The Commission on Wartime Reparations was established by S1647 - in the 96th Congress. PL 96-317 was sent to the Senate Comm on Gov Affairs.

See the following data:
Summary and status of major actions from LIS for PL 96-317:

S. 1647 [96th]
Title: Commission on Wartime Relocation and Internment of Civilians Act
Sponsor: Sen Inouye, Daniel K. [D-HI] (introduced 8/2/1979) Cosponsors: 21
Committees: Senate Governmental Affairs; House Judiciary
Related Bills: H.R.5499

MAJOR ACTIONS:
8/2/1979 Introduced in Senate
5/15/1980 Reported to Senate from the Committee on Governmental Affairs with amendment, S. Rept. 96-751.
5/22/1980 Passed/agreed to in Senate: Measure passed Senate, amended.
7/31/1980 Signed by President.

Attached documents:
A record of legislative history documents for PL 96-317
Commission leg hist.doc (25 KB...

Record of Committee report and hearings
Committee activity.doc (34 KB)

And from the book:
"Righting a Wrong: Japanese Americans and the Passage of the Civil Liberties Act of 1988" by Leslie T. Hatamiya:
Excerpts from book.pdf (937 KB.

A timeline of activity
Pages from the chapter on reparations (since I'd already copied this - it makes for interesting reading).
Please let me know if I can be of further assistance

Natalie Sager
U.S. Senate Library
202-224-2977
LEGISLATIVE HISTORY OF: P.L. 96-317

TITLE: Commission on Wartime Relocation and Internment of Civilians Act
CIS-NO: 80-PL96-317
DOC-TYPE: Legislative History
DATE: July 31, 1980
LENGTH: 4 p.
ENACTED-BILL: 97 S. 1647
CONG-SESS: 96-2
ITEM-NO: 575

SUMMARY:
"To establish a Commission to gather facts to determine whether any wrong was committed against those American citizens and permanent resident aliens affected by Executive Order Numbered 9066, and for other purposes."

Establishes the Commission on Wartime Relocation and Internment of Civilians to review WWII relocation and internment of Aleut and Japanese American citizens and Japanese permanent resident aliens.

CONTENT-NOTATION: Aleut Amers, Japanese Amers and resident aliens WWII relocation and internment, review commission estab

BILLS: 96 S. 1647; 96 H.R. 5499

REFERENCES:

DEBATE:

Congressional Record Vol. 126 (1980):
  May 22, considered and passed Senate.
  July 21, H.R. 5499 passed House; passage vacated and S. 1647, amended, passed in lieu.
  July 24, Senate concurred in House amendments.

WEEKLY COMPILATION OF Presidential Documents, Vol. 16, No. 31 (1980);
  July 31, Presidential statement.

PUBLICATIONS:

1980 CIS/Annual:

SENATE HEARINGS: S401-78.

HOUSE REPORTS: H523-22 (No. 96-1146, accompanying H.R. 5499).

SENATE REPORTS: S403-4 (No. 96-751).

1981 CIS/Annual:

TITLE: Commission on Wartime Relocation and Internment of Civilians Act
CIS-NO: 80-S403-4
SOURCE: Committee on Governmental Affairs. Senate
DOC-TYPE: Report
DOC-No: S. Rpt. 96-751
DATE: May 15, 1980
LENGTH: 11 p.
CONG-SESS: 96-2
ITEM-NO: 1008-C
MC-ENTRY-NO: 80-22514

INCLUDED IN LEGISLATIVE HISTORY OF: P.L. 96-317

SUMMARY:
Recommends passage with amendments of S. 1647, the Commission on Wartime Relocation and Internment of Civilians Act, to establish the Commission on Wartime Relocation and Internment of Civilians to review WWII relocation and internment of Japanese and Aleut American citizens and Japanese permanent resident aliens.

CONTENT-NOTATION: Aleut Amers, Japanese Amers and resident aliens WWII relocation and internment, review commission estab

BILLS: 96 S. 1647

DESCRIPTORS:
COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS; WORLD WAR II; JAPANESE AMERICANS; ALEUTIAN ISLANDS; Aliens; Civil Liberties; Government Reorganization; Commission on Wartime Relocation and Internment of Civilians Act
TITLE: Commission on Wartime Relocation and Internment of Civilians Act
CIS-NO: 80-S401-78
SOURCE: Committee on Governmental Affairs. Senate
DOC-TYPE: Hearing
DATE: Mar. 18, 1980
LENGTH: iv+365 p.+errata.
CONG-SESS: 96-2
ITEM-NO: 1037-A
LC-CARD-NO: 80-602970
MC-ENTRY-NO: 80-22799
INCLUDED IN LEGISLATIVE HISTORY OF: P.L. 96-317

SUMMARY:
Hearing to consider S. 1647 (text, dept rpts, p. 222-231), the Commission on Wartime Relocation and Internment of Civilians Act, to establish the Commission on Wartime Relocation and Internment of Civilians to review WWII relocation and internment of Japanese and Aleut American citizens and Japanese permanent resident aliens.


