommittee and never came to a vote.

The bill fared no better on the Senate side, where Matsunaga had introduced it as S. 2116, with 13 co-sponsors. Like the House bill, the Senate version had its prestigious sponsors, such as Robert Dole (R-Kan.), himself a seriously wounded veteran of World War II who had fought alongside the 442nd Regiment in Italy. Dole, according to one observer, supported redress primarily out of respect for the tradition of “civil rights Republicanism” of his native Kansas and out of a desire—sharpened by his presidential ambitions—to open up the Republican party to minority groups. Nevertheless, his name on the bill as co-sponsor was not enough to overcome early opposition. Hearings were held in August 1984 before the Subcommittee on Civil Service, Post Office and General Services of the Governmental Affairs Committee, but after that the measure sank out of sight. William Roth (R-Del.), the chairman of the Governmental Affairs Committee, opposed redress on fiscal grounds, and while the measure was in his jurisdiction, says one observer, “it wasn’t going to move.”

## Round Two: The Civil Liberties Act of 1985

Despite the failure of the redress bill to make progress, it had picked up more co-sponsors while it was languishing in subcommittee. When the measure was re-introduced in the House—as HR 442, in honor of the 442nd Regimental Combat Team—on January 3, 1985, it had 99 co-sponsors, with Wright’s name again at the head; on the Senate side, Matsunaga introduced the legislation on May 2, 1985, with 25 co-sponsors. Aside from the new sponsors, the redress bill was essentially the same as the one that had been introduced in the previous Congress (though, as a result of Matsui’s efforts with fellow members of the Ways and Means Committee, it now stipulated that the compensation would be tax-free); but there were organizational changes—both within the JAACL and in a key congressional subcommittee—that could potentially affect the bill’s fate in the 99th Congress.



Within the JACL, a decision had been made to shift both the emphasis and the location of its redress efforts. Throughout the early 1980s, the organization's campaign for redress had been directed by its National Committee for Redress, headed by John Tateishi and based in San Francisco, with an emphasis on educating the public about the internment. In May 1985, at a national board meeting, the JACL decided—not without some internal warfare—to activate its Legislative Education Committee (the JACL-LEC), reorient the organization's focus from education to lobbying, and seek a full-time director based in Washington, DC. The LEC had actually been formed back in 1982 as an independent lobbying arm of the JACL,<sup>13</sup> but had been, in the words of one member, "moribund" until 1985.

To spearhead its congressional campaign, the JACL-LEC chairman, Minoru Yasui, recruited Grant Ujifusa, then an editor with Random House in New York, and gave him the post of vice-chairman for legislative strategy. Ujifusa was uniquely suited to help Japanese Americans thread their way through the maze of Congress. As co-author of the *Almanac of American Politics*, Ujifusa brought political savvy and a detailed knowledge of the inner workings of the Hill to the campaign for redress. He also brought entrée to the offices of most members of Congress. The almanac, Ujifusa says, was "a big deal inside the beltway," a source used by staffers, lobbyists and journalists to get a "quick fix" on a member of Congress by reading the thumbnail profiles it offered. "It's extremely well-known on the Hill," he explains, "so if you call somebody [in Congress] up and say, 'I co-author the almanac and I don't want to come in and talk to you about the almanac, I want to talk to you about something else'—then they're going to see you."

A third-generation Japanese American whose family were farmers in Worland, Wyoming, Ujifusa had not been directly touched by the internment; but, he says, if only through the racial prejudice that denied his mother valedictorian honors in her high school in southern Colorado, "I knew what the story was. ... I understood it in my belly the way the Nisei [a second-generation Japanese American] who did go to camp as an adult understands it." Although cognizant of a potential perceived conflict of interest between lobbying for redress and his work on the almanac, Ujifusa decided to take on the task, which he viewed as akin to "lobbying motherhood." He knew, though, that his work on the almanac gave him an advantage: "If I wanted to see a Dan Lungren or an Al Simpson, I could get in and see these people."

Ujifusa's first major act as vice-chair for legislative strategy was to produce a four-page document, issued on October 3, 1985, that outlined a plan of action for lobbying Congress. "Our strategy depends on understanding a simple reality and acting on it," his paper began. "[T]he situation in Washington has changed for the better, making chances for passage of the redress bill much brighter." The main reason for this optimism was the departure of Sam Hall—who had been appointed a federal judge—from the chairmanship of the Subcommittee on Administrative Law. Hall's replacement, Rep.

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<sup>13</sup> The LEC had been created because of IRS regulations that barred organizations funded by tax-deductible dollars from spending more than 15 percent of their budget on lobbying. As an independent entity, the JACL-LEC could solicit non-deductible contributions to pay for its lobbying efforts.



Dan Glickman (D-Kan.), Ujifusa wrote, "instinctively understands what happened in 1942."<sup>14</sup> Moreover, Tom Kindness of Ohio, the ranking Republican on the subcommittee and an avowed foe of redress, had decided to run for the Senate against John Glenn in 1986.

