

# Nisei astronaut selected

Houston, Tex. Air Force Capt. Ellison Onizuka, 32, was among the country's 35 new astronauts named last week (Jan. 16) by the Space Agency.

Breaking sex and race barriers that have existed since the astronaut program began in 1959, the agency named six

women, three black men and Onizuka, a Nisei, to orbit the earth in the 1980s.

Onizuka, of Edwards Air Force Base, where he is chief of engineering support section, USAF Test Pilot School, will be among the mission specialists, serving as flight engineers and scientists

aboard shuttle crafts. He was born in Kealahou, Hawaii.

All the women and two blacks will also serve as mission specialists.

Officials reported that 8,079 people, including 1,544 women, applied for the 35 positions. The group is the first chosen in a decade and the first time women and minorities have been included.

However, officials at the National Aeronautics and Space Administration (NA-

SA) said race and sex did not figure into the selection process and that no quotas were set.

Dr. Robert Frosch, NASA chief, said those chosen were judged on professional qualifications, physical condition and past records and he called them "the most competent, talented and experienced people available to us today."

The new astronauts will report to Houston's Johnson Space Center in July for two years of training. Twenty-one of them are currently in military service.

The Space Agency is plan-

ning four shuttle test flights next year and two tests in early 1980. The shuttles then are expected to carry satellites, laboratories and scientists into orbit on a schedule ranging from a monthly flight to perhaps weekly flights.

Each shuttle will carry up to seven people, including two pilots.

Among the women astronauts chosen was Anna Fisher, 28, a medical doctor from Rancho Palos Verdes, whose husband Dr. William Fisher, did not make it.

Other women named were: Judith Resnik, Redondo Beach, Calif.; Shannon Lucid, a mother of three from Oklahoma City; Sally Ride,

Stanford, Calif.; Rhea Seddon, Memphis; and Kathryn Sullivan, a Californian attending school in Halifax, Nova Scotia.

Air Force Maj. Frederick Gregory, a black from Hampton, Va., was named a shuttle pilot, meaning he could command one of the flights that are to carry satellites and laboratories to and from space. The other blacks named were:

Air Force Maj. Guion Bluford of Dayton, Ohio and Ronald McNair, of Marina Del Rey, Calif.

Frosch said military astronauts will continue to draw their pay, while civilians will get salaries ranging from \$21,800 to \$33,800 annually.

## Deprived of Title



Phoung-Ngoc Davis, the 17-year-old Dayton, Wash. teenager who won the local Touchet Valley Junior Miss Title last October, became the focus of JACL concern when her title was denied because she was not an American citizen. Though Miss Davis, a Vietnamese, was disallowed from competing in the state competition held this week in Pullman, Pacific Northwest JACL leaders are still working to have the citizenship requirement removed for entrants in Junior Miss competitions.

## U.S. Supreme Court denies hearings, but acquits Chin

Washington The U.S. Supreme Court earlier this month denied a hearing to Elizabeth Young Chin, accused of being a possible threat to Japanese Emperor Hirohito during his visit to the United States in 1975.

While refusing to review Ms. Chin's conviction on a gun transportation charge, the court on Jan. 9 directed the acquittal of her husband, Kenneth Chin, of Brooklyn.

The Dept. of Justice told the Supreme Court it decided the evidence did not justify the man's conviction for transporting and receiving a semi-automatic rifle purchased by his wife from Cole's Sporting Goods Store in Inglewood, Calif.

Ms. Chin was convicted of transporting the gun. Both were placed on three years' probation by U.S. District Judge Jacob Mishler of Brooklyn.

Secret Service agents raided the couple's Brooklyn apartment in October, 1975, seizing several semi-automatic weapons, pistols,

## Judge orders retrial for Narciso-Perez

DETROIT, Mich.—On Dec. 20, U.S. District Court Judge Philip Pratt ordered a new trial for Filipina Narciso and Leonora Perez. He cited "numerous improprieties" by the prosecution and said it had damaged the presumption they were innocent until proven guilty.

knives, magazines and boxes of ammunition.

The second of two Secret Service affidavits on which the search warrant was based said Ms. Chin in 1973 had lived in Los Angeles with Joanne Miyamoto, a member of the Asian Americans for Action, which had demonstrated against the U.S.-Japanese Security Treaty.

Ms. Miyamoto and an associate, Mary Kochiyama, were said to pose a threat to the personal safety of the Emperor during his visit Oct. 4-7.

The government conceded the two women were not liv-

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## Nomination was 'for hometown'

LOS ANGELES—County Supervisor Kenneth Hahn was quoted in the press last week that his nomination of Helen Kawagoe for county assessor was "for hometown consumption ... she knew I might withdraw her name". The new assessor is attorney Alexander Pope, city airport commissioner and former aide to then Gov. "Pat" Brown.

Hahn dropped his choice, Mrs. Kawagoe, in the first round of voting Jan. 19 and substituted the name of Pope who nearly failed to draw the required two supervisorial nominations.

Meantime, Kawagoe is opposed in the coming spring election for city clerk in Carson.

# PACIFIC CITIZEN

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## JACL protests 'Yellow Peril' as trademark

NEW YORK—Calling "yellow peril" an "anti-Asian racist concept," the Civil Rights Committee of the Japanese American Citizen's League's Eastern District has urged the Patent and Trademark Office of the Dept. of Commerce to deny the request of a Washington, D.C., publication for exclusive trademarks rights to the phrase.

The U.S. Supreme Court in a recent decision denied a brewery a copyright and exclusive use to the name of its brand, "Lite", on grounds the word is of common usage.

In a letter to the Commissioner of Patents and Trade-

marks, the chairman of the JACL committee, Shigeru Kaneshiro, pointed out that the offensive term "has been manifested in the United States in laws and in fact to deny persons of Asian ancestry to participate equally and fully in the social, economic and political life of our country."

He went on, "To cite a few salient examples: exclusionary immigration laws, ineligibility to become citizens through naturalization, restrictive land laws, forced expulsions from numerous communities and, during World War II, incarceration in American concentration camps.

"With a record of such egregious injustices, it is surprising that any fair-minded publication should apply for, saying nothing of appealing a denial of, the 'Yellow Peril' trademark. The JACL Eastern District, is unqualifiedly opposed to having ... any individual or organization be granted a legal and exclusive right to 'Yellow Peril'."

The letter concluded with

"the hope that the Patent and Trademark Office will stand firm on its initial denial" of the trademark rights.

For the information of the Commissioner, Kaneshiro enclosed chapter-and-verse documentation of the origins of the phrase "yellow peril" and such companion terms as "yellow hordes" and the uses to which they have been and could again be put. □

## Sakaguchi appointed to Idaho Falls city council

By KATHY BUCKLAND (Idaho Falls JACL)

IDAHO FALLS, Idaho—Sam S. Sakaguchi was appointed to the Idaho Falls City Council by Mayor Thomas Campbell to fill the seat left vacant by Campbell.

Sakaguchi, 52, is the first Japanese American to fill a seat on the council here.

A former commander of Seventh District American Legion, and of Bonneville Post No. 56, past president of the Japanese American Citizens League and now manager of sales for an Idaho Falls sprinkler irrigation firm, Sakaguchi emerged in December as the unanimous choice of the councilmen to fill the seat vacated by Campbell when he was sworn in as mayor.

A former director of YMCA, member of several mayor's committees, and



SAM SAKAGUCHI

former chairman of the War Bonnet Roundup Committee, Sakaguchi is also a member of the Elks, the Eagles and other civic organizations.

Born on Rexburg, Sakaguchi for many years farmed in the Osgood area west of Idaho Falls. His term in office will run until the end of 1979.

## Senior citizens project for Nisei formed in Little Tokyo

LOS ANGELES—The Japanese Community Pioneer Center founded a Nisei Senior Citizens Project this past month with CETA funding five full-time positions "to develop a program to identify and respond to the diversified needs of the increasing numbers of Nisei and Sansei reaching retirement age".