CONTENT-NOTATION: Aleut Amers, Japanese Amers and resident aliens WWII relocation and internment, review commission estab

BILLS: 96 S. 1647

DESCRIPTORS:
COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS; WORLD WAR II; JAPANESE AMERICANS; ALEUTIAN ISLANDS; ALIENS; CIVIL LIBERTIES; GOVERNMENT REORGANIZATION; ROSTOW, EUGENE V.; COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS ACT

80-S401-78 TESTIMONY NO: 1 Mar. 18, 1980 p. 18-221

WITNESSES (and witness notations):
ENOMOTO, JERRY J. (past pres, Japanese Amer Citizens League (JACL))
WONG, DIANE Y. (exec dir, Wash State Commission on Asian Amer Aff)
HOHRI, WILLIAM (chairperson, Natl Council for Japanese Amer Redress; also representing Methodist Fedn for Social Action)
MASAOKA, MIKE M. (pres, Nisei Lobby)

STATEMENTS AND DISCUSSION:
Endorsement of S. 1647; suggestions for commission areas of inquiry, including Government rationale for Japanese American relocation and internment; criticism of bill establishment of commission rather than providing for redress; reasons for commission establishment at this time.
Preference for a special commission rather than an existing agency to conduct inquiry; legal assessment of relocation and internment order.

INSERTIONS:
Japanese Amer relocation and internment, JACL, compilation of docs relating to causes of prejudice against Japanese Amers, relocation camps description and activities, and implications of court decisions allowing internment, with bibl (p. 39-151).


CONTENT NOTATION:
Aleut Amers, Japanese Amers and resident aliens WWII relocation and internment, review commission estab

TESTIMONY DESCRIPTORS:
JAPANESE AMERICAN CITIZENS LEAGUE; WASHINGTON STATE COMMISSION ON ASIAN AMERICAN AFFAIRS; NATIONAL COUNCIL FOR JAPANESE AMERICAN REDRESS; METHODIST FEDERATION FOR SOCIAL ACTION; FUKEI, BUDD; BIBLIOGRAPHIES; PREJUDICE; NISEI LOBBY

80-S401-78 TESTIMONY NO: 2 Additional Testimony

WITNESSES (and witness notations):
WRIGHT, JIM ((Rep, D-Tex), p. 3-8)
MINETA, NORMAN Y. ((Rep, D-Calif), p. 3-8)
MATSUI, ROBERT T. ((Rep, D-Calif), p. 3-8)
MATSUNAGA, SPARK M. ((Sen, D-Hawaii), p. 8-12)
MITCHELL, CLARENCE M. (chm, Leadership Conf on Civil Rights, p. 12-16)
DANIELS, ROGER (head, history dept, Univ of Cincinnati, p. 16-17)

STATEMENTS AND DISCUSSION:
Merits of S. 1647.

CONTENT NOTATION:
Aleut Amers, Japanese Amers and resident aliens WWII relocation and internment, review commission estab

TESTIMONY DESCRIPTORS:
LEADERSHIP CONFERENCE ON CIVIL RIGHTS
Righting a Wrong

Japanese Americans and the Passage of the Civil Liberties Act of 1988

Leslie T. Hatamiya

STANFORD UNIVERSITY PRESS
STANFORD, CALIFORNIA  1993
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Chronology of Events

Dec. 7, 1942  Japan's military forces bomb the U.S. naval base at Pearl Harbor, precipitating the United States's entrance into World War II the next day.

Feb. 19, 1942  President Franklin Delano Roosevelt issues Executive Order 9066, permitting the exclusion of Japanese American residents from the West Coast.

Mar. 2, 1942  Lieutenant General John L. DeWitt, military commander of the Western Defense Command, issues Public Proclamation no. 1, announcing that the western halves of California, Oregon, and Washington, and the southern portion of Arizona, are military areas from which certain classes of people may be excluded.

Mar. 18, 1942  President Roosevelt signs Executive Order 9002, which establishes the War Relocation Authority to help those evacuated under Executive Order 9066.

Mar. 21, 1942  Congress passes Public Law 77-503, making anyone convicted of violating a military order subject to civil penalties, including imprisonment.

Mar. 24, 1942  A curfew is established requiring all Japanese Americans to be in their homes between 8 p.m. and 6 a.m.

