

Ronald Reagan Presidential Library
Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Crippen, Dan L.: Files
(Chief of Staff)

Folder Title: Japanese-American Internment

Box: 7

To see more digitized collections visit:

<https://www.reaganlibrary.gov/archives/digitized-textual-material>

To see all Ronald Reagan Presidential Library inventories visit:

<https://www.reaganlibrary.gov/archives/white-house-inventories>

Contact a reference archivist at: **reagan.library@nara.gov**

Citation Guidelines: <https://reaganlibrary.gov/archives/research-support/citation-guide>

National Archives Catalogue: <https://catalog.archives.gov/>

WITHDRAWAL SHEET

Ronald Reagan Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	from Carol Crawford to Joe Wright re: Japanese Internment Bill, page 2 (1p, partial)	4/14/88	P-5
2. memo	from C. Crawford to J. Wright re: Japanese Internment Legislation, page 1 (1p)	4/9/88	P-5
3. memo	from J. Wright through James Miller to Howard Baker re: H.R. 442 and S. 1009, page 1 (1p, partial)	3/28/88	P-5
4. memo	from J. Wright through J. Miller to H. Baker re: H.R. 442 and S. 1009, page 1 (1p, partial)	11/5/87	P-5 ^{LC9} 10/25/00
COLLECTION:			
CRIPPEN, DANIEL L.: Files			smf
FILE FOLDER:			
<i>Japanese-American Internment</i> <i>Japan Internment Box 16097 Box 7</i>			4/6/95

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

Freedom of Information Act - [5 U.S.C. 552(b)]

- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].
- C. Closed in accordance with restrictions contained in donor's deed of gift.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

MAR 28 1988

MEMORANDUM FOR CHIEF OF STAFF HOWARD H. BAKER, JR.

THROUGH: ~~James C. Miller III~~
Director

FROM: Joseph R. Wright, Jr.
Deputy Director

SUBJECT: H.R. 442 and S. 1009 - Relocation of Japanese
Americans During World War II

This memorandum is to update you on the outlook for Senate action on legislation to provide restitution (\$20,000 to each eligible individual) to persons of Japanese ancestry who were interned during World War II.

On November 5, 1987, we sent you a decision memorandum (copy attached) to determine if we should adhere to our veto position on the legislation. You asked for this memo if the bill started to move -- it could come up on the Senate floor at any time.

Legislative Background

S. 1009 (Matsunaga and 73 others) is almost identical to H.R. 442 (Foley and 150 others) - both bills are currently pending in the Senate. (H.R. 442 passed the House on September 17th by 243-141.) The Department of Justice testified against the bills in the House and Senate, and a Statement of Administration Policy (SAP) was sent to the House with senior advisers threatening a veto of H.R. 442. It is also attached. The veto threat was made at Justice's urging, and OMB agreed because of the bill's potential cost of \$1.2 billion and because of the undesirable precedent the bill would establish. In light of the President's reported interest in this legislation, the previous decision memorandum and this one are to obtain confirmation of the position to be taken by the Administration during Senate floor consideration.

Outlook in Senate

S. 1009 was reported by the Senate Governmental Affairs Committee on October 20, 1987. Committee staff have advised informally that eight Republican Senators had placed a "hold" on the bill. It is not yet clear whether Senator Matsunaga has been successful in his attempts to have the "holds" removed, but the

Committee staff indicate that Senator Wallop appears firm in his opposition to the legislation.

S. 1009 could reach the Senate floor shortly; it is currently listed as a possibility on the Senate schedule, but no firm date has been set for consideration.

Committee staff indicated earlier that S. 1009 may be filibustered, but a cloture vote would almost certainly be successful given the bill's 73 cosponsors.

Conclusion

We need guidance on the pending decision memorandum. Is it appropriate to send a SAP threatening veto of the legislation when it is considered on the Senate floor?

Attachments

c: Mr. Duberstein
Mr. Kranowitz
Mr. Wheeler



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

5 NOV 1987

MEMORANDUM FOR CHIEF OF STAFF HOWARD H. BAKER, JR.

THROUGH: James C. Miller III
Director

FROM: Joseph R. Wright
Deputy Director

SUBJECT: H.R. 442 and S. 1009 - Relocation of
Japanese Americans During World War II

The Senate may soon consider S. 1009 (Matsunaga and 74 others) which is almost identical to H.R. 442 (Foley and 150 others) as it passed the House on September 17th by 243-141. The Department of Justice testified against the bill in the House and Senate, and a Statement of Administration Policy (attached) was sent to the House threatening a veto of H.R. 442 at Justice's request. OMB agreed because of the potential cost of the bill.

The purpose of this memo is to determine if we maintain our veto position, as Justice desires, when the Senate considers the legislation.

Background

The 1948 American-Japanese Evacuation Claims Act provided a comprehensive remedy for persons of Japanese ancestry who were interned during World War II. Over \$37 million (1958 dollars) was paid out under the Act in settlement of 26,568 claims. In 1976, President Ford formally recognized that the evacuation and internment were mistakes and repealed the 1942 Executive order that authorized them.

Provisions of Legislation

H.R. 442 would provide restitution (\$20,000 to each eligible individual from a fund that is authorized at \$1.25 billion) to persons of Japanese ancestry who were interned during World War II. S. 1009 would provide a \$1.3 billion fund. It is estimated that 60,000 Japanese-Americans would be eligible to apply for these payments (60,000 applicants at \$20,000 each = \$1.2 billion). Appropriated amounts not spent for reparations would be available for research and educational activities related to the internment. Both bills would also request that the Attorney General review certain criminal convictions of such interned persons and submit pardon recommendations to the President.

S. 1009 would also authorize appropriations of "such sums as are necessary" for reparations to persons from the Alaskan Aleutian Islands who were relocated during World War II (\$12,000 for each eligible Aleut), and would authorize approximately \$21.4 million to restore churches damaged in Aleut villages and for other hardships sustained during World War II.

Administration Position

The Administration threatened a veto of H.R. 442 and S. 1009 for the following reasons:

- o Persons of Japanese ancestry have already been reasonably compensated for the hardships caused by their internment during World War II.
- o The compensation recipients would include survivors of the estimated 20,000 Japanese-Americans who requested repatriation or expatriation to Japan during the internment period.
- o The bill could cost \$1.25 billion or more in FY 1989.
- o The bill could establish a bad precedent for other groups who feel that they have suffered injustices.
- o The pardon provisions are unnecessary, as the Federal Government has already offered to vacate the convictions of persons of Japanese ancestry who violated wartime restrictions.

In addition, with respect to S. 1009, the benefits provided to the Aleuts are unjustified because the wartime hardships incurred by these people resulted from proper actions (i.e., removal from a war zone).

Decision

Maintain Firm Veto Position. Given the reasons for the Administration's position to date, continue to oppose the bill because it is unacceptable both on policy and budgetary grounds.

_____ Yes

_____ No

Work for Compromise. Given the strong bi-partisan support for this bill, the Administration could signal opposition or veto but work to get the legislation amended to set a lower, more acceptable restitution amount and a lower appropriation authorization. (Note: an amendment to delete the authorization from H.R. 442 was defeated in the House by a vote of 162-237.)

_____ Yes

_____ No

Change Position and Do Not Object to Bill. In light of strong bi-partisan support for bill, remove the veto threat and do not object to bill.

_____ Yes

_____ No

Attachment



STATEMENT OF ADMINISTRATION POLICY

September 10, 1987
(House)

H.R. 442 - Civil Liberties Act of 1987
(Foley (D) Washington and 166 others)

The administration opposes H.R. 442, and the President's senior advisers will recommend that the President veto the bill, should it be presented to him.

The United States has already acknowledged the unjustified personal hardships caused by the internment program undertaken as part of our national defense effort during World War II. In enacting the American-Japanese Evacuation Claims Act in 1948, Congress established a comprehensive and reasonable program of restitution for injuries brought upon persons of Japanese ancestry who were interned. Further payments -- especially those authorized by section 7 of H.R. 442, which would be in excess of \$1 billion -- are not warranted.

H.R. 442 is also objectionable because it would inappropriately permit persons of Japanese ancestry who requested repatriation or expatriation to Japan during the internment period to receive compensation. Other objectionable provisions of H.R. 442 include:

- section 4, concerning pardons for certain criminal convictions, because the Federal Government has already offered to vacate the convictions of persons of Japanese ancestry who violated wartime restrictions; and
- section 5, concerning agency review of applications for restitution for damages resulting from discriminatory acts during the internment period, because it is vaguely worded and its effect is uncertain.

* * * * *

Purpose/Subject

Background / Analysis

Recommendations

Discussion

Appendix

Report

Notes

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503



ASSOCIATE DIRECTOR
FOR ECONOMICS AND GOVERNMENT

3-28-88

Dan -

Per your request.

Carol

LRD (Blum)

H.R. 442, S. 1009 - Restitution for Japanese Interned in U.S. During World War II

1. What are the significant differences between H.R. 442 and S. 1009?

Answer: While the purpose of the bills is similar (i.e., providing restitution to individuals of Japanese ancestry who were interned during World War II), there are differences:

- the restitution fund appropriation authorization in S. 1009 is \$50 million greater than the amount authorized in H.R. 442 for the same purpose (S. 1009 - \$1.30 billion; H.R. 442 - \$1.25 billion).
- S. 1009 contains provisions to provide compensation for Aleuts who were relocated from the Pribilof or Aleutian Islands during World War II. These provisions include (1) a "such sums as may be necessary" appropriation authorization to fund \$12,000 compensation payments to eligible Aleuts, (2) a \$5 million appropriation authorization to benefit various Aleutian villages, and (3) a \$15 million appropriation authorization as compensation for the loss of ownership of Attu Island. (There is a separate bill in the House -- H.R. 1631 -- which is similar in purpose; H.R. 442, however, does not contain any provision which provides compensation for the Aleuts.)
- H.R. 442 precludes restitutionary payments to persons of Japanese ancestry who relocated during World War II to a country at war with the United States; S. 1009 contains no such restriction.

In both bills, the restitution payment to individuals of Japanese ancestry shall be \$20,000 per person.

2. Are the funds for providing restitution payments to persons of Japanese ancestry an entitlement or an authorization of appropriations for such purpose?

Answer: Both bills only authorize the appropriation of funds. H.R. 442 authorizes appropriations of \$1.25 billion (available until expended, but no longer than 10 years).

S. 1009 authorizes appropriations of \$1.30 billion (FY 89 - \$500 million, FY 90 - \$400 million, FY 91 - \$200 million, FY 92 - \$100 million, FY 93 - \$100 million).

Both S. 1009 and H.R. 442 state that "no payments shall be effective except to the extent or in such amounts as are provided in advance in appropriations Acts."

3. How would the funds "spend out" under H.R. 442 and S. 1009?

Answer: The "spend out" is estimated by the Congressional Budget Office as follows:

Outlays

	<u>H.R. 442</u>	<u>S. 1009</u>
1989	\$950 million	\$529 million
1990	250 million	403 million
1991	10 million	202 million
1992	10 million	102 million

4. Who actually would receive the restitution payments for persons of Japanese ancestry?

Answer: Both H.R. 442 and S. 1009 authorize a \$20,000 payment to be made "to each eligible individual." This phrase is defined slightly differently in the two bills.

H.R. 442 defines the term as any living individual of Japanese ancestry who was interned and was a U.S. citizen or a permanent resident alien during the internment period. (As noted above, H.R. 442 also precludes payments to persons who relocated to a country with which the United States was at war.)

S. 1009 provides for payments to any living individual of Japanese ancestry who was interned and is a United States citizen or permanent resident alien at the time of enactment.

cc: Ken Schwartz
Cora Beebe



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 9, 1988

TO: JOE WRIGHT
FROM: CAROL CRAWFORD *CC*
RE: JAPANESE INTERNMENT LEGISLATION

TO: Don CRIPPEN
1) Revised SAP
2) Strategy for processing
Lots of discussions. OK for C.
Crawford to handle?
JW

I met yesterday with Tom Boyd, John Bolton's replacement at the Justice Department, to discuss our options to reduce the cost of the Japanese Relocation bill. Although I had asked him to have Justice Department develop such options, he produced none. We therefore considered only ideas that LRD and my staff had produced. The attached draft SAP includes most of those approaches, although the details need to be worked out.

Our strategy is as follows. Tom will contact Grant Ugifusa, the lead lobbyist for the bill and will arrange a meeting with the three of us. We will first let him know that the Administration would like to find a way to support the bill, but needs to identify ways to hold the cost down. I will seek his suggestions on how to cut the cost. Our alternatives will be at the ready for discussion purposes. He is aware that cost is a problem, and will continue to be a problem even if the bill is passed, since it will require appropriations. Therefore I am hopeful that he will agree to assist us in finding the best way to reduce the cost. Tom will also try to identify another lead in the Japanese community to contact for similar purposes. If we get the interest group to support a cost reduction, they are likely to be able to get the necessary changes on the Hill.

A crucial factor in this strategy is having the interest group continue to think that the veto signal is still the Administration's position. That is our only bargaining power to get the costs down. Please communicate that in the West Wing at every opportunity.

If we are able to get agreement from the interest group, Tom and I will make contacts on the authorization, appropriations and budget committees to find amendment sponsors to implement the changes. If the strategy fails, we will work the budget and appropriations committees directly. Some of our proposals, eg. capping the appropriations at \$100 million per year, would ease the outlay crunch and put less pressure on the CJS subcommittee, and hence the Justice and State Department budgets.

We will flesh out the attached SAP after Tom and I have had the opportunity to discuss specific proposals with Ugifusa.

DRAFT

****DRAFT****
(Senate)

S. 1009 - Implement Recommendations of Commission on
Wartime Relocation and Internment of Civilians
(Matsunaga (D) Hawaii and 73 others)

The Administration would support S. 1009 if it were amended to:
[OMB and the Department of Justice are currently exploring ways
to reduce the costs associated with this bill and to recommend
other specific amendments. Examples of such amendments, to be
developed based on consultations with concerned parties, follow.]

- amend the definition of "eligible individual" to exclude persons (1) who were children at the time of the internment (i.e., under the age of 12 years), (2) whose presence in the United States was in violation of the immigration laws, or (3) who relocated during World War II to a country at war with the United States;
- provide that any payment received pursuant to this bill is in full settlement of any claim of the individual against the United States based on internment;
- reduce reparation payment, perhaps establishing small initial entitlement payment (\$1,000) with a \$20,000 cap on discretionary payment dependent on appropriations availability;
- provide for reparation payments to be made over a five to seven year period;
- eliminate possibly unconstitutional provisions;
- authorize appropriations for the Department of Justice's administrative costs related to locating eligible individuals; and
- delete title III, concerning reparations to persons from the Alaskan Aleutian Islands who were relocated during World War II, because providing benefits for wartime hardships which resulted from proper actions (i.e., removal from a war zone) is not warranted.

-- cap total payments paid out in any year to \$100 million.

* * * * *

(Not to be Distributed Outside Executive Office of the President)

This position was drafted by the Legislative Reference Division in consultation with the Department of Justice (Boyd) and TCJ (Beebe).

Provisions of S. 1009

S. 1009, would implement the recommendations of the Commission on Wartime Relocation to provide restitution (\$20,000 to each eligible individual from a newly-established trust fund of approximately \$1.3 billion) to persons of Japanese ancestry who were interned during World War II. (The bill would not exclude payments to individuals who relocated, or attempted or requested to relocate, during World War II to a country at war with the United States.) Monies remaining in the fund after payments to eligible persons (estimated to be approximately \$100 million) would be available for research and educational activities related to the internment. Other major provisions of S. 1009 would:

- request the Attorney General to review certain criminal convictions of interned persons and to submit pardon recommendations to the President;
- require all Federal departments and agencies to review applications for the restitution of positions or other benefits or entitlements lost because of discriminatory acts during World War II by the United States based upon an individual's Japanese ancestry;
- apologize on behalf of the United States to persons of Japanese ancestry who were interned during World War II;
- establish a Board of Directors of the newly-established trust fund to govern disbursements from the fund for research and educational purposes;
- authorize "such sums as are necessary" to provide \$12,000 in restitution to eligible Aleuts who were relocated from villages in the Aleutian or Pribilof Islands during World War II;
- establish a \$5 million trust fund to provide scholarship and other assistance to residents of certain Aleutian villages; and
- authorize the Secretary of the Interior to provide up to \$15 million to the Aleuts as compensation for the loss of ownership of Attu Island.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 14, 1988

MEMORANDUM FOR KEN DUBERSTEIN
ALAN KRANOWITZ
FROM: JOE WRIGHT
SUBJECT: Japanese Internment Bill

Since the President decided to withdraw his veto threat, OMB (Carol Crawford) has been working with the Justice Department (Tom Boyd, Assistant AG for Congressional) to bring down the bill's cost. Results:

- o We developed specific amendments to the bill that would reduce its cost, both short term and total and looked at ways to reduce the eligible population and/or ways to spread out the payments.
- o Tom Boyd identified the representatives of the Japanese community with whom we should deal (Grant Ujifusa) and we met with him last Tuesday night.
- o Grant rejected most of our proposals for reducing the size of the beneficiary group, although toward the end Carol convinced him it could be in the interest of the older people he cares most about. He is sending data regarding the ages of the eligible population and was more agreeable to spreading the funding over ten years (as opposed to the current five-year authorization in the Senate bill).
- o Grant has contacted Senator Matsunaga's office to urge him to delay consideration of the bill until we can complete our discussions.
- o Carol has spoken with Sheila Burke to let her know that we are trying to get the costs down, and to request her assistance in delaying the bill. At last report, Sheila indicated that it may come up tomorrow (Friday) or next week.
- o A draft SAP is prepared. When we determine the bill will move, we can put it into "final" depending on whether we have made any progress with Ujifusa.
- o Senator Helms also has a series of amendments he plans to offer. In addition, we are calling other Senators known to oppose the bill (McCain, McClure, Gramm) to solicit assistance in offering amendments.

cc: Jim Miller
John Tuck
Carol Crawford
Gordon Wheeler



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 14, 1988

TO: JOE WRIGHT
FROM: CAROL CRAWFORD *cc*
RE: JAPANESE INTERNMENT BILL

Where we stand:

. As of Thursday night at 8:00, timing is still uncertain, but there is a real possibility that the bill will be on the floor on Friday afternoon.

. Helms plans to offer a dozen amendments. Hecht will offer an amendment to delete the funding, leaving just the apology and other language.

. I have spoken with Rudman, who is a co-sponsor. He will speak in support of the bill, but will indicate that the appropriators have no way to provide funds... there is no room in the CJS bill.

. I spoke with both Rudman's and Hollings' appropriations staff about appropriations prospects. They both indicated that a spread out of the authorization from five years (\$500 M, \$400 M, \$200 M, \$100 M., \$100M) to ten years (at \$100 M each) could have an undesirable effect on actual appropriations levels. Specifically, they anticipate that the bill is less likely to be funded if there is a high authorization level, eg. \$500 M, than if there is a more reasonable authorization level, eg. \$100 M. Thus, although this had been one of my strategies, to stretch out the payments, I have now reconsidered and am not pressing it.

. Hollings' staff report that he is vehemently opposed to the bill, primarily on philosophical grounds, although on budget grounds also. He has a strong statement that he will read or put in the record.

. I met for over an hour with Matsunaga to explore ways to reduce the bill's cost. He is anxious to get White House support, and was seeking my promise to recommend the President sign the bill. He was agreeable to adding a residency requirement for recipients (so people now living in Canada, Japan or anywhere outside the US would not qualify). He ultimately offered to consider stretching

the payments out to eight or ten years and dropping the individual payment level from \$20,000 to \$15,000. I told him I could recommend support for a bill at \$5000, but in the end said perhaps somewhere in between the two we could agree. (The strong and valid argument we have here is that there will be a finite-- and small-- pie to cut. His choice, I pointed out, is whether to cut a few big pieces or a larger number of small pieces. Eg., if \$20 M is appropriated, only 1000 people will receive \$20,000 payments, but 2000 people could get paid \$10,000, or 4000 people would be paid \$5000.) He will get back to me Friday.

. Simpson and I traded calls. I spoke with his staff, who reported that Simpson will support the bill, but is mindful of the funding problem.

. I have a call in to Inouye for the same discussion I had with Matsunaga. I have been told that he is receptive to a meeting.

. During various discussions, it has become clear that there is a large knowledge gap about the implications of this bill, eg. the total cost (\$1.3 B) and that it will compete with DOJ and State in the CJS Subcommittee for funds. Matsunaga has also apparently told a number of colleagues that his bill is cheap compared with a class action suit claiming \$30 B, and that he has a waiver of claim in the class action for anyone who takes under his bill. However, Justice reports, and Grant Ujifusa confirms, that this suit has virtually no chance of success.

Because of the lack of information, I asked Boyd to have his people make low key calls to staff of Senators on the Judiciary, Appropriations and Budget committees advising them of these three facts. They are not to "lobby," only to provide the information.

. Cong. Mineta has apparently called Rebecca Range several times over the last year to urge White House support for the bill. She tried today to set up a meeting with him for me to discuss the cost issue. It has not yet been arranged, but Rebecca is still trying.

Bottom Line is that we may be able to add a residency requirement, and stretch out the authorization period (though I am no longer convinced this is desirable). There is a chance that we can drop the size of the payments. But Matsunaga mentioned repeatedly that several people in the White House had said they thought the President would sign the bill, so I don't have a great deal of leverage.....



ASSOCIATE DIRECTOR
FOR ECONOMICS AND GOVERNMENT

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Sub: Japan Internment

4-20

Dau -

Fyi Re Japanese Internment

Attached are some figures on
how many payments and number of
beneficiaries under different payment
level and appropriations assumptions.
I've sent them to Senator Rehnau -
he will be key in keeping appropriations
level down.

Carl.

4/19/88

JAPANESE INTERNEE REPARATIONS PROGRAM
(Summary of Internees Paid After 5 Years and 10 Years.)

ANNUAL APPROPRIATION (\$ MILLIONS)

		\$20	\$40	\$60	
PAYMENT PER PERSON	\$5,000	# PEOPLE 5 YEARS	20,000	40,000	58,603
		PERCENT	33.4%	66.9%	98.0%
		# PEOPLE 10 YEARS	40,000	57,748	58,603
		PERCENT	66.9%	96.6%	98.0%
	\$10,000	# PEOPLE 5 YEARS	10,000	20,000	30,000
		PERCENT	16.7%	33.4%	50.2%
		# PEOPLE 10 YEARS	20,000	40,000	56,830
		PERCENT	33.4%	66.9%	95.1%
	\$15,000	# PEOPLE 5 YEARS	6,667	13,333	20,000
		PERCENT	11.1%	22.3%	33.4%
		# PEOPLE 10 YEARS	13,333	26,667	40,000
		PERCENT	22.3%	44.6%	66.9%
\$20,000	# PEOPLE 5 YEARS	5,000	10,000	15,000	
	PERCENT	8.3%	16.7%	25.1%	
	# PEOPLE 10 YEARS	10,000	20,000	30,000	
	PERCENT	16.7%	33.4%	50.2%	

4/19/88

PAYMENTS TO INTERNEE POPULATION
(Outlays and Present Value in \$ Millions)

ANNUAL APPROPRIATION (\$ MILLIONS)

		\$20	\$40	\$60	
PAYMENT PER PERSON	\$5,000	YRS. PAID	14	8	5
		BUDGET AMT.	\$274.2	\$288.7	\$293.0
		PRES. VALUE	\$162.9	\$213.0	\$234.8
		PERSONS PAID	54,834 (91.7%)	57,748 (96.6%)	58,603 (98.0%)
	\$10,000	YRS. PAID	25	14	10
		BUDGET AMT.	\$480.4	\$548.3	\$568.3
		PRES. VALUE	\$210.6	\$325.8	\$387.9
		PERSONS PAID	48,035 (80.3%)	54,834 (91.7%)	56,830 (95.1%)
	\$15,000	YRS. PAID	31	20	14
		BUDGET AMT.	\$616.2	\$772.2	\$822.5
		PRES. VALUE	\$226.6	\$386.8	\$488.7
		PERSONS PAID	41,082 (68.7%)	51,477 (86.1%)	54,834 (91.7%)
	\$20,000	YRS. PAID	36	25	18
		BUDGET AMT.	\$704.1	\$960.7	\$1,052.5
		PRES. VALUE	\$233.3	\$421.3	\$555.4
		PERSONS PAID	35,203 (58.9%)	48,035 (80.3%)	52,626 (88.0%)

(Discount Rate = 8%)



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 28, 1988

MEMORANDUM FOR THE DIRECTOR AND DEPUTY DIRECTOR

FROM: CAROL CRAWFORD *CC*

RE: JAPANESE INTERNMENT CONFERENCE REPORT

Attached is a summary of the conference report on the Japanese internment legislation, which was prepared by LRD. The bill contains some, although not all of the changes we sought, and splits the cost down the middle between the House and Senate versions. The authorization expires after ten years.

Also attached is a draft letter we prepared at the request of the West Wing for the President to send to Dole and Michel urging support for the conference report. I suggested that they might want to tone it down a bit, since our last position on the bill was a veto threat....

July 27, 1988

Summary of Key Provisions of Conference Report - H.R. 442

The conference report on H.R. 442 would implement the recommendations of the Commission on Wartime Relocation to provide restitution (\$20,000 to each eligible individual from a newly-established trust fund of \$1.25 billion, of which amount not more than \$500 million may be appropriated for any fiscal year) to persons of Japanese ancestry who were interned during World War II. (The bill excludes individuals who relocated to a country at war with the United States.) Monies remaining in the fund after payments to eligible persons would be available for research and educational activities related to the internment. The fund would terminate 10 years after enactment of the bill, or sooner, if the authorized amounts have been expended. Other major provisions of the conference report on H.R. 442 related to the internment of persons of Japanese ancestry would:

- require the Attorney General to locate each individual of Japanese ancestry eligible for the \$20,000 restitutionary payment. The report would require the Attorney General to use available funds, but authorizes "such sums as are necessary" to the extent that existing resources are not sufficient. [Similar provision concerning location requirement in both House and Senate bill. Senate, however, conditioned AG's efforts to locate eligible individuals on funds being appropriated for such purposes; House did not.];
- state that no payments may be made except to the extent and in such amounts as are provided in advance in appropriations acts. [In both House and Senate version.];
- provide that acceptance of the payment shall fully satisfy all claims against the U.S. arising from the internment. [House contained similar provision; Senate allowed individuals to decide whether to accept other claims.];
- clarify that payment shall be made to immediate family members of eligible individuals if such individual is deceased at the time of payment. [No similar provision in House or Senate bill.] The conference report, however, requires that individuals be living at the time of enactment of the legislation in order to be considered "eligible" for receiving the reparation payment. [Both House and Senate required individual to be living at time of enactment; Senate version appeared to also require individual to be living at time of payment.];
- request the Attorney General to review certain criminal convictions of interned persons and to submit pardon recommendations to the President. [In both House and Senate version.];

- require each Federal department and agency to review applications for the restitution of positions or other benefits or entitlements lost because of discriminatory acts during World War II by the United States based upon an individual's Japanese ancestry. [In both House and Senate version.]; and
- establish a Board of Directors of the newly-established trust fund to govern disbursement from the fund for research and educational purposes. [In both House and Senate version.]

Key provisions of the conference report concerning reparations for persons from the Alaskan Pribilof and Aleutian Islands [in Senate version only; House has separate bill] who were relocated during World War II would:

- authorize "such sums as are necessary" to provide \$12,000 in restitution to eligible Aleuts;
- establish a \$5 million trust fund to provide scholarship and other assistance to residents of certain Aleutian villages;
- authorize \$1.4 million to compensate affected Aleut villages for church property lost or destroyed during World War II; and
- authorize the Secretary of the Interior to provide up to \$15 million to the Aleuts as compensation for the loss of ownership of Attu Island.

Budget Estimate - Conference Report

The total cost of the Conference report on H.R. 442 is estimated to be \$1.29 billion, as detailed below. This compares to a total estimated cost of \$1.34 billion for the Senate-passed bill and \$1.25 billion for the House-passed version.

(in millions)

Trust Fund for Eligible Persons of Japanese Ancestry	\$1,250
Restitution for Aleutian and Pribilof Islands	28
Estimated Justice Costs for Locating Eligible Individuals of Japanese Ancestry	8

Total	\$1,286 million

This Administration strongly supports this legislation. Clearly, a serious Government-sanctioned injustice took place during World War II when citizens of Japanese ancestry were evacuated and interned. The hardships were real and palpable. After much compromise by all parties, this legislation allows us to right a grievous mistake. This bill reverses an injustice by compensating those whose liberty was wrongfully taken and reaffirms our strong commitment to the basic principles of our Constitution. As the Congress deliberates on this bill, I urge your support of its provisions.

Sincerely yours,

IDENTICAL LETTER SENT TO HONORABLE ROBERT H. MICHEL

Honorable Robert Dole
Minority Leader
United States Senate
Washington, DC 20510

Dear Mr. Leader:

I am writing to request your support for the conference version of H.R. 442, the Civil Liberties Act, which implements the recommendations of the Commission on Wartime Relocation and Internment of Civilians. As you know, this legislation would make payments to persons of Japanese ancestry who were interned during World War II. There is no doubt that the relocation and internment program caused much hardship and suffering to those persons of Japanese ancestry who were deprived of their liberty.

This bill accomplishes several basic purposes: it acknowledges the fundamental injustice of the evacuation, relocation and internment of United States citizens and permanent resident aliens of Japanese ancestry during World War II; it apologizes on behalf of the United States for this historic fact; it makes restitution in the amount of \$20,000 to each person of Japanese ancestry who was thus interned; and it provides similar restitution to residents of the Pribilof Islands and Aleutian Islands who suffered similar hardships while those islands were under United States jurisdiction during World War II.

I believe the conference version of this legislation has addressed some of the flaws of the prior bills, namely:

- (1) The conference agreement spreads the trust fund authorization of \$1.25 billion over a ten year period, with a limit on any one year of not more than \$500 million.
- (2) The conference agreement provides that acceptance of restitution under this Act constitutes a final settlement of all claims against the United States for acts covered by this legislation. This will prevent double payment to those who are engaged in private suits against the United States Government, such as those in the Hohri case.
- (3) The conference agreement authorizes the Department of Justice to seek an appropriation of "such sums as may be necessary" to locate eligible individuals if the Department of Justice does not have sufficient existing funds to carry out this provision. This will insure that important resources are not taken from other high priority Department activities, such as the War on Drugs, to carry out the Attorney General's responsibilities under this Act.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

ASSOCIATE DIRECTOR
FOR ECONOMICS AND GOVERNMENT

7-27-81

Dan -
Summary of Japanese
document bill, per your
request _____
Carol

July 27, 1988

Summary of Key Provisions of Conference Report - H.R. 442

The conference report on H.R. 442 would implement the recommendations of the Commission on Wartime Relocation to provide restitution (\$20,000 to each eligible individual from a newly-established trust fund of \$1.25 billion, of which amount not more than \$500 million may be appropriated for any fiscal year) to persons of Japanese ancestry who were interned during World War II. (The bill excludes individuals who relocated to a country at war with the United States.) Monies remaining in the fund after payments to eligible persons would be available for research and educational activities related to the internment. The fund would terminate 10 years after enactment of the bill, or sooner, if the authorized amounts have been expended. Other major provisions of the conference report on H.R. 442 related to the internment of persons of Japanese ancestry would:

- require the Attorney General to locate each individual of Japanese ancestry eligible for the \$20,000 restitutionary payment. The report would require the Attorney General to use available funds, but authorizes "such sums as are necessary" to the extent that existing resources are not sufficient. [Similar provision concerning location requirement in both House and Senate bill. Senate, however, conditioned AG's efforts to locate eligible individuals on funds being appropriated for such purposes; House did not.];
- state that no payments may be made except to the extent and in such amounts as are provided in advance in appropriations acts. [In both House and Senate version.];
- provide that acceptance of the payment shall fully satisfy all claims against the U.S. arising from the internment. [House contained similar provision; Senate allowed individuals to decide whether to accept other claims.];
- clarify that payment shall be made to immediate family members of eligible individuals if such individual is deceased at the time of payment. [No similar provision in House or Senate bill.] The conference report, however, requires that individuals be living at the time of enactment of the legislation in order to be considered "eligible" for receiving the reparation payment. [Both House and Senate required individual to be living at time of enactment; Senate version appeared to also require individual to be living at time of payment.];
- request the Attorney General to review certain criminal convictions of interned persons and to submit pardon recommendations to the President. [In both House and Senate version.];

- require each Federal department and agency to review applications for the restitution of positions or other benefits or entitlements lost because of discriminatory acts during World War II by the United States based upon an individual's Japanese ancestry. [In both House and Senate version.]; and
- establish a Board of Directors of the newly-established trust fund to govern disbursement from the fund for research and educational purposes. [In both House and Senate version.]

Key provisions of the conference report concerning reparations for persons from the Alaskan Pribilof and Aleutian Islands [in Senate version only; House has separate bill] who were relocated during World War II would:

- authorize "such sums as are necessary" to provide \$12,000 in restitution to eligible Aleuts;
- establish a \$5 million trust fund to provide scholarship and other assistance to residents of certain Aleutian villages;
- authorize \$1.4 million to compensate affected Aleut villages for church property lost or destroyed during World War II; and
- authorize the Secretary of the Interior to provide up to \$15 million to the Aleuts as compensation for the loss of ownership of Attu Island.

Budget Estimate - Conference Report

The total cost of the Conference report on H.R. 442 is estimated to be \$1.29 billion, as detailed below. This compares to a total estimated cost of \$1.34 billion for the Senate-passed bill and \$1.25 billion for the House-passed version.

(in millions)

Trust Fund for Eligible Persons of Japanese Ancestry	\$1,250
Restitution for Aleutian and Pribilof Islands	28
Estimated Justice Costs for Locating Eligible Individuals of Japanese Ancestry	8

Total	\$1,286 million