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HOUSE BILL 1572

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State of Washington

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1999 Regular Session

By Representatives Wensman, Tokuda, Santos, Quall, Veloria, Schoesler, Conway, Murray, Constantine, Ogden, Rockefeller, Kenney, O'Brien, D. Schmidt and Haigh

Read first time 01/29/1999. Referred to Committee on Education.

1 AN ACT Relating to providing educational and instructional  
2 materials about the experiences of persons of Japanese descent during  
3 World War II to K-12 and postsecondary students and other citizens of  
4 the state of Washington; and adding new sections to chapter 28A.300  
5 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that:

8 (1) In order to adequately prepare our youth for their meaningful  
9 participation in our democratic institutions and processes, there must  
10 be strong educational resources aimed at teaching students and the  
11 public about the fragile nature of our constitutional rights.

12 (2) The federal commission on wartime relocation and internment of  
13 civilians was established by congress in 1980 to review the facts and  
14 circumstances surrounding executive order 9066, issued on February 19,  
15 1942, and the impact of the executive order on American citizens and  
16 permanent residents, and to recommend appropriate remedies.

17 The commission of wartime relocation and internment of civilians  
18 issued a report of its findings in 1983 with the reports "Personal  
19 Justice Denied" and "Personal Justice Denied-Part II, Recommendations."

1 The reports were based on information gathered through twenty days of  
2 hearings in cities across the country, particularly the West coast.  
3 Testimony was heard from more than seven hundred fifty witnesses,  
4 including evacuees, former government officials, public figures,  
5 interested citizens, historians, and other professionals who have  
6 studied the internment of Japanese-Americans during World War II.

7 (3) The lessons to be learned from the internment of Japanese-  
8 Americans during World War II are embodied in "Personal Justice Denied-  
9 Part II, Recommendations" which found that executive order 9066 was not  
10 justified by military necessity, and the decisions that followed from  
11 it were not founded upon military considerations. These decisions  
12 included the exclusion and detention of American citizens and resident  
13 aliens of Japanese descent. The broad historical causes that shaped  
14 these decisions were race prejudice, war hysteria, and a failure of  
15 political leadership. Widespread ignorance about Americans of Japanese  
16 descent contributed to a policy conceived in haste and executed in an  
17 atmosphere of fear and anger at Japan. A grave personal injustice was  
18 done to the American citizens and resident aliens of Japanese ancestry  
19 who, without individual review or any probative evidence against them  
20 were excluded, removed, and detained by the United States during World  
21 War II.

22 (4) A grave injustice was done to both citizens and permanent  
23 residents of Japanese ancestry by the evacuation, relocation, and  
24 internment of civilians during World War II. These actions were  
25 carried out without adequate security reasons and without any  
26 documented acts of espionage or sabotage, and were motivated largely by  
27 racial prejudice, wartime hysteria, and a failure of political  
28 leadership. The excluded individuals of Japanese ancestry suffered  
29 enormous damages, both material and intangible, and there were  
30 incalculable losses in education and job training, all of which  
31 resulted in significant human suffering for which appropriate  
32 compensation has not been made. For these fundamental violations of  
33 the basic civil liberties and constitutional rights of these  
34 individuals of Japanese ancestry, the United States congress apologized  
35 on behalf of the nation in the federal civil liberties act of 1988.

36 NEW SECTION. **Sec. 2.** The legislature intends to develop a grant  
37 program to fund public educational activities and development of  
38 educational materials to ensure that the events surrounding the

1 exclusion, forced removal, and internment of civilians and permanent  
2 resident aliens of Japanese ancestry will be remembered, and so that  
3 the causes and circumstances of this and similar events may be  
4 illuminated and understood.

5 NEW SECTION. **Sec. 3.** As used in chapter . . . , Laws of 1999 (this  
6 act), "program" means the Washington civil liberties public education  
7 program, unless the context clearly requires otherwise.

8 NEW SECTION. **Sec. 4.** Consistent with the legislative findings in  
9 section 1 of this act, the legislature shall establish the Washington  
10 civil liberties public education program. The program provides grants  
11 for the purpose of establishing a legacy of remembrance as part of a  
12 continuing process of recovery from the World War II exclusion and  
13 detention of individuals of Japanese ancestry. The program is created  
14 to do one or both of the following:

15 (1) Educate the public regarding the history and the lessons of the  
16 World War II exclusion, removal, and detention of persons of Japanese  
17 ancestry through the development, coordination, and distribution of new  
18 educational materials and the development of curriculum materials to  
19 complement and augment resources currently available on this subject  
20 matter; and

21 (2) Develop videos, plays, presentations, speaker bureaus, and  
22 exhibitions for presentation to elementary schools, secondary schools,  
23 community colleges, and to other interested parties.

24 NEW SECTION. **Sec. 5.** (1) The superintendent of public instruction  
25 shall allocate grants under the program established in chapter . . . ,  
26 Laws of 1999 (this act). The grants shall be awarded on a competitive  
27 basis.

28 (2) The superintendent of public instruction may contract with  
29 independent review panelists and establish an advisory panel to  
30 evaluate and make recommendations to the state librarian based on grant  
31 applications.