To take advantage of these promising developments, Ujifusa laid out several strategic priorities for the JACL-LEC. Two of them involved lobbying members of Congress in key positions: 1) those who sat on the Subcommittee on Administrative Law, where six votes were needed for a favorable report on the redress bill (Ujifusa considered the full House Judiciary Committee a more likely bet to vote for redress); and 2) those who sat on the full Senate Governmental Affairs Committee which, unfortunately for advocates, was still chaired by redress opponent William Roth.

Another strategic priority concerned lobbying the White House. The "ideal lobbyist" for the White House, Ujifusa wrote, would be someone with personal and professional links to the Reagans dating back to their years in California. The lobbying would not, however, be so much to enlist their support as to defuse their opposition. "For a variety of political reasons," Ujifusa continued, "we are unlikely to get open and public support for the [redress] bill [from the White House]. The goal is to get neutrality. ..."

Ujifusa's paper detailed at length how the Japanese American community should lobby members of Congress through letters and constituent visits. "The grassroots work on your local Representatives and Senator remains vitally important," he asserted. At the same time, however, he noted that "[w]e cannot lobby and pass the redress bill unless we have the support of other civil rights, ethnic, religious and labor groups. We don't ourselves have the numbers, the big money, and the organized clout." Another priority, then, would be "to enlist proxy Nikkei [i.e., Japanese Americans] and proxy Nikkei organizations. ..."

The first and overriding priority, however, Ujifusa assigned to raising money to hire a full-time staff director in Washington "to lead and co-ordinate the lobbying effort." If the Japanese American community "is not able, for whatever reason," he wrote, "to show confidence by supporting our organized effort to win redress, any and all strategic plans are useless, and we might as well shut the operation down. For common sense tells us that without commitment and work at the grassroots level, a national lobbying campaign is an empty exercise." The subsequent hiring of staff director Grayce Uyehara, along with Ujifusa's legislative strategy work, effectively centralized strategic authority for the redress bill, a development Glenn Roberts viewed as crucial to the bill's chances. Uyehara was, Roberts adds, a valuable asset to the campaign because of her "willingness to go outside JACL's formal processes and use her own personal contacts" in the community to get things done.

There was no immediate improvement in legislative results, however. HR 442 and its companion bill in the Senate sank like stones. Glickman did hold two days of hearings in April and July 1986, but the measure again failed to make it to a vote. Glickman, says Roberts, "was never able to summon the sort of legislative moxie that it took to get [the bill] going." His attitude, adds Ujifusa,

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<sup>14</sup> Glickman, says Glenn Roberts, had a relative who had been in a German concentration camp. "And he got reparations from the West German government," Roberts explains, "so Glickman understood about reparations and redress payments."



was, "I don't want to touch it. It's too hot politically in Kansas, although personally I'm for it. It ain't going to move." Things were even worse in the Senate where, apparently, the opposition of Governmental Affairs Chairman Roth kept the bill from even getting a hearing before the Subcommittee on Civil Service, Post Office and General Services. In the meantime, victories on the legal front—including a ruling that the federal government had suppressed evidence which might have affected the Supreme Court decision upholding internment while it was underway, as well as a favorable appeals court ruling on the NCJAR class action suit—seemed to offer another avenue to gain redress. Legislative proponents, however, not yet discouraged, planned both external and internal campaigns aimed at the coming 100th Congress.

#### External Strategies: The Grassroots and "Proxy" Campaigns

As executive director of the JACL-LEC, Uyehara took responsibility for implementing a campaign aimed not only at making Japanese Americans themselves more vocal, but at adding voices from other communities to the pro-redress chorus. To aid in the former goal, she began, in 1987, a series of "action alerts," updates on the progress of the redress bill that were sent to JACL chapters and supporters throughout the country. The action alerts provided redress news, lists of key committees and their members, form letters to be sent to members of Congress, and scorecards on every member of Congress, including their position on redress, their addresses and the names of their chief aides. JACL members were requested not only to send the letters (and to ask friends and relatives to do likewise), but to visit their representatives either in Washington or when they were in town during congressional recesses. Such personal contact was deemed especially important. Rep. William Dannemeyer, an ultra-conservative Republican from California, was won over by Clarence Nishizu, a "very conservative, very wealthy" contributor, says Ujifusa, to the congressman's campaigns. "We got [Dannemeyer]," according to Ujifusa, "because of someone like Clarence Nishizu [who knew] him from long ago. [It was] like, 'Clarence, you're telling me that you, Clarence, went to camp; you, Clarence, who've been giving me money for my campaign for all these years, went to camp?' 'Yes.' 'And you wrote me this five-page, impassioned letter in longhand?'"

The lobbying done by Japanese Americans, particularly those who had been interned, says Glenn Roberts, "had the effect of forcing people to focus on the internment and what it meant for individuals, because these were very, very powerful stories."