There are already 15,000 Nisei who are of retirement age and that within a dozen years or so, most Nisei will be age 65 or older, it was pointed out by John Iwaoka, Pioneer Center general manager and project supervisor.

Understandably, most retirement or senior citizen groups in the Japanese community heretofore are composed of and concentrate on the unique needs of the Issei, but in reality with each passing day, the needs of the older Nisei must now be addressed with greater urgency, Iwaoka added.

On the project staff are:

Y. Bill Watanabe, coordinator; Amy Ishii, mental health counselor; Lorna Ige, social service counselor; Janice Nabara, activities coordinator; and Amy Chuman, secretary.

The project office is located at:

Pioneer Center (Old Union Church, Rm 100), 120 N. San Pedro St., Los Angeles, Calif. 90012; 625-2673.

"Sodan shitsu" (information and referral service) manned by Tom M. Hamada at the Pioneer Center has been commended by major city-wide social service agencies in communicating to them the needs of Japanese-speaking senior citizens.

Hamada, assigned by the Mayor's Office for the Aging, reported over the 12 months ending November, 1977, that his office, Sodan Shitsu, handled or referred almost 3,900 cases — a 100% increase over the previous year. About 4,250 inquiries were logged. □

## San Joseans to honor Senryu poet

SAN JOSE, Calif.—Charles Erabu Mikami, decorated by the Japanese government recently with the Order of the Sacred Treasure, 5th Class, for his contributions to U.S.-Japan relations through art and poetry, will be honored at a community testimonial dinner Feb. 5, 4 p.m. at the Hyatt House here. He is president of the San Francisco Bay Area organizations of Senryu writers who write the world's shortest poems.

## Beware: Check Your Label

All PC subscribers now can notice their expiration date on the address label (on back page). Dates are either typewritten or hand-written. Effective 1978, our address lister will be instructed "to kill" readers whose subscriptions have expired. For example: address cards marked 1/78 will be dropped from February; those marked 2/78 from March.

(79 indicates subscription has been extended to same month in 1979.)

Realizing the time involved in JACL membership renewal process, the PC will honor phone calls, postcards or letters of "intent to renew" from subscribers or chapters to assure against any disruption of subscription service.

—1-10-77



# pc's people

## ● Architecture

**Dr. Arthur Wakita**, professor of architecture at L.A. Harbor College, has co-authored a book entitled "The Professional Practice of Architectural Detailing." The 390-page text, which Wakita wrote with architect **Richard Linde**, was selected by Popular Science magazine as an alternate for its do-it-yourself book club list. Wakita has taught at Harbor College 12 years.

## ● The Arts

**Cobi Narita** of the University Jazz Coalition has been named director of jazz programming and promotion at the Blue Hawaii, Manhattan's newest jazz club. Narita will also moderate a conference of leading jazz personalities and officials who will discuss the future of the art February at New York's Village Gate.

## ● Business

**Emi Uchida** has been named sales representative for Japan Air Lines, San Jose district sales manager **Mas Yanase** announced. Mrs. Uchida will be responsible for passenger sales development in Palo Alto, Sunnyvale, parts of San Jose, Cupertino, Salinas, Watsonville, Santa Cruz and the Monterey Peninsula.

## ● Education

**Dr. Jessie Kobayashi**, Superintendent of Schools, Dublin, Alameda Coun-

ty, will address delegates of the Western Adult Buddhist League conference next month in San Jose. Kobayashi, the first Nisei woman educator to attain a top administrative position in education, has been actively involved in teacher development, curriculum and instruction and women's caucuses. She was named Distinguished Woman by the Mid-Peninsula Girls Club and received an honorable mention in the San Jose Mercury-News' Women of Achievement awards ... **Dr. Roy Nakawatase**, consultant for the Los Angeles Unified School District, spoke on school integration and recent court rulings at the December meeting of the Japanese American Optimists. A veteran educator, Nakawatase updated the Optimists on the landmark Crawford Decision, problems associated with the smooth transportation of students and fielded questions.

## ● Flower-Garden

Redwood City landscape contractor **Joe Tanouye**, was installed as the 27th president of the California Landscape Contractors Assn. (CLCA). Tanouye becomes the first Japanese American to head the statewide association of landscape and irrigation contractors. He has been a CLCA member for 25 years and is active in the group's local San Francisco-Bay Area/North Chapter ... **Robert Ida**, 31, was named administrative vice president of Green Spot, Inc., the Littleton-based horticulture and landscape firm in Colorado. A graduate of the Univ. of Colorado, Ida is the son of **Harry and Mary Ida** of Brighton. His uncle, **Don Ida**, is president of the corporation and aunt,

Continued on Back Page

## Father seeks more details of PW son's death in Hiroshima

SEATTLE, Wash.—Last Dec. 29 Theodore Atkinson underwent surgery for cancer, his doctors fearing the disease had been contracted in his lungs.

But the patient's mind was on other things. In particular, his son, who was reported killed in action in Japan nearly 33 years ago on Aug. 6, 1945.

The telegram from the War Department said nothing about an atomic bomb. But Atkinson, now 82, has believed for years his son died when the bomb was dropped on Hiroshima that same August day.

Documents released recently by the Japanese Foreign Office have confirmed that Sgt. Hugh Henry Atkinson, 25, was one of 17 American POWs killed by the Hiroshima bomb.

But the senior Atkinson wants to know more than this revelation—he wants the whole story.

"I'm an old man and I just want to clear things up," he said. "When you get to my age, time's running out. You like to have things cleared up in your mind."

So far, Atkinson knows his son, a radio gunner in the Air Force, bailed out of a bomber on July 28, 1945 after being hit by anti-aircraft fire over Japan. The bomber pilot, who survived the war because he was taken to Hiroshima for questioning, later told Atkinson he saw his son imprisoned in Hiroshima.

"We all knew that the bomb was dropped on Hiroshima. We just put two and two together and figured it was the bomb that got him," Atkinson said.

The father has written for further details to Satoru

Ubuki, the researcher at the Univ. of Hiroshima who uncovered information on the 17 Americans.

Japanese records show the remains of the Americans were turned over to U.S. military authorities occupying Japan in December, 1945.

The telegram from the War Department was received by the Atkinson family in February 1946, saying Sgt. Atkinson was killed in action. The government said the body could not be identified from the remains of the crew.

"I don't think they had any part of him," Atkinson said. "I want to know how long our son lived and under what circumstances. I want to know how much he had to suffer."

"I think the government knew a lot of these things and they never released them," he added. "We're just hoping for threads of information that might ease our minds a little in our old age." □

## Book Fair raises \$750 in Little Tokyo

LOS ANGELES—First-ever Little Tokyo Book Fair raised \$751.70 last month to purchase more Japanese-language books and periodicals for the Little Tokyo Bookmobile, which makes regular stops at Higashi Honganji on Saturdays, 2:30-4:30 p.m.

Volunteers from the East Los Angeles JAYS, the Wilshire JAYS, and Asian American Voluntary Action Center assisted at the sale. The Kinnara Drum Troupe performed. □

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# Comments, letters & features

YE EDITOR'S DESK: Harry K. Honda

## A Time to Get Acquainted

It was a rare setting to see four of the PC staffers participating one day this past week at the JACL staff workshop being conducted at National Headquarters. It was the first time four of us got away from the office inside the week. It was rare in other respects, too.

Who gets up at 4:30 a.m. in Los Angeles for the quick flight to San Francisco? We did in order to catch a 6:45 plane.

Who takes a jumbo jet, the Northwest 747, to get there? We did to make the meeting by 9 o'clock, considering the morning rush-hour traffic.

When was the last time you were served a continental breakfast on what is otherwise a commuter flight up? We had orange juice, roll, coffee or hot tea on that flight headed for Honolulu and Tokyo.

And we rushed home on another big jet, TWA's L-1011, after taking a "raincheck" on an invitation for supper from National Director Karl Nobuyuki. (It was also raining, so we could remember.)

