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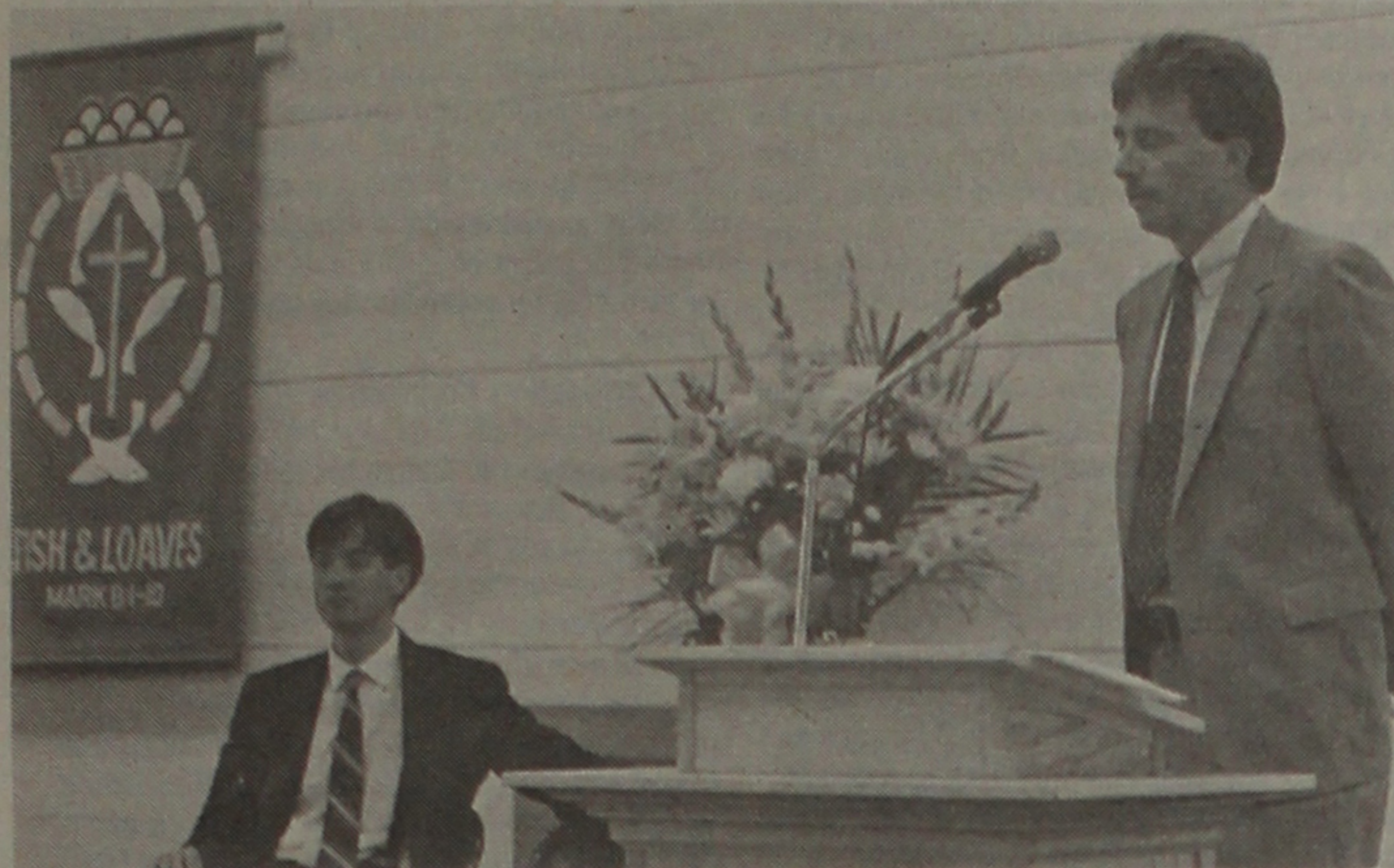
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Friday, June 16, 1989



Pacific Citizen Photo By George Johnston

**ORA'S ELIGIBILITY REGS**—Robert Bratt, administrator of the Office of Redress Administration, addressed a meeting June 11 at the Centenary United Methodist in Little Tokyo to explain the newly published redress eligibility regulations. Pictured also (l) is Bill Dwyer, also from the ORA.

## Central Cal DC Spring Conference

### 'Nikkei Summit' on Minorities, Community Issues Proposed

By Ken Yokota & Marlene Kubota

**KINGSBURG, Calif.** — The Central California District Council sponsored a spring conference on May 20 at the Riverland Resort here. An effort was made to reach out to a broader audience and the issues of the two main workshops served to attract a greater than usual number of JACLers and non-JACLers.

Peggy Liggett, member of the National JACL-LEC Board and newly-appointed legal counsel of the LEC, moderated a panel discussion in the morning workshop which addressed the present status of redress.

Jerry Enomoto, LEC board chairman, spoke about the historical role of the LEC in the process of passage of the redress bill and in the on-going legislative process of appropriations. He stressed the importance of continued diligence on monitoring redress and of the vital fact the LEC must remain a strong organization with broad-based support.

#### Disappointment Expressed

Joanne Kagiwada, newly-appointed LEC executive director, expressed disappointment that Congress failed to pass the supplemental budget for the current fiscal year which would have included funds for redress. However, she was optimistic that the 1990 budget would include \$150 million. The budget process should be finished in June so Kagiwada encouraged grass roots supporters to step up their letter writing campaign to their congressmen.

Tom Shimasaki, Central California redress chairman, recited various success stories of political lobbying efforts for redress and recalled important facets of individual lobbying including Nikkei visibility in local and state politics. He was instrumental in influencing the first Republican Congressman (Chip Pashayan) to co-sponsor the redress bill.

Shirley Lloyd represented the Office of Redress Administration in the absence of Robert Bratt who was not able to attend. Lloyd fielded a variety of questions from the audience after giving a brief outline of the function of ORA in the whole redress process. She capsulized the role of ORA as "identification and location", "verification" and "payment" of redress recipients.

The four panelists were able to present a well-rounded discussion of most aspects of the redress process and answered the audience's questions to everyone's satisfaction.

National President Crescey Nakagawa spoke during lunch. He stressed that many non-Asians are reacting with hostility to the competitive atmosphere that Asian Americans are creating, competing particularly for jobs in the U.S.

Nakagawa said this hostility results in "Japan-bashing", which is now prevalent, and violence against Asian Americans. Nakagawa mentioned that "Japan-bashing" and anti-Asian violence impacts the Japanese American community. He mentioned the need to have Japanese American and Asian American elected officials to voice "our concerns," to prevent such hostilities from occurring.

Nakagawa mentioned that when President Franklin Roosevelt promulgated Executive Order 9066 in 1942, that no Japanese American held elective office [on the Mainland] at that time, but five Nikkei legislators helped passage of the Redress bill in 1988.

#### Nikkei Summit Proposed

He also mentioned the need for a Nikkei summit for the following reasons:

- (1) To discuss problems, prospects and solutions regarding the Japanese American community,
- (2) Cultivate communication with the Japanese consulate to reinforce the fact that how Japan acts economically in the global marketplace affects the

Continued on Page 12

## Text: Proposed Redress Provisions.

### U.S. Attorney General's Proposals for Eligibility Viewed as 'Liberal'; Appeal Process Included

**WASHINGTON**—Proposed regulations were issued this past week (June 8) by the Justice Department to establish eligibility requirements for redress payments to Japanese Americans who were interned by their own government during World War II. Those who qualify will receive a \$20,000 payment as a symbolic token of apology by the United States for the violation of their constitutional rights.

Under the proposed regulations (see page 2), all persons sent to the camps and children born in camp are eligible.

Most of those who left the West Coast "voluntarily" are included. Under the proposed regulations the central question in determining eligibility is whether individuals evacuated their places of residence "as a result of" an official government order or military directive. In circumstances where the connection is not clear cut, eligibility will be determined on a case-by-case basis.

#### For Those in the Military

Members of the armed forces who, because of governmental action, were not allowed to visit their families in camp, were prevented from returning home to safeguard their property, or lost property because their families were interned, are deemed to have been persons "otherwise deprived of liberty or property" and are therefore eligible. There will be a case-by-case determination of additional circumstances which could establish eligibility.

