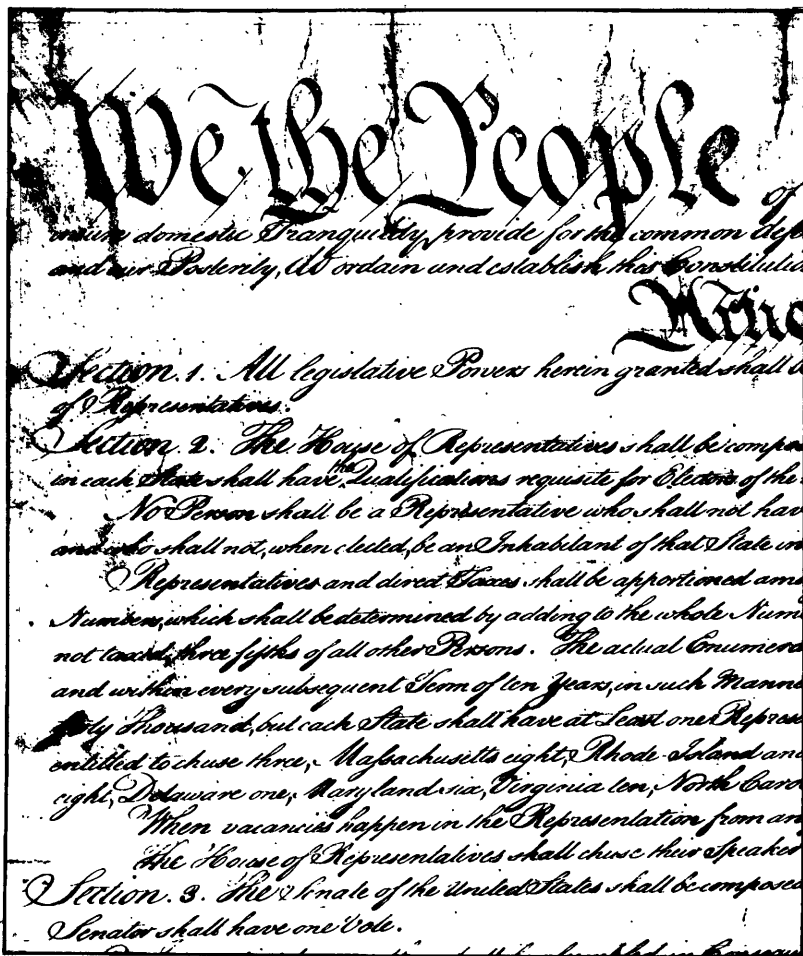




U.S. Department of Justice  
Civil Rights Division  
Office of Redress Administration

# Redress Regulations

## Questions and Answers



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## **Introduction**

The Civil Liberties Act of 1988 authorizes compensation of \$20,000 to eligible persons of Japanese ancestry who were evacuated, relocated or interned during World War II. The Act became law on August 10, 1988, and was assigned to the Department of Justice for implementation. The Office of Redress Administration (ORA) was created as a new organization within the Civil Rights Division of the Department, specifically to carry out the redress provisions of the Act.

The federal regulations were established by the Department to fulfill its responsibilities under the Act. They describe the Department's interpretation of the law's original language, and provide details about how the program will operate. The regulations were signed by Attorney General Dick Thornburgh on August 10, 1989, and published in the Federal Register on August 18, 1989. This pamphlet summarizes these regulations.

**Q.** Who is eligible for redress?

**A.** All eligibles must be of Japanese ancestry, must have been U.S. citizens or permanent resident aliens during the internment period, from December 7, 1941 to June 30, 1946, and must have been living on August 10, 1988.

Beyond that most, but not all, eligible individuals will fall into one or more categories.

### **General Categories**

- Those who were interned in Relocation Centers.
- Those who were held in Assembly Centers, whether or not they later went to Relocation Centers.
- Those who were interned by the Army in Hawaii.
- Those who were interned by the Department of Justice in any of the Immigration and Naturalization Service (INS) Camps.
- Those who filed Change of Residence Cards.
- Those who moved from prohibited zones on or after March 29, 1942.