If you're a member of Congress who doesn't really think much about Japanese Americans from one day to another, and suddenly five constituents show up in your office [and] say, "Here we all are, loyal Americans, voting for you all these years. Let us tell you about what happened to us when we were kids and young people. ..." That's really going to capture your attention.

When Uyehara couldn't find any Japanese American constituents to go to bat for the redress bill, she resorted to often ingenious means to find suitable proxies. Uyehara arranged, for instance, for a JACL member's Methodist minister, originally from West Virginia, to contact ministers he knew in the



district of Rep. Harley Staggers (D-W. Va.). Staggers, a member of the Subcommittee on Administrative Law, was one of those Ujifusa had identified as a promising convert to redress but who had no Japanese Americans in his district. Through the Methodist connection, Uyehara was able to see to it that Staggers got some letters supporting redress—only a handful but enough to make the difference. “All he wanted to be able to say was, ‘I have heard from constituents who want me to support this issue,’” she explains. “That doesn’t mean 100 letters are necessary all the time.”<sup>15</sup>

While putting individuals to work on producing letters and visits, Uyehara also sought the endorsement of a wide variety of organizations—religious, civil rights, civic, labor, and veterans—to bolster the cause of redress. By early 1987, the JACL-LEC had compiled an impressive list of almost 200 organizations supporting redress, ranging from the American Bar Association to the National League of Cities; from the B’nai B’rith Anti-Defamation League to the National Education Association; from the Black and Hispanic Congressional Caucuses to the AFL-CIO. In addition, a large number of church organizations, some state and city legislative bodies, and even a few veterans groups lent their endorsement to redress.<sup>16</sup> The support of non-Japanese American citizens and organizations was particularly important, Glenn Roberts points out, “because that reinforced the point that this was not just a special interest bill ... that this was a broader bill about the whole nation.”

These letters, visits, and endorsements were helpful not only in their own right, but as counterweight to the letters that began arriving in opposition to redress once the bill took on greater visibility in the 100th Congress. The mail, much of it from veterans and former prisoners of war, ran as high as 10 to one against redress. Some of the impact of such an overwhelmingly negative response was deflected, Roberts says, “because the people who wrote ... often didn’t understand what had happened. That was clear. It was people who wrote and said, ‘They bombed Pearl Harbor, why should we pay them compensation?’” So many letters reflecting this confusion with the Japanese crossed Wright’s desk that his aides crafted a form letter intended to correct the misperception.<sup>17</sup> “It is important to realize,” the letter stated, “that those who were interned in this country were not the Japanese enemy. They were American citizens who were interned on no grounds other than their racial heritage.”

Such efforts notwithstanding, the tide of sentiment against redress, as measured in the volume of letters, virtually swamped support for the measure. It was clear, says Grant Ujifusa, that redress “couldn’t ever win in a national referendum.”

So you had to say, “Look, this is representative government. ... So we are going to take our constitutional case on the merits, occupy the high constitutional ground inside the beltway, particularly on the Hill and in the White House. We are going to make our case there. It’s going to be settled by 536 people, including the president.”

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<sup>15</sup> Eun, pp. 72–73.

<sup>16</sup> However, as the JACL-LEC acknowledged, endorsement in some cases meant that “an organization has acknowledged the injustice of the internment, but has not addressed the question of monetary redress.”

<sup>17</sup> Eun, p. 38



### Internal Strategies: Making a Case in Congress

Inside the beltway, Ujifusa, along with Mike Masaoka and the Japanese American members of Congress, met individually with representatives and senators to urge their support for redress. "My responsibility," says Ujifusa, "was the White House [and] conservative members of the House." The access provided by the almanac was "particularly important because it allowed me to talk to people ... on the Republican side." Ujifusa and the others used a variety of tools to persuade, ranging from the ideological to the personal. On the ideological end, they worked to forge a "civil rights/civil liberties coalition" between left and right. The liberals in the House and Senate, Ujifusa notes, were already basically in the pro-redress corner.<sup>18</sup> With the conservatives, particularly those Ujifusa and Roberts call the "intellectual conservatives," they argued the issue on constitutional grounds. Henry Hyde, for example, a conservative Republican congressman from Illinois and, according to Roberts, an influential member of the House Judiciary Committee, was ultimately convinced of the merits of redress "because a lot of conservatives genuinely believe in the Constitution and genuinely believe the Constitution's words." With House Republican leaders Jack Kemp of New York and Dick Cheney of Wyoming, Ujifusa argued, "'Hey, this is a constitutional issue. Look at it that way. You know, don't look at it that the usual suspects are up with the usual bad [special interest] bill.'" Both sides of the political spectrum, Ujifusa notes, met on the issue of "what the Constitution meant in the face of an egregious violation of it."