Sen. Spark M. Matsunaga (D-Hawaii) welcomed the liberal interpretation of eligibility and the inclusion of an appeals process. In a recent conversation with Grant Ujifusa, JACL-LEC Strategy Chair, the senator said, "We must all work hard to make sure that all potentially eligible Japanese Americans are registered with the ORA." The senator also said that "a significant amount of money must be appropriated for fiscal year 1990."

According to JoAnne H. Kagiwada, executive director of the JACL Legislative Education Committee, the Office of Redress Administration has emphasized that these categories are not exhaustive. Anyone who may be eligible is strongly encouraged to send additional information to the ORA.

Sen. Daniel Inouye (D-Hawaii) called the publication of the proposed regulations a long-awaited "step forward in meeting the obligations of the federal government to correct the gross violation of constitutional liberties" suffered by Japanese Americans during World War II.

Because the law specifically limits eligibility to "any individual of Japanese ancestry," persons of non-Japanese ancestry who accompanied their spouses and children into the camps are not included. However, the Justice Department has said it will submit legislation to Congress to include these family members also.

The law excludes from eligibility any individual who relocated to a country at war with the United States between Dec. 7, 1941, and Sept. 2, 1945. Thus, children, even though American citizens, who went to Japan with their families during this period are not eligible under the proposed regulations.

#### And Some Latin Americans

Persons of Japanese ancestry from Latin American countries who were detained in the United States are also excluded because the statute requires United States citizenship or permanent resident status. However, children born during internment would be eligible as U.S. citizens, by virtue of their place of birth. In addition, after World War II, some Latin American Japanese chose to remain in this country and were granted permanent resident status.

Rep. Daniel Akaka (D-Hawaii) stated that "without funding, the regulations are like a skeleton with no flesh. It is urgent that Congress fund this law because too many beneficiaries are

dying before they see justice."

Rep. Robert Matsui (D-Calif.) said, "ORA has already identified thousands of beneficiaries and now it has the guidelines. The case is pretty strong for funding next year."

#### ORA's Fine Job Praised

Rep. Norman Mineta (D-Calif.) called for the compensation process to begin as soon as possible. He praised ORA for a fine job in drafting the regulations, adding that "it is absolutely clear that there is no longer any reason for delay."

Rep. Patricia Saiki (R-Hawaii) expressed her hope that payments will be made as soon as possible. "It is important now for all of us to work quickly for the day when those entitled to reparations will actually start receiving payments."

The proposed regulations were published in Federal Register June 14 and will be open for comment for 30 days thereafter. Copies of the Federal Register can be obtained at many local libraries, or by writing to the Superintendent of Documents, Washington, D.C. 20402.

### Sacramentans to Meet on ORA Regulations

**SACRAMENTO** — Bob Bratt, administrator for the Office of Redress Administration, will be in Sacramento to explain and receive comments on the proposed regulations for implementation of the 1988 Civil Liberties Act at the Hoy Sing Restaurant, 7007 S. Landpark Dr., on Friday, June 23, 7:30 p.m. Jerry Enomoto, JACL-LEC board chair, will lead the meeting. The National JACL-LEC will also meet in San Francisco on Saturday, it was added.

### 30-Minute Documentary on Redress Movement to Be Produced by Nat'l JACL

**SAN FRANCISCO** — Production of a videotape, documenting the JACL's vital role over the past 20 years in the movement to redress Japanese Americans whose civil and constitutional rights were violated during WWII, was approved at the May 27-28 JACL national board meeting.

A broadcast quality, 30-minute videotape will span the early years of the redress movement in the 1970s, cover the congressional Commission of Wartime Relocation and Internment of Civilians, explore the extensive five-year effort to lobby Congress and the administration, and culminate with the President Reagan signing H.R. 442, the Civil Liberties Act of 1988.

The project, which is under the direction of the JACL National Redress Committee, will enlist the aid of key redress activists who played vital roles in the successful redress effort, as consultants. The videotape has a projected cost of \$30,000, with funding coming from both the Minoru Yasui Memorial Fund and an educational grant from the H.S. Kawabe Memorial Fund of Seattle.

#### Visual Communications

Contract negotiations for the production bid of Visual Communications, a Los Angeles-based Asian American multi-media organization which began 19 years ago as the original Visual Communications Committee of JACL back in 1970, is currently underway.

One of the oldest Asian American media arts centers, VC has created

over 50 film and video programs and numerous multi-media presentations.

Supervising the project will be John Esaki, an eight-year veteran of the staff whose credits include *Hito Hata: Raise the Banner* (co-writer), *Nisei Soldier* (sound recordist), and *The Color of Honor* (cinematography). Esaki was also the recipient of the JACL Henry & Chiyo Kuwahara Arts Award in 1985 for producing and directing the film *Yuki Shimoda, Asian American Actor*.

#### Materials Needed

To capture the nationwide scope of JACL's redress activities, videotapes or good photos of localized redress events, lobbying efforts, TV interviews, or any other redress related coverage, is sought from JACL members and interested parties. Those with such material are expected to contact Carole Hayashino, JACL National Headquarters, 1765 Sutter St., San Francisco, CA 94115-3297, (415) 921-5225, by July 1.

National network TV program coverage will not be needed. Those donating materials are asked to label each item for proper return.

#### To EDC JACL Subscribers

This week's issue, through the month of June, is being "drop shipped" by Express Mail as a test. The EDC is underwriting this experiment. Non-member subscribers are not affected.

## NEWS IN BRIEF

### Tennis Star Michael Chang Wins French Open

**PARIS** — Michael Chang of Placentia, Calif., defeated Sweden's Stefan Edberg June 11 6-1, 3-6, 4-6, 6-4 and 6-2 to take the men's singles tennis championship. The 17-year-old, ranked No. 19 in the world prior to the tournament, took 3 hours, 41 minutes to defeat Edberg, who was ranked No. 3 in the world. By winning, Chang not only earned \$291,752, but became the first American since 1954 to win the tournament.

### Rose Ochi Loses L.A. Community College Runoff

**LOS ANGELES** — Rose Ochi, an executive assistant to Los Angeles Mayor Tom Bradley and director of the City Criminal Justice Planning Office, lost the runoff election for the Office 2 seat of the Los Angeles Community College District Board June 6. The victor, Pat Owens, received 80,725 votes (52.01%) to Ochi's 74,469 votes (47.98%).

### PSWDC JACL Holding Reception for Ron Wakabayashi

**LOS ANGELES** — The JACL's Pacific Southwest District Council Board is holding a "welcome back" reception for Ron Wakabayashi, former national JACL director. Reared as an Angeleno, Wakabayashi spent most of this decade in San Francisco, headquarters of the JACL. Wakabayashi is now an executive in planning for the United Way in Los Angeles. The reception is Wednesday, June 21, on the second floor of the Japanese American Cultural and Community Center, 244 S. San Pedro St., from 6-9 p.m. For more information, call Carol Saito at the JACL PSWDC regional office, (213) 626-4471.



DEPARTMENT OF JUSTICE  
28 C.F.R. Part 74 [Order No. 1352-89]

## Redress Provision for Persons of Japanese Ancestry

AGENCY: Department of Justice

ACTION: Notice of Proposed Rulemaking

SUMMARY: This rule establishes standards and procedures for enforcement of section 105 of the Civil Liberties Act of 1988, which authorizes the Attorney General to identify, locate, and when appropriated, make payments of \$20,000 to eligible individuals of Japanese ancestry who were evacuated, relocated or interned during World War II.

DATE: Comments must be received by (30 days after the publication of this notice).

ADDRESS: Comments should be sent to Valerie O'Brian, Office of Redress Administration, Civil Rights Division, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Washington, D.C. 20530.

Comments received will be available for public inspection at the Office of Redress Administration facility at 1000 Connecticut Avenue N.W., Washington, D.C. in Suite 825 from 9:30 a.m. to 5:30 p.m., Monday through Friday except legal holidays. Copies of this notice will be available on tape for those with impaired vision. They may be obtained at the above address.

FOR FURTHER INFORMATION CONTACT: Valerie O'Brian, Office of Redress Administration, Civil Rights Division, U.S. Department of Justice, Washington, D.C. 20530; (202) 633-5119 (Voice) or (202) 786-5986 (TDD). These are not toll free numbers.

