

12/2/95

REDRESS UPDATE

Thousands More May Be Eligible for Redress

The NCCR urges those who may have earlier been denied redress to see if the recent changes resulting from two successful federal court cases may affect them.

Joe Ide of Los Angeles just found out that his son, Jack, who was born in Kansas City, Missouri in 1944, is probably eligible for redress.

In a recent conversation with Kathy Masaoka, vice president of the National Coalition for Redress/Reparations, Ide was surprised to learn about the redress categories made eligible by the Douglas Ishida and Linda Consolo federal court cases.

"There are a lot of people out there who are eligible for redress and don't realize it," said Masaoka. "By the estimates of the Office of Redress Administration, 2,000 to 5,000 more people may now be eligible for redress." Masaoka explained that categories now eligible include:

- Children born outside of camp prior to Jan. 2, 1945 to parent(s) who were "voluntary" evacuees, or who left camp, or were Naval Lan-

guage School Teachers in Boulder, Colorado

- Children born in camp to "visiting" mothers

- Children born after their parents' evacuation in Hawaii.

"We are urging community members to help identify individuals who may be eligible for redress. Some people may not have applied believing that they were not eligible," said Richard Katsuda, NCCR president. He urged people to "use the resources of your church or temple, club or organization's newsletters to put the word out."

He continued, "NCCR will work with the ORA to develop the broadest outreach plan possible, particularly since the Civil Liberties Act ends in August 1998. We don't want any eligible evacuee/internee overlooked."

Those who think they may now be eligible should call the ORA Helpline at (202) 219-6900.

In recent communications with NCCR, DeDe Greene, administrator of the ORA reported that to date, 79,862 redress payments have been made. On Oct. 30, 1995, 30 redress payments were issued which included ten of the claimants previously denied redress by the ORA and whose lawsuits were affected by the Ishida/Consolo decision.

In addition, the recipients included 12 Hawaii cases. The ORA will continue issuing redress payments approximately once a month to the oldest claimants first.

The ORA announced that it had recently received notification that it may be able to access the remaining \$45 million from the initial authorization for the purpose of making redress payments. Also, the ORA plans to conduct an outreach program over the next several months.

ORA's Greene stated, "I am very grateful for your [NCCR's] assistance to ORA in locating those unknown individuals who might be eligible for redress, as well as those whom we have lost contact with over the last few years ... who may be newly eligible based on the ... decision."

The ORA is currently in the process of submitting the draft regulations for the "children of voluntary evacuees" for review and eventual publication in the Federal Register. This process is expected to take approximately four to six months.

In the meantime, the ORA will begin reviewing the 900 claims currently submitted. Over the next several months, claimants will be receiving correspondence from the ORA requesting any additional documentation that may be needed

in determining eligibility.

Criteria for eligibility is being sought by ORA through groups such as NCCR.

The proposed regulations regarding "minor relocatees who returned to Japan during the War" are still under review. ORA's Greene said, "We assume that once the regulations are published, the age of the majority will be defined as 21." She said, "I am doing everything possible to expedite this process."

The ORA continues to work with the Immigration and Naturalization Service (INS) to have cases of Japanese Peruvians reviewed to see if they were initially misclassified. "Unfortunately, this will only affect a small number of cases," said Greene. "ORA is bound by the constraints of the Civil Liberties Act of 1988. INS has examined the issue as broadly as it can, and we have no further action to follow with regards to these claims."

Jan Yen of NCCR said, "NCCR continues to seek lawyers who may be interested in filling lawsuits on behalf of individuals denied redress. Many compelling cases involve individuals who were definitely deprived of liberties as a result of government action." Those interested in helping should contact NCCR at (213) 680-3484.

NCCR Concerned With ORA Cut-Off Date

The National Coalition for Redress/Reparations expressed concern over the Office of Redress Administration's recent decision to use Jan. 2, 1945 as the date of birth establishing redress eligibility for children of "voluntary" evacuees and former internees.

On Jan. 2, 1945, the rescission of the military order prohibiting person of Japanese ancestry from living on the West Coast went into effect. According to the guidelines defined by the recent legal decision, those who settled inland could return to their homes on that date.

In other words, they were no longer prohibited from their original place of residence. Thus, children of voluntary evacuees born on or after January 2, 1945, are not eligible for reparations under these new ORA guidelines.

NCCR's Jan Yen stated, "We do not feel that justice is served by using the 1945 date. We have strongly urged the ORA to adopt June 30, 1946, as the date cited in the Civil Liberties Act of 1988. On Jan. 2, 1945, very few people had the financial resources to return alone to the West Coast. Many feared physical attacks on their families from racists (the U.S. and Japan were still at war), and several such incidents did occur." She continued, "We in NCCR believe that most relocatees did not even know that they could return to their old communities at that time."

The ORA will be accepting statements during a "30-day public comment period," beginning approximate four to six months from now, on the amended draft regulations. NCCR is urging former relocatees and camp residents to send in their recollections about this January

1945 time period.

These comments will be compiled and sent to Washington, D.C. in an effort to change the eligibility date.

NCCR is asking people to answer the following questions. Specific recollections may be difficult, given the amount of time that has passed. But any recollections will be of help. And any other relevant information you may recall will be welcome.

The questions are as follows:

1. Were you aware that you could return to the West Coast on January 2, 1945?
2. When and how did you find out that it was being permissible to return?
3. Did you return immediately after the military order was rescinded? Why or why not? When did you return to the West Coast?
4. For camp residents, please indicate which camp you were in and when you were told you could return to the West Coast. When did you return?
5. What is your opinion about the ORA using January 1, 1945 as the last birth date of eligibility for children of evacuees and former internees?

Please send your correspondence to: "NCCR," c/o Janice Yen, 244 S. San Pedro St. #411, Los Angeles, CA 90012.

If you have any questions, you can reach NCCR by leaving messages at (213) 680-3484.