RAFU SHIMPO

ANGELES JAPANESE DAILY NEWS 259 SO. LOS ANGELES STREET, LOS ANGELES, CALIF. 90012

9/15/93

REDRESS

NCRR Delegation Reports on Trip to Washington

The issue of various categories of internees who were denied eligibility for reparations is discussed.

By TAKESHI NAKAYAMA
RAFU ASSOCIATE EDITOR

The National Coalition for Redress/Reparations (NCRR) delegation which went to Washington, D.C., presented a "Report Back from Washington" and also gave an update on redress on Saturday, Sept. 11, at the Japanese American Cultural and Community Center in Little Tokyo at a meeting attended by an estimated 70 people.

The NCRR delegation at the meeting included Kay Ochi, Miya Iwataki, David Monkawa, Duane Inouye Sanchez and Reiko Nimura.

They reported that others who traveled to Washington—for the meetings with United States Assistant Attorney General James Turner and members of Congress—included Sox Kitashima, Grace Shimizu, Art Shibayama, Pat Okamoto and John Ota from the Bay Area, together with JACL members Karen Narasaki, Lillian Kimura and Grayce Uyehara and Gen Fujioka of the Asian Law Caucus,

NCRR also provided an update on the cases which have been determined by the Office of Redress Administration (ORA) to be ineligible for redress as well as a discussion on the Educational Trust Fund provided for in the Civil Liberties Act of 1988.

Ochi, NCRR Los Angeles chapter president, said there are 2,400 cases of people who have been denied redress.

Iwataki, NCRR legislative chair, said, "We feel the vast majority should receive redress under the law as it exists. We are all victims of Executive Order 9066."

Congress, in passing the amendment to the Civil Liberties Act of 1988, gave the Department of Justice greater latitude in administering redress, but the ORA, under present director Paul Suddes, has been giving a narrow interpretation, Ochi said.

"We feel people denied redress are entitled to pursue a lawsuit," she said. "We encourage persons taking any avenue to pursue redress."

During a slide show presentation, NCRR members Iwataki and Monkawa reported on the visit by the delegation to the nation's capital.

The Nikkei delegation stressed to Turner how the 1992 amendment to the Civil Liberties Act of 1988 provided that the benefit of the doubt be accorded to redress applicants. "We strongly asserted that with over 2,000 denials, the benefit of doubt was not being followed," Ochi said.

According to Ochi, during the meeting with Turner, the delegation told him they felt that "loss of liberty" was being narrowly interpreted by ORA. Lawyers will be asked to define "liberty" to make it more expansive.

The redress proponents also talked to Sen. Daniel Inouye, Rep. Norman Mineta and an aide to Rep. Robert Matsui. "We got Sen. Inouye to agree to send a letter to (Attorney General) Janet Reno," Iwataki said.

There is enough money allocated to compensate 5,000 people as of Oct. 1. ORA has stated that as of now there are 41,000 people eligible for redress, thus leaving funds to compensate 900 more additional people.

In urging ORA to be more expansive in determining eligibility for redress applicants, NCRR's Monkawa said, "It not like they don't have the money. We say to ORA, 'What are you worried about? You're not going to keep it. It has to be allocated.'"

Iwataki said, "I think the trip was positive because it's a continuation of NCRR's commitment to the struggle for redress. It's not over until

TAKESHI NAKAYAMA/*Rafu Shimpo*

Reporting on the recent NCRR trip to Washington are Reiko Nimura, left, and Duane Inouye Sanchez, at a meeting held on Saturday at the JACCC.

lives.

• **Railroad and mine workers and seasonal laborers.** After Japan attacked Pearl Harbor on Dec. 7, 1941, employees of Japanese ancestry were fired from their jobs solely because of their ancestry. Many were either quarantined to their quarters for a month or held under house arrest for a couple of months.

Tink Cooper, one of the Department of Justice lawyers, is currently looking into the cases of these workers. About 75 claimants in this category have been denied eligibility.

• **Prisoner exchange people.** Minor children of Nikkei forced to leave for Japan on an prisoner exchange ship to be traded for White Americans living in Japan. These minor children were forced to go with their parents to Japan and thus lost their liberty. In many cases, they went to Japan because it was the only way to be reunited with their families.

Reiko Nimura, representing minor children who were exchanged for White American civilians held by Japan, said, "We were minors when our parents were forced to go to Japan. The WRA (War Relocation Authority) gave us a choice to stay, but who would take care of us?"

In their meeting with Turner, she said that the DOJ official explained that they would have to prove they were coerced into going to Japan.

of NCRR's commitment to the struggle for redress. It's not over until everyone gets it."

The redress applicants who were denied eligibility fell into 10 categories, Iwataki said. They included:

• **"Baby internees."** Those born in camp but whose mothers had left and then returned to camp prior to giving birth. These persons were deemed ineligible for redress by the ORA, which asserted that the mothers "voluntarily" returned to camp. Turner agreed that these children, along with those brought to camp in infancy, could not leave without permission of the government and "suffered a serious deprivation of liberty," and should be eligible. ORA reversed their decision in August and made the "baby internees" eligible for compensation.

• **Children of the non-interned evacuees** (the so-called "voluntary" evacuees). Some Japanese Americans moved from the West Coast inland out of the military zones before other Nikkei were interned. The domicile (permanent homes) of these evacuees and their children born during the war remained in the military zone, the West Coast, where they intended to return. They were denied liberty in that they were deprived of the right to live in or visit their domicile in the prohibited zone.

Ochi said there were 600 non-interned evacuees or their children who have been denied reparations.

• **Japanese Peruvians.** About 2,000 Latin American Japanese, most of them Peruvians, were uprooted from their homes and forced by their government in collusion with the U.S. to journey to a camp in Crystal City, Texas. Many were denied official travel documents and permanent resident status, and they were considered illegal immigrants by the U.S. government which forcibly brought them here. They were denied redress because they were not U.S. citizens or permanent residents.

"The quickest remedy would be if the Immigration and Naturalization Service (INS) gave retroactive permanent resident status to the Japanese Peruvians," Ochi said. "It could help their cause."

• **Children of 442nd Regimental Combat Team and other military personnel born in or near military bases.** Nisei soldiers were not allowed to visit their wives in camp, these mothers had to leave camp in order to be with their husbands. The wives, suffered loss of domicile and faced further loss of liberty by being prohibited from leaving the military base or city and from other restrictions on movements.

"My mom was pregnant when she went to the Army base to be with her husband because soldiers weren't allowed to go to the camps to visit their families," Iwataki said. "The 442nd soldiers were awarded redress for loss of liberty. We're saying that the same loss of liberty goes for children of military personnel."

• **Children of Navy Language School instructors.** Some Japanese Americans were basically conscripted to go to the Navy Language School at Boulder, Colorado, to teach Navy officers the Japanese language. The instructors and their families faced similar restrictions as those Nikkei interned in concentration camps. The parents received redress, but their children—16 cases—who were born in this "naval internment camp" have been thus far denied compensation.

• **Hawaii residents forced to relocate from their lands.** Some Japanese Americans in Hawaii claimed they were discriminated against in the government's enforcement of evacuation orders. They suffered loss of liberty when they were forcibly relocated, but ORA denied them eligibility because, it stated, there was no order of evacuation. Suddes is presently reviewing the 80 cases individually, Iwataki said.

• **Residents of Phoenix and Glendale, Arizona, and parts of Washington state.** These areas were divided between restricted and unrestricted zones for Japanese Americans. Persons living in a free zone who either farmed, worked or attended schools in a restricted zone lost their liberty and property because they were denied access to a vital part of their daily

that they would have to prove they were coerced into going to Japan.

"I pointed out that the (redress) law was written so as to not pay those who were disloyal," she said. "But we were minor children with no choice. Although there was coercion, I don't know if we can prove it, because my mother is dead, and so is my aunt."

Nimura explained, "When we left Amache and were forced to go to Japan, we could take no papers or documentation, so it's going to be very hard to prove coercion."

She said her father felt strongly about keeping the family together, but he was taken away after Pearl Harbor and she didn't see her father until September 1943.

"(This society) stresses family values now, but what they did to our family, they did it because we are Japanese Americans," she said. "We have to keep urging Reno and Turner that it's not justice. We have to keep fighting."

Duane Inouye Sanchez, representing children of the so-called "voluntary evacuees," related how her family, which was living in Los Angeles when the order came for all Japanese Americans to evacuate the West Coast, relocated to Colorado to work on a farm. The ORA denied her redress because she was considered to be a child of people who "volunteered" to evacuate.

She reported that she got no response from Turner about making the children of non-interned evacuees eligible for reparations due to loss of domicile and loss of liberty.

Sanchez, who visited Washington for the first time, revealed how she and some others visited the exhibit about the Japanese American experience at the Smithsonian Institution. "Just seeing that exhibit, I became so emotional it brought me to tears. And after 50 years, Japanese Americans are still battling for justice," she noted.

Arguing for compensation for the children of "voluntary" evacuees, Monkawa told the gathering, "We don't believe in the term 'voluntary evacuees.' The domicile of the parent and children was the West Coast, and they were separated from their homes by the government."

Monkawa added, "If the ORA director wanted to, he could say 'yes' to these people. But obviously Suddes is not Bob Bratt. The way he and his staff are interpreting the regulations is very restrictive."

Robin Toma, American Civil Liberties Union staff attorney, stated that if a class action lawsuit is filed on behalf of Japanese Peruvian internees, "it would be aimed at making the statute (Civil Liberties Act of 1988) apply to those who were not citizens or permanent residents at the time of the internment. The redress now excludes, by definition, those Japanese Peruvians and other Latin Americans who were interned without being permanent residents because, of course, they were forcibly brought here, and that is unconstitutional."

He added, "The court would hopefully obliterate that part of the statute and that would mean...those people now excluded would become eligible for redress."

Toma said the statute, in denying compensation to Peruvians of Japanese descent brought to camps in this country, discriminates against these Nikkei, who went through the same pain as others who got redress.

Ochi, who brought up the issue of possible war crimes by the U.S. in the case of the Peruvians, stated, "I feel that the United States orchestrated...the kidnapping of Japanese Peruvians. Therefore, we're talking about a possible lawsuit. We're also talking about (bringing it before) the World Court."

When asked by a member of the audience which one of the 10 categories of redress denials NCRR would emphasize over the other, Ochi responded, "How can we prioritize pain? We don't prioritize one over the other. But we think the volunteer evacuees may take longer to reverse. The Navy Language School cases may be sooner. Who knows?"

It will take pressure from the people to get legislators to move on the issue, Ochi said, as she and other NCRR members urged concerned individuals to write letters to Attorney General Reno, Sen. Inouye and Rep. Neil Smith.

LATIN AMERICA

Ambassador Collapses While Receiving Honor