There were personal links as well that helped forge an alliance on the redress issue. This was particularly true of Simpson, who had met Norman Mineta when the latter was interned at the Heart Mountain, Wyoming relocation center. In addition to this personal brush with internment—which he was to describe in poignant detail in a *Los Angeles Times* interview and later on the Senate floor—Simpson shared some very different memories with Ujifusa, who had grown up just 90 miles away from the senator's hometown, Cody. Simpson vividly recalled Ujifusa as the quarterback of the high school football team which beat the defending state champion Cody team. "When I went to see Al," recalls Ujifusa, "he told me that 'the *Almanac of American Politics* is a great achievement, but not as great as the night you beat us 18 to 6.'"<sup>19</sup> The almanac did, however, provide access to members of Congress and also occasionally became a forum for airing pro-redress arguments and criticizing anti-redress members of Congress. So, for example, in a section on Hawaii's two senators, the 1986 almanac, noting Inouye's and Matsunaga's support for redress, described internment as "expropriation and wrongful incarceration of 120,000 people by racial edict with no charges ever filed." Although as a rule the almanac was silent on the foes of redress, the 1986 edition, in a generally negative critique of Rep. Thomas Kindness, whose opposition to redress was spotlighted, called his position "absurd," arguing it "can be compared to trying to make today the case for American slavery."

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<sup>18</sup> Not all the "labor liberals" supported redress, however. "Some of them went with Wright," Ujifusa says. "Others were saying, 'Hey, aren't these the Japs who cost us the steel mill jobs and the car jobs?'"

<sup>19</sup> Eun, p. 86.



Although by the end of 1986, the lobbying in Congress, along with the grassroots campaign, had picked up more support and co-sponsors for a redress bill, it was unclear whether it had enough backing to move it through the legislative process. It took a couple of key turnovers in Congress—one in the House and one in the Senate—to give the redress measure its best, and maybe last, chance at passage. The first session of the 100th Congress, Grayce Uyehara wrote in one of her “action alerts,” was a time to “go for broke.”<sup>20</sup>

### Round Three: The Civil Liberties Act of 1987

The crucial change in the House was the ascension of Barney Frank (D-Mass.) to the chairmanship of the Subcommittee on Administrative Law after Rep. Glickman moved on to an assignment on the Agriculture Committee. Frank had supported redress from its beginnings. His reasons, Frank says, dated back to his college days:

I took Gov. 124, a class on American constitutional law, while at Harvard, and we studied the Korematsu case [one of the test cases argued before the Supreme Court]. I thought that both the internment and the Supreme Court decision were fundamentally wrong.<sup>21</sup>

Having Frank at the helm of the Subcommittee on Administrative Law, says Roberts, was “absolutely critical. ... Barney is smart, articulate, and adept, and not afraid of a fight.”

In the Senate, an equally important change had taken place. As a result of the off-year elections, the Democrats had regained control of that chamber, thus ousting Roth from the chairmanship of the Governmental Affairs Committee and releasing his stranglehold on the redress legislation. His successor, John Glenn of Ohio, was expected to support the redress measure.

As anticipated, Frank quickly signaled his intention to push the bill. “Barney says,” Ujifusa recalls, “Grant, look, we’re going to move the bill. ... We’re not going to do \$250 million of the trust fund; we’re going to do \$50 million. And we’re not going to funnel it into Japanese American civic organizations.”<sup>22</sup> ... I said, ‘Okay, fine. Let’s go, Barney.’” Ujifusa then walked over to Inouye’s office to tell him the good news. “I say, ‘Hey, Barney is going to move it.’ And we’d had nothing up to that point. Nothing. So I thought Dan was going to say, ‘Hey, hooray!’ But he looks at me blankly ... and he says, ‘Well, Grant, how many co-sponsors does Spark have?’ I think he had about 28 or 29 at that point. And [Inouye] says, ‘I think [he’s got] 34 or 35 max, don’t you?’ In other words ... he just didn’t think it was going to happen.”

But at a later meeting with Ujifusa and Masaoka, Matsunaga vowed to boost the number of sponsors in the Senate. “Spark said, ‘Well, by God, we *are* going to do it. ... I am now going to work.’”

<sup>20</sup> “Go for broke” was the motto of the 442nd Regimental Combat Team.

<sup>21</sup> Eun, p. 98.

<sup>22</sup> The authorization for the trust fund for both payments and public education was cut from \$1.5 to \$1.25 in the House Judiciary Committee mark-up; \$50 million of that was to go to public education. Originally, the bill had called for public education money to be used for “the general welfare of the ethnic Japanese community” in the US.



And we know what Spark was able to do." What Matsunaga did was patiently collar each of his colleagues in the Senate and ask for their support. By the time he introduced the bill in the Senate in the spring of 1987, he had collected 75 co-sponsors—an impressive feat under any circumstances. "Spark was unfailingly courteous," says Ujifusa, "... and the other senators loved him. He was not regarded as a Daniel Webster or a Henry Clay—I don't know who in that body is now—but because [the Senate] is [like] a high school composed of 100 people, a very small high school, you know everybody. ... You have to be able to work with all these people personally. And Spark was a master of that."