32 (3) The superintendent of public instruction shall select grant  
33 recipients from applicants who meet all of the following criteria:

34 (a) The capability to administer and complete the proposed project  
35 within specified deadlines and within the specified budget;

1 (b) The experience, knowledge, and qualifications necessary to  
2 conduct quality educational activities regarding the exclusion and  
3 detention of Japanese-Americans during World War II;

4 (c) Projects that link the Japanese-American exclusion and  
5 detention experience with the experiences of other populations so that  
6 the cause and circumstances of this and similar violations of civil  
7 rights or acts of injustice may be illuminated and understood;

8 (d) Projects that are designed to maximize the long-term  
9 educational impact of this chapter;

10 (e) Projects that build upon, contribute to, and expand upon the  
11 existing body of educational and research materials on the exclusion  
12 and detention of Japanese-Americans during World War II; and

13 (f) Projects that include the variety of experiences regarding the  
14 exclusion and detention of Japanese-Americans and its impact before,  
15 during, and after World War II including those Japanese-Americans who  
16 served in the military and those who were interned in department of  
17 justice camps.

18 (4) Applicants for grants under the program are encouraged to do  
19 each of the following:

20 (a) Involve former detainees, those excluded from the military  
21 area, and their descendants in the development and implementation of  
22 projects;

23 (b) Develop a strategy and plan for raising the level of awareness  
24 and understanding among the American public regarding the exclusion and  
25 detention of Japanese-Americans during World War II so that the causes  
26 and circumstances of this and similar events may be illuminated and  
27 understood;

28 (c) Develop a strategy and plan for reaching the broad,  
29 multicultural population through project activities;

30 (d) Develop local and regional consortia of organizations and  
31 individuals engaged in similar educational, research, and development  
32 efforts;

33 (e) Coordinate and collaborate with organizations and individuals  
34 engaging in similar educational, research, and development endeavors to  
35 maximize the effect of grants;

36 (f) Utilize creative and innovative methods and approaches in the  
37 research, development, and implementation of their projects;

38 (g) Seek matching funds, in-kind contributions, or other sources of  
39 support to supplement their proposal;

1 (h) Use a variety of media, including new technology, and the arts  
2 to creatively and strategically appeal to a broad American public while  
3 enhancing and enriching community-based educational efforts;

4 (i) Include in the grant application, scholarly inquiry related to  
5 the variety of experiences and impact of the exclusion and detention of  
6 persons of Japanese ancestry during World War II, as well as its  
7 relationship to the experience of other populations so that the causes,  
8 circumstances, lessons, and contemporary applications of this and  
9 similar events will be illuminated and understood; and

10 (j) Add relevant materials to or catalogue relevant materials in  
11 libraries and other repositories for the creation, publication, and  
12 distribution of bibliographies, curriculum guides, oral histories, and  
13 other resource directories and supporting the continued development of  
14 scholarly work on this subject by making a broad range of archival,  
15 library, and research materials more accessible to the American public.

16 (5) The superintendent of public instruction may adopt other  
17 criteria as it deems appropriate for its review of grant proposals. In  
18 reviewing projects for funding, scoring shall be based on an evaluation  
19 of all application materials including narratives, attachments, support  
20 letters, supplementary materials, and other materials that may be  
21 requested of applicants.

22 (6)(a) In the review process, the superintendent of public  
23 instruction shall assign the following order of priority to the  
24 criteria set forth in subsection (3) of this section:

25 (i) Subsection (3)(a) through (d) of this section, inclusive, shall  
26 be given highest priority; and

27 (ii) Subsection (3)(e) through (f) of this section, inclusive,  
28 shall be given second priority.

29 (b) The superintendent of public instruction shall consider the  
30 overall breadth and variety of the field of applicants to determine the  
31 projects that would best fulfill its program and mission. Final grant  
32 awards may be for the full amount of the grant requests or for a  
33 portion of the grant request.

34 (7) Applicants for grants under the program may include any of the  
35 following:

36 (a) Nonprofit organizations exempt from taxation under section  
37 501(c)(3) of the internal revenue code;

38 (b) Four-year colleges and universities, community colleges, and  
39 K-12 public educational institutions;

1 (c) Cultural institutions, arts organizations, and community  
2 organizations;

3 (d) Individual artists, writers, journalists, scholars, and  
4 educators;

5 (e) Units of government; and

6 (f) Consortia composed of any of the entities described in (a)  
7 through (e) of this subsection, inclusive.

8 NEW SECTION. **Sec. 6.** On or before January 1, 2002, the  
9 superintendent of public instruction shall report to the governor and  
10 the appropriate fiscal and policy committees of each house of the  
11 legislature on the types of grants awarded and the accomplishments of  
12 the program established under sections 1 through 5 of this act.

13 NEW SECTION. **Sec. 7.** The Washington civil liberties public  
14 education account is created in the state treasury, to be funded by the  
15 general fund. Moneys in the account may be spent only after  
16 appropriation. Expenditures from the account may be used only for  
17 issuing grants for educational activities and educational materials.

18 NEW SECTION. **Sec. 8.** This act shall be known as the Washington  
19 civil liberties public education act.

20 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act are each  
21 added to chapter 28A.300 RCW.

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