

----- Original Message -----

From: [Arthur D. Jacobs](mailto:Arthur.D.Jacobs)

To: president@pdxjacl.org; kominz1@pdx.edu

Sent: 2/14/2007 8:14:32 AM

Subject: Other victims of WWII internment in the US....

RE: Fighting for Civil Rights in an Era of Terror

Saturday, Feb. 17, 2007, 1:00 4:00 p.m.

Portland State University

NEW LOCATION: George C. Hoffman Hall 1833 SW 11th, Portland, OR 97201

Dear President Kodachi and Professor Kominz:

I was wondering why no German American or Italian American speakers were invited to the Day of Remembrance? As you know H.Res. 122, just passed, was designed to recognize all the victims of internment, that is to say, the resolution reads as follows: " Recognizing the significance of the 65th anniversary of the signing of Executive Order 9066 by President Franklin D. Roosevelt and supporting the goals of the **Japanese American, German American, and Italian American** communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and internment of individuals and families during World War II."

Perhaps next year you will consider inviting other victims to your Day of Remembrance program.

Sincerely,

Arthur D. Jacobs

Major, USAF Retired

From: JOHN KODACHI [mailto:jckodachi@earthlink.net]
Sent: Wednesday, February 14, 2007 10:50 PM
To: Arthur D. Jacobs; president@pdxjacl.org; kominzl@pdx.edu
Subject: RE: Other victims of WWII internment in the US....

Dear Major Jacobs,

Thank you for your message. Peggy Nagae will speak about the interment experience, which include German and Italian Americans as you noted. I will be sure to discuss this fact with the audience and am aware of the resolution. In fact, at our last DoR, panelist discussed the very resolution. However, for our program this year, we did not intentionally seek to exclude German or Italian American speakers as your message seems to insinuate. To the contrary, our DoR focuses on the past, but also present civil rights issues that affect everyone-- German American, Japanese American, legal permanent residents, foreign nationals, etc. We hope to educate the public about past and present civil rights issues.

As a result, many of our invited speakers will not specifically address E.O. 9066. However, this is by design. Rather than only focusing on the past, my board wanted to educate the public of current threats to civil rights that are not readily apparent, such as the Military Commissions Act of 2006, the Patriot Act, warrantless eavesdropping, etc., which I'm sure you're well aware of. As a result, we invited speakers who we felt can address these current topics, such as Brandon Mayfield, the local attorney wrongly accused of the Madrid train bombing, and Prof. William Funk, who drafted the Foreign Intelligence Surveillance Act.

I trust you can understand our decision making process.

I hope to see you at our event!

Best regards,

John A. Kodachi
President
Portland JAACL

----- Original Message -----

From: Weiss

To: bernstined@pdx.edu

Cc: caseyparks@news.oregonian.com ; mzusman@wweek.com ; jckodachi@earthlink.net ; funk@lclark.edu ; projecthamad@gmail.com ; info@cacaportland.org ; kominz1@pdx.edu

Sent: Tuesday, February 20, 2007 5:06 PM

Subject: National Day of Remembrance

February 20, 2007

President Daniel O. Bernstine

Portland State University

PO Box 751

Portland, OR 07207

Fax: 503-725-4499

bernstined@pdx.edu

Dear President Bernstine:

On Saturday, February 17, I attended a Day of Remembrance event titled *“Fighting for Civil Rights in an Era of Terror”* at Portland State University. The event was co-sponsored by Portland State University, Japanese Studies with additional support from a number of organizations including the ACLU of Oregon. The event was very well attended. It appeared as if the audience size was about 250-300 people. Certainly, it was gratifying to see that so many Portlanders have an interest in civil rights. Even though I found the event, the guest speakers, and the subject extremely important and relevant to our current political climate, I was offended when Peggy Nagae, one of the guest speakers, presented false information to the audience.

With great deliberation Ms. Nagae, instructed the audience that German Americans and Italian Americans **were not** interned during WWII. Perhaps, this would not have been as offensive if it weren't for the fact that on February 13, 2007 the US House of Representatives passed (R. 122), a resolution with the following language:

Resolved, That the House of Representatives--

(1) recognizes the historical significance of February 19, 1942, the date Executive Order 9066 was signed by President Roosevelt, restricting the freedom of Japanese Americans, German Americans, and Italian Americans, and legal resident aliens through required identification cards, travel restrictions, seizure of personal property, and internment; and

(2) supports the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of these events.

Prior to the Day of Remembrance event, an inquiry was sent to John Kodachi, President of the Portland JACL, specifically asking why he was not including German Americans or Italian Americans in the event in light of the recent resolution. Mr. Kodachi responded to a colleague as follows:

“Peggy Nagae will speak about the interment experience, which include German and Italian Americans as you noted. I will be sure to discuss this fact with the audience and am aware of the resolution. In fact, at our last DoR, panelists discussed the very resolution. However, for our program this year, we did not intentionally seek to exclude German or Italian American speakers as your message seems to insinuate. To the contrary, our DoR focuses on the past, but also present civil rights issues that affect everyone-- German American, Japanese American, legal permanent residents, foreign nationals, etc. We hope to educate the public about past and present civil rights issues.