- Those who were ordered to leave Bainbridge Island or Terminal Island.
- Those who were in the U.S. Military during the internment period and never spent time in camps, but lost property as a result of government action because their homes were in prohibited zones.
- Those who were in the U.S. Military and were prohibited by government regulations from visiting their interned families or were subject to undue restrictions prior to visits.
- Those who were born in Assembly Centers, Relocation Centers, or Internment Camps, including those born to parents from Latin America who were interned in the United States.
- Those who were forcibly brought to the United States from Latin America for internment, and later acquired a change in immigration status to permanent resident, retroactive to the internment period.
- Those who spent the internment in institutions, such as sanitariums, under the administrative authority of the War Relocation Authority.

### **Special Cases**

ORA knows that some eligible people do not fit any of these categories, and that historic records may be

missing even for some of those who do fit the categories described above. The regulations permit "case-by-case" determinations under either set of circumstances. ORA may ask persons who fit into this special case category to submit affidavits or other documentation to help ORA make a decision.

If you believe that you or someone you know would possibly be a special case, please provide a description of your circumstances during the internment period to ORA, at the address given on page 11 of this booklet. Along with the description, please include the information listed just above the address.

**Q.** Who is not eligible for redress?

**A.** The Act excludes some people affected during the internment period from redress, and therefore ORA does not need them to supply any additional information. In general, these persons will fall into the following categories:

- Those who are not of Japanese ancestry, including spouses, who were evacuated, relocated, or interned.
- Those who were not U.S. citizens or permanent resident aliens, and did not have their status adjusted retroactively to the internment period, including those brought from Latin America.

- Those who relocated to an enemy country between December 7, 1941 and September 2, 1945. This includes children who relocated with their parents.
- Those who moved from the West Coast prior to March 29, 1942, for their own personal reasons, not in response to government action, and did not file Change of Residence Cards.
- Those who were born after their parents were no longer interned.
- Those who were born after their parents had moved from a prohibited zone.
- Those who remained in the U.S. Military, but lost no property as a result of government action, or were allowed to visit their interned families without undue restrictions.
- Those who were outside the boundaries of the United States, and did not or were unable to return during the internment period, even if their families were evacuated, interned, or relocated.

**Q.** How will my eligibility be verified?

**A.** ORA has established an information system that contains all the data that has been collected since the Office was established. The ORA computers contain:

- **Historic Information:** ORA has obtained historic records made during the internment period from several sources, primarily the National Archives. From these records, we know who was interned, who filed a Change of Residence Card, and other information that is critical in establishing eligibility.
- **Current Information:** ORA has also been collecting current information from federal and state government agencies (such as the Social Security Administration and state vital statistics bureaus), and from potential recipients, their friends, or families.

During the verification process, ORA will compare current and historic information. If it is the same, then the preliminary phase of verification for that person will be complete.



**Q.** How will I know if my eligibility has been verified?

**A.** Once ORA has preliminarily verified your eligibility in the process described above, you will be contacted by letter. The law states that payment must be made in the order of birth, beginning with the oldest eligibles. Therefore, ORA will be contacting eligibles beginning with the oldest living on the date of the enactment of the law on August 10, 1988 (or his or her statutory heirs: spouse, children or parents) who have been located by the Administrator at that time.

This letter will request that you complete a declaration of eligibility and also submit certain documents to establish your identity. ORA will attach to the letter an instruction page that lists specific examples of the kinds of records that are acceptable.

**Q.** What kind of documents will ORA request and why?

**A.** It is ORA's responsibility to determine eligibility, but after that, we have to be sure that the check goes to the right person at the right address. Additionally, some people have changed their names, or have a guardian who takes care of their personal business for them. In these cases, we have to know what name to put on the check so that it can be cashed.

In general, ORA will require everyone to send:

- A completed Declaration. (ORA will supply a form)
- An original or a photocopy of a document with both your current legal name and address.

In addition, some will be requested to send:

- Proof of date of birth.
- Proof of guardianship.

And every heir must also send:

- Proof of death of the eligible person.
- Proof of his/her relationship to the deceased person.