Meanwhile, spurred on by the "action alerts," JACL members and supporters kept up a steady drumbeat of letters and visits, tailoring the content of each to the progress of the bill in Congress. Other Japanese American organizations joined in the campaign as well. The National Coalition for Redress and Reparations (NCRP), a Los Angeles-based grassroots group which emphasized community organizing efforts and alliances with Third World causes, sent letters and petitions to Congress, and organized a five-day lobbying trip to Washington. At the same time, NCJAR's legal initiative had run into a stumbling block. In June 1987, as the redress bill was still making its way through the House Judiciary Committee, the Supreme Court ruled that the wrong Court of Appeals had heard NCJAR's suit and sent it to the US Court of Appeals for the Federal Circuit to be reheard. This was a setback for the proponents of the class action suit, since it meant further delays and the danger that its earlier successful appeal would be overturned. NCJAR's troubles helped those who sought redress through legislation, according to Glenn Roberts, because "no one could ... say to us, 'Why are you pursuing this remedy when you are about to get what you want in the courts,' because it was clear that they weren't going to win in the courts. ..."

*Redress in the House.* True to his word, Barney Frank lost little time in moving the redress bill. Introduced on January 6, 1987 by House Majority Leader Thomas Foley (D-Wash.), who had succeeded Wright when the latter took the post of Speaker of the House, HR 442 now boasted 125 co-sponsors. After undergoing a third round of hearings before the Subcommittee on Administrative Law on April 19, it was reported out to the full Judiciary Committee in short order on May 13. About a month later, on June 17, the committee approved the bill in a 28-6 vote. Aside from the changes Frank had earlier mentioned to Ujifusa, the redress bill the committee passed was essentially unaltered. In response to some unhappiness over the wording of the "findings" section of the bill, Frank proposed to assign motives for the internment to "racial prejudice and wartime hysteria" alone, omitting the "failure of political leadership." The change was accepted,<sup>23</sup> and the measure was at last ready to go to the House floor for a vote. Its supporters faced that prospect with confidence. They had enough votes for passage, says Ujifusa. "It was clear that before Barney and Tom Foley and Jim Wright took this bill to the House floor, we had it won."

That did not stop the bill's opponents from airing once again their arguments against redress when the bill came up for debate on September 17, 1987. The date was a momentous one—two hundred years to the day since the signing of the Constitution, a piece of timing arranged at Mineta's request.<sup>24</sup>

<sup>23</sup> The language was, however, restored in an amendment offered by Lungren during House deliberations on the bill.

<sup>24</sup> Eun, p. 99.



No other piece of legislation was scheduled for consideration in the House that day. While supporters of redress alluded to the bicentennial in their speeches on behalf of the bill—"I can think of no finer way to celebrate the 200th anniversary of the Constitution of the United States than to rectify a wrong," Speaker Wright told his colleagues—opponents hammered away at the issues that had troubled them since the measure made its first appearance in subcommittee hearings: the intercepted cables, monetary compensation, fiscal constraints, dangerous precedents. "What a funny way they [members of the Judiciary Committee] ask us to rub ashes on our heads," said Rep. Bill Frenzel (R-Minn.). "... The committee is asking us to purge ourselves with another generation's money."

At times, members of the House drew on personal experience as they made their arguments. Rising in opposition to the bill, Rep. Ronald Packard (R-Calif.) told his colleagues about his own hard childhood experience during World War II. Packard's father, a carpenter, had been working on a government construction job on Wake Island when it fell to Japan in 1941; he was taken prisoner for five years, leaving his wife and 17 children to fend for themselves with only token financial assistance from the US government. "An injustice, of course," Packard said. "There are literally hundreds of thousands of families like ours who sustained injustices from wars. Would we now ask our Government or the Japanese Government to satisfy these injustices with a money settlement? Never."

But when it came to memories of World War II, no one in the House could equal Norman Mineta's harrowing tale of the internment. By now, he had recited the details many times, but with undiminished emotion. "[T]o me," he told his colleagues, "this is a very, very emotional day, in sharp contrast to May 29, 1942, when, as a 10-1/2-year-old boy wearing a Cub Scout uniform, I was herded into a train under armed guard. ..." It was only "in this kind of a country," he added, "where a 10-1/2-year-old can go from being in a Cub Scout uniform to an armed-guard-guarded train to being a Member of the House of Representatives of the greatest country in the world." Tearfully, Mineta read an excerpt of a letter his father had written after he and his family had been put on a train "to an unknown distant barracks."

I looked at Santa Clara's streets from the train over the subway. I thought this might be the last look at my loved home city. My heart almost broke, and suddenly hot tears just came pouring out, and the whole family cried out, could not stop, until we were out of our loved county.