It was a full business day for us and I regret we didn't break away earlier for supper somewhere outside of Nihonmachi for a change. But it had been a long day and Karl drove us back to the airport by 7 p.m.—enough time for a quick bite at the coffee shop. Ugh!

The workshop provided an opportunity for Headquarters personnel, regional office directors, secretaries and the PC staff to not only get acquainted but assess what might be done to improve the internal administration of an organization about to celebrate its 50th year and perhaps 50,000 members by that time.

We all recognized the public-at-large sees whatever component of the organization—Headquarters, regional offices or the PC—as one entity: the JACL. Externally, JACL must function in this fashion. But internally, policy directs otherwise by division of the workload, scope of the area being serviced and function. Hence, it would have been apropos to have had the National JACL Credit Union staff present.

With a paper to put, the PC staff stayed only a day, apprising newcomers on how we publish the paper and staff responding to questions regarding day-by-day operations. In the afternoon, we all reviewed the personnel policy. Cost-of-living allowances was discussed as it was at the first staff meeting which the late Mas Satow had conducted about seven years ago. Perhaps, the National Council will accept the concept during their consideration of the new JACL budget in July. The chapters and membership must be led to understand they must also be fair and compassionate with its hard-working staff as well as the hard-gained civil rights of minorities.

This was the first national staff meeting that met at Headquarters. Previously, we had convened at a church camp in the Santa Cruz mountains or at motels away from the city. A workshop away from JACL turf would have been appreciated but the objective was accomplished as our PC staffers came home better acquainted with other staffers.

We must do it again . . . at the Salt Lake City convention this summer, maybe.

FROM HAPPY VALLEY: Sachi Seko

## We're Coming to Eat Cake

Salt Lake City

Helen combines diplomacy with determination. She called the other day to tell me my husband bakes the best pound cakes. Flattery. Then she proceeded to say that she expected him to bake another one for her.

She would come for it in July when the National JACL convention meets in Salt Lake City. I told her we would probably be away. She said that was all right, but leave the cake with somebody.

That's what I like about Helen. She could care less what we were planning to do. All she wanted was the cake. And there was a hungry interest in Ern's new development in the kitchen. He has advanced to making fudge and almond toffee. After asking how creamy his fudge was, Helen confessed that she was a great fudge eater, too.

It's a pity her husband hasn't progressed past the cookie baking stage. Not that Tak was ever an expert. A real novice, in my opinion. He used ready-mix cake batter to make his cookies. I've never asked for a sample. They sound horrid.

Helen and I had lost touch for something like thirty years. In November 1974, she was in town to address an IDC banquet. About that time, we had both guessed each other's identities through the PC. That is something which marriage complicates for women. Men can keep their original names.

We were good friends during our adolescence in Gila. I'll never forget the time I was to be mistress-of-ceremonies at a dance. It was Helen who fixed my hair and lent me her sexiest coral sweater and longest string of pearls and stuffed my bra with cotton.

Helen was two persons during our high school years. She was one of the smartest students at Butte High School. That was quite a feat in an all-Nisei school, where competition was fierce for grades and achievement. Scholars were easy to spot. They looked serious, carried stacks of books and slouched.

Helen didn't look like a scholar very long. She bloomed. She was a sensation with the opposite sex. They stared and whistled. She liked that. Helen was the most boy-crazy friend I had in Gila. I often wondered whom she would marry.

I was still wondering, while waiting for her to arrive that night in 1974. Upon introduction to Tak, I asked, "Where did you find that?"

Helen explained that Tak played basketball with her brother. He was always hanging around the house. She got so used to having him

around that she married him. It was the most original love story I had heard in years.

I liked Tak immediately for going right along with his wife's tale. And I thought, here is no ordinary Nisei male. He is so secure that he laughs at himself. Instead of ruining Helen's story, he enjoyed it immensely.

Only the strong and sure possess that generosity. Tak delighted in saying that he has been promoted from being Helen's chauffeur to her housekeeper. He is unashamedly proud of his wife's achievements.

A long career of voluntary public service was culminated in 1974 when she ran for political office. When she was elected Carson (Calif.) city clerk, Helen Kawagoe became the first mainland Japanese American woman to win a political position.

She is being noticed as a potential contender for more important positions. Recently, her name was submitted as a candidate for the office of Los Angeles County Assessor. Previously, she was a nominee for U.S. Treasurer.

Helen Kawagoe's life has been dedicated to public service. Her chosen work is partially rooted in personal tragedy. She and Tak lost a young daughter and were unable to have any more children. Tak confided that once he thought she would never grow out of her despair.

Involvement in JACL activities helped Helen find an alternative purpose in life. Helen and Tak have served JACL well. Their Gardena chapter continues to lead in membership and participation. Both have been chapter president. Helen has been a district governor and a National vice-president.

Each has helped the other, whatever the endeavor. I think one secret of their success as a team, is not that they are married, but that they are also good friends. Friends respect one another without judgment or commitment.

Helen and I also enjoy a special friendship. Gila has something to do with it. If a friendship survived the test of a concentration camp, it is constant without regard to time and space. Only those who have known camps can appreciate this.

That is why Helen did not reproach me for saying I may not be here when the convention convenes in July. There was not the slightest reminder of wanting to meet for old time's sake.

Helen knows about my disenchantment with JACL since 1970. It was then that I sensed a growing separation between leadership and grassroots membership. Communication has been

poor. Sometimes I doubt that we even speak the same language. I wonder when they are going to use plain English again.

I remember how offended I was at a Salt Lake JACL meeting, some years ago, when a name was suggested for board nomination. The name was retracted, not on grounds of qualification, but because an officer questioned whether the nominee was of "the right blend."

When even a suggestion can be voiced that some of us are not of "the right blend", it justifies the concern that JACL is becoming an elitist organization. The faithful membership is supposed to be content contributing its dues and keeping its place.

But the membership has a right to know where its dues are being applied. There is talk that many of the programs are merely recycled ideas. I fear we also have some recycled leaders. Some members are wondering whether conventions are worth convening when mandates are unfulfilled.

Some of these concerns I have relayed to Helen. I was touched that she listened not because of our friendship, but despite it. She respects my right to my views and apprehensions.

As a functioning administrator, responsible to her constituents, Helen knows how to listen. In her public position, she undoubtedly has to grapple with decisions, perhaps has to cast the determining vote in a tie situation. She does her job, knowing it is impossible for an administrator to please everyone equally.

I like Helen's down-to-earth philosophy that she can only do her best. There is none of this save-the-world delusion. She has remained remarkably modest through her achievements.

It shows in the smile that crinkles the edges of her eyes. It is in the warm and firm handshake. In asking that a name be repeated, there is a genuine interest. She makes us feel important to her. And she returns part of our own importance to ourselves.

I recall the night when she was honored guest and speaker in Salt Lake. She left the head table and moved from area to area, introducing herself, exchanging a smile or word everywhere.

It reflected the inborn courtesy of an intelligent and lovely woman. She shortened the distance between herself and plain grassroots. The gesture was even more gracious because she moved first and went more than half-way.

I think many of JACL's ills can be solved if Helen Kawagoe is nominated and elected National JACL president. □

## Subscription

Editor: Send my PC to the business office and not my apartment.

LYNN S.

Tulare County JACL  
This is Case "D" in the Subscription Problem Series. The PC Office relies upon information appearing on the JACL Membership Form. The business address ought to be designated on the Membership Form as well, hereafter, to reduce delay or confusion, if the PC is to be sent there. JACL does not insist home addresses be used on its membership form. On the other hand, we shall not change any PC label address unless directly notified by the Post Office or individual subscriber—notwithstanding the JACL membership form that bears a different address.—Ed.

## JACL Distaffers

Editor: At the risk of being labeled a "male chauvinist pig", may I rebut the accusation of "sexism" leveled against the National JACL by the MDC Editorial Committee (PC, Dec. 16)?