Mar. 24– Nov. 3, 1942  All persons of Japanese ancestry are evacuated from California and parts of Arizona, Washington, and Oregon and moved to temporary detention centers throughout
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mar. 28, 1942</td>
<td>Minoru Yasui is arrested for violating curfew in Portland, Oregon.</td>
</tr>
<tr>
<td>May 16, 1942</td>
<td>Gordon Hirabayashi turns himself in to the FBI in Seattle for failing to register for evacuation.</td>
</tr>
<tr>
<td>May 30, 1942</td>
<td>On a San Leandro, California, street corner, Fred Korematsu is picked up by the police for failing to report to the Tanforan assembly center with his family.</td>
</tr>
<tr>
<td>June 1942</td>
<td>Japan invades the Aleutian Islands off Alaska. American military officials order the immediate evacuation of all Aleuts, who are shipped to primitive camps until the United States regains control of the islands and allows them to return to their homes in 1944 and 1945.</td>
</tr>
<tr>
<td>Jan. 28, 1943</td>
<td>The U.S. War Department creates a segregated, all-Japanese American unit of the U.S. Army, the 442d Regimental Combat Team. Combined with the 100th Battalion, which began as an all-Nikkei unit of the Hawaii National Guard in 1942, the 442d becomes the most decorated American unit of its size in World War II.</td>
</tr>
<tr>
<td>June 21, 1943</td>
<td>In Hirabayashi v. United States and its companion case, Yasui v. United States, the U.S. Supreme Court unanimously upholds the constitutionality of the curfew restrictions as a military necessity.</td>
</tr>
<tr>
<td>Dec. 17, 1944</td>
<td>The War Department rescinds the exclusion and detention orders.</td>
</tr>
<tr>
<td>Dec. 18, 1944</td>
<td>The U.S. Supreme Court, in its 6–3 decision in Korematsu v. United States, holds the exclusion of a single racial group to be within the war powers of Congress and of the president.</td>
</tr>
<tr>
<td>Dec. 18, 1944</td>
<td>The U.S. Supreme Court announces its decision in Ex Parte Endo, ruling that the War Relocation Authority cannot detain loyal citizens in the camps nor bar them from the West Coast.</td>
</tr>
<tr>
<td>Mar. 20, 1946</td>
<td>The last of the concentration camps are officially closed.</td>
</tr>
</tbody>
</table>
Claims Act, which allows Japanese Americans to file claims against the government for losses of property that followed from the wartime evacuation and internment.

July 1970

The Japanese American Citizens League (JACL) National Convention passes its first resolution accepting redress as an issue of concern for the organization.

July 1974

The JACL National Convention creates the National Redress Committee.

Feb. 19, 1976

President Gerald Ford formally rescinds Executive Order 9066.

July 1978

The JACL National Convention accepts proposed guidelines for its National Redress Committee to follow; they include working toward securing redress for former internees in the form of individual payments of $25,000 and the creation of a trust fund to benefit Japanese Americans.

Nov. 25, 1978

The first “Day of Remembrance” program is held at Camp Harmony, the former Puyallup, Washington, assembly center.

Feb. 1, 1979

The JACL National Committee for Redress meets with Senators Daniel Inouye and Spark Matsunaga and Congressmen Norman Mineta and Robert Matsui to discuss strategies for obtaining redress. A study commission is proposed.

Aug. 2, 1979

A bipartisan group of senators, led by Senators Inouye and Matsunaga, introduces S. 1647, the Commission on Wartime Relocation and Internment of Civilians (CWRIC) Act.

Sept. 28, 1979

Nine Democrats introduce H.R. 5499, the House companion bill to S. 1647, with over 110 cosponsors.

Nov. 28, 1979

Congressman Mike Lowry introduces H.R. 5977, the Japanese American Human Rights Violation Redress Act, calling for compensation of $15,000 for each internee plus $15 for each day in camp.

May 22, 1980

The Senate overwhelmingly passes S. 1647, which has been amended in committee to include the wartime experience of Aleutian Islanders in the commission’s study.

July 21, 1980


July 31, 1980

President Jimmy Carter signs the CWRIC Act into law.
The CWRIC holds twenty days of hearings in nine cities, at which over 750 witnesses testify.

The CWRIC releases its 467-page report, *Personal Justice Denied.* The report concludes that Executive Order 9066 was "not justified by military necessity" and was the result of "race prejudice, war hysteria, and a failure of political leadership."

Fred Korematsu, Minoru Yasui, and Gordon Hirabayashi each file a petition for writ of error *coram nobis* to reopen their wartime cases.

The chair of the National Council for Japanese American Redress (NCJAR), William Hohri, files a class-action lawsuit against the U.S. government on behalf of 25 named Japanese American plaintiffs and all former evacuated and interned Japanese Americans in general, stating 22 causes of action, including 15 violations of constitutional rights, and suing for $27 billion.

The CWRIC issues recommendations for remedies for the wartime violation of constitutional rights. Among its recommendations are that Congress and the president offer a national apology to the interned Japanese Americans and that Congress make compensation payments of $20,000 to each surviving evacuee and internee. The commission also recommends that restitution be paid to the surviving evacuated Aleuts.

Congressman Jim Wright introduces H.R. 4110, which calls for acceptance and implementation of the CWRIC's findings and recommendations.

U.S. District Court Judge Marilyn Patel grants Korematsu's petition for a writ of error *coram nobis,* vacating his 40-year-old convictions.

Senator Spark Matsunaga introduces S. 2116, the companion bill to H.R. 4110.

U.S. District Court Judge Robert C. Belloni grants a motion by the government to vacate Min Yasui's conviction but dismisses his petition for a writ of error *coram nobis.* Yasui appeals the dismissal of his petition to the Ninth Circuit Court of Appeals, but in Nov. 1986, before the court rules on his appeal, Yasui dies. Yasui's family asks...
the Supreme Court to review his case, but in 1987 the Court refuses to grant certiorari.

May 17, 1984  U.S. District Court Judge Louis F. Oberdorfer dismisses the entire Hohri class-action suit on the grounds of sovereign immunity and the statute of limitations.


May 2, 1985  Senator Matsunaga introduces S. 1053, the companion bill to H.R. 442, with 25 cosponsors.

June 17, 1985  Gordon Hirabayashi's *coram nobis* case goes to a full evidentiary hearing in Seattle.

Jan. 21, 1986  On appeal of Judge Oberdorfer's dismissal of the Hohri class-action suit, the U.S. Court of Appeals for the District of Columbia rules in favor of the NCJAR plaintiffs on the statute of limitations and reverses Oberdorfer's decision.

Feb. 10, 1986  In the Hirabayashi *coram nobis* case, U.S. District Court Judge Donald Voorhees rules that the suppression of evidence by the War Department was a fundamental error and vacates Hirabayashi's exclusion order conviction. He also rules that Hirabayashi's curfew conviction was not affected by the government's misconduct. On appeal, the Ninth Circuit Court of Appeals reverses Judge Voorhees on the curfew conviction and remands the case to him with orders to vacate both convictions.

Aug. 26, 1986  NCJAR appeals Judge Oberdorfer's sovereign immunity ruling in its class-action suit, filing a writ of certiorari to the Supreme Court.

Jan. 1987  New leadership emerges in the House of Representatives, as Jim Wright becomes Speaker, Tom Foley Majority Leader, and Tony Coelho Majority Whip. Congressman Barney Frank becomes chair of the Subcommittee on Administrative Law and Governmental Relations of the Judiciary Committee.

Jan. 6, 1987  Majority Leader Foley introduces H.R. 442, with 124 cosponsors.

May 13, 1987  The House Judiciary Subcommittee on Administrative Law and Governmental Relations approves H.R. 442 by voice vote.

June 1, 1987  In a unanimous decision, the Supreme Court vacates the D.C. Court of Appeals’ decision in the Hohri suit and remands the district court appeal to be reheard by the U.S. Court of Appeals for the Federal Circuit. The federal circuit court subsequently rules in favor of the government.

Aug. 4, 1987  The Senate Committee on Governmental Affairs passes S. 1009 by unanimous voice vote.


Jan. 12, 1988  U.S. District Court Judge Voorhees sets aside Gordon Hirabayashi’s curfew conviction. The government declines to ask for a review of this order.


July 26, 1988  The conference committee assigned to reconcile H.R. 442 and S. 1009 files its report. The Senate’s provision for redress for evacuated Aleutian Islanders is included in the final bill and the time limit for the government to make all payments to internees is set at ten years.


Sept. 27, 1989  By a vote of 74–22, the Senate approves a $17.3 billion appropriations package for the Commerce, Justice, and State Departments that includes redress as an entitlement program to be paid out during fiscal years 1991, 1992, and 1993.

Oct. 19, 1989  House and Senate negotiators settle on the Senate’s entitlement program for redress in conference committee.

Nov. 21, 1989  President George Bush signs H.R. 2991, establishing redress as an entitlement program.

Oct. 9, 1990  The first nine redress payment checks are distributed to a cross-section of the oldest living former internees.
Mar. 24, 1992  Majority Leader Richard Gephardt introduces H.R. 4551, the Civil Liberties Act Amendments of 1992, which would appropriate additional funds to be used for redress payments, because original estimates of the number of eligible recipients were too low.

Mar. 31, 1992  Senator Inouye introduces S. 2553, the companion bill to H.R. 4551.

Aug. 5, 1992  The Senate Governmental Affairs Committee approves S. 2553 by voice vote.

Aug. 11, 1992  The House Judiciary Committee approves H.R. 4551 by voice vote.


Sept. 15, 1992  The Senate unanimously passes H.R. 4551 by voice vote.

Sept. 27, 1992  President Bush signs H.R. 4551 into law, ensuring that all eligible Japanese American recipients will receive their redress money. In addition, a new group of eligible recipients—non-Japanese American spouses or parents who were interned—is created.
could happen in the United States, the nation that their school textbooks had told them upholds the individual’s rights to freedom, justice, and equality. Moreover, the exhibit signified that the nation was finally coming to grips with a sordid episode in its past, that national sentiment had shifted momentously since the 1940s. In a way, the exhibit forecast the victory of redress in Congress; it was an issue whose time had come.
The story of redressing Japanese Americans for their wartime loss of constitutional rights did not end with the bill's passage on August 10, 1988; the president's signature marked one major high point in a long and complicated trail of peaks and valleys. The effort to secure the necessary funds to pay eligible internees, many of whom were quite elderly, before they died was nearly as much of an ordeal as getting H.R. 442 passed in the first place. Another round of legislative battles and politicking was necessary to ensure that surviving internees or their heirs would actually receive their $20,000 checks. In 1989, over a year after the Civil Liberties Act was signed into law, an entitlement program that commenced distribution in fiscal year 1991 and aimed to complete payments by the end of fiscal year 1993 was established, appropriating $1.25 billion for redress. The number of former internees eligible for redress payments was considerably larger than had originally been estimated, however, and the funds set aside in the 1989 entitlement package were insufficient to cover all of the eligible recipients. As a result, Congress approved new legislation to increase the amount of money appropriated to the redress payments in September 1992, ensuring that all eligible recipients would receive their compensation. The long delay and political arm-twisting that were needed to set aside the funds raise a new set of questions about the significance of H.R. 442's passage. Does its passage lose significance because Congress took so long to appropriate the money necessary to compensate internees? If a significant percentage of eligible internees—i.e., all those living at the time H.R. 442 was
signed—die before their redress checks arrive (and hence the checks go not to them but to their heirs), does the success of the redress movement lose some of its luster? What does the appropriations chapter tell us about the policy-making process?

The Second Round: The Appropriations Process

Once H.R. 442 had been signed into law, congressional supporters of redress faced the uphill task of securing the necessary funds just as the Gramm-Rudman-Hollings restrictions on the federal deficit were taking hold, which meant fierce competition with many other worthy causes for the same pool of federal monies. The battle to appropriate was almost as intense as the fight for H.R. 442. The main difference this time, however, was that the appropriations process is even more of an insiders’ game.

In general, lobbying by outside pressure groups plays at most a small role in persuading Congress to appropriate money for a particular program; behind-the-scenes political strong-arming and favor-trading among representatives and senators are much greater factors. Former Congressman Les AuCoin (D—Oreg.), who was a member of the House Appropriations Committee, has described the process of marking up appropriations legislation in subcommittee:

To someone sitting on the sidelines, markup might look like a bunch of accountants flipping through pages and mumbling. That description disguises what is probably one of the fastest games in town. It’s where the rubber meets the road, where the dollars are placed or taken away. If you go past a page and don’t realize it, a whole agency can be passed over and millions of dollars lost because you’re not on your toes and missed a chance to amend. It may be past history, because amending in full committee is so much more difficult.1

It is not so surprising, then, that the lobbying efforts that were a force in H.R. 442’s success played a much more minor role in the appropriations process. What made the difference was politicking by the Japanese American members of Congress, particularly Senator Inouye.

Five months after he signed the redress bill into law, President Reagan dealt a blow to the redress movement when his proposed budget contained no redress funds for fiscal year 1989 and only $20 million for 1990. Although Reagan’s last budget proposal was not taken seriously in Congress—Reagan was about to leave office—it was a forecast of the incoming Bush administration’s attitude toward redress. Although he had supported
The Battle for Appropriations / 183

redress during the 1988 presidential election campaign, in his first budget
President George Bush followed Reagan's lead and proposed only $20 mil­
lion for redress for 1990. As written into law, the Civil Liberties Act of 1988
authorized up to $500 million in each fiscal year until the total of $1.25 bil­
lion had been distributed. The legislation also imposed a ten-year time limit
for the payments. Consequently, redress supporters were quite surprised
and upset by President Reagan's proposal. Many expressed the opinion
that Reagan's support of redress had been hypocritical, just lip service. It
was good politics and good image-making for him to say that he supported
redress, but when it came to backing up words with deeds, his support
 evaporated. As Congressman Mineta said:

In 1988, the president said we made a mistake, that we admit a wrong and
will provide a restitution payment. But today, in his fiscal year 1990 bud­
get, the president asks for a $20 million appropriation to provide that
payment for no more than 1,000 of the 60,000 individuals eligible.

As president in 1988 and as a veteran of World War II in 1945, Ronald
Reagan said that his idea of liberty and justice for all is "the American
way." Why has the president's vision narrowed now? Why did he not
fight for the full $500 million funding to honor his commitment and our
nation's ideals?2

Others expressed regret that many eligible internees would not receive
their payments before they died. The eligible recipients who had been in­
terned as adults during the war were now in old age and about 200 of
them were dying each month. Although the legislation allowed for im­
mediate heirs to receive the payments of internees who were alive at the
time of the bill's passage but died before payment arrived, the delay in ap­
propriations seemed an insult to aging internees who had already waited
45 years for redress. According to Congressman Matsui, "The president's
figure is far below what is needed to make payments on a timely basis. The
law states that payments be made within a ten-year period. At the presi­
dent's rate, they won't be completed for another 60 years. . . . There is no
reason to delay the process now. We are talking about a majority of elderly
citizens who may not be here in five or ten years, much less 60 years." In
an effort to increase the appropriation figure, redress supporters, specifi­
cally JACL-LEC and NCRR, embarked on a new letter-writing and phone-
calling campaign targeting both the Oval Office and members of both the
Senate and House Appropriations Committees. JACL-LEC staff asked civil-
rights and religious groups that had supported redress throughout the
authorization fight to activate their state telephone trees in districts of
Appropriations Committee members. Nonetheless, no provisions for redress were included in the supplemental budget for fiscal year 1989. Fiscal year 1990 was the first chance for redress funds to be appropriated.

When the matter came before the two Appropriations subcommittees, the outlook for payments in the near future seemed bleak. On July 25, 1989, the House approved $50 million for redress in fiscal year 1990, well above the Bush Administration’s recommendation, but still well below the ceiling of $500 million. Fifty million dollars would be enough to pay only 2,500 of the oldest eligible internees. The Senate recommendation was even worse—zero dollars for fiscal year 1990.

Changes in the institutional setting for the issue had created a new situation for supporters of the redress movement. Although the new leadership was not hostile to redress, some of its strongest supporters in the House were no longer in power. Both Jim Wright and Tony Coelho, the Speaker and Majority Whip during the 100th Congress, had resigned during the summer of 1989 as a result of ethics scandals involving financial wheeling and dealing. In addition, Barney Frank, whose commitment to redress had ensured that the legislation would not die in committee, had also come under critical national scrutiny for his handling of personal matters and was reprimanded by the House. Although he still held his congressional seat, the scandal cast doubt on his judgment and undercut his effectiveness as a legislator. Thus, redress had lost some pivotal support. The new House leadership—Tom Foley (D–Wash.) as Speaker, Richard Gephardt (D–Mo.) as Majority Leader, and William Gray (D–Pa.) as Majority Whip—all supported H.R. 442 and were generally in favor of appropriating federal funds for it quickly. The change in leadership caused the redress movement to lose momentum and to alter its strategy, however, making it more difficult for the appropriations process to get under way.

The basic problem facing redress appropriations was competition from other federal programs for the same pool of funds, limited in size by Gramm-Rudman-Hollings. The relevant subcommittees of both chambers’ Appropriations Committees were responsible for making recommendations about funding not only redress, but also the war on drugs and the 1990 census. Logistically, the census required a certain amount of money that the subcommittee had to set aside, and it was difficult for representatives and senators to take away any funds from such a “politically correct” cause as fighting illegal drug use. In the appropriations process, redress had a turbulent time competing with two highly visible and high-priority programs for a piece of the fiscal pie.
Despite these obstacles, redress had one last hope—Senator Daniel Inouye. As the second-ranking Democrat on the Appropriations Committee, he was in a prime position to execute the necessary maneuvers to increase and accelerate the appropriations for redress. The Japanese American community understood that its chances rested with Inouye, and that only if he pulled the necessary strings would redress have a chance of being paid out before most of the eligible internees had died or become too old for the payment to make a difference in their lives. Letters from people across the nation flooded Inouye’s office.

Although he did not immediately agree to fight for redress appropriations, in the end the 442d Regimental Combat Team veteran responded to the lobbying campaign. At the suggestion of JACL-LEC strategist Grant Ujifusa, former members of Inouye’s Company E, officers close to Inouye, and various other Nikkei veterans in Seattle, Denver, Los Angeles, and San Francisco contacted the senator and strongly urged him to lead the appropriations battle. In the end, it was Inouye’s loyalty and dedication to his fellow veterans that persuaded him to propose to the Senate that redress should be made an entitlement program, so that its supporters would not have to battle through the appropriations process each year for another few million dollars. As an entitlement program, redress would be paid out over three years, starting in fiscal year 1991. For fiscal years 1991 and 1992, $500 million would be distributed in payments each year, with the remaining $250 million to be paid in fiscal year 1993. Inouye’s proposal would take redress out of the discretionary funding pool and ensure that payments would be made each year through the Office of Redress Administration (ORA), which had been established with the passage of H.R. 442 to implement the legislation. Inouye sent out an impassioned “Dear Colleague” letter to Appropriations Committee members that explained why he felt so deeply about this issue. Describing his role in getting H.R. 442 passed as “minimal” and saying that his reluctance to speak out for the issue had been “a grave disservice to many Americans, especially those with whom I served in the Army during World War II,” Inouye related his experiences as a member of the 442d, a unit composed of young Americans whose families were behind barbed wire. “I am certain you must have concluded that this letter has been most difficult to compose,” wrote the normally reserved Inouye:

It is with some measure of reluctance that I share it with you. I hope that when the time for decision is upon us, you will join me in remembering those men from the internment camps who proudly and courageously
demonstrated their "last full measure of devotion" in the defense of their country. Although these men will not receive benefits from the provisions of this bill, I am certain that they will gratefully rest in peace.6

Inouye kept his promise to the Japanese American community to do whatever it would take to get the funds appropriated as soon as possible. Inouye's plea was successful. In a 74-22 vote on September 29, 1989, the Senate approved a $17.3 billion appropriations package for the Commerce, Justice, and State departments that included the redress entitlement program.7 Only Senator Jesse Helms attempted to block the appropriation through a parliamentary motion, stating that "the committee's asking us to purge someone else's guilt—that's about the size of it."8 The legislation then went to conference committee with the House, which had approved a $50 million down payment in the fiscal year that was to start the next day. At that time, one letter signed by eighteen of the member organizations of the Washington Interreligious Staff Council and another from members of the Leadership Conference on Civil Rights were sent to conference committee members, urging them to include both the 1990 funds in the House bill and the Senate entitlement program in the appropriations bill. On October 19, 1989, House and Senate negotiators settled on the entitlement plan, with the House representatives accepting the Senate's proposal intact.9 A week later, on October 26, the House approved the appropriations bill that included the entitlement program by a vote of 249-166, sending the legislation to the Senate for final approval.10 On November 1, the Senate passed the legislation, but because of three amendments that it made to the House bill (unrelated to redress), the legislation had to go back to the House for another vote.11 After another go-round in the House, the Senate approved the bill for the last time on November 8, finally sending the legislation to President Bush's desk. On November 21, 1989, President Bush signed H.R. 2991, Appropriations for Commerce, State, and the Judiciary, thus establishing redress as an entitlement program.

A Promise Fulfilled

The response to President Bush's signature on the appropriations legislation was predictable: the Japanese American community erupted in celebration, marking the end to a long, difficult, and often frustrating trek through the legislative process. In a public statement, Congressman Matsui described the feelings of all involved, from his colleagues in support of
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the legislation to the grass-roots workers who kept their faith in the American system throughout the entire process: "President Bush’s signature on the entitlement legislation marks the appropriate end to a regrettable chapter in American history. Happily, this chapter ends constructively with a reaffirmation of the values this country was built on. This is the end of a long ordeal—an arduous national march toward redemption."12

October 9, 1990, marked the distribution of the first nine redress payment checks. At a ceremony at the Department of Justice, U.S. Attorney General Richard Thornburgh handed $20,000 checks to a cross-section of the oldest living former internees, ranging in age from 73 to 107 and hailing from cities across the nation. Throughout October, Justice Department and ORA officials handed out checks at regional presentation ceremonies in Los Angeles, Fresno, San Francisco, San Jose, Sacramento, Seattle, and Honolulu. By the end of the first year, 25,000 Japanese Americans had received in person or in the mail their $20,000 checks accompanied by a letter of apology from President Bush. On White House letterhead, the letter said:

A monetary sum and words alone cannot restore lost years or erase painful memories; neither can they fully convey our Nation’s resolve to rectify injustice and to uphold the rights of individuals. We can never fully right the wrongs of the past. But we can take a clear stand for justice and recognize that serious injustices were done to Japanese Americans during World War II.

In enacting a law calling for restitution and offering a sincere apology, your fellow Americans have, in a very real sense, renewed their traditional commitment to the ideals of freedom, equality, and justice. You and your family have our best wishes for the future.13

The Final Hurdle

At the time, former internees thought they were assured that they would receive their redress payments by the end of fiscal year 1993. The first two years of payment distribution went along smoothly, but by the end of 1991, the ORA realized that the number of eligible recipients was larger than originally anticipated and that the $1.25 billion appropriated to fund the program would not be enough for them all, nor would it cover the education fund. The ORA’s original estimate of eligible recipients was 62,500. Once ORA staff members clarified classes of people eligible for payment and began identifying and locating individual recipients, they learned that the actual number was closer to 80,000. The main reason for
the large discrepancy was the underestimation of (1) former internees as a result of the inaccuracy of the actuarial tables used to estimate longevity; (2) "voluntary evacuees," those Japanese Americans who left the exclusion areas on their own before the formal evacuation and internment program began; and (3) eligible former evacuees and internees in Hawaii whose rights were violated similarly to the way in which mainland Japanese Americans were. In addition, a clarification in the eligibility of Japanese Americans who served in the armed forces during the war increased the number of eligible veterans, some of whom never stayed in the camps, but whose freedom was still curtailed because they were excluded from their home communities on the West Coast.

As a result, H.R. 4551 and S. 2553, companion bills that were both entitled the Civil Liberties Act Amendments of 1992, were introduced in March 1992 in order to extend redress benefits to the estimated 20,000 eligible recipients who would not receive payments under the entitlement program. In August, both the House Judiciary Committee and the Senate Governmental Affairs Committee held hearings on the legislation, reporting it out to their respective chambers for consideration. Although passage during an atypical election year was uncertain at first, the House and Senate both passed the legislation by voice vote in September, and H.R. 4551 became Public Law no. 102-371 when President Bush signed the bill on September 27, 1992. The Civil Liberties Act Amendments increased the amount of funds authorized by the 1988 act by an additional $400 million. By the end of the third year of distribution, 75,000 former internees had received their compensation.

The 1992 amendments also created a new group of eligible redress recipients: non-Japanese American spouses and parents who were evacuated or interned during the war. This group primarily consists of women who chose to be interned with their husbands and children to keep their families together. Because they represent a new recipient category, these non-Japanese Americans were not included in the 1989 entitlement program, and as a result, funds to cover their redress payments must be appropriated separately. At this writing, legislation to cover payment to the approximately 40 members of this group is pending in Congress.

The Significance of the Entitlement Program

The question that arises out of the successful maneuver to make redress an entitlement program, immune from political bargaining, is what
this chapter of the redress struggle reveals about the significance of the initial passage of the Civil Liberties Act in August 1988. When Congress seemed to be hedging on the appropriations issue, it appeared that its commitment to redress was only superficial. The president and Congress said they supported redress for Japanese Americans, but when it came to actually appropriating the necessary funds, their support waned. During the summer of 1989, when it appeared that the executive and legislative branches would balk at payments, their inaction came as a slap in the face to former internees, dying at the rate of 2,500 a year, who had already waited over 40 years to receive compensation. To pass H.R. 442 and then not appropriate the funds it called for demonstrated a "lack of moral integrity" on Congress's part, said Belle Cummins, counsel to the House Judiciary subcommittee that handled H.R. 442.14

Even members of Congress who had voted against H.R. 442 realized the hypocrisy of passing legislation and then not funding it. To the surprise of many, Congressman Jim Kolbe (R-Ariz.), a member of the relevant House Appropriations subcommittee who had voted against H.R. 442, was a strong proponent of funding the bill as quickly as possible. Acknowledging that the government's wartime treatment of Japanese Americans was a black mark on American history, Kolbe did not vote for redress because he believed that "it is not possible to make right the acts of discrimination through a cash payment."15 As a member of the Appropriations Committee, however, he believed that since Congress had decided monetary compensation was the way that the nation was going to apologize to those Americans who suffered unjustly during the war, Congress now had an obligation to fund the legislation promptly.16 Kolbe spoke out in subcommittee discussions of the matter and even wrote a letter to the chair urging Congress to fund the bill as fully as possible.

As we have seen, Congress did eventually vote for the entitlement program and an accelerated payment schedule. Had Congress not done so, the appropriations loophole might have explained why the redress law had passed despite the odds against it: representatives and senators who had no electoral reason to vote for redress did so, knowing that if their constituents' needs came into conflict with it, they could always refuse to fund the program. Thus, they could reap the benefits of appearing to be moral legislators committed to sound public policy, without suffering the potential political consequences of the substantial price tag. Since Congress did come up with the votes to guarantee funding, this hypothesis about the policy-making process fails to hold. The fact that Congress and
the president agreed to the funding needed to complete the national apology to Japanese Americans supports the reasons set out earlier in this book that reelection-minded representatives and senators voted for a potentially politically disadvantageous piece of legislation: that the constitutional nature of the issue addressed led members to vote in accord with what they thought was constitutionally correct, rather than respond to constituent pressures; that the demographics of the Japanese American community and the lack of effective opposition allowed members to vote on the issue without worrying about electoral consequences; that a successful educational and lobbying campaign persuaded members of the merits of the bill; and that inside lobbying by key members of Congress played a critical part in gathering the necessary votes. The fact that many eligible internees died in the two years between passage of the bill and distribution of the first checks does lessen the symbolic significance of the legislation as restitution to those very victims of mass discrimination. But the passage of the entitlement program confirms that policy is not always driven by congressional desires for reelection.

Only when the last payment is made will the final chapter be written for individual Japanese Americans. As Congressman Mineta remarked:

For 47 years, Americans of Japanese ancestry have sought to right the wrongs of the internment. We did so not out of any rancor or bitterness, but from our deep faith in the United States, in our Constitution, and in the American people. The 10-year legislative struggle which brought us the victory we celebrate today would not have been possible otherwise, nor would it hold the special meaning it does for all those who fought with us for justice. We now hope, and pray, that the tragedies of the internment never again occur.
Conclusion

On February 19, 1942, President Franklin Delano Roosevelt issued Executive Order 9066, which led to the evacuation of West Coast Japanese Americans and their incarceration in inland concentration camps for the duration of World War II. Forty-six and a half years later, on August 10, 1988, President Ronald Reagan signed into law the Civil Liberties Act of 1988, awarding a national apology and monetary compensation to the surviving Japanese Americans affected by Roosevelt's wartime order. Never before had the government granted redress to an entire group of citizens for a deprivation of their constitutional rights. By October 1993, most of the eligible former internees (or their immediate heirs) should receive $20,000 checks from the federal government as restitution for that deprivation and for their suffering. At that time, one of the most shameful episodes in American history will formally come to a close. But it will not be forgotten or diminish in importance. On the contrary, the story of the internment and the subsequent redress campaign has already left an indelible mark on the conscience of the nation. The internment episode left the nation ashamed and disturbed. The victorious redress effort—remarkable for so many reasons—has begun to pull away the veil of shame, beginning a cleansing of the American conscience. Even more important, it has cleared the record on one of the most questionable actions ever taken by the federal government. It has restored the Japanese American community's faith in the American system and has made Japanese Americans feel whole for the first time in nearly half a century, symbolically granting