Mineta's personal remembrances, along with Matsui's, the *Washington Post* reported the next day, "held the House transfixed."

In the end, the pro-redress forces won the day. An amendment offered by Lungren to delete the \$20,000 payments—the chief focus of debate on the measure<sup>25</sup>—was defeated in a 162-237 vote. Soon after, the House went on to approve the redress bill on a vote of 243 to 141.

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<sup>25</sup> Japanese Americans took their revenge on Lungren, who had led the opposition to redress payments on the House floor, that winter. When California Governor George Deukmejian nominated Lungren for state treasurer, a coalition led by Japanese Americans successfully blocked his confirmation by the state legislature.



*Redress in the Senate.* With 75 co-sponsors, no one anticipated major problems for the redress bill in the Senate, but its progress through that chamber proved slower than had been expected. After Matsunaga introduced the measure on April 21, 1987, it went to the Subcommittee for Federal Service, Post Office and Civil Service, chaired by David Pryor (D-Ark.), who was sympathetic to redress.<sup>26</sup> Hearings were held and before the month was out, the subcommittee sent it on to the full Governmental Affairs Committee, where, under John Glenn's chairmanship, it passed on a unanimous vote, on August 4. During mark-up, the committee had accepted an amendment offered by William Roth that spread the payments out over a five-year period: \$500 million in 1989, \$400 million in 1990, \$200 million in 1991, and \$100 million each in 1992 and 1993. Otherwise, the bill was unchanged in its essentials as it headed to the Senate floor for a last round of debate.

But that last round proved slow in coming. For a variety of reasons—congressional preoccupation with the budget resolution, the October stock market crash, concerns about possible filibusters—the measure did not make it to the floor in the first session of the 100th Congress; and it was not until April 19, 1988 that the full Senate finally began its deliberations on redress.

On that day and the following, the same arguments were again heard on each side of the issue, with Jesse Helms (R-N.C.) taking the lead in introducing amendments. After an amendment offered by Chic Hecht (R-Nev.) that would eliminate monetary compensation was tabled on a 67-30 vote, Helms presented two other amendments in succession: one providing that no funds be appropriated "in any year in which there will be a budget deficit," and the other requiring that no payments be made until the government of Japan compensated the families of those who were killed as a result of the Pearl Harbor bombing. Both amendments were also tabled, the former on a 61-35 vote, the latter, 91-4.

A number of conservative Republicans rose to speak on behalf of the measure—including Alan Simpson, Orrin Hatch (R-Utah), Warren Rudman (R-N.H.)—but many of them expressed ambivalence about the financial aspect of redress. Simpson recounted at length his meeting with fellow Cub Scout Mineta and his impressions of the relocation center he had visited as a child. "Heart Mountain," he told his colleagues, "rises up strong and majestic from the floor of the lush, irrigated farm valleys in the Big Horn Basin, between Cody and Powell." It was the custom, he said, for local youths of the area to carve their initials in the rocks at its peak. Among the crowd of initials of hometown boys, however, there were Japanese letters and writings engraved by the Japanese Americans who had been interned there. "It is a moving—and sobering—sight," Simpson reflected, "to find high upon a Wyoming mountainside." Despite his conviction that the internment was "the gravest of injustices," Simpson acknowledged that "I have trouble with the money." While he pledged to support "the final product," the payments to individuals left "a strange feeling in my craw." The sooner "we close [the] wound [of the internment] and suture it with love and understanding and affection, we will be better off," Simpson added. "And suturing it with money does not seem like the best way to conclude the issue." Others, like Robert Dole, expressed support for the bill, but warned of the uncertain fate of the monetary compensation provision once it came time to appropriate funds. "Like other authorization bills in the

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<sup>26</sup> Two relocation centers had been built in Arkansas. Previously, as governor, Pryor had placed historic markers at the sites and made a speech expressing regret over the internment. [Eun, p. 103.]



age of 12-digit budget deficits," he said, "[the redress measure] will undergo careful scrutiny in the appropriations process. It is one extremely worthy effort, but it must be evaluated along with other projects worthy in their own right."

These concerns notwithstanding, the Senate finally did pass the redress bill, financial restitution and all, on April 20, on a 69-27 vote. The long battle for congressional approval of redress was over. Redress advocates now girded themselves to face one last hurdle: the White House.

### Last Steps

As the redress legislation wended its way through Congress in the fall of 1987, there was deep concern about what President Reagan would do when the bill landed on his desk. The Department of Justice, in the person of Assistant Attorney General Richard Willard, had testified against the measure in subcommittee hearings in the House and Senate that summer, arguing, among other things, that Congress had already handled compensation back in 1948; that the provisions for restitution would "impose heavy administrative burdens on the Attorney General" (who was responsible for locating and paying eligible individuals); and that the conclusions and "subjective determinations" of the redress commission's report were "subject to debate." For those and other reasons, Willard informed the subcommittee, "the Department of Justice would recommend that the president veto [the redress bill]."