The utopian ideal of "equality" can be carried to laughable extremes. Obviously, men and women are not "equal" in every way, physically or mentally. Women are secretaries and clerks on the JACL staff because they have superior qualifications, just like they are better at housekeeping and child raising. Surely, the MDC would not demand that men share equally in these duties for which they show little

aptitude or willingness?

"Equal wages for equal work" sounds eminently reasonable; but when practical realities are considered, we find that it shortchanges mothers and children!

Most men are breadwinners for their families, while ladies almost invariably support only themselves or supplement their husbands' income. A father, making \$250 a week, has a "disposable income" of only a dollar or two a day. And if his wife spends full time faithfully caring for their children, she must do without many necessities. Her financial problems are being aggravated by inflation, caused partly by increasing purchasing power of working women, e.g. sharp rise in the cost of homes.

Meanwhile, more wives are forced to work to make ends meet, leading to neglect of vital needs of their children. Much of the increase in crime, delinquency, and drugs among teenagers may be caused by this lack of parental attention and guidance during critical formative years.

The above is not intended to disparage the efforts of women to expand their opportunities. Great advances in science and technology have opened many avenues for enjoying life to its fullest. The women's liberation movement can be a dynamic force in helping the fair sex find their rightful place under the sun.

However, this can be achieved without violating the American tradition of "freedom and justice for all" only through leadership by mature, fair-minded women. It is doubtful if those at the recent National Women's Con-

ference have shown the wisdom to provide this leadership.

At a time when America is faced with gross juvenile delinquency, declining test scores in schools, increase in battered babies and other tragic family problems, the only subject the NWC considered worthy of attention were outlandish issues like free abortion, ERA, equal pay, lesbianism, and "sexual freedom"!

To the credit of American womanhood, they indicated their rejection of such nonsense by voting Anita Bryant as the "Most Admired Woman" in the recent Good Housekeeping reader poll.

MASARU ODOI

Gardena, Calif.

## Jr. Miss Pageant

Editor: Presented in the Jan. 6-13 Pacific Citizen were the deplorable details of Phuong-Ngoc Davis who forfeited her title to a local Junior Miss Pageant which she had rightfully won. Although she was permitted to keep the scholarship given her, she was denied her rightful place to continue on the State level of the National Junior Miss Pageant for 1978.

The technicality for taking away her crown was that she was not a U.S. citizen and therefore ineligible to be a contestant. If such a rule existed, then the local pageant officials should not have permitted her to enter. But once having allowed her to enter and then to win a preliminary title, every effort should be made to permit this plucky young lady the right to full participation in the Washington State Junior Miss Pageant, then to continue to the National Junior Miss Pageant if she should win the Washington State title.

If readers feel moved to do so, please express your sentiments and mail them to the Washington State Junior Miss Pageant; c/o Pullman Jaycees; So. 185 Grand Ave.; Pullman, WA 99163. Since there is no time to spare an immediate mail-ogram from Chapter Presidents and District Governors is requested. Even if this action results in no immediate change, the effect for future corrective action will be considerable.

ED YAMAMOTO

Immediate Past-Governor  
PNWDC/JACL

Moses Lake, Wash.



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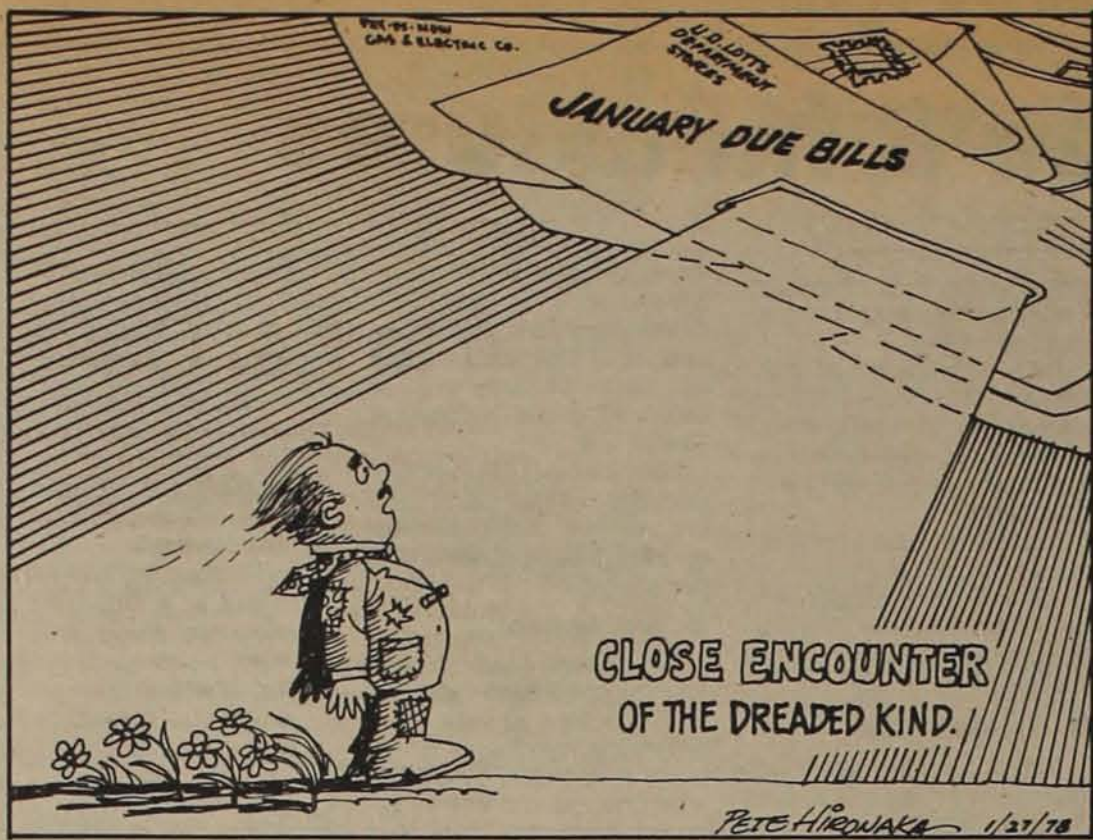
## PACIFIC CITIZEN

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News and opinions expressed by columnists, except JACL staff writers, do not necessarily reflect JACL policy.



## Japanese Canadian Experience

PART TEN

On Feb. 24, 1942, Canada ordered the removal of all 22,000 persons of Japanese ancestry from the Pacific Coast. The evacuation order was issued in direct opposition to the assessment of Canada's senior military and police officers, and in the absence of any evidence of disloyalty by any Japanese Canadian.

Their "assembly center" was the overcrowded Livestock Barn at Hasting Park in Vancouver. There many families were separated and dispersed. Men between 16 and 65 years of age were shipped to road camps. Women, children under 16, and the elderly were confined in detention camps in interior British Columbia.

Evacuees were ordered to sell their property immediately. All unsold property was placed under the care of the Custodian of Enemy Property. A year later the government ordered the agency to liquidate all evac-

uee property, both real and personal, without consulting the owners.

In April 1945 evacuees were given the choice of immediately resettling east of the Rocky Mountains, or of signing to go to Japan after



armistice. Divested of all their property, despaired of re-establishing themselves in a hostile eastern Canada, and embittered by their treatment 6,500 evacuees signed to go to Japan. Only those who signed to go to Japan were permitted to remain in British Columbia.

A full franchise was not granted to Canadian citizens of Japanese ancestry until March 1949. Japanese Canadians were excluded from the Pacific Coast until April 1, 1949.

Even today many Canadians still look upon the actions of the Canadian government as prima facie evidence of the disloyalty of Japanese Canadians. No amount of protestations of innocence seems to disprove the false accusation of disloyalty.

The Japanese Canadians are organizing and planning to submit a request to the government of Canada for a proper and reasonable compensation. Although no amount of legislative action, they acknowledged, will ever completely undo the injustices which have been committed, they felt that the action by the parliament can go a long way toward providing both vindication and material compensation for the victims of the Evacuation.

This closes the historical presentations of the reparation issue to the present. Beginning with the 11th presentation we shall look at the issue from different views and perspectives.



FROM THE FRYING PAN: Bill Hosokawa

## Out-of-the-Way Kind

Denver, Colo. George Kiyoshi Togasaki, the spy San Francisco-borr: Nisei who undoubtedly travels as much as any octogenarian in the world, skipped through Denver not long ago on one leg of a journey that had taken him from Tokyo to New York, and would take him back home to Tokyo just long enough to prepare for a trip to Southeast Asia.

Such travels enable Togasaki to meet a great many people who are doing interesting things. His long service as president of the Japan Times in Tokyo sharpened his ability to gather information about such people, and he shared a bit of it with me.

The first person he mentioned doesn't really belong in this category because he is George Togasaki's son, Gordon, a long-time employee of Pan-American, the airline people, in New York.

Gordon, his father said, has been on loan to Amtrak, the corporation that is trying to keep the nation's passenger railroad routes in operation. Amtrak is interested in using Japanese Bullet Train technology to develop high speed rail service along the East Coast and needed the services of someone who understood English, Japanese and transportation. Gordon Togasaki met the requirements on all three counts and was quickly drafted into service. If Amtrak ever gets its own version of bullet train service running, a lot of the credit would go to this Sansei.

Next, George Togasaki told me about George Sukeji Morikami, born in Miyazu, Japan in 1886, who moved to southern Florida in 1906 as a member of the Yamato Colony. The Japanese immigrants acquired land between presentday Delray Beach and Boca Raton and grew pineapples and winter vegetables. Morikami was one of the few Issei left in the area by 1940. He had made and lost a fortune as a vegetable wholesaler and then rebuilt that fortune in land investments.

In 1973 Morikami donated 40 acres of his land to Palm Beach County as a site for a

museum of Japanese culture. He later added 100 additional acres to his gift. Today the place is known as The Morikami, and is made up of a museum, Japanese gardens, and park.

The museum exhibits Japanese folk and classical arts as well as a history of the Yamato Colony. They are housed in a building in the classical Japanese style except that some of the plantlife is semi-tropical. The park features hundreds of Georgia slash pines, palmetto clumps and fern beds and is a refuge for wild birds and small animals.

The folder Togasaki left with me refers to George Morikami of 1974. He died Feb. 29, 1976, shortly after dedication of the Morikami museum.

The third person is the Rev. Kyuzo Miyaishi, better known as Frankie-san to the inmates of Central Correctional Institute in Columbia, S.C., where he has been a member of the staff since 1966. Miyaishi was born in Tokyo in 1929 and served in the Japanese navy during World War II. After graduation from Hosei University he came to the United States in 1961 to attend Bible College. He was ordained as a Lutheran minister.

It was his compassion for the convicts that led him to prison work. Although he is carried on the rolls as a member of the library staff, one of the prisoners describes Frankie-san as "educator, counselor, chaplain, lobbyist, social worker, toymaker, errand boy, and always an absolutely loyal friend to all." Miyaishi lives behind bars with his friends, shares their food, listens to their problems, preaches the message of hope and brotherly love.

In ethnic newspapers like Pacific Citizen we seldom read about anyone except newsmakers in concentrations of Japanese Americans who are slaying dragons and stirring up the multitudes. For each one of them there is likely to be an unpublished Gordon Togasaki or a Kyuzo Miyaishi or a George Morikami who, out of the public gaze, is quietly responsible for many laudable deeds.

### CORNER FOR OUR GUESTS:

## Jr. Miss Judges Miss

By SHAKE USHIO

Where there is no vision—the people perish. —Proverbs

We have not perished. We have survived because our early JAACL leaders were men with vision. They were men who rose above the petty concerns of the day and looking far into the future steered a steady course for their people.

It required a prophetic vision as well as raw courage for staunch JAACL Leaders to come out of the camps as delegates to an emergency JAACL meeting in Salt Lake City in 1943 and ask that the Selective Service be reinstated for Japanese Americans, and then go back to the camps to face the hostilities and beatings of the unthinking rabble-rousers. And yet that decision and the heroics of our fighting men turned the corner for us.

It was a vision of the highest order for our leaders to coin the phrase, "For Better Americans in a Greater America", when there was NO America for us at the time. And yet that phrase influenced countless thousands of us to become a more considerate neighbor, a conscientious worker,

a law abiding citizen, an outstanding student, in short a better American so that today there is a vast reservoir of good will and respect for us in a greater America.

Yes, we have survived and have prospered because through the years leaders with a vision and courage have set the course and showed the way.

Today, we stand at the threshold of a bright new day. Now more than ever, we need leaders who can rise above the petty bickering of factional jealousies, who with wise hearts and clear vision lead us to greater things.

Let us not look back with recrimination and bitterness at the traumas of yesterday, but with hope and fulfillable expectations let us look forward to the challenges and the promises of a glorious tomorrow.

To this end, we have selected "Vision" as the theme of the 25th Biennial JAACL Convention in Salt Lake City, Utah. Our official logo depicts a dawn of a bright new day wherein the realm of possibilities for Japanese Americans in these United States of America is brighter than the noon day sun.

By HOLLY PATRICK

I believe that Phuong-Ngoc Davis should be the 1977-78 Touchet Valley Junior Miss. She was elected and had earned that position. Since she did earn it and was elected, I think she should be allowed to keep her title.

Phuong is not an American citizen, but she has lived in the United States for six years, and has been proud to live here. She has always been friendly and pleasant to be with. She stated in her speech that she was born in Saigon, Vietnam and is 17 years old. That tells you right there that she is not a U.S. citizen because you have to be 18 years of age to change your nationality in this country. She also said that she came here in 1972.

Why didn't the people who were running the pageant realize that Phuong wasn't eligible long before she won? That wasn't her fault, but she is the one being punished for it. I don't think she should suffer for someone else's mistake.

And since what Phuong said was what she was judged

on, and it came from her heart, then why should she be rejected now?

Someone said that only American citizens can compete. If that is the case, then why did Phuong make it to the top?

Didn't the people running the pageant know what they were doing?

This was an official contest and should have judges that are qualified for this job. And in order to have a contest I think that they should know the rules. Since they were judging Phuong for the sincere person that she is, then I think that Phuong deserves the title Touchet Valley Junior Miss 1977-78. After all, isn't a judge's decision supposed to be final?

I believe that Phuong deserves the title, not necessarily from writing a speech, but from the way she has lived the last six years of her life. After all, she has become a U.S. citizen in her heart, and has gone as far as the law will allow her to.

She has backed our country and has participated in the community for the last

six years, but now a club here has elected her and then rejected her.

I think that the people that took her title away were thoughtless. They want to have their cake and eat it, too. They are saying, "Thanks for backing us Phuong, but you are from another land, so we can't support you."

It's not so much our local people that took the title away from her, but the people at the state won't let her compete. I do think that is discrimination. And even if she doesn't go any farther than district, I still think she should still have the title. I think she should get her crown back, and should hold the title.

After all, we elected her. I think we should back her up.

Just think, if you were in Phuong's place, how would you feel? I think she has handled it quite well, but that she has been treated very badly.

Think about it.

Holly Patrick is editor of the student paper in Dayton (Wash.) High School, where Phuong-Ngoc Davis attends.

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# Midwest District Council

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Srenco Photography

Snow glistens at the Japanese Garden at St. Louis' Missouri Botanical Garden. Dedicated in May of last year, it was the brainchild of JACLers in the area. As scenic as the picture appears, the harsh wintry weather this year has affected Midwestern lifestyles.

## § Midwest Comments

### Reparation Columns

We wish to commend Dr. Clifford Uyeda for his continuing series in the Pacific Citizen on reparation. These articles, which have covered both sides and many facets of a most complex issue, will serve to clarify and inform us as we begin to undertake a national campaign.

Nonetheless, there still seems to be a significant amount of reluctance within

the Nisei "backbone" of the organization to wholeheartedly support such an effort. Dr. Uyeda pointed out a number of reasons for this in Part Three of his series.

Some people may not have previously had enough information to fully understand all of the issues involved. Within JACL circles, others have been waiting for National to decide on a specific plan which everybody could then support.

Or perhaps it is just natural for a campaign to start slowly and then build up momentum as time progresses.

Whatever the case, JACL is a volunteer organization that must have many active participants for this effort to be a success. We suggest that the first step is for chapters and interested individuals to become informed about the issues, and study and discuss them at the local level. The PC articles might provide a useful starting point. Only then can we begin to mobilize the other persons and resources necessary for the campaign.

We have already waited more than 30 years for justice to be served. Surely now is the time to get going.

—MDC Editorial Committee

**Synthetics decline**  
TOKYO—Synthetic yarn use here will decline in the 1977 fiscal year, ending March 31, economists of the Fuji Bank, Ltd., said. Despite slightly increased consumer purchasing of apparel and an anticipated rise in the ratio of synthetic fabrics, the use of synthetic yarn is expected to fall by 3.9% from last year.

**Keiro to Keiro**  
LOS ANGELES—A gift of two cherry trees from Tomio Moriguchi, president of the Seattle Keiro Nursing Home board of trustees was received by Edwin Hiroto, administrator of City View Hospital, Keiro Nursing Home and Japanese Retirement Home, in acknowledgement of assistance rendered last year.

## COURT

Continued from Front Page

ing together, but in adjoining houses. Mishler, however, said the first affidavit justified the search warrant.

Ms. Chin, a licensed plumber, contended throughout two trials she had abandoned her Brooklyn address and actually was a California resident when the gun purchase was made. She, therefore, could not have violated the transportation provision of the 1968 Gun Control Act, her counsel argued.

She maintained the gun was for hunting.

The Chins were supported in the Supreme Court by the Asian-American Legal Defense and Education Fund and other Asian interest groups. Last month, a rally was held in New York City, where community leaders and representatives from Asian American organizations, including the New York JACL, spoke on their behalf.

## CCDC

Continued from Previous Page

ments, work role loss and widowhood. Reservations at \$10 per person (includes lunch) are being accepted until Feb. 10 by the CCDC, Nikkei Service Center, 912 "F" St., Fresno 93706 (237-4006). Student fee is \$5, lunch included.

### Where to Write Your National JACL Officers

Pres: Jim Murakami, 119 F St., Santa Rosa, Calif 95404  
VP (Gen Op): Tats Misaka, 1886 Severn Dr., Salt Lake City, Utah 84115  
VP (Rs-Sv): Dr. Jim Tsujimura, 3120 NE 127th Ave., Portland, Ore 97230  
VP (Pub Aff): Judge Mikio Uchiyama, 390 S Fowler Ave., Fowler, Calif 93625  
VP (Memb Sv): Masamune Kojima, 1080 Hanley Ave., Los Angeles, Calif 90049  
Treas.: Ed Moriguchi, 530 - 18th Ave., San Francisco, Calif 94121  
Youth Rep: Randy Chin, 2515 Benvenue, Apt 303, Berkeley, Calif 94704  
Gov Caucus Rep: Mits Kawamoto, PO Box 14329, Omaha, Neb 68114

### Where to Get More Information About JACL

Headquarters: 1765 Sutter St., San Francisco, Calif. 94115 (415) 921-JACL  
So. Calif.: 125 N Central Ave., Los Angeles 90012 (213) 626-4471  
Central Cal: 912 F St., Fresno 93706 (209) 237-4006  
Midwest: 5415 N Clark St., Chicago, Ill. 60640 (312) 728-7170  
Washington: 1730 Rhode Island NW, WDC 20036 (202) 223-1240  
Pac Northwest: 327 NW Couch St., Portland, Ore 97230 (503) 223-2452

## SPEAKING OUT:

# The 'Midwest Page' in Retrospect

By Anna Eriko Peterson  
(St. Louis JACL)

The Dec. 16 issue of the Pacific Citizen marked the one-year anniversary of the appearance of the first MDC Page. To those of us whose responsibility is to provide copy and advertisement for this page, the date was certainly a landmark.

When we began exploring ways in which we could keep the district membership and JACLers nationally apprised of Midwest regional activities, we had little real idea of the pressures and difficulties of regularly "meeting a deadline".

Since most of us are JACL volunteers, we find that other activities and our families require time. Like clockwork, problems always occur just before a deadline.

The MDC Page is produced each month by a limited staff, which means that sickness or injury can easily delay a page (it usually appears in the third week of each month).

In addition, we discovered that "SPECIAL DELIVERY" doesn't mean much to the U.S. Postal Service during severe snow conditions, a phrase which aptly describes a midwest winter. If readers have noticed the MDC page sometimes doesn't look it's "all there", we can only apologize and advocate the return of the Pony Express system, which must be quicker than the current method of transport.

Staff? As I said, it's limited. During the MDC Page's first year, the copy for the page was ordinarily produced by two persons: Tom Hibino, MDC regional director, and myself. Various Midwesterners have contributed to the "Speaking Out" column each month, and ads were coordinated by our business manager, Gordon Yoshikawa of Cincinnati, and his network of chapter ad representatives.

## Midwest District gears for April, May & June

CHICAGO — Midwest District Gov. Lillian Kimura has slated the weekend of April 14 for a district business meeting in Chicago.

According to Kimura, the two main items of business on the agenda are a discussion of 1978 National Convention issues and the Convention itself, and election of new district officers for the coming biennium.

Plans are also underway for two workshops on high priority items as discussed at the 1977 EDC-MDC Convention.

Kimura, after consulting with some Cleveland JACLers, hoped to hold a workshop in May on Sansei programming in Cleveland.

The Cleveland chapter has, during the past several years, developed several programs for Sansei, including the Summer Opportunities for Youth program which has been under discussion by the district.

In June, it is likely that a conference on Intermarriage will be conducted in Indianapolis. Serious discussion about some of its problems occurred at the MDC meeting during last summer's convention. Cincinnati JACL delegates present at the meeting agreed to coordinate information and plan a workshop with the help of the Dayton and Hoosier chapters.

Kimura expressed the hope that if the local chapter boards do a good job publicizing these workshops,

members who do not generally participate in district-wide activities can be brought into the district framework.

"It is our hope that through these meetings on a variety of subjects, important for the growth of JACL, we may be able to involve more of our regular membership, those who might be interested in these topics, to participate in district affairs," said Kimura. "It can be an enriching experience for all of us."

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We generally rely on chapter presidents and district officers to provide us with news or leads, although at other times we've gone out and found it ourselves.

Neither Tom Hibino nor I have been trained in the news business. Hence, writing and editing the MDC page was a real learning process. Sometimes we approached the matter of determining how much copy would fill a given space with near desperation. And what did all those memos Harry Honda kept sending us really mean? As the months passed, the whole process became easier and we developed a healthy sense of respect for Harry and his responsibility of producing the Pacific Citizen each week.

The issue that faces us presently is "Where do we go from here?" Is the MDC page fulfilling its original purpose, or how can it be improved? Can better networks be devised for obtaining information? Are members reading it or ignoring it? We ask the membership-at-large and the Midwesterners in particular who would like to comment or make suggestions, to please do so. Letters can be sent to Tom Hibino, 5415 N. Clark St., Chicago, Ill. 60640.

I plan to use next month's "Speaking Out" column to deal with some of the questions listed above. Any letters or suggestions made before then would be most helpful in determining our plans for this year's MDC pages.

Finally, I want to express thanks to Harry Honda and his staff from all of us who have been working on the MDC Page.

Tolerance and understanding are two words I use in describing Harry's help and advice. We're grateful.

And as Tom and I continue to write articles while in cars on the way to the post office, we have developed a greater understanding of the life of reporters and editors. It must sometimes take sheer will and a little prayer to get the Pacific Citizen to the printers on time.