## SUPPLEMENTARY INFORMATION:

The Civil Liberties Act of 1988 (Pub. L. 100-383, 50 U.S.C. App. 1989b), enacts into law the recommendations of the Commission on Wartime Relocation and Internment of Civilians established by Congress in 1980 (Pub. L. 96-317). This bipartisan Commission was established to review the facts and circumstances surrounding Executive Order Numbered 9066, issued February 19, 1942, and the impact of such Executive Order on American citizens and permanent resident aliens of Japanese ancestry; to review directives of United States military forces requiring the relocation, and in some cases, detention in internment camps of these American citizens and permanent resident aliens, and to recommend appropriate remedies. The Commission submitted to Congress in February 1983 a unanimous report, *Personal Justice Denied*, which extensively reviewed the history and circumstances of the decisions to exclude, remove and then to detain Japanese Americans and Japanese resident aliens from the West Coast, as well as the treatment of the Aleuts during World War II. The final part of the Commission's report, *Personal Justice Denied Part 2: Recommendations*, concluded that these events were influenced by racial prejudice, war hysteria, and a failure of political leadership, and recommended remedial action to be taken by the Congress and the President.

On August 10, 1988, President Ronald Reagan signed the Civil Liberties Act of 1988 into law. The purposes of the Act are to acknowledge and apologize for the fundamental injustice of the evacuation, relocation, and internment of Japanese Americans and permanent resident aliens of Japanese ancestry, to make restitution, and to fund a public education program to prevent the recurrence of any similar event in the future.

Section 105 of the Act, 50 U.S.C. App. 1989b-4, assigned the Attorney General the responsibilities and duties for the restitution provisions. The Attorney General delegated the responsibilities and duties assigned him by the Act to the Assistant Attorney General for Civil Rights, who, in turn, established the Office of Redress Administration in the Civil Rights Division to carry out the execution of the responsibilities and duties under the Act.

The Office of Redress Administration (ORA) is charged with the responsibilities of identifying and locating persons eligible under the Act, without requiring any application for payment, within twelve months after the date of enactment of the Act (August 10, 1988), or within twelve months after the appropriation of funds necessary to complete the identification process. To date no appropriations have been made. It was estimated by the Commission on Wartime Relocation and Internment of Civilians that approximately 120,000 American citizens and permanent resident aliens of Japanese ancestry were affected by the exclusion. Of these, an estimated 60,000 individuals survive and are eligible for redress payment.

In its efforts to identify and locate these individuals, the Office of Redress Administration has initiated a highly publicized outreach program to the Japanese American communities to encourage those persons thought to be eligible to notify the Office with information concerning their eligibility and current residence. On September 19, 1988, the Office of Redress Administration established a toll free telephone number and a U.S. Post Office Box specifically for individuals wishing to ask questions or volunteer information concerning their eligibility. This announcement also was publicized in Japanese American newspapers. The Office has also

placed its West Coast staff in San Francisco in order to facilitate its outreach efforts. In addition, the Office has endeavored to establish close working relationships with the leaders of Japanese American communities to ensure communicating information to all eligible persons.

Section 105 of the Act also requires that the Attorney General must notify each eligible individual in writing as to a determination of eligibility, and authorize the payment of \$20,000, to each eligible individual. The Act states that payment will be made to eligible persons in the order of the date of birth. Therefore, the oldest individual on the date of the enactment of this Act, or, if applicable, that individual's survivors, will receive payments first, until all eligible persons have received payment in full. For this purpose, the Act specifies that a total of \$1,250,000,000 is to be placed in the United States Civil Liberties Public Education Fund from which payments may be made, and no more than \$500,000,000 may be appropriated in any one year. Therefore, not all payments can be made at one time.

This proposed regulation in five subparts implements section 105 of the Act. Subpart A states the Purpose of the regulation and defines key terms; Subpart B lists the categories of individuals determined to be eligible or ineligible in accordance with the statute; Subpart C establishes a procedure through which the Office of Redress Administration will identify and locate all eligible individuals; Subpart D establishes the procedures for payment; and Subpart E establishes an appeals process whereby an individual who is not determined to be eligible by the Redress Administrator may petition for a reconsideration of the finding.

The purpose of this preamble is to highlight the following key issues raised by this proposed rule and specifically encourage public comment on them.

## I. Standards of Eligibility

During the period of drafting the proposed regulations, many individuals and organizations in the Japanese American community contacted the Civil Rights Division to ask questions and express concern regarding the determination of eligibility. In response to these concerns the Division published a Notice in the FEDERAL REGISTER, 53 FR 41252 (October 20, 1988), inviting the public to submit comments during the proposed regulation's drafting period on three issues that seemed to be of major concern to the public. These issues pertained to the eligibility of minors who were relocated to Japan between December 7, 1941 and September 2, 1945, persons of Japanese ancestry sent to the United States from other American republics during World War II as a result of international agreements, and voluntary evacuees who did not file "Change of Residence" cards.

In response to this Notice, the Office of Redress Administration received one hundred forty-eight comments regarding these and other issues of eligibility, all of which have been placed for public inspection in the public reading room of the ORA office. Some respondents were United States citizens of Japanese ancestry who were relocated to Japan without consent as minors during the war. These individuals expressed the belief that their constitutional rights had been violated at the time, and to exclude them now from compensation would brand them as disloyal Japanese Americans. Most other comments concerned the plight of individuals of Japanese ancestry who were brought to the United States from other American countries. Letters from those so interned, and others who were not, generally supported compensation to these persons. Comments regarding voluntary evacuees who did not file "Change of Residence" cards, provided further evidence that verification of these individuals will need to be done on a case by case basis in order to determine if such persons evacuated as a result of government action. Finally, the Office of Redress Administration received letters from Japanese American World War II veterans whose families had been evacuated. These soldiers were unable to return to unauthorized zones, and, furthermore, were often prohibited from visiting their families in relocation centers. These veterans voiced the concern that the Act might not include them as eligible. All the comments received during the drafting period have been placed for public inspection in the public docket record of this proposed regulation.

In drafting the implementation regulations, the Division read and considered each comment. The decisions that the Office of Redress Administration made in response to these comments were not made on the basis of the number of commentators addressing any one point but on a thorough consideration of the merits of the points of view expressed in the comments.

The first issue of eligibility is concerned with the threshold requirement that an eligible person must be an individual of "Japanese ancestry." Records of the evacuation period indicate that there were approximately 80 non-Japanese who were interned with their Japanese American spouses or children. (It is estimated that perhaps 40 such persons are still living.) The Government required these persons to sign a waiver of their rights as non-excluded individuals in order to accompany spouses or children to assembly centers and relocation camps. These wives, husbands and parents executed WPC Form PM-7, "Request and Waiver of Non-Excluded Person," which requested leave to accompany a member of his or her family through all the stages of evacuation and internment as if they were persons of Japanese ancestry. In reality these non-Japanese spouses and parents were confronted by a horrifying choice. They could

either "elect" to accompany their spouses or children throughout the removal and internment process, or choose to be separated from them. In the event that there was no Japanese parent or adult relative to accompany the child the Government policy was to take the part-Japanese child and place him or her in an institution and later transfer the child to the Children's Center under the supervision of the War Relocation Authority at Manzanar, California. Obviously, every human instinct would compel these parents to "elect" evacuation.

Unfortunately, however, the Civil Liberties Act of 1988 limits an "eligible individual" in Section 108 (2) specifically to "any individual of Japanese ancestry." Indeed, the focus throughout the Act is on those of Japanese ancestry and the discrimination they suffered based on their race. In light of the specificity with which Congress has spoken and its focus on the racial discrimination suffered, it must be concluded that the statute authorizes that compensation may be paid only to those of Japanese ancestry, and not to those who are of non-Japanese ancestry but who were nevertheless interned.

While the phrase "of Japanese ancestry" in the Civil Liberties Act of 1988 cannot be interpreted in the regulation to include non-Japanese family members for purposes of compensation, it is undeniable that these individuals suffered the very injury that the Civil Liberties Act of 1988 is designed to redress and compensate, and that they should be compensated. Therefore, the Department will submit legislation to the Congress to amend the Civil Liberties Act of 1988 to render eligible those non-Japanese family members who suffered the effects of the government's internment policy by accompanying their spouses or children of Japanese ancestry through the evacuation and internment process.

Other questions regarding internment pertain to the "place" of confinement. It is clear from the findings by the Commission on Wartime Relocation of Civilians that the evacuation, relocation or internment of the Japanese American and Japanese resident aliens was not a single uniform action. Indeed, in Section 108(2)(B)(i) Congress specifically included language to ensure that the Act covered individuals confined, held in custody, relocated, or otherwise deprived of liberty or property as a result of any action taken by the United States or its agents solely on the basis of Japanese ancestry during the period from December 7, 1941 to June 30, 1946. Therefore, in addition to persons deprived of liberty or property solely on the basis of Japanese ancestry in relocation centers under the supervision of the Wartime Relocation Authority, or in camps under the authority of the Department of Justice or the U.S. Army, others who were similarly deprived of liberty would also be eligible. This category would include institutionalized persons who were unable to evacuate from the prohibited areas and were placed in the custody of the Wartime Relocation Authority.