At the same time, for different reasons, OMB was sending out signals that it would not look favorably on the redress measure. On September 18, 1987, the day after the House passed the redress bill, the *Los Angeles Times* reported that OMB "has said it will recommend a presidential veto because of objections to the \$1.2 billion in payments."

These disquieting rumblings turned into something more ominous a few days later when Grant Ujifusa got a phone call from a White House pollster whom he'd asked to test the waters for redress with members of the Reagan administration. "He said," Ujifusa recalls, "'I've got very bad news. ... People over at the White House say they've drawn their wagons in a circle and they don't want this [bill] at all.' I was very disheartened by that. ... He advised me to give the bill up for a session. He said, 'It's just too tough.'"

Ujifusa, however, was concerned about the negative effects on redress advocates of waiting much longer for a bill. "We were just running out of gas," he says. He arranged a strategy meeting with Masaoka and Matsunaga in mid-October; it was, he recalls, shortly after the stock market plunged, giving rise to the specter of a serious downturn in the economy, which would lend weight to the administration's opposition to the redress bill. At the meeting, it was decided that Matsunaga "would continue to go after co-sponsors, but would not push action on the Senate floor because we had a red light from the White House." Meanwhile, Ujifusa and others would work to change the light to green.

Ujifusa had, in fact, already been at work at the Justice Department seeking to defuse opposition there to the bill before it came up for a House vote. In both a letter and a visit to Assistant Attorney General Willard, he made a pitch that he would use elsewhere in the administration:



I knew they [at Justice] were thinking, "Oh, yeah, the usual suspects are acting up. This is a minority bill. Bad stuff. The usual guys are up trying to get the government to correct every ill in the country." ... So I made a political argument, saying that the Confucian tradition of family, hard work, and education, and, in this country, technology, are really quite consistent with themes expounded by Ronald Reagan. And if you look at the election returns of both '80 and '84, the Asian community did in fact vote Republican, and they did it for cultural reasons.

Whether or not Willard was swayed by these arguments, his response reassured Ujifusa:

He looks at me and says, "Well, you know, when the attorney general [Edwin Meese] said, 'Who wants this issue?,' there were about 20 guys standing in line; and 19 stepped back, and here I was. I didn't want this thing, Grant." ... But then he says, 'I promise you two things. Number one, if this thing ever gets to the White House, I will not be burning up the lines to the White House to have the president veto the bill. ... [Number two,] when this thing goes to the floor of the House, and later when it goes to the Senate, I promise you that I'll send no one up there to lobby against this bill."

"In other words," adds Ujifusa, "'Grant, you've got me neutralized.'"

Ujifusa also took his argument to people who might relay his message directly to Reagan. He visited Secretary of Education William Bennett, whom he's known since they'd been students at Harvard. Bennett promised Ujifusa that "'the next time I see the president, I will say to him that I support this bill.'" At Bennett's suggestion, Ujifusa also enlisted the aid of domestic policy advisor Gary Bauer, "a point-person in anti-abortion, a family values man," he says. "My theory here was that if I get Gary Bauer on my side, then that nails down the movement conservatives in the operational spectrum." Bauer agreed to help, as did Burton Pines of the conservative Heritage Foundation, whom Ujifusa asked to call the White House on behalf of redress, and Paul Weyrich of the Committee for the Survival of a Free Congress. "So," says Ujifusa, "we had the support of what was probably the most powerful political movement of the eighties."

Meanwhile, Grayce Uyehara sent out an action alert in October asking supporters to send letters to President Reagan. She urged writers to include some personal history in their letters. "If you have a story about how the incarceration affected you and your family," she wrote, "your letter might be the one to be shared with the president." Above all, however, Uyehara stressed volume. "Candidly speaking," she noted, "I am told that letters generally are separated into two piles—for and against—so it seems the number of letters will be more important than the content." The pro-redress letters did come in but, apparently, they did not stack up well against the opposition. White House aide Anne



Higgins, who monitored the mail, told Ujifusa that "we were swamped by the negative mail ... four or five or six to one, particularly from outraged veterans."

Amid all this lobbying activity, it was an encounter between Reagan and Governor Thomas Kean of New Jersey which Ujifusa hoped would "turn the tumblers." Ujifusa had recruited Kean, whose book, *The Politics of Inclusion*, he had edited, in the campaign to win Reagan's support for redress. In October 1987, when Reagan visited New Jersey to stump for Republican candidates for the state legislature, Kean seized his chance. During a 35-minute limousine ride between campaign stops, Kean made the case for redress. The president, Kean later told Ujifusa, was interested and seemed to know about the internment, though he apparently "had the idea that [the purpose of] it was protective custody."