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Vocational education
WASHINGTON—Sen. Spark Matsunaga (D-Hawaii) urged President Carter to establish higher funding levels

for vocational education, including consumer and homemaking education in the forthcoming 1979 fiscal budget proposal. According to Matsunaga, the U.S. Office of Education recommended no budget increase for vocational education next year.

Sign Up One New JACLer

Chapter People Handling Memberships

Membership fee shown after the name of the Chapter reflect the current rate for Single and Couple. Thousand Club members now contribute \$35 and up; their spouse (TC sp) may enroll at a special rate as shown, otherwise Report Late Changes to Pacific Citizen.

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Gardena Valley (\$18-30)
Dudley Otake
Gardena JACL
P.O. Box 2361
Gardena, Calif. 90247

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San Diego (\$17-30)
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Chula Vista, Calif. 92011

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Chicago (\$18-30)
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Chicago, Ill 60640

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Fowler program for the year nailed down

By THOMAS TOYAMA
(Fowler JACL)

Big things are being planned this year by the Fowler JACL chapter.

As usual, the year will kick-off the membership drive to be headed by Wilson Kawaguchi. Assisting him will be the new Board of Governors, including:

Tad Nakamura and Mas Sokoda, Fowler; Gerald Nakayama and George Taniguchi, East; Haruo Ii and Tiyo Yamaguchi, West; Frank Fujikawa and Rick Miyasaki, Iowa District and Chuck Igeta and Haruo Yoshimoto, Southeast.

In February, the chapter is tentatively set for a dinner meeting, then plans a picnic in March.

In April, scholarship applicants for Central California and local chapter scholarships will be accepted and May will follow with memorial services at Roeding Park.

Graduation exercises and the granting of scholarships will highlight June. The chapter will rest from June to October, as farmers are busy with the harvesting of crops.

Then, in October, the cycle will begin again with nominations for new officers.

Fowler has been active in community work, as well. A community beautification program at newly-constructed Fowler High School got

full support, with the chapter donating trees and plants. The busy 1978 schedule follows on the heels of a just-as-busy 1977.

Utmost in the minds of Fowler JACLers last year was the ingredient known chemically as H2O. Approximately 90% of the JACLers here are in agri-business. They were thankful for the rain which came the week of Thanksgiving but they need more.

Reports of new snow packs in the Sierra Nevada mountains raised hopes that spring and summer runoffs will fill Friant and Pine Flat dams so that water will be coming to this community through Fowler switch, the irrigation ditch through which hardly any water flowed last summer.

Many Fowler JACLers are digging wells for underground water to insure a water supply. In the 1960s water was found about 50 feet below the surface, but some have been digging about 200 feet for their supply.

Among those concerned with water problems, not only for farms, but also for domestic use, are Jitsu Otani, Fowler chapter past president and Makoto Murai, 1978 president.

Wilson Kawaguchi became the first in the 26-year history of the chapter to volunteer for a second term in the same office when he offered to serve as chapter treasurer again. Along with insurance commissioner Art Fujikawa, he has urged those signed up for group insurance to renew their membership early in order to qualify for coverage.

Fowler JACL activities began in January with its membership drive. A movie benefit in February chaired by Dick Iwamoto, dinner meeting in March with a speaker from Social Security and lining up scholarship awardees in April comprised the spring program. Brian Nagata was named the Fowler JACL scholarship recipient.

The chapter cancelled its Christmas party because there aren't many Nikkei youngsters in the community anymore. The gifts will be added to the spring picnic.

Fremont adds Issei party at installation

Fremont, Calif. Fremont JACL held its installation dinner combined with Issei appreciation night at the Sakura Gardens, Mt. View, on Dec. 3 and installed Dr. Walter Hashimoto as its 1978 president.

Several Issei were special guests as were the Mayor of Fremont, Gene Rhodes and wife, Mayor of Union City Tom Kitayama and wife, Eden Township JACL president Tomi Miyamoto and husband, Tri-Valley JACL president Sam Cohen and wife.

Guest speaker Karl Nobuyuki, JACL executive director, explained the importance of the Japan-United States Friendship Act to the Nikkei, particularly in regards to having several Nikkei appointed to the Friendship Commission, so that the monies available will be used at the grass roots level.

Outgoing president Bill Sakakura gave special recognition to Ted Sato, activities; Ron Nakayama, newsletter; and Walt Hashimoto, publicity, and gave all 1977 board members gifts.

The new chapter president is a Fremont dentist. Hashimoto was graduated from UC Berkeley, 1954, and the Univ. of Pennsylvania School of Dentistry, 1958. He served in the U.S. Air Force Dental Corps in Okinawa and Japan until 1961. He opened his practice in Fremont in 1963. Hashimoto is a member of:

So. Alameda County Dental Society, California Dental Assn.; California Society of Dentistry for Children, American and California Academy of General Dentistry (in which he earned a Fellowship), So. Alameda County Buddhist Church, Hokka Sho-

rinji Kempo, Mt. View Kendo Dojo, Mission Valley Dental Study Group, adviser to the Fremont branch of the Sumitomo Bank.

A native of Marysville, Calif., son of the late Neizo Hashimoto and Shizuo Hashimoto, he is married to

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# Bakke argument excerpts on Asian Americans

The November 1977 newsletter of the Asian and Pacific American Federal Employee Council, P.O. Box 23125, Washington, D.C. 20024, published excerpts from the unofficial transcripts of the Bakke oral argument heard Oct. 12. While the court's transcript does not indicate which Justices asked specific questions, these were added by the APAFEC Newsletter from editorial summary of the argument as found in the United States Law Week and from excerpts printed in the Washington Post.

—Editor.

## During the argument of Solicitor General Wade McCree:

(Solicitor General McCree told the Court that Congress and the Executive Branch have adopted many "minority sensitive" programs that take race into account to overcome the effects of past discrimination. Citing continuing non-compliance with the 1954 *Brown* decision, McCree said, "Many children born in 1954 ... are today 23 years later, the very persons knocking on the doors of professional schools, seeking admission..." These persons, he noted, "have been denied the fulfillment of the promise of that decision because of resistance to this court's decision that was such a landmark when it was handed down.")

McCREE: And this discrimination has not been limited just to persons of African ancestry. We all know too well the Asian Exclusion Acts that have discriminated against Asian-American citizens. The sad history of our native American Indian population. And the treatment of our Hispanic population, sometimes called Chicanos.

JUSTICE STEVENS: Mr. Solicitor General, you suggest on this question of invidiousness that there should be a remand to take further evidence, to find out, among other things, why the Asian-Americans were included in the program.

Supposing the evidence shows that the reason they were included was because they had in the past been the victims of discrimination, what inference should we draw from that kind of conclusion? Would that mean the program is good or bad? Is that a sufficient justification?

McCREE: Well, we submit that a remedy is intended to right a wrong, and we think that the court should scrutinize the use of race, to make certain that it is being used to remedy a wrong.

Our reference to Asian-Americans here certainly was not to suggest that they are not entitled to consideration within the program, but just to indicate that the sparseness of this record makes it difficult, if not impossible, to determine the extent of continuing — the continuing impact of racial discrimination upon that segment of our society.

If I may continue in this answer, it would appear that the Asian-American population isn't monolithic any more than any other categorical segment of the American population. Certainly, in addition to Chinese and Japanese, there are Korean, Philippine, Cambodian, Laotian, Indonesian, and the impact upon these varying segments is

not known and doesn't appear from the record, except where we make a reference, I believe on page 40 of our brief, to some census statistics concerning it.

We think that this Court should, and courts should appropriately, make certain that programs that have a racial component are indeed remedial. And this is the reason for the suggestion of our remand, because of the state of this particular record.

JUSTICE REHNQUIST: What does this record lack with respect to Asian-Americans that it has with respect to the other minorities who are included in the program?

McCREE: Well, among other things, this record — well, it isn't so much the record, let me correct that — that the native American figure, I believe, is less than one per cent; that the Hispanic or Chicano figure is approximately 2 per cent, and we just don't know the impact of that within the Asian-American community.

And we think that this could be determined if it was sent back for this purpose.

CHIEF JUSTICE BURGER: Does the record show the number of doctors, lawyers, engineers, who are of Asian ancestry, Asian-Americans, in California?

McCREE: There is a reference, I believe it's page 42 of my brief, that has a census figure that has a gross statement of the number of professional persons within — may I correct that? It's page 42 and it's the footnote.

There's a reference—29.1 per cent of Asian-American persons held professional, managerial, and administrative positions" and then it goes on to speak of laboring positions and so forth, but there's no breakdown in this professional and managerial to professional, and particularly including medical or legal practitioners.

JUSTICE POWELL: Well, 29 percent is substantially higher than their proportion of the total population, is that so?

McCREE: This would appear to be so, but it would be significant only if it were a monolithic community. It might turn out that among Koreans the figure was less than one or two percent. Or among Taiwanese, or among Cambodians or Laotians.

And it's such a generic category of Asian-Americans that we submit that this is something that a court might want to look at.

JUSTICE POWELL: Well, on its face, the 29 percent hardly would support any ready conclusion that there's a pervasive discrimination against people of Asian ancestry, isn't that so?

McCREE: On the record, this is possible. But we know how sparse this record is. We know that this was submitted solely on the declaration of Dr. Lowrey, and a discovery

deposition with — and the pleadings, with no testimony taken at all, about the statistics or the demographic statistics of California.

And the interest of the United States as amicus curiae is in the principle that there may be remedial programs that are race conscious, minority aware, to take these factors into consideration in order fairly to evaluate credentials of persons who may have suffered from this.

And we are interested in having this principle cleared, and the Supreme Court of California has said that the race of an applicant or of other applicants may not be taken into consideration for any purpose—

## During the argument of Archibald Cox (for Univ. of Calif.):

CHIEF JUSTICE BURGER: Mr. Justice Powell referred to a figure of 23 percent minorities. Does that in-

## Asian American population no more 'monolithic' than any other segment—Wade McCree

clude Orientals in California?

COX: I think it does. Yes.

CHIEF JUSTICE BURGER: Is there anything—is there a specific finding in this record that Orientals, as one identifiable group, have been disadvantaged?

COX: Well, I think that the decisions of this Court show perhaps better than anything else that they have been the victim of *de jure* discrimination over the years.

CHIEF JUSTICE BURGER: And what particular holdings do you refer to?

COX: I had in mind *Oyama*, I think that's the most—no, that's not the most recent case. *Takahashi* is such a case. They go back to *Yick Wo*. I am sure there are three or four more, Your Honor will think of quickly.

JUSTICE REHNQUIST: In terms of the professions, Mr. Cox, is there anything in this record to show that there are not a substantial number of Orientals in medicine, in teaching, and in law?

COX: There are no—  
JUSTICE REHNQUIST: Probably higher than in any of the other categories.

COX: I don't think there are any figures in the record, and there are very few figures on minority participation in the professions published, except with respect to black doctors and black medical students.

The others—there are some meaningful figures on Chicanos, but the others are very scattered and inadequate.



Allan Bakke

The Supreme Court has indicated that it may rely on a civil rights law rather than the Constitution when it rules on the Bakke case. In a single sentence, the Court printed its order list:

"Each party to this case is directed to file within 30 days a supplemental brief discussing Title VI of the Civil Rights Act of 1964 as it applies to this case."

Title VI says "No person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The Davis Medical School receives such assistance.

The 14th Amendment to the Constitution says: "no state shall... deny to any person within its jurisdiction the equal protection of the laws."

During the oral argument, Justice Brennan told Bakke's counsel Reynold Colvin, "Well, ordinarily, we don't decide constitutional questions if we can affirm what

you ask us to do on a federal statutory ground."

Justice Stevens asked Archibald Cox, counsel of the university, whether the Court "must consider the Title VI question before getting to the constitutional question?"

"No," Cox replied, "because the Supreme Court of California ruled only on the constitutional question."

Solicitor General McCree asked the Court "to give us the full dimension of the 14th Amendment that was intended to afford equal protection."

Archibald Cox, former Watergate special prosecutor who argued in Supreme Court on behalf of the Regents of the University of California, told APAFEC that the Justice Department's stance on Asian applicants in the special admissions program at Davis "puzzled" him for the same reasons they alarmed APAFEC.

"The observations concerning Asian applicants," Cox wrote in a letter to Larry Kubota, chairperson of the Public Advocacy Committee, "puzzled me for the same reasons they puzzled you."

Cox believes that the reasons the Justice Department questioned the inclusion of Asians in special admissions was that "some of the earlier drafts were prepared by staff attorneys seeking a ruling adverse to the Task

Force program, and that the senior officials overlooked some of these passages in revising the brief."

Cox also noted that the course of the Bakke oral argument suggested that the Court "would not draw any distinction among minorities, including Asians, who have been the victims of systemic racial discrimination."

APAFEC has criticized the Justice Department for its stance on Asians and for raising the possibility that Asian/Pacific American participation in any or all minority programs could be eliminated.

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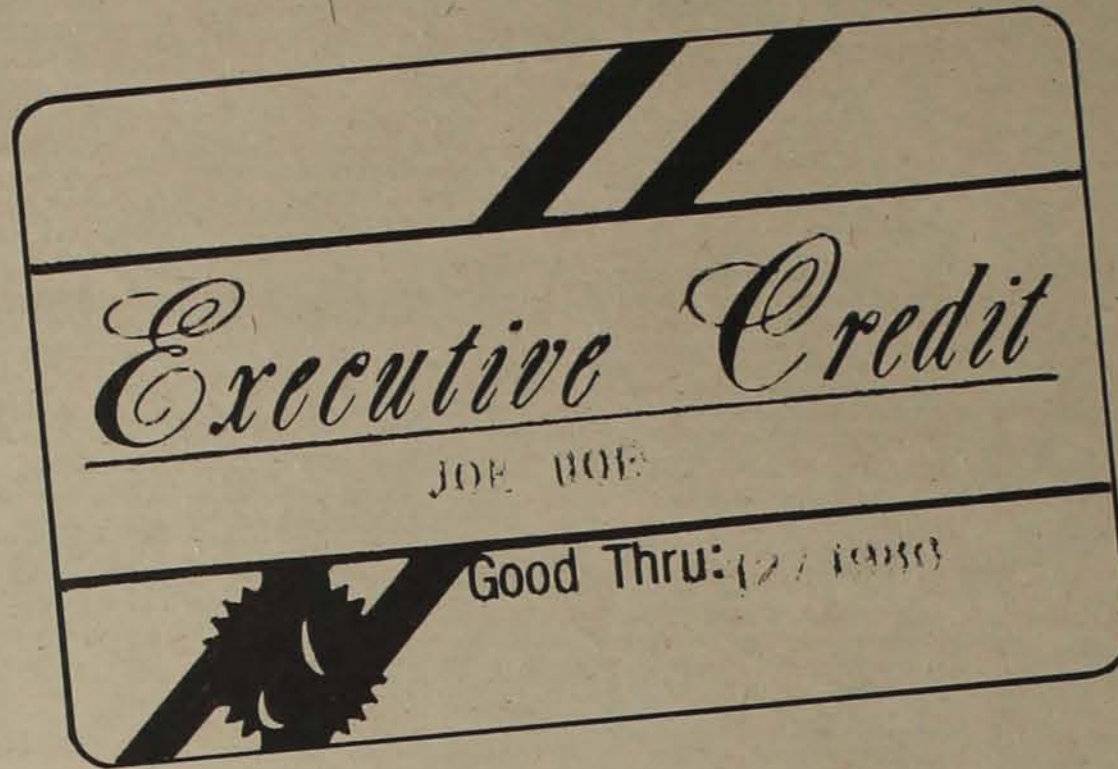
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