As a result, many of our invited speakers will not specifically address E.O. 9066. However, this is by design. Rather than only focusing on the past, my board wanted to educate the public of current threats to civil rights that are not readily apparent, such as the Military Commissions Act of 2006, the Patriot Act, warrantless eavesdropping, etc., which I'm sure you're well aware of. As a result, we invited speakers who

we felt can address these current topics, such as Brandon Mayfield, the local attorney wrongly accused of the Madrid train bombing, and Prof. William Funk, who drafted the Foreign Intelligence Surveillance Act. I trust you can understand our decision making process.”

Thus, you can understand my surprise when Ms. Nagae addressed the subject as she did. She specifically misinformed the audience by stating that German American and Italian Americans were **not** interned. During the intermission, I made a point of informing Ms. Nagae that 14,000 German Americans and Italian Americans were interned. Certainly, I did not want to assume that there was any deliberate attempt by Ms. Nagae or the JACL to perpetuate the myth that only Japanese Americans were interned during WWII. However, as I approached Ms. Nagae another gentleman was already engaged in a conversation with her regarding the same issue. Consequently, I joined in and asked her if she would make a correction to the audience after the intermission. I found her response odd. She asked me to name where the European Americans were interned. After I started naming the locations, she then inquired, “Didn’t they all receive hearings?” Instead of debating the differences in the internment details of the three major groups interned, during the brief intermission, I handed Ms. Nagae a copy of R 122, the Resolution that just passed in the US House of Representatives regarding National Day of Remembrance events around the country. Once again, I asked her very politely to correct her statements to the audience after the intermission since it was inappropriate to mislead the attendees.

Unfortunately, I remained till the end of the event and no corrections were made to the audience by anyone.

The tragedy of internment, even today, is the fact that not one single victim of internment has prevailed in a court of law. We flaunt the fact that we are a country of laws where individual rights are protected by the constitution and the bill of rights. Yet, how many cases, other than Terry Schiavo, are you familiar with where legislative bills are passed to protect only one person’s individual rights?

As the largest group interned, Japanese Americans have prevailed in obtaining redress through a legislative act. By the very nature of having to prevail by legislative act, the protection of individual rights is severely limited as it takes a voting block or group pressure to influence legislators. Isn’t the role of the constitution and the bill of rights to protect minority rights and guarantee individual rights against the government? Isn’t the role of the courts to protect this? As we find our country once again at war, is it acceptable to “select” individuals and arrest and incarcerate them one by one because they are Muslim, just as long as we do not incarcerate them “en masse”? This is precisely what happened to Germans and Italians during WWII. I reject the argument that “quantity and timing” (en masse) is the critical factor in determining who was a victim of US government internment policy then and now. The odious acts of internment should be more about the story of the suspension of the rights of habeas corpus to “individuals” in time of war, rather than an argument about dissecting what percentage of an ethnic group were arrested in massive roundups. The details of WWII internment policies against each ethnic group certainly did vary and they should rightfully be explored and publicized. **The central argument, however, should not be obscured - internment was a violation of individual rights merely because civilians were the ethnicity of the enemy.**

Just so you understand, German Americans and Italian Americans are quite eager to compare and contrast the differences and similarities between the US government internment practices during WWII. In fact, we would welcome an invitation to such a public venue. However, in the absence of such an invitation is it appropriate to continue the deception that only Japanese Americans were interned? Consequently, I am writing to request that a press release be sent to local media sources by Portland State University, the ACLU, and the JACL correcting the offending statements. Hopefully, the integrity of Portland State University is central to the Universities mission. Certainly, one would hope the US House of Representatives resolution R 122 would influence your desire to provide a National Day of Remembrance to all victims of internment during WWII. Thank you for your time, once again I respectfully ask you to correct the record. In the event, that you should desire further information on German American internment you might find these websites of value www.foitimes.com, www.gaic.info, www.traces.org or you can contact me at _____ or _____ or weiss2000@comcast.net.

Sincerely,

Shirley A. Weiss

Cc: Oregonian: caseyparks@news.oregonian.com

Willamette Week: mzusman@wweek.com

ACLU of Oregon, PO Box 40585, Portland, OR 97240-0585

Peggy A. Nagae, Total Diversity Management Consultants, Fax: 541-334-5030

John Kordachi, President JAACL, jckodachi@earthlink.net

Charles Hinkle, Stoel Rives LLP, Fax: 503-220-2480

William Funk, Professor of Law Lewis & Clark College, funk@lclark.edu

Brandon Mayfield, projecthamad@gmail.com

Helen Ying, Board Member of Chinese American Citizens Alliance, info@cacaportland.org

Portland State University, Japanese Studies, Laurence Kominz kominzl@pdx.edu

Senator Ron Wyden, Fax: 202-228-2717

Senator Gordon Smith, Fax: 202-228-3997

Congresswoman Darlene Hooley, Fax: 202-225-5699 F. Hinkle

Email Conversations with the Japanese American Citizens League

----- Original Message -----

From: Jim Kennedy

To: weiss2000@comcast.net

Sent: Monday, February 26, 2007 10:39 AM

Subject: Internment messaging

Dear Ms. Weiss,

My name is Jim Kennedy and I am a Board member of the Portland JAACL.

I'm writing in response to the letter you wrote following our recent Day of Remembrance event.

I would like to meet with you to discuss your concerns in more detail and determine how we can work together in the future.

I must go to Seattle this Thursday/Friday, but otherwise have a pretty flexible schedule. Please let me know if you can accommodate a meeting (preferably in person) and when/where would work for you.

You can reach me at 503-724-XXXX e-mail.

Thanks for your interest.

regards,

-Jim

----- Original Message -----

From: Weiss

To: Jim Kennedy

Cc: Casey Parks ; jkodachi@earthlink.net ; kominzl@pdx.edu ; bernstined@pdx.edu ; kcschemmjr@hotmail.com

Sent: Tuesday, February 27, 2007 11:01 AM

Subject: Re: Internment messaging

Dear Mr. Kennedy,

Thank you for volunteering to coordinate and schedule a meeting with representatives of the ACLU, JACL and Portland State University. I am delighted that the passage of House Resolution 122 will give us the opportunity to work collaboratively as a community to promote a National Day of Remembrance that includes all victims of internment. As you full well know, internment was a very emotional experience and the scars run deep for the victims and their families. Certainly, it is gratifying to imagine that never again will I attend a Day of Remembrance event where the audience is told that German Americans and Italian Americans were not interned.

If the objective of the meeting is to discuss the concerns in my letter, will John Kordachi and Peggy Nagae be present? Could you please give me a little better understanding of the meeting agenda and who all will be present? Certainly, if I need to include other appropriate people in the meeting, I will need to plan for it. Thanks for contacting me. I look forward to hearing from you. My schedule is fairly flexible so I will make myself available when others are available. Generally, Tuesday and Wednesdays are particularly good days. Of course, Portland State would be an acceptable meeting place, don't you think?
Shirley Weiss

----- Original Message -----

From: Jim Kennedy

To: Weiss

Sent: Tuesday, February 27, 2007 6:59 PM

Subject: Re: Internment messaging

Dear Ms. Weiss,

Your letter generated a lot of discussion within the JACL Board and I simply volunteered to contact you to hear and better understand your concerns as a representative of the Board. I'm recently retired and have the time and flexibility to meet with you, hopefully in person as I believe that is the best way to get to know people and their positions. I did not intend to have a formal meeting with multiple participants partly because I like to keep things simple and partly due to the fact that I don't know if you are representing an organization or are expressing your personal concerns. Either way, I believe we have similar goals and messages regarding the internment and civil rights and my hope is to establish a relationship that will enable us to work together towards these common goals in the future. It seems to me we can all benefit from better understanding the history of the German and Italian American internment.

I want to be clear. The JACL does not agree with your statements that speakers at our event said Italian and German Americans were not interned. We have reviewed the video and found no such statements. There was a statement to the effect that while **ALL** Japanese Americans were interned, not **ALL** Italian and German Americans were interned. I can appreciate how this comment might not best describe and support your concerns, but it is a far cry from your statement suggesting that our speakers misinformed the audience.

It is my hope that your wish is to educate and work with us towards improving future events and messaging. If so, please meet with me at your convenience so we can form a cooperative relationship. PSU is a fine location.

You can also reach me via phone at
thank you,

----- Original Message -----

From: [Weiss](#)

To: [Jim Kennedy](#)

Cc: jckodachi@earthlink.net ; kominzl@pdx.edu ; bernstined@pdx.edu ; Kearn Schemm ; CaseyParks@oregonian.com

Sent: Wednesday, February 28, 2007 12:21 AM

Subject: Re: Internment messaging

Mr. Kennedy,

After receiving your email, I am totally convinced that it is more important than ever to meet with other members of the community to discuss the Day of Remembrance event that took place February 17th. Although you may want to keep the meeting simple, I believe we are past that point. A quick correction at the Day of Remembrance event would have accomplished simplicity. Quite frankly, given your most recent responses and the direction our conversations are developing, the JACL has some credibility issues to overcome.

It appears we are at a stalemate. To move this forward, we will need a collective viewing of the video, so we can all ascertain what was actually said at the event. Unless the video has been edited, I am confident it will verify my account of the statements that were made. Although admittedly I am getting old, my recollection of the comments and my supporting notes are crystal clear. Let me assure you, they are very different than what you are suggesting. Furthermore, if Ms. Nagae had made the comments as you suggest, she would have defended her position, rather than trying to deflect the discussion, during the intermission. As stated earlier, I was not the only audience member that disputed Ms. Nagae's comments.