While Kean talked of the internment, he reminded the president of a piece of personal history, relayed to him by Ujifusa. When the town of Santa Ana refused to allow the body of Kazuo Masuda, a Japanese American who had been killed in action in Italy, to be buried in its local cemetery, General "Vinegar Joe" Stilwell flew to California especially to present his family with the soldier's posthumous Distinguished Service Cross medal. Joining the general at the December 1945 ceremony was a young actor named Ronald Reagan, then a captain in the Army. "It was," the *National Journal* later wrote, "an anecdote [Reagan] might have forgotten—but Ujifusa realized that having Kean remind Reagan of that personal connection would carry more weight with the president than rational argument." Reagan, Ujifusa explains, was "anecdotally inclined. ... You have to reach his heart because he thinks anecdotally, not conceptually."<sup>27</sup> The story of his appearance at the ceremony, he adds, was "common lore in our community. People knew of it. The question in my mind was how could we best use it."

Soon after the meeting with Reagan in New Jersey, Kean called Ujifusa to tell him that the president was "receptive, this was something he might want to do." Ujifusa followed up Kean's efforts with a letter to the president explaining that the internment had not, in fact, been a matter of protective custody, and enclosed a letter, addressed to Reagan, from June Masuda Goto, the sister of Kazuo. Recounting his presence at the ceremony and the brief address Reagan had made then, Goto wrote, "The presence of you and General Stilwell greatly affected the community and led to a better life for our family. ... Many times I have been asked to speak at the Kazuo Masuda middle school. I speak to all the history classes, and quote your words to the students." Urging him to support the redress legislation, she concluded, "All of us in our family—I believe Kaz as well—would be greatly honored if you would. I also believe that America, through you, would honor itself."

By February 1988, Ujifusa was receiving new signals from the White House. In a meeting with Ken Duberstein, Reagan's deputy chief of staff, to talk about OMB opposition, Ujifusa was told, "'Grant, look, this whole matter has been talked about at a much higher level than that.'" Later Ujifusa learned that "the word had gone out that the president wants this."

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<sup>27</sup> Eun, p. 120.



### Another Ceremony

With the White House certain to pose no problems and action completed in the Senate, the way was cleared for House-Senate conferees to work out their differences and present a final version of the bill for approval.<sup>28</sup> On July 27, 1988, the Senate approved the conference report on a voice vote; the House followed suit a few days later, on August 1, in a 257-156 vote.<sup>29</sup> Even with victory assured, opponents of redress in Congress had a final say, reprising the arguments of the past five years. Rep. Helen Bentley (R-Md.) told her colleagues that her husband, a Korean war veteran, had warned her, "If you want a fast divorce, you vote for that outrageous expenditure of our money." He told her, moreover, "'That was wartime ... and we did not start the war. If anyone should get anything, it should be the American prisoners who were treated cruelly and frequently tortured, sometimes tortured to death.' Mr. Speaker," Bentley concluded, "my veteran husband, Bill Bentley, like all veterans in my district, oppose this legislation, as I do." Rep. Jack Davis (R-Ill.) rose to say that he was reversing his vote after considering the issue of precedent and after hearing from his constituents. He was, he told his colleagues, "mindful that the term 'representative' means to represent and while no one has sought my 'yes' vote on this bill, a large number of constituents phoned, wrote, and verbally communicated their opposition to this measure."

Last minute objections notwithstanding, Congress had given its approval to redress and on August 10, 1988, Ronald Reagan added the final touch. In an emotional ceremony attended by over 100 Japanese Americans and key members of Congress, the president briefly recounted the story of the internment, quoting in part from Mineta's own experience. "The legislation that I am about to sign provides for a restitution payment" to surviving internees, he told his audience. "Yet no payment can make up for those lost years. So what is most important in this bill has less to do with property than with honor. For here we admit a wrong. Here we affirm our commitment as a nation to equal justice under the law." Then, taking a clipping sent to him by June Masuda Goto, he read the same brief speech he'd made in 1945 in Santa Ana.

Blood that has soaked into the sands of a beach is all of one color. American stands unique in the world, the only country not founded on race, but on a way—an ideal. Not in spite of, but because of our polyglot background, we have had all the strength in the world. That is the American way.

With that, the president signed the bill. A final battle, this time over the appropriation, still lay ahead before redress would become a reality for Japanese Americans. For the moment, though, veterans of the redress effort savored the fruits of their decade-long campaign.

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<sup>28</sup> The final version extended the payment period from five to 10 years. It also stipulated that if an individual eligible for payment had died, his or her spouse, children, or parents would receive the \$20,000. "Eligible" meant any person living at the time of the enactment of the bill who had been interned.

<sup>29</sup> While the bill was in its final stages of approval, the class action suit brought by NCJAR was coming to a dead end. In May 1988, the US Court of Appeals for the Federal Circuit dismissed the suit on the grounds that the statute of limitations had expired. Later that year, the Supreme Court refused to review the decision.



*Note: "Against All Odds" has become part of the Harvard University curriculum for all students at the John F. Kennedy School of Government as a study of how a bill moves through Congress toward passage.*