

Redress Agency Changes Eligibility Rules

Now children born to "voluntary" evacuees are now eligible if they were born prior to midnight on Jan. 2, 1945.

The National Coalition for Redress and Reparations is encouraging Japanese Americans to contact the Office of Redress Administration (ORA) regarding its change of eligibility rules.

On April 22, the Department of Justice published its proposed changes to the regulations governing redress provisions for persons of Japanese ancestry in the *Federal Register*.

Under the new regulations, children born to "voluntary" evacuees from the prohibited military zones of the West Coast will be eligible for redress. Also eligible will be children born to parents that left camp to areas outside of the prohibited military zones.

Requirements for eligibility include:

- persons must have been born outside of the prohibited military zone
- at least one parent must have resided within the prohibited military zone of the West Coast prior to the internment period
- these persons must have been born prior to midnight on Jan. 2, 1945

The revised regulations are a direct result of the favorable rulings received by two claimants, Douglas Ishida and Linda Consolo, at the Federal Court of Appeals. The court found that Ishida and Consolo were excluded from their parents' original residence in a prohibited military zone and were thus qualified to receive redress under the terms of the Civil Liberties Act of 1988.

The Civil Rights Division of the Justice Department "proposes to limit eligibility under this policy to claimants born prior to Jan. 3, 1945, the effective date of Proclamation No. 21 (midnight on Jan. 2, 1945).

Proclamation No. 21 lifted the general restrictions that had prevented persons of Japanese ances-

try from returning to their original places of residence in the prohibited military zones on the West Coast. Accordingly, persons born on or after Jan. 3, 1945, could legally return to their parents' original residence on the West Coast."

"While we applaud the Department of Justice for making more persons eligible for redress, we are dismayed at the use of the Jan. 2, 1945 birthdate," said Kay Ochi, vice president of NCRR.

NCRR believes that June 30, 1946, the date used in the Civil Liberties Act of 1988, is the appropriate date. "With the war still raging in the Pacific, both the 'voluntary' evacuees and those that left camp suffered from racism, economic hardship and the psychological toll brought on by fear of the future," said Ochi.

Due to the conditions that existed on the West Coast, said Ochi, it was extremely difficult for Japanese Americans to immediately return to their old homes. "In fact, the War Defense Command hadn't even cleared 108,545 to return until Jan. 20, 1945," stated Ochi.

"Almost 14,000 additional individuals were prohibited from the West Coast through the use of individual exclusion orders or detention in the camps. Because the U.S. government did not send Proclamation 21 to those that had relocated inland, many in the Midwest and East did not know until the spring and summer of 1945 that they could return."

The community has the opportunity to express its views to the Department of Justice. Comments can be sent to the Office of Redress Administration until June 6, 1996. "We encourage everyone to support the new group of eligibles by sending their comments to the ORA. At the same time, share your reasons why the Jan. 2, 1945 date is premature," concluded Ochi.

Comments may be mailed to the Office of Redress Administration, P.O. Box 66260, Washington, D.C., 20035-6260.

The ORA may be contacted at (202) 219-6900. NCRR's phone number is (213) 680-3484.