In addition, some individuals who were members of the U.S. Armed Forces on or before mandatory evacuation on March 31, 1942, and not discharged from duty by that date, and whose domiciles were in excluded areas, would be determined to be eligible under Section 108(2)(B)(i) as persons "otherwise deprived of liberty or property" as a result of the acts enumerated in subsections (I), (II), and (III). The Western Defense Command Public Proclamation No. 11, dated August 18, 1942, excluded all Japanese citizens and aliens from Military Area No. 1 and the California portion of Military Area No. 2 without first securing written permission of the Western Defense Command. As a result, there were some soldiers who were unable to re-enter unauthorized zones and safeguard their property. Such persons, as well as those whose property was confiscated by the government, were "deprived of property" as a result of the exclusion policy.

This issue was raised in the Attorney General Adjudication for the Japanese American Evacuation Act of 1948. In *Hiroshi Oda*, 1 Adjudication of the Attorney General 361 (No. 146-35-16597, November 5, 1954), it was held that persons of Japanese ancestry who were members of the Armed Forces and sustained property losses as a result of the exclusion policy were as much entitled to compensation under the Act as if they had been evacuated to assembly centers and relocation centers with the other members of their families. Therefore, in light of the statutory language of the Act and the given purpose of the Act, such persons are deemed eligible for redress.

Furthermore, some Japanese American soldiers were "deprived of liberty" by virtue of the fact that regulations prohibited them from entering relocation centers to visit their family members or forced soldiers to submit to undue restrictions amounting to a deprivation of liberty prior to visiting their families. (This group could also include a small percentage of members of the United States Armed Forces of Japanese ancestry from Hawaii whose families were interned.)

Another major issue of eligibility concerns those persons who were not interned but who evacuated their places of residence during the evacuation, relocation and internment period. The central question in determining eligibility in all these cases is the same: whether the individuals concerned evacuated their places of residence "as a result of" one or other of the statutorily specified types of governmental action, see Section 108(2)(B). Thus, if the individuals in question were ordered by the military to evacuate an area, their evacuation was clearly a result of a governmental action. Similarly, if they evacuated in order to avoid internment, their evacuation resulted from governmental action. In contrast, if they evacuated voluntarily, not in response to any governmental order, it would seem that they are not eligible.

First, there are those individuals who evacuated as a result of specific governmental or military directives. President Roosevelt's Executive Order 9066, empowering the Secretary of War and the Military Commanders whom he might designate to prescribe military areas

from which "any and all persons may be excluded" was issued on February 19, 1942. However, even as early as December 7, 1941, agents of the government were taking custody of enemy aliens, including Japanese. On January 29, 1942, the Department of Justice announced the first of a series of zones prohibited to enemy aliens on the West Coast, ordering such persons not to enter or remain in such areas after February 24, 1942. On February 10, 1942, the Department of Justice warned all Japanese aliens (of a total Japanese and Japanese American population of about 3,500) to evacuate Terminal Island, near Los Angeles; that evacuation took place, under orders of the Navy, around February 25, 1942. Apart from these early evacuations preceding Executive Order 9066, there was at least one later case of evacuations undertaken in response to a specific military directive. On March 24, 1942, after the issuance of Executive Order 9066, but before evacuation from Military Area No. 1 was required by orders of the West Coast Military Commander, persons of Japanese ancestry were ordered to evacuate Bainbridge Island, near Seattle.

The statute reaches all these events. Even assuming that none of these evacuations "resulted from" Executive Order 9066, Section 108(2)(B)(i)(III) declares evacuees eligible if their relocation resulted from any "directive of the Armed Forces of the United States, or other action taken by or on behalf of the United States or its agents, representatives, officers, or employees." Thus, actions of the Department of Justice, the FBI, the Army, the Navy, or any other federal entity, to exclude, relocate or intern persons of Japanese descent, whether taken pursuant to Executive Order 9066 or not, create eligibility for these groups of evacuees.

Another group of persons involuntarily evacuated who are also determined in the proposed regulation to be eligible, consists of those who left their places of residence on the West Coast between March 2, 1942, the issuance of Public Proclamation No. 1, and March 29, 1942, the date on which the Public Proclamation No. 4 took effect whereby persons of Japanese ancestry were prohibited from removing from parts of the West Coast area in preparation for later forced relocation. Section 108(2)(B)(ii) of the Act defines as eligible one who "was enrolled on the records of the United States Government during the period beginning on December 7, 1941, and ending on June 30, 1946, as being in a prohibited zone." The Conference Report explains this language as a reference to some 4,889 Japanese Americans who left the West Coast during the so-called "voluntary" phase of the government's evacuation program, and who filed "Change of Residence" cards with the Wartime Civil Control Administration. "The conferees intend to include individuals who filed Change of Residence cards during the period between the issuance of Public Proclamation No. 1, on March 2, 1942 and Public Proclamation No. 4 on March 27, 1942 as being 'enrolled on the records of the U.S. Government.'" While some individuals may have evacuated after March 2, 1942 but not have been enrolled on such cards, they may be determined on a case by case basis to be eligible if such persons were directly ordered by the government to evacuate. (Clearly, any person of Japanese ancestry who was evacuated from an excluded zone after March 29, 1942 is eligible, since such an evacuation would have been a "result" either of Executive Order 9066 or of a military directive pursuant to it.)

There remain those cases, if any, of evacuations occurring before March 2, 1942, but not in response to a governmental order directed specifically at the evacuees. We believe that if there are any such evacuees, they cannot be considered eligible.

In addition, the Office of Redress Administration received questions pertaining to the eligibility of children born to parents after the parents had voluntarily relocated. While children born in assembly centers and relocation centers are included as eligible for compensation, the proposed regulation does not include as eligible children born after their parents had voluntarily relocated from prohibited military zones or from Assembly Centers or Relocation Centers.

A unique eligibility issue raised by the public pertains to minors who were relocated to Japan during the period beginning on December 7, 1941 and ending on September 2, 1945. Records indicate that some minors who were United States citizens were relocated with their families during this period. Indeed, the Division received several letters of comment from such citizens recounting their difficulties. However, in implementing section 105 of the Act, the Department must follow the clearly restrictive language in section 108(2) that specifically excludes any individual who during the period beginning on December 7, 1941, and ending on September 2, 1945, relocated to a country while the United States was at war with that country. Consequently, the exclusionary language of the Act would preclude from eligibility the minors, as well as adults, who were relocated during the aforementioned time period.

The last major eligibility issue pertains to persons of Japanese ancestry who were sent to the United States from other American countries for restraint and repatriation pursuant to international commitments of the United States Government for the security of the United States and its associated powers. The plight of these persons is described in the Appendix to Part I of *Personal Justice Denied*. While these individuals were evacuated, relocated or interned similarly to those of Japanese ancestry evacuated from the West Coast, the statute's threshold requirement that an eligible person must be a citizen of the United States or a permanent resident alien excludes most of these persons from redress payment. Records indicate that the people who entered the United States under these international agreements were determined by the Department of Justice to be illegal aliens. As such, they were not lawfully admitted to the United States for permanent residence.

Consequently, the restrictive language of the Act pertaining to status, makes such persons ineligible. However, after World War II, some of the Latin American Japanese who were brought to the United States from other American republics for internment were permitted, under applicable statutes, to apply to the Attorney General of the United States for an adjustment of their immigration status, and obtained the status of permanent resident alien extending retroactively to the internment period. Such persons would meet the threshold requirement of being permanent resident aliens during the evacuation, relocation and internment period and, as such, be eligible for compensation. In addition, children born in the United States to the Latin American Japanese during their internment, would, by virtue of their place of birth, be United States citizens and therefore meet the threshold requirement for eligibility.

While this section has endeavored to discuss eligibility issues of public concern, Section 74.3 of the proposed regulation specifically sets forth those categories of individuals who are eligible or ineligible for compensation under Section 105 of the Act.

## II. Verification Procedures

The Act forbids the Government from requiring persons to file claims for redress payments, but states that the Attorney General by using records already in the possession of the United States Government shall locate and identify all eligible persons. However, any eligible person may also notify the Attorney General. In addition, the Attorney General may use any facility or resource of any public or nonprofit organization or any other record document or information that may be made available to the Government. Section 74.5 describes the sources that the Government anticipates using for identification and location of eligible persons. Both official and unofficial sources will be compiled in parallel files (§74.6) that will be compared in order to verify an individual's eligibility. However, in some cases names of eligible individuals might not be listed in the files from the official sources and further research will be done by a verification analyst. For example, a comparison of information in two files might not necessarily identify an individual whose name was inadvertently not recorded on a family card at a Relocation Center.

All information compiled in these files is subject to the statutory mandates of the Privacy Act. Therefore, the Civil Rights Division is prohibited from using or releasing this information for purposes other than those described in the Division's Privacy Act Notice of Records Systems.

After an individual is determined to be a potential candidate for redress payment, the regulation provides for a letter of notification to be sent to the individual to notify him or her of a preliminary finding of eligibility (§74.7). Enclosed with the letter will be a form and a request for proof of identification. The Division has completed draft forms which are appended to this proposal as Appendix A to Part 74. The forms pursuant to 28 U.S.C. 1746 are unsworn declarations under penalty of perjury. The purpose of these forms and the requests for documentation is to verify the identity of the individuals in order to prevent fraud or duplication of payments.

## III. Notification and Payment

Upon receipt of a person's unsworn declaration, the Redress Administrator will make a final determination of eligibility and notify the individual in writing of his finding (§74.8). As required by statute, a person determined to be eligible has up to eighteen months after notification to accept payment. The statute states that a person that accepts payment waives all claims against the United States arising from the acts described in the Act (§74.3(a)(5)). The regulation also incorporates the statutory requirement that the refusal to accept payment by a person determined to be eligible must be in writing and such refusal will be final for that person and his or her survivors (§74.10).

After funds have been appropriated and actual payments are to be made, the regulations provide that the Assistant Attorney General for Civil Rights will certify authorization for payment to the Assistant Attorney General for Justice Management who will give final authorization to the Secretary of the Treasury (§74.13). The oldest living eligible persons that have been identified at the date the notice goes out, or his or her survivors, will receive payment first. In accordance with the statute, the categories of survivors who can receive redress payments are limited to spouses, children, and parents (§74.13). The methods for establishing proof of relationship to the deceased eligible person is set forth in §74.14.

## IV. Appeal Procedures

In order to fairly resolve those cases in which the Administrator makes a determination of ineligibility, the proposed regulation has established an appeal process. When an individual is notified in writing by the Administrator of a finding of ineligibility, the letter also shall inform the individual that he or she may petition for a reconsideration of the determination of ineligibility to the Assistant Attorney General for Civil Rights, or the official designated by the Assistant Attorney General, and the right to submit documentation in support of his or her eligibility (§74.15). The procedures for filing a request for reconsideration are described in 74.16.

Section 74.17 describes the appeal procedure in which the Assistant Attorney General for Civil Rights, or the official designated to act on his behalf, reviews the determination of the Redress Administrator and any documentation submitted by the requester, and then notifies the requester of his or her decision to reverse or affirm the Redress Administrator's determination of ineligibility. The decision shall constitute the final action of the Department on that appeal.

This rule is not a major rule within the meaning of Executive Order 12291 (46 FR 13193, 3 CFR 1981 Comp. p. 127). Moreover, a regulatory flexibility analysis has not been prepared

Continued on Next Page



# DEPARTMENT OF JUSTICE 28 C.F.R. Part 74 [Order No. 1352-89]

## Redress Provision for Persons of Japanese Ancestry

Continued from Previous Page

under the Regulatory Flexibility Act (5 U.S.C. 601-612), because the rule is unlikely to have a significant economic impact on a substantial number of small entities.

### List of Subjects in 28 CFR Part 74

Administrative practice and procedure, Aliens, Archives and records, records, Citizenship and naturalization, Civil rights, Indemnity payments, Minority groups, Nationality, War claims.

For the reasons set forth in the preamble and by the authority vested in me including 28 U.S.C. 509 and 510, Chapter of Title 28 of the Code of Federal Regulations is proposed to be amended as follows:

1. Part 74 is added to 28 CFR Chapter I to read as follows:

### PART 74 - CIVIL LIBERTIES ACT REDRESS PROVISION

#### Subpart A - General Sec.

74.1 Purpose.

74.2 Definitions.

#### Subpart B - Standards of Eligibility

74.3 Eligibility determinations.

74.4 Exclusion from compensation.

#### Subpart C - Verification Procedures

74.5 Identification and location of eligible persons.

74.6 Determination procedures.

74.7 Notification of a preliminary finding of eligibility.

#### Subpart D - Notification and Payment

74.8 Notice of eligibility determination.

74.9 Conditions of acceptance of payment.

74.10 Effect of refusal of payment.

74.11 Authorization for payments.

74.12 Order of payments.

74.13 Payments to Survivors of Eligible Individuals.

74.14 Individuals excluded from compensation pursuant to Section 108(B) of the Act.

#### Subpart E - Appeal Procedures

74.15 Notice of the right to appeal a finding of ineligibility.

74.16 Procedures for filing an appeal.

74.17 Action on appeal.

### Appendix A to Part 74

Form: Declaration of Eligibility by Persons Identified by the Office of Redress Administration.

Authority: 50 U.S.C. App. 1989b.

#### Subpart A - General

74.1 Purpose.

The purpose of this part is to effectuate section 105 of the Civil Liberties Act of 1988, which authorizes the Attorney General to locate, identify, and make payments to all eligible individuals of Japanese ancestry who were evacuated, relocated, and interned during World War II as a result of government action.

#### 74.2 Definitions.

(a) "The Act" means the Civil Liberties Act of 1988, 50 U.S.C. App. 1989b et seq., Pub. L. 100 - 383 (August 10, 1988).

(b) "The Administrator" means the Administrator in charge of the Office of Redress Administration of the Civil Rights Division.

(c) "Assembly centers and relocation centers" means those facilities established pursuant to the acts described in 74.3(c).

(d) "Child of an eligible individual" means a recognized natural child, an adopted child, or a step-child who lived with the eligible person in a regular parent-child relationship.

(e) "The Commission" means the Commission on Wartime Relocation and Internment of Civilians established by the Commission on Wartime Relocation and Internment Act, 50 U.S.C. App. 1981 note, Pub. L. 96 - 317.

(f) "Evacuation, relocation, and internment period" means that period beginning December 7, 1941, and ending June 30, 1946.

(g) "The Fund" means the Civil Liberties Public Education Fund established by Section 104 of the Civil Liberties Act of 1988, 50 U.S.C. App. 1989b-3 in the Treasury of the United States and administered by the Secretary of the Treasury.

(h) "The Office" means the Office of Redress Administration established in the Civil Rights Division of the U.S. Department of Justice to execute the responsibilities and duties assigned the Attorney General pursuant to Section 105 of the Civil Liberties Act of 1988, 50 U.S.C. App. 1989b-4.

(i) "Parent of an eligible individual" means the natural father and mother, or fathers and mothers through adoption.

(j) "The Report" means published report by the Commission on Wartime Relocation and Internment of Civilians of its findings and recommendations entitled, *Personal Justice Denied*, Part I and Part II.

(k) "Spouse of an eligible individual" means a wife or husband of an eligible individual who was married to that eligible person for at least

one year immediately before the death of the eligible individual.

#### Subpart B - Standards of Eligibility

74.3 Eligibility determinations.

(a) An individual is found to be eligible if such an individual:

(1) Is of Japanese ancestry; and

(2) Was living on the date of enactment of the Act, August 10, 1988; and

(3) During the evacuation, relocation and internment period was—

(i) A United States citizen; or

(ii) A permanent resident alien who was lawfully admitted into the United States; or

(iii) An alien, who after the evacuation, relocation and internment period, was permitted by applicable statutes to obtain the status of permanent resident alien extending to the internment period; and

(4) Was confined, held in custody, relocated, or otherwise deprived of liberty or property as a result of—

(i) Executive Order Numbered 9066, dated February 19, 1942;

(ii) The Act entitled "An Act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining, leaving, or committing any act in military areas or zones," approved March 21, 1942 (56 Stat. 173); or

(iii) Any other Executive order, Presidential proclamation, law of the United States, directive of the Armed Forces of the United States, or other action taken by or on behalf of the United States or its agents, representatives, officers, or employees, respecting the evacuation, relocation, or internment of individuals solely on the basis of Japanese ancestry.

(b) The following individuals are deemed to have suffered a loss within the meaning of paragraph (a)(4) of this section:

(1) Individuals who were interned under the supervision of the Wartime Relocation Authority, the Department of Justice or the United States Army; or

(2) Individuals enrolled on the records of the United States Government during the period beginning on December 7, 1941, and ending June 30, 1946, as being in a prohibited military zone, including those individuals who, during the voluntary phase of the government's evacuation program between the issuance of Public Proclamation No. 1 on March 2, 1942, and the enforcement of Public Proclamation No. 4 on March 29, 1942, filed a "Change of Residence" card with the Wartime Civil Control Administration; or

(3) Individuals ordered by the Navy to leave Bainbridge Island, off the coast of the State of Washington, or Terminal Island, near San Pedro, California; or

(4) Individuals who, were members of the Armed Forces of the United States at the time of the evacuation and internment period and whose domicile was in a prohibited zone and as a result of the government action lost property; or

(5) Individuals who, were members of the Armed Forces of the United States at the time of the evacuation and internment period and were prohibited by government regulations from visiting their interned families or forced to submit to undue restrictions amounting to a deprivation of liberty prior to visiting their families; or

(6) Individuals who, after March 29, 1942, evacuated and relocated from the West Coast as a result of government action, including those who obtained written permission to travel to a destination outside of the unauthorized areas from the Western Defense Command and the Fourth Army; or

(7) Individuals born in assembly centers or relocation centers to parents of Japanese ancestry who had been evacuated, relocated or interned pursuant to paragraph (a)(4) of this section, including children born in the United States to parents of Japanese ancestry who were relocated to the United States from other countries in the Americas; or

(8) Individuals who, prior to or at the time of evacuation, relocation or internment period, were in institutions, such as a hospital, and placed under the custody of the Wartime Relocation Authority and confined within the grounds of the institution and not permitted to return to their homes or to go anywhere else pursuant to the acts described in paragraph (a)(4) of the section.

(c) Paragraph (b) of this section is not an exhaustive list of individuals who are deemed eligible for compensation; there will be other individuals determined to be eligible in accordance with the statute on a case-by-case basis by the Redress Administrator.

#### 74.4 Individuals excluded from compensation pursuant to Section 108(B) of the Act.

The term "eligible individual" does not include any individual who, during the period beginning on December 7, 1941, and ending on September 2, 1945, relocated to a country while the United States was at war with that country.

#### Subpart C - Verification Procedures

74.5 Identification and location of eligible individuals.

(a) The Office shall compile a list of the names and other identifying information of potentially eligible individuals from the following official sources:

(1) The National Archives;

(2) The Department of Justice;

(3) The Social Security Administration;

(4) Internal Revenue Service;

(5) University libraries;

(6) State and local libraries;

(7) State and local historical societies; and

(8) State and local agencies.

(b) The Office shall compile a list of names and other identifying information pertaining to eligible information from the following unofficial sources:

(1) Potentially eligible individuals;

(2) Eligible individuals' relatives, legal guardians, representatives, or attorneys;

(3) Civic Associations;

(4) Religious organizations;

(5) Other.

#### 74.6 Determination procedures.

(a) Information described in 74.5 will be maintained in two parallel files: one exclusively for officially supplied information; one exclusively for voluntarily supplied information.

(b) The initial verification of an eligible individual who, pursuant to the acts described in 74.3(d), is listed on a United States Government record as having been—

(1) Processed in an Assembly Center;

(2) Interned in a camp under the supervision of the War Relocation Authority;

(3) Filed a "Change of Residence" card; or

(4) Other.

(c) Will be compared to voluntarily supplied information in the files described in section (a) of this paragraph to determine if the individual so located is the eligible person listed in the official file.

(d) The information to be compared includes:

(1) Name;

(2) Date of birth;

(3) Place of birth;

(4) Race;

(5) Sex;

(6) Current address;

(7) Names of assembly centers and camps at which interned;

(8) Social Security Number;

(9) Other.

(e) The initial verification of an eligible individual not listed on United States Government records as described in subsection (b) of this paragraph, will be verified by other means on a case-by-case basis. For example, to verify a child born in a relocation camp who is not included on the camp roster, the Office would have to reconstruct the evidence based on the records of his or her parents as described in subsection (b) of this paragraph, and to receive from the individual where necessary, authoritative documentation of birth.

#### 74.7 Notification of a preliminary finding of eligibility.

(a) Each individual who has been preliminarily found to be eligible or their statutory heirs will be sent written notification of such status by the Office. Enclosed with the notification will be a declaration to be completed by the person so notified, or by his or her legal guardian and a request for documentation of identity.

(b) The declaration and submitted documents (Appendix A to Part 74) will be used for a final determination of eligibility in order to ensure that the person identified as eligible by the Office is in fact the person who will receive payment, and will include a request for the following information:

(1) Name as it appears on the official file; or

(2) In cases where a name as it appears on the official file is different from the current legal name, the individual must attach a marriage certificate or other evidence of the name change as described in Appendix A;

(3) Date of birth; and

(4) Proof of date of birth as set forth in Appendix A;

(5) Current address; and

(6) Proof of current address as set forth in Appendix A;

(7) Current telephone number;

(8) Social Security Number; and

(9) A signed and dated statement by the individual swearing under penalty of perjury to the truth of all the information provided on the declaration pursuant to 28 U.S.C. 1746; or

(10) A sworn declaration signed on behalf of a person who being otherwise eligible is incompetent or otherwise under a legal disability, by the natural or legal guardian, or any other person, including the spouse of such eligible person, who the Administrator determines is charged with the care of the individual.

(c) Upon receipt of the declaration from a potentially eligible individual, the Administrator shall make a determination of eligibility or ineligibility by comparing the information in the official file as described in 74.6 against the information submitted in the individual's declaration as described in subsection (b) of this paragraph.

(d) Each eligible individual will be notified as to a determination of eligibility by the procedure described in 74.9; and

(e) Each person determined not to be eligible will be notified by the Redress Administrator of the finding of ineligibility and the right to petition for a reconsideration of such a finding.

#### Subpart D - Notification and Payment

74.8 Notice of eligibility determination.

The Administrator shall, when funds are appropriated for payment, notify an eligible individual in writing of his or her eligibility for payment. Section 104 of the Act, 50 U.S.C. App. 1989b-3, limits any appropriation to not more than \$500,000,000 for any fiscal year.

#### 74.9 Conditions of acceptance of payment.

(a) Each eligible individual will be deemed to have accepted payment if after receiving final notification of eligibility from the Redress Administrator, the eligible individual does not refuse payment in the manner described in 74.10.

(b) Acceptance of payment shall be in full

satisfaction of all claims arising out of the acts described in 74.3(d).

#### 74.10 Effect of refusal to accept payment.

If an eligible individual who has been notified by the Administrator of his or her eligibility for payment refuses, in a written document to accept payment, the written record of refusal will be filed with the Office and the amount of payment as described in 74.11 shall remain in the Fund and no payment may be made as described in 74.12 to such individual or his or her survivors at any time after the date of receipt of the written refusal.

#### 74.11 Authorization for payment.

(a) Upon determination by the Administrator as to the eligibility of an individual, the authorization for payment of \$20,000 to the eligible individual will be certified by the Assistant Attorney General of the Civil Rights Division to the Assistant Attorney General of the Justice Management Division who will give final authorization to the Secretary of the Treasury for payment out of the funds appropriated for this purpose.

(b) Authorization of payments made to survivors of eligible persons will be certified in the manner described in section (a) of this paragraph to the Secretary of the Treasury for payment to the individual member or members of the class of survivors entitled to receive payment under the procedures set forth in 74.13.

(c) Any payment to an eligible person under a legal disability, may, in the discretion of the Assistant Attorney General for Civil Rights be certified for payment for the use of the eligible person, to the natural or legal guardian, committee, conservator or curator, or if there is no such natural or legal guardian, committee, conservator or curator, to any other person, including the spouse of such eligible person, who the Administrator determines is charged with the care of the eligible person.

#### 74.12 Order of payments.

(a) Payments will be made in the order of the date of birth with the oldest individual living on the date of enactment of the Act (August 10, 1988) receiving payment first; or

(b) with the survivors of the individual as set forth in 74.13 receiving payment first until all individuals have received payment in full.

#### 74.13 Payment to survivors of eligible individuals.

(a) In the case of an eligible individual as described in 74.3 who is deceased, payment shall be made only as follows—

(1) If the eligible individual is survived by a spouse who is living at the time of payment, such payment shall be made to such surviving spouse.

(2) If there is no surviving spouse as described in subsection (a)(1) of this paragraph such payment shall be made in equal shares to all children of the eligible individual who are living at the time of payment.

(3) If there is no surviving spouse described in subsection (a)(1) of this section, and if there are no surviving children as described in (a)(2) of this paragraph, such payment shall be made in equal shares to the parents of the deceased eligible individual who are living at the time of payment.

(b) If there are no surviving spouses, children or parents as described in paragraph (a) of this section, the amount of such payment shall remain in the Fund and may be used only for the purposes set forth in section 106(b) of the Act, 50 U.S.C. App. 1989b-5.

#### 74.14 Determination of relationship of survivors.

(a) A spouse of a deceased eligible individual should establish his or her marriage by one (or more) of the following types of evidence in the following order of preference:

(1) Copy of the public records of marriage, certified or attested, or by an abstract of the public records, containing sufficient data to identify the parties, the date and place of marriage, and the number of prior marriages by either party if shown on the official record, issued by the officer having custody of the record or other public official authorized to certify the record, or a certified copy of the religious record of marriage;

(2) Official report from a public agency as to a marriage which occurred while the deceased eligible individual who employed by such agency;

(3) The affidavit of the clergyman or magistrate who officiated;

(4) The original certificate of marriage accompanied by proof of its genuineness and the authority of the person to perform the marriage;

(5) The affidavits or sworn statements of two or more eyewitnesses to the ceremony;

(6) In jurisdictions where "Common Law" marriages are recognized, the affidavits or certified statements of the spouse setting forth all of the facts and circumstances concerning the alleged marriage, such as the agreement between the parties at the beginning of their cohabitation, places and dates of 34 residences, and whether children were born as the result of the relationship.

This evidence should be supplemented by affidavits or certified statements from two or more persons who know as the result of personal observation the reputed relationship which existed between the parties to the alleged marriage, including the period of cohabitation, places of residences, whether the parties held themselves out as husband and wife and whether they were generally accepted as such in the communities in which they lived; or

(7) Any other evidence which would reasonably support a belief by the Administrator that a valid marriage actually existed.

(b) A child should establish that he or she is the child of a deceased eligible individual by one of the following types of evidence:

(1) A birth certificate showing that the deceased eligible individual was the child's parent;

(2) If the birth certificate does not show the deceased eligible individual as the child's parent, the sufficiency of evidence will be determined in accordance with the facts of a particular

case. Proof of the relationship may consist of—

(i) An acknowledgment in writing signed by the deceased eligible individual; or

(ii) Evidence that the deceased eligible individual has been identified as the child's parent by judicial decree ordering the deceased eligible individual to contribute to the child's support or for other purposes; or

(iii) Any other evidence that reasonably supports a finding of a parent-child relationship, such as—

(A) A certified copy of the public record of birth or a religious record showing that the deceased eligible individual was the informant and was named as the parent of the child; or

(B) Affidavits or sworn statements of a person who knows that the deceased eligible individual accepted the child as his or hers; or

(C) Information obtained from a public agency or public records, such as school or welfare agencies, which shows that with the deceased eligible individual's knowledge, the deceased eligible individual was named as the parent of the child.

(c) Except as may be provided in paragraph (b) of this section, evidence of the relationship by an adopted child must be shown by a certified copy of the decree of adoption and such other evidence as may be necessary. In jurisdictions where petition must be made to the court for release of adoption documents or information, or where the release of such documents or information is prohibited, a revised birth certificate will be sufficient to establish the fact of adoption.

(d) The relationship of a step-child to a deceased eligible individual shall be demonstrated by—

(1) Evidence of birth to the spouse of the deceased eligible individual as required by paragraphs (e) and (f) of this section; or

(2) If adopted by the spouse, evidence of adoption as required by section (b) of this section; or

(3) Other evidence which reasonably supports the existence of a parent-child relationship between the child and the spouse; and

(4) Evidence that the step-child was either—

(i) Living with; or

(ii) In a parent-child relationship with the deceased eligible individual at the time of the eligible individual's death; and

(5) Evidence of the marriage of the deceased eligible individual and the spouse, as required by paragraph (a) of this section.

(e) A parent of a deceased eligible individual may establish his or her parenthood of the deceased eligible individual by providing the following types of evidences:

(1) A birth certificate that shows the person to be the deceased eligible individual's parent; or

(2) An acknowledgment in writing signed by the person before the eligible individual's death; or

(3) Any other evidence which reasonably supports a finding of such a parent-child relationship, such as—

(i) A certified copy of the public record of birth or a religious record showing that the claimant was the informant and was named as the parent of the deceased eligible individual; or

(ii) Affidavits or sworn statements of persons who know the person had accepted the deceased eligible individual as his or her child; or

(iii) Information obtained from a public agency or public records, such as school or welfare agencies, which shows that with the deceased eligible individual's knowledge, the person had been named as parent of the child.

(f) An adoptive parent of a deceased eligible individual must show the following evidence—

(1) A certified copy of the decree of adoption and such other evidence as may be necessary; or

(2) In jurisdictions where petition must be made to the court for release of such documents or information, or where release of such documents or information is prohibited, a revised birth certificate showing the person as the deceased eligible individual's parent will suffice.

#### Subpart E - Appeal Procedures

74.15 Notice of the right to appeal a finding of ineligibility.

Persons determined to be ineligible by the Administrator will be notified in writing of the determination and of the right to petition for a reconsideration of the determination of ineligibility to the Assistant Attorney General for Civil Rights, and the right to submit any documentation in support of eligibility.

#### 74.16 Procedures for filing an appeal.

A request for reconsideration should be made to the Assistant Attorney General for Civil Rights within 60 days of the receipt of the notice from the Administrator of a determination of ineligibility. The request shall be made in writing, addressed to the Assistant Attorney General of the Civil Rights Division, P.O. Box 65808, Washington, D.C. 20035-5808. Both the envelope and the letter of appeal itself must be clearly marked: "Redress Appeal." A request not so addressed and marked shall be forwarded to the Office of the Assistant Attorney General for Civil Rights, or the official designated to act on his behalf, as soon as it is identified as an appeal of eligibility. An appeal that is improperly addressed shall be deemed not to have been received by the Department until the Office receives the appeal, or until the appeal would have been so received with the exercise of due diligence by Department personnel.

#### 74.17 Action on appeal.





# pacific citizen

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## EDITORIAL OF THE PACIFIC CITIZEN:

### Sick Joke Not Appreciated

JAPANESE AMERICANS made Jim Crow's acquaintance for the first time during World War II. The experience was disconcerting for not readily obvious reasons.

On the West Coast they were unwanted, and elsewhere in the U.S. they were herded behind barbed wire fences. But outside the camps in Arkansas, they were honorary Whites. Unlike Black citizens, they were expected to sit in the front of the bus, eat at lunch counters with White folks, and head for the "Whites Only" public restrooms.

Recently Japanese were accorded additional honorary status. They became honorary Blacks when a crude wooden cross was set ablaze at a high school for the children of Japanese businessmen near Sweetwater, Tenn.

The burning cross is a symbol of racial hatred used by the discredited Ku Klux Klan to intimidate Blacks. As they should, officials and citizens of Sweetwater quickly disavowed the cross burning as a "sick prank." Prank or not, it was a sick act. And it put the Japanese in proud company along with other victims of Klan intolerance. To be made the target of Klan hatred is endorsement of one's rectitude, and nothing less than a badge of honor.



## FROM THE FRYING PAN

BILL HOSOKAWA

### Nikkei Humor Revisited

Probably it was back in the uncomplicated, innocent days when "knock-knock" was the rage. Remember them?

You'd say "Knock-knock," and your friend would ask, "Who's there?" Then you'd say something like "Sam and Janet."

"Sam and Janet who?" And your response would be:

"Sam and Janet Evening," even humming a bit, and if your friend didn't get it, you'd laugh like crazy.

\* \* \*

And here's another one.

"Knock-knock."

"Who's there?"

"Asia."

"Asia who?"

"Asia gonna ask me in?"

\* \* \*

Well, anyway, I seem to recall that contemporaneous with "Knock-knock" was "Confucius Say." All sorts of pseudo-wise sayings—"Confucius say only damn fool spit against high wind"—were attributed to that ancient Chinese philosopher. These days you might find this sort of thing demeaning, but back then it was just another diversion without hint of racism.

If you look it up in your encyclopedia, you'll find that Confucius lived 551-479 B.C. when moral and cultural traditions were in serious decline. Perhaps our times were somewhat comparable. Confucius gathered hun-

dreds of students around him and offered education and moral teachings to any who would come. He taught the value of learning, honesty in social relations, respect for one's parents and family, the nobility of hard work and the importance of harmony in all dealings.

Some of his teachings were collected in the *Analecst of Confucius* which were spread across Asia with the advance of Chinese culture. Confucianism has played a large part in the moral and philosophical teachings that are part of the upbringing of Chinese, Koreans, Vietnamese and Japanese among others.

Some observers, noting the exceptionally high scholastic records of Asian Americans in U.S. schools, have suggested that the Confucian respect for education and family solidarity may have more than a little to do with it. Although I am not aware of any scholarly study into this theory, it seems plausible.

On a recent visit to Taiwan the conversation with an educator got around to the generally deplorable state of high school education in the States, the high drop-out rate, the staggering number of functionally illiterate adults. I asked whether he thought a good shot of Confucian values might be of benefit to Americans.

He gave me a thoughtful look and then replied: "Well, we haven't succeeded in launching a satellite yet."

I think it was meant to be a roundabout compliment, or perhaps a disclaimer. Unfortunately the conversation went on to other things before I could tell him I was a literal-minded American unaccustomed to indirection and ask him to explain. Ever since, I've been wondering what he really meant. I would like to think he was urging me not to despair for America, but I'm not at all sure.

## DEPARTMENT OF JUSTICE 28 C.F.R. Part 74 [Order No. 1352-89]

### Redress Provision for Persons of Japanese Ancestry

Continued from Previous Page

(e) A decision of affirmance shall constitute the final action of the Department on that redress appeal.

#### Appendix A to Part 74 Declarations of Eligibility by Persons Identified by the Office of Redress Administration and Requests for Documentation.

##### Form A:

#### Declaration of Eligibility by Persons Identified by Office of Redress Administration

U.S. Department of Justice

Civil Rights Division

Office of Redress Administration

This declaration shall be executed by the identified eligible person or such person's designated representative.

Complete the following information:

- (1) Current Legal Name: \_\_\_\_\_
- (2) Current Address: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State and Zip Code: \_\_\_\_\_
- (3) Telephone Number: \_\_\_\_\_  
(Home) \_\_\_\_\_  
(Business) \_\_\_\_\_
- (4) Social Security Number: \_\_\_\_\_
- (5) Date of Birth: \_\_\_\_\_
- (6) Name Used When Evacuated or Interned: \_\_\_\_\_

#### Read the following carefully before signing this document.

A False Statement may be grounds for punishment by fine (U.S. Code, Title 31, Section 3729), and fine or imprisonment or both (U.S. Code, Title 18, Section 287 and Section 1101).

I declare under penalty of perjury that the foregoing is true and correct.

Signature \_\_\_\_\_  
Date \_\_\_\_\_

**Privacy Act statement:** The authority for this information is contained in 50 U.S.C. app. 1989b. The information that you provide will be used principally for verifying eligible persons for payment under the restitution provision of the Civil Liberties Act of 1988.

**Required Documentation.** The following must be submitted with the above Declaration to complete your verification.

Submit only *original* records, not copies. All documents attached to the Declaration will be returned to the sender within 15 working days.

#### DOCUMENTATION:

##### I. Two Documents of Identification

1. Photo identification with your current legal name.
2. A document to establish your current address: Preferred evidence would be bank or financial statements, monthly utility bills, employment identification cards.
- II. One Document of Date of Birth
- Attach to this declaration ONE of the following types of evidence to establish your date of birth:
  1. An original birth certificate; or
  2. An original hospital birth record recorded before the age of five; or
  3. An original religious record which shows your date of birth and was recorded before age five; or
  4. An original family bible or family record; or
  5. An original school record; or
  6. An expired passport; or
  7. An original employment record; or
  8. Affidavits of two or more persons attesting to the date of birth.
- III. One Document of Name Change
- If your current legal name is the same as your name when evacuated or interned this section does not apply.

This section is only required for persons whose current legal name is different from the name used when evacuated or interned.

Attached *one* of the following as evidence of the change of legal name:

1. A certified copy of the public record of marriage; or
2. A certified copy of the divorce decree; or
3. A certified copy of the court order of a name change; or
4. Affidavits or sworn statements of two or more persons attesting to the name change.

##### IV. One Document of Evidence of Guardianship

If you are executing this document for the person identified as eligible, you must submit evidence of your authority.

If you are the legally-appointed guardian, committee, or other legally-designated representative of such an individual, the evidence shall be a certificate executed by the proper official of the court appointment.

If you are not such a legally-designated representative, the evidence shall be an affidavit describing your relationship to the recipient or the extent to which you have the care of the recipient or your position as an officer of the institution of which the recipient is institutionalized.

##### Form B

#### Declaration of Verification of Persons Identified as Statutory Heirs by the Office of Redress Administration

U.S. Department of Justice

Civil Rights Division

Office of Redress Administration

This declaration shall be executed by the spouse of a deceased eligible individual as statutory heir in accordance with Section 105(a)(7) of the Civil Liberties Act of 1988, 50 U.S.C. app. 1989b.

Complete the following information:

- (1) Current Legal Name: \_\_\_\_\_
- (2) Current Address: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State and Zip Code: \_\_\_\_\_
- (3) Telephone Number: \_\_\_\_\_

- Home \_\_\_\_\_  
Business \_\_\_\_\_  
(4) Social Security Number: \_\_\_\_\_  
(5) Date of Birth: \_\_\_\_\_  
(6) Relationship to the Deceased: \_\_\_\_\_

#### (7) Date of marriage to the Deceased: \_\_\_\_\_ Read the following carefully before signing this document.

A False Statement may be grounds for punishment by fine (U.S. Code, Title 31, Section 3729), and fine or imprisonment or both (U.S. Code, Title 18, Section 287 and Section 1101).

I declare under penalty of perjury that the foregoing is true and correct.

Signature \_\_\_\_\_  
Date \_\_\_\_\_

**Privacy Act statement:** The authority for this information is contained in 40 U.S.C. app. 1989b. The information that you provide will be used principally for verifying eligible persons for payment under the restitution provision of the Civil Liberties Act of 1988.

#### Required Documentation.

The following documentation must be submitted with the above Declaration to complete your verification.

Submit only *original* records, not copies. All documents attached to the Declaration will be returned to the sender within 15 working days.

#### DOCUMENTATION:

##### I. One Document as Evidence of the Deceased Eligible Individual's Death

Submit *one* of the following as evidence.

Preferred evidence would be:

1. A certified copy or extract from the public records of death, coroner's report of death, or verdict of a coroner's jury.
2. A certificate by the custodian of the public record of death.
3. A statement of the funeral director or a attending physician, or intern of the institution where the death occurred.
4. A certified copy, or extract from an official report or finding of death made by an agency or department of the United States.
5. If death occurred outside the United States, an official report of death by a United States Consul or other employee of the State Department, or a copy of public record of death in the foreign country.

6. If a you cannot obtain the preferred evidence of a person's death, he or she will be asked to explain why and submit other convincing evidence to ORA such as the signed statements of two or more people with personal knowledge of the death, giving the place, date, and cause of death.

##### II. One Document as Evidence of Your Relationship to the Deceased Eligible Individual

1. A copy of the public records of marriage, certified or attested, or by an abstract of the public records, containing sufficient data to identify the parties, the date and place of marriage, and the number of prior marriages by either party if shown on the official record, issued by the officer having custody of the record or other public official authorized to certify the record, or a certified copy of the religious record of marriage;

2. An official report from a public agency as to a marriage which occurred while the deceased eligible individual who employed by such agency.

3. The affidavit of the clergyman or magistrate who officiated.

4. The original certificate of marriage accompanied by proof of its genuineness and the authority of the person to perform the marriage.

5. The affidavits or sworn statements of two or more eyewitnesses to the ceremony.

6. In jurisdictions where "Common Law" marriages are recognized, the affidavits or certified statements of the spouse setting for the all of the facts and circumstances concerning the alleged marriage, such as the agreement between the parties at the beginning of their cohabