



U.S. Department of Justice

Civil Rights Division

Deputy Assistant Attorney General

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Washington, D.C. 20530

APR 12 1991

Mrs. Dorothy Nakamura  
2730 Tioga Way  
Sacramento, Ca 95821

Re: ORA Eligibility Appeal, File No. 55471

Dear Mrs. Nakamura:

This is in response to your letter of December 6, 1990 requesting reconsideration of the decision of the Office of Redress Administration (ORA) that you are ineligible for redress compensation. The Assistant Attorney General of the Civil Rights Division has delegated to me, pursuant to 28 C.F.R. §74.17(a), the authority to decide ORA appeals.

In a letter dated October 12, 1990, ORA Deputy Administrator Paul Suddes wrote to you and explained that you are ineligible for redress payment because you are not of Japanese ancestry. Mr. Suddes pointed out that both the statute and the regulations require an eligible recipient to be of Japanese ancestry.

We have carefully reviewed the information presented by you and ORA. You acknowledge that you are not of Japanese ancestry. The Civil Liberties Act of 1988 requires an "eligible individual" to be a person "of Japanese ancestry". 50 U.S.C. app. 1989b-7(2). See also 54 Fed. Reg. 34158 (1989) (discussing the issue of Japanese ancestry and concluding that the Act cannot be interpreted "to include non-Japanese family members for purposes of compensation"). Accordingly, we must decline to set aside ORA's decision that you are ineligible for redress compensation. We can add only that the Department of Justice has committed to seek amendment of the Civil Liberties Act to allow payment to non-Japanese persons. Ibid.

This constitutes the final action of the Department on your administrative appeal. 28 C.F.R. §74.17(c).

Sincerely,

Roger Clegg  
Deputy Assistant Attorney General  
Civil Rights Division