

CEREMONIAL REDRESS PAYMENTS TO JA INTERNEES SCHEDULED FOR OCT. 9

The Department of Justice announced today that on Oct. 9, a celebration and reception will take place in the Department's Great Hall where John R. Dunne, assistant attorney general for the Civil Rights Division, is scheduled to present \$20,000 redress payments to six of the oldest eligible Japanese Americans under the Civil Liberties Act of 1988.

A similar ceremony is scheduled to take place in Los Angeles on Oct. 12 at 9 a.m. The location of this ceremony is to be announced.

The recipients, ranging in age from 101- to 107-years-old, will travel to Washington D.C. for the ceremony.

"The Office of Redress Administration (ORA), which administers the redress program for Japanese internees, should be commended for their unswerving commitment to locating eligible Japanese Americans, verifying their eligibility, and organizing the government's payment to these individuals," said Attorney General Dick Thornburgh.

The Civil Liberties Act provided a national apology and authorized \$1.25 billion redress payments to U.S. citizens and permanent resident aliens of Japanese ancestry who were forcibly relocated or interned in this country during World War II.

Eligibility under the Act extend to all those who, solely on the basis of Japanese ancestry, were confined, held in custody, relocated, or otherwise deprived of liberty or property as a result of actions taken by the United States or its agents.

"The injustice of the forced evacuation and detainment of citizens without due process of the law was a constitutional travesty. As such, the Civil Rights Division has aggressively pursued the full implementation of the Civil Liberties Act of 1988 to reaffirm our Nation's commitment to the civil liberties of all people," said Assistant Attorney General Dunne.

Former President Ronald Reagan signed the Civil Liberties Act into law on August 10, 1988. In the 26 months since that time, the ORA has verified the eligibility of 22,500 of the oldest Japanese Americans, without requiring application.

The blueprint for this restitution program is provided in the Act, which delegates responsibility for

implementation of redress to the Attorney General. He in turn established the ORA within the Civil Rights Division in Sept. of 1988.

The law prohibits the federal government from requiring application for redress, and specifies that the Attorney General must identify and locate persons who may be eligible for redress.

"It is the government that must prove each individual's eligibility for redress, rather than the opposite," said Robert Bratt, administrator of the ORA.

According to Bratt, ORA is still working to locate or account for all potentially eligible individuals, but progress since ORA opened its doors in September, 1988, has exceeded expectations. The identification and location process was substantially completed within one year, as recommended in the Act.

With regard to payment the Act states that the Attorney General shall endeavor to make payments in the order of age, beginning with the oldest.

Thus, beginning Oct. 9, it will be the oldest eligible persons, or their heirs, who will be receiving redress. In instances in which an eligible person has died since the law's enactment, payment is to go to their surviving spouse, children, or parents, in that order.

Sorting and processing a caseload of this size is already a tremendous administrative challenge, but to do it in age order, and to track down and process heir cases as well, makes for added complexity.

To identify the universe of potentially eligible individuals, ORA began by researching historical records of the internment, now nearly fifty years old.

These turned up in libraries and records centers from Washington D.C. to Washington State, in all forms and condition, varying in completeness, accuracy, and format.

ORA took eighteen months to comb through these records, glean information from them, and eliminate duplicate records, compiling and computerizing a single master listing of all potential eligibles. Inclusion in this list constitutes historical proof of an individual's potential eligibility for redress.

At the same time, ORA began

the task of locating eligibles by launching a targeted public outreach program. Working through a growing network of contacts within the Japanese American community nationwide, ORA has spread the message about redress and encouraged Japanese Americans to volunteer their current addresses to the ORA.

The office has reached out through presentations and workshops — 26 of them this year alone — through a toll-free telephone line, literature and informational publications, direct mailings, advertisements, and press releases.

In addition, ORA has utilized records of federal and state agencies to obtain current information pertaining to the potential eligibles identified in the master list.

In order for ORA to begin to process cases, implementing regulations, which require a lengthy review, had to be in place.

The regulation was finalized on Aug. 10, 1989, one year after the law's enactment. ORA was not able to process a single case until that point.

In order for ORA to then administer payments, funding had to be appropriated by Congress. Three months later, on Nov. 21, 1989, the Act was amended, making redress an entitlement, and establishing a three-year schedule for payment funding, beginning with \$500 million in Oct. 1990.

This left ORA only ten months to prepare for the first round of payments.

After the check presentation on Oct. 9 and a series of regional check presentations to be held from Oct. 10 through Oct. 15, payments for the first group of recipients will be mailed.

Redress payments are not subject to Federal taxation.

Each state, however, has its own ruling with regard to state taxation of redress payment.

More information is available from state agencies handling finance and taxation.

Redress payments are not to be included as income for purposes of determining eligibility to receive benefits such as Social Security, Food Stamps, or some Federally-assisted housing and other federally-funded benefit programs as defined in the Civil Liberties Act.