Mr. Kennedy, although you and I may have similar goals regarding internment and civil rights, clearly the JACL does not. If you remember John Kodachi, President of the JACL, was contacted prior to the Day of Remembrance event. His response was very reassuring regarding his intent to mention House Resolution 122, and the other victims of internment - German American and Italian Americans. Unfortunately, his actions instead were exclusionary towards German Americans and Italian Americans. Tell me, how do you reconcile his personal comments made in an email prior to the event with the actual video of the event? Since Portland State University and the ACLU were cosponsors of the Day of Remembrance event, I appeal to their integrity to verify the facts of the event.

Since you appear to be a man of good intentions, might I suggest that you personally review the video so you can quote verbatim what was said. Indeed I am suspicious and not at all satisfied with your comment "*There was a statement to the effect that while ALL Japanese Americans were interned, not ALL Italian and German Americans were interned.*" Since, I concur with the statement - that not all Italian and German Americans were interned and Japanese Americans were, this statement would not have motivated me during the intermission to challenge Ms. Nagae to make corrections.

In addition, whether I represent an organization or myself personally, has no bearing to the circumstances in question. The facts are the facts. On February 17, at the Day of Remembrance event, the JACL was intentionally exclusionary toward other victims of internment. In front of an audience of 250-300 attendees Ms. Nagae distinctly denied German American and Italian American internment.

In regards to your comment, that it is your hope that my objective is to educate and work towards improving future events, my response is - can't you see that this is what it is all about? I am very interested in the accuracy of internment events, thus the challenge.

I recognize there were differences in how the government treated internees of German, Italian and Japanese descent, however, I welcome a scholarly evaluation of WWII internment. Wouldn't it be great to have an ongoing panel discussion that evaluated WWII internment policies in the allied countries, the US, Canada, Great Britain and Australia? It would be very interesting to evaluate how each government acted towards their different ethnic communities. We know all too well that it had devastating effects on the victims? What could be more relevant than the review of the suspension of habeas corpus during WWII and the current implications in the War on Terror? The current selective incarceration of Muslims and Arabs in the War on Terror is way too reminiscent of what happened to German American and Italian Americans. Doesn't this concern you?

Although your Day of Remembrance event had many notable, well done components, why does the JACL continue to be a German/Italian American internment denier? Isn't it the duty of every world citizen to challenge deniers of despicable events in

human history? Even though I would like to work together with the JACL, it appears they are still not ready to make amends for their comments at the Day of Remembrance event. So, let's schedule a video conference where we can collectively review the video. It appears that until we do this, there is really no point in meeting. Don't you agree?

Sincerely,

Shirley

March 2, 2007

President Daniel O. Bernstine
Portland State University
PO Box 751
Portland, OR 07207

Dear President Bernstine,

The members of the German-American community have been greatly disappointed that you have not as yet acknowledged receipt of my letter of February 20, 2007 regarding statements made during a Day of Remembrance event titled "Fighting for Civil Rights in an Era of Terror"?

Defamation is the communication of a statement that makes a false claim, expressly stated or implied to be factual, that may harm the reputation of an individual, business, product, group, government or nation.

On Saturday, February 17, Ms. Peggy Nagae, a guest speaker, at the Day of Remembrance event at Portland State University, made such statements. Portland State University was a cosponsor of the event. Dr. Bernstine, don't academic institutions have a responsibility for truth in their public presentations?

It is the responsibility of intellectuals to speak the truth and expose lies. - Norm Chomsky
Does PSU, as an intellectual community, subscribe to Norm Chomsky's words?

Perhaps, you do not understand what is at stake here for German and Italian American victims of internment. Possibly, you can not relate to the scars of internment, the embarrassment, helplessness, and economic loss experienced by families of internees, nor how significant the emotional damage is even 65 years after the occurrence. As a University President and a man of influence and power what are your responsibilities in this? By allowing these false statements to go unchallenged, your institution is reinforcing a deliberately falsified version of history: that only those of Japanese ethnicity were interned in the U.S. during WWII. The fact is that approximately 14,000 Germans and Italians were victims of "selective" internment policy on American soil, and more in Latin America. This reality is lost to the public when all historical references are omitted from public discourse. The factual story of internment becomes irrelevant as the mythical story morphs into making perception reality.

On February 19, U.S. Senator Russ Feingold reintroduced legislation to study the U.S. government's treatment of German Americans and Italian Americans during World War II, as well as the treatment of Jewish refugees fleeing Nazi persecution. The Wartime Treatment Study Act, would create two fact-finding commissions to study the internments and other restrictions imposed on some European Americans during World War II, and the government policies limiting the ability of Jewish refugees to come to the United States.

Although the U.S. government has formally studied and recognized the mistreatment of Japanese Americans during World War II, no similar endeavor has been undertaken with regard to other groups.

"Americans are rightly proud of our victory in World War II, but few people know about our government's failure then to protect the basic rights of German and Italian Americans," Feingold said. "Americans must learn from these tragedies now, while the people who survived these injustices are still with us."

Perhaps you are not aware, this is the fourth time the bill has been presented to congress. Although we worked vigorously in three previous attempts to advance the bill, a secret hold by a

Republican Senator prevented the bill from going for a vote.

As a daughter of a former German American victim of wrongful internment, I feel it is my obligation to fight for justice. Don't you feel it is ironic that an event fighting for civil rights is trampling on civil rights? Once again, just like at the event, I would prefer to resolve this issue quickly and unbureaucratically at your level. In order to do so, a dialogue must begin. Please, will you acknowledge my correspondence and begin that dialogue.

As Mark Twain said:

All schools, all colleges, have two great functions: to confer, and to conceal, valuable knowledge. The theological knowledge which they conceal cannot justly be regarded as less valuable than that which they reveal. That is, when a man is buying a basket of strawberries it can profit him to know that the bottom half of it is rotten.

Dr. Bernstein, the bottom half is rotten. How will you help us correct this injustice?

Sincerely,
Shirley A. Weiss

Cc: Oregonian: caseyparks@news.oregonian.com

ACLU of Oregon, PO Box 40585, Portland, OR 97240-0585

John Kordachi, President JAACL,

Jim Kennedy, jk.hajoo@verizon.net

Portland State University, Japanese Studies, Laurence Kominz,
kominzl@pdx.edu

President German World Alliance, www.germanworldalliance.org

March 6, 2007

Henry Lorenzen
President, Board of Higher Education
Corey, Byler, Rew, Lorenzen & Hojem,
LLP222 SE Dorion
Pendleton, OR 97801

Dear President Lorenzen,

After several letters to Portland State University with no response, I am writing to the Oregon Board of Higher Education for assistance regarding an event that occurred on February 17, titled "Fighting for Civil Rights in an Era of Terror" held at Portland State University. The event was organized by the Japanese American Citizens League (JACL) and co-sponsored by Portland State, Japanese Studies and the ACLU. Although the event was very relevant to our current political climate and the implications to civil right abuses, the event was marred by defamatory statements made during the event. Regrettably, it appears that the statements made were deliberate, false and harmful. A request was made directly to the guest speaker, Peggy Nagae, to correct the statements during the intermission at the event but no correction was forthcoming.

Clearly, Portland State University, represents an institution of academic integrity with a higher responsibility for truth during public events than advocacy organizations. Obviously, the primary sponsor of the event, the JACL, is an advocacy organization with their own independent mission. Although, over the years, the German American internee community has grown accustomed to the JACL's exclusion of European internment in the public arena, we regrettably are frustrated by the damage their continual exclusion causes to our political efforts for government acknowledgement. However, at this civil rights event the tactic moved from "exclusion" to "denial" when Peggy Nagae stated that German Americans and Italian Americans were not interned. Certainly, this becomes even more harmful to our efforts, as the myth that only Japanese Americans were interned becomes the dominant story in the media, public perception morphs into reality in the public discourse.

Especially alarming, is further reinforcement by researchers and scholars to the myth that only Japanese Americans were interned. After the Commission on Wartime Relocation and Internment of Civilians, public funds were granted to Japanese organizations to tell their story of internment and civil right abuses. No doubt, they embraced the opportunity to tell their community story. The downside, however, is that the new secondary data which has been created has become the source data for most research and educational curriculum across the US. Unfortunately, the use of original documents to research the history of US internment policy is almost non-existent. Sadly, this increased reliance on secondary data has both corrupted and silenced the true facts. Secondary documents that exclude all non Japanese internment, have replaced original documents for the basis of scholarly research on the subject, which has compounded the false historical record.

As if that is not enough, educational curriculums across the United States exclude any mention of European internment, once again reinforcing the myth that only Japanese Americans were interned. In fact, a social studies survey was conducted by Jacobs, 2005 <http://www.traces.org/germaninternees.html> that documented the inclusion of the subject of internment in WWII studies with the noted absence of European internment in the curriculum.

Isn't it ironic that once again it appears that the abuse of civil rights is a condition which is contingent on a person or group's majority or minority status? During WWII, Japanese Americans (120,000) were the minority ethnicity of Enemy Aliens, they were relocated "en masse" and

denied habeas corpus partly because of their lack of political power. Instead of "en masse" relocation, European American Enemy Aliens (and Japanese Americans selectively interned in Hawaii) were also denied habeas corpus and suffered the abuse of selective internment. Since WWII, Japanese Americans have gained redress receiving an apology and \$20,000 in remuneration per person (including Japanese Americans selectively interned in Hawaii) while European Americans who were the minority of internment victims received neither, and worse, are being totally stricken from the historical record. Regrettably, it is amazing that no matter how things change, they remain the same.

Just imagine for a moment, you are the child of former victim of unjust internment sitting in the audience attending the event at PSU "Fighting for Civil Rights in the Era of Terror" the lead speaker announces that German Americans and Italian Americans were not interned during WWII. How would you feel? (Especially, knowing that your father received an honorary discharge from the US Army and actually trained in military intelligence after being interned for almost three years) Then imagine making a quiet request of the speaker to simply correct the erroneous statements made. How would you handle the situation? Would you remain silent at the public event? Would you request a correction? What would you do if the speaker refused to acknowledge your request? Would you write to the sponsors of the event to ask for a public correction? Now, imagine you do write and your letters are totally ignored and not even acknowledged as received. Unfortunately, that is the situation we have arrived at. It is becoming difficult for me to determine which is more frustrating, to be ignored when I requested a simple correction or being ignored after my correspondence.

Enclosed is all communication both with PSU and emails with JAACL Board member, Jim Kennedy since the event. After reading my correspondence, I would expect the courtesy of a response from the Board on this issue. Should you have further questions regarding the details of the situation I can be reached by phone 503-675-XXXX or by email weiss2000@comcast.net. Thank you for your time. I look forward to hearing from you.

Sincerely,
Shirley A. Weiss

Enclosure

Cc:

Kirby Dyess, Vice President
P.O. Box 751
Portland, OR 97207-0751 503.702.6861 2008

Donald W. Blair
Vice President and Chief Financial Officer
Nike, Inc.
One Bowerman Drive JM-4
Beaverton, OR 97005 503.671.3528 2008

Gerry Blakney
345 N. Monmouth Avenue
Werner University Center #203
Monmouth, OR 97361 N/A 2007

James L. Francesconi
c/o Haglund Kelley, LLP

101 SW Main St, Ste 1800
Portland OR 97204-3226 503.225.0777 2008

Adriana Mendoza
1704 K Avenue
La Grande, OR 97850 971.219.7798 2007

Dalton Miller-Jones
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920 SW 6th Avenue, Ste 1400
Portland, OR 97204 503.223.2721 2009

Tony C. Van Vliet
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President Daniel O. Bernstine
Portland State University
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ACLU of Oregon, PO Box 40585, Portland, OR 97240-0585

John Kordachi, President JAACL,

Jim Kennedy, jk.hajoo@verizon.net

Portland State University, Japanese Studies, Laurence Kominz,
kominzl@pdx.edu

President German World Alliance, www.germanworldalliance.org

Portland State University
Office of the President
Post Office Box 751 503-725-4419 tel
Portland, Oregon 97207-0751 503-725-4499 fax
www.pdx.edu

March 6, 2007

Shirley Weiss

Dear Ms. Weiss,

I regret that you have been waiting for a response from the President's Office. Unfortunately, we did not receive your letter regarding the Day of Remembrance event on campus until March 5. President Bernstine has asked me to respond.

The most effective way to share your concerns about a campus event with the University community is to contact our student newspapers, the Vanguard and the Rearguard. The Vanguard is published four days a week. The Rearguard is an alternative monthly. I noted that neither publication was included on the list of organizations and individuals that you copied on your letter to President Bernstine. The website for the Vanguard is www.dailyvanguard.com and the editor's name is Owen Smith. The Rearguard's editor is Josh Gross and that website is the www.rearguard.org.

I hope this will prove an enlightening discussion for our campus community.

Sincerely,
Roderic C. Diman, Ph.D.
Special Assistant to the President

March 9, 2007

President Daniel O. Bernstine
Portland State University
PO Box 751
Portland, OR 97207

Dear President Bernstine,

Thank you for the response from PSU by Dr. Dinman, Special Assistant to the President, regarding my letter of March 2. I am sorry you did not receive either of my letters until March 5, certainly it was not through lack of effort on my part. It appears that priority mail is the best method of communication with your office as my two previous letters were sent as follows:

February 20, fax and email

March 2, email and priority mail

Unfortunately, since I felt my letters were being ignored, I grew impatient waiting for a response and yesterday sent letters to the Board of Higher Education, copying your office as well. If you haven't received the letter yet, please watch for it. The letter was sent only by mail, but not priority mail.

Although I was pleased to finally be acknowledged, I was concerned with the recommended resolution to my issue. Certainly, I will take your advice and send the packet of letters to both student publications *Rearguard* and *Vanguard*. However, since the students can not address the institution's responsibilities for academic integrity nor the institutions responsibilities to the community I find the response a bit deficient and very dismissive. Am I understanding you correctly, the best way to communicate with the President of Portland State University is through the college newspapers?

Since I could not find a PSU policy on Academic Integrity, I decided to review how other universities handle the issue. The following website was most comprehensive regarding the issue, The Center for Academic Integrity:

<http://www.academicintegrity.org/pdf/FVProject.pdf>

If you visit the website please note how they define "*academic integrity as a commitment, even in the face of adversity, to five fundamental values: honesty, trust, fairness, respect, and responsibility. From these values flow principles of behavior that enable academic communities to translate ideals to action.*"

Also noteworthy, is that many of the universities who are members of the center have established both standards of integrity and an Academic Integrity Review Board. This Board evaluates and resolves issues as they present themselves in the day to day life of the academic institution.

The website also has links to University members and their specific policies. With interest I read a few examples and will take the liberty of quoting Carnegie Mellon's.

"These standards require personal integrity, a commitment to honesty without compromise, as well as truth without equivocation, and a willingness to place the good of the community above the good of the self. Obligations once undertaken must be met, commitments kept . . . Promoting academic integrity is the responsibility of the entire Carnegie Mellon community."

What are Portland State Universities values? Does the institution believe it is the responsibility of the entire PSU community to promote academic integrity? Does the institution believe in honesty without compromise, truth without equivocation? Does House Resolution, R. 122, which supports the goals of Japanese Americans, German Americans, and Italian Americans in recognizing a National Day of Remembrance to increase public awareness only apply to Japanese Americans at Portland State University? Does historical accuracy on civil rights mean nothing? What about honesty without compromise? Do intentionally false, deliberate statements by advocacy groups qualify as honesty without compromise? Are simple public apologies no longer decent resolutions to harmful rhetoric?

Certainly, we expect students to demonstrate ethics and integrity. Are universities and faculties not held to the same standards? In conclusion, I have forwarded all of my correspondence to the student publications but this is not a student driven issue. Rather, it is an institutional issue. Could you please tell me what the institution's position is on the events that occurred at the February 17, event "Fighting for Civil Rights in an Error of Terror".

Sincerely,
Shirley A. Weiss

Cc: Oregonian: caseyparks@news.oregonian.com

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Portland State University, Japanese Studies, Laurence Kominz kominzl@pdx.edu

President German World Alliance, www.germanworldalliance.org

Henry Lorenzen, President, Board of Higher Education, Corey, Byler, Rew, Lorenzen & Hojem, LLP

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4/26/2007

Ms. Shirley A. Weiss

Dear Ms. Weiss

Thank you for your correspondence and for your efforts to increase public awareness around the internment of Japanese, German and Italian Americans during World War II. The ACLU of Oregon will not be releasing a press release in response to Ms. Nagae's comments of February 17, 2007. We do not disagree with your point that German and Italian Americans were also interned during WW II. Rather, we believe that your efforts to correct Ms. Nagae at the event were adequate to both educate the audience members and Ms. Nagae about the significance of her omission.

If your primary goal is to increase public awareness about the internment of European Americans during WW II, you may consider writing to newspapers or finding other ways of educating the public about this issue. Certainly, Congress' recent recognition of the internment of Japanese, German and Italian Americans will make your efforts easier. It seems that the National Day of Remembrance is a natural launching point for additional educational work.

As I am sure you are aware, deeply entrenched public perceptions do not change overnight. And, the claim you make, that our nation has forgotten important lessons in its history, is anything but unique. It takes the consistent efforts of people like you to correct these misconceptions.

We agree with the comments of Mr. Kodachi that you quoted in your letter that the intent of the February 13th panel was to "educate the public about the current threats to civil rights that are not readily apparent. "Certainly, if we wish to avoid making these mistakes again, education about what our country is currently doing in violation our Constitutional protections of liberty, freedom and equality under the law is just as important as consistent reminders about how we have failed to live up to these principles in our not-so-distant past.

Sincerely,
Erin J. Snyder
Program Associate

The ACLU is not a law firm, has no staff attorneys and cannot provide legal advice. This letter is neither a legal opinion nor a formal statement of ACLU policy. It is intended only to advise you whether your situation meets criteria for ACLU involvement.

Re: ACLU Role in Civil Liberties Event "Fighting for Civil Liberties in an Era of Terror" at Portland State University, February 2007

May 2, 2007

Erin J. Snyder
ACLU
P.O. Box 40585
Portland, OR 97240
Re: File_000379

Dear Ms. Snyder,

Thank you for your recent response regarding a February event at Portland State University titled "Fighting for Civil Liberties in an Era of Terror", which was co-sponsored by the ACLU. In your letter, you made the following statement : ". . . we believe that your efforts to correct Ms. Nagae at the event were adequate to both educate the audience members and Ms. Nagae about the significance of her omission."

How were my efforts adequate?

1. **NOT ONE MEMBER OF THE AUDIENCE WAS EDUCATED ABOUT EUROPEAN INTERNMENT**. RATHER, THEY ALL LEFT THE EVENT BELIEVING THAT GERMAN AMERICAN AND ITALIAN AMERICANS WERE NOT INTERNED!!!!!!!!!!!!!!
2. **Denial not Omission** - Ms. Nagae's comments were not an omission. An omission would have been if Ms. Nagae would not have addressed the issue of WWII European internment during the event. This is not what happened. Instead, Ms. Nagae made the statement that German Americans and Italian Americans were not interned during WWII, only Japanese Americans.
3. **Refusal to correct the false statements** - Ms. Nagae aggravated the situation by refusing to correct her erroneous statements, even when confronted with a written copy of House Resolution 122.
4. **No Action after the event** - Since the event, neither Ms. Nagae nor the JACL have acknowledged nor apologized for their false statements. (In fact, they have continued with denials.

Obviously, I am dismayed by your refusal to take any corrective measures to rectify the harmful, erroneous information that was intentionally disseminated at this ACLU co-sponsored public event. Needless to say, the constant, intentional denial of German American and Italian American internment is very harmful to our redress efforts. We would expect help from a civil rights organization such as yours, not obstruction.

Although your suggestions are well intended regarding increasing public awareness of European American internment, they are grossly naive. For 65 years, we have been writing letters to politicians and media sources regarding the injustices of WWII internment. Perhaps, you can tell us why our thousands of letters flatly do not get published. Or why our testimony was excluded from the Commission on Wartime Relocation and Internment of Civilians? Or why the Civil Liberties Act of 1988 does not include all victims of unjust internment? Or why the bill to investigate European American internment, the Wartime Treatment Study Act, has been stopped three times by a secret hold in the Senate? Or why all the FBI custodial detention arrest files on German and Italians were erroneously indexed (or should I say hidden) in archival files that read "Japanese 1941"? Perhaps, you can also tell us why a bill has been introduced in congress to

investigate only Latin Americans of Japanese ancestry who were kidnapped, interned, and exchanged with axis countries, while ignoring Latin Americans of German and Italian ancestry? Or maybe you would like to explain why a \$38 million internment camp preservation bill only includes Japanese American internment camps?

When organizations such as the ACLU allow false public statements to go unchallenged, you become an enabler. "Fighting for Civil Rights in an Error of Terror," had the potential to be a first class event. The event had high visibility and fantastic local attendance. Other than Ms. Nagae, the speakers were very informative and in some cases inspirational. Although, Ms. Nagae may deserve kudos for her accomplishments in the Japanese American community, she should not be given a free pass on her intentional, defamatory statements that affect other ethnicities who were victims of internment. Instead, I would expect empathy and understanding from someone who understands the personal suffering of internment. Is anyone asking Ms. Nagae why she chose not to quietly correct the record by making a quick public correction at the PSU event? Why has no sponsor had the good sense to make an honorable public apology even three months after the event? Even Don Imus, faced with his gross mistake had the honor to apologize and attempt to correct his mistake. Ms. Nagae is responsible for her public statements and should also be held to at least the same accountability as a "shock jock". Certainly, if advertisers recognize they have a public responsibility, is it too much to expect that cosponsors of a civil liberties event would be held to an equal or higher standard of conduct? A little honor, integrity, and respect would go along way in reducing my frustrations. With all due respect, you must know that Holocaust denial was made a crime in Germany in 1985, fortunately for Ms. Nagae no such law exists in the United States

Pardon me if I find your response totally inadequate and dismissive. Although the German American community would like to believe, as your letter states, that Congress' Resolution for a National Day of Remembrance would assist European American efforts for redress - obviously, it meant nothing at the PSU event! The cold, hard reality is this year's event at PSU pushed us backwards. We moved from "omission" of European internment to "denial". Quite frankly, it is absolutely and totally unacceptable. We do not have the luxury of wasting time since shortly all victims of interment will be deceased. It is time for the ACLU and Portland State to become part of the solution and not the problem. Clearly, it is unacceptable that world citizens insist on standing on the sidelines, shirking responsibility to victims of abuse. Please stand up with Portland State and take a leadership role in negotiating a remedy to resolve an event that was unfortunately compromised. As caring, intelligent, responsible adults, certainly we can sit down together face to face and move this forward. Since our exchange of letters has not led to a fair resolution of this issue, I would like to have the opportunity to meet you to discuss the matter in person. I suggest we meet on May 8 or May 11 at either 10:00 am or 2:00 pm in your office, please let me know if this date and time is agreeable to you.

Sincerely,
Shirley A. Weiss
Daughter of an Internee

Cc: Anthony Romero, Executive Director ACLU New York, Fax: 212-607-3318

Nadine Strossen, President ACLU New York, Fax:212-607-3318

Kearn Schemm, President German World Alliance, www.germanworldalliance.org

Michael Luick Thrans, Executive Director TRACES Center for History and Culture,
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Arthur D. Jacobs, German Internment Researcher, ad.jacobs@cox.net

Doris Oldenburg, German American Society of Oregon, Fax: 503.775.8206

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Una Storia Segreta, <http://www.segreta.org/>

Anthony Tamburri, American Italian Historical Association, tamburri@fau.edu

Brief Bio on Peggy Nagae

Peggy A. Nagae is the principal of Peggy Nagae Consulting. She served as the lead attorney on the Yasui v. United States coram nobis case, was appointed by President Clinton to the Civil Liberties Public Education Fund Board (1996-1998), and held the position of Assistant Dean for Academic Affairs at the University of Oregon School of Law (1982-1987). She currently serves on the board of the National Asian Pacific American Legal Consortium, as co-chair of the Leadership Advisory Committee, National Asian Pacific American Bar Association and was appointed by Oregon Governor John A. Kitzhaber, M.D. to the Law Enforcement Contacts Policy and Data Review Committee on January 17, 2002.