ALL PHOTOCOPIED DOCUMENTS must either be notarized or contain an authenticity clause signed under penalty of perjury. Wording for this authenticity clause will be provided by ORA in the letter requesting the documentation.

ORA will not return any documents, so do not send anything that you will need to have back.

**Q.** What if I have questions or need help?

**A.** The letter that ORA sends to request documentation will include instructions. These instructions are specific to your case, which means that you may be asked to supply slightly different information than someone else. Return your information in the pre-

addressed envelope that ORA supplies with your letter. This envelope does not need any stamps.

If you have questions, ORA has a help line that you can call. This is not a toll-free number.

ORA Help Line  
(202) 653-8360  
(202) 786-5986 (TDD)\*

\* Telephone Device for the Deaf

**Q.** How will I know that ORA has reviewed my documents?

**A.** After reviewing your information, ORA will again contact you. If your information is incomplete, a letter from ORA will explain what is needed, and again request that you return the information in the postage-paid, pre-addressed envelope provided. If your information is complete and ORA has confirmed your identity, you will receive a letter informing you of this fact. With this letter you will also receive a change of address form to use if you move before your payment is mailed to you.

**Q.** What if circumstances change after I have sent my documentation in to ORA, if I move, or if an eligible individual dies, for instance?

**A.** ORA needs to know this type of information as soon as possible. Please write to us at the address given below if you have new information, or use the

change of address form supplied by ORA to provide us with your new address if you move. This address is to be used by those who have already supplied documentation to ORA at ORA's request, and who want to update that information.

OFFICE OF REDRESS ADMINISTRATION  
VERIFICATION UNIT  
P.O. BOX 66740  
WASHINGTON, D.C. 20035-6740

To expedite handling of information, your correspondence should include your full name and date of birth, and the "FN" that appears on the mailing label above your name on correspondence addressed to you from ORA.

**Q.** When can I expect payment?

**A.** Payments will begin in October, 1990. Although the Civil Liberties Act became law on August 10, 1988, ORA cannot make payments until Congress and the President have made funds available. A new law signed by the President on November 21, 1989, makes Redress an entitlement, and establishes a three-year schedule for payments.

Under the new law, enough money will be set aside to make 25,000 redress payments in the first year, 25,000 payments in the second year, and the rest in the third year. Payments will be made in descending order, beginning with eligible people in the

oldest age group (or their heirs) whom ORA has located at that time.

When ORA is ready to pay your age group, you will receive a letter notifying you that you are eligible. Shortly thereafter, you will receive a United States Treasury check for \$20,000 or for your share as an heir. Checks will be sent by an express delivery mail service, and you will have to sign a receipt.

**Q.** Do I have any recourse if ORA finds that I am ineligible?

**A.** Yes. If you are found to be ineligible, ORA will notify you by letter, and explain the reason for this decision. The letter will include instructions on what to do if you disagree with the decision. You will have the right to request reconsideration of your case within 60 days of receiving the notification. Your request must be to the Assistant Attorney General for Civil Rights, and you may submit any documents in support of your eligibility. After your appeal has been reviewed, the Department of Justice will notify you of its final decision.

**Q.** If I mail documents now, will this help ORA to verify my eligibility?

**A.** No. ORA must first determine that you are eligible using official historical sources. Therefore, do not send us any proof of identification until you have received a letter from ORA specifically asking for

documentation of your identity. Remember, any information that you send in will not be returned to you.

**Q.**

**I have never contacted ORA to provide my current address and information about myself. Is it too late?**

**A.**

No. ORA is still collecting voluntary information. If you have not yet provided any information to ORA and would like to do so, please write to ORA at the address given below. You may submit any information you feel may be helpful. The most useful information is name, including maiden or other names used if any, current address, date of birth, social security number, and where you were interned.

OFFICE OF REDRESS ADMINISTRATION  
P.O. BOX 66260  
WASHINGTON, D.C. 20035-6260

U.S. Department of Justice  
Civil Rights Division  
*Office of Redress Administration*  
Post Office Box 66260  
Washington, D.C. 20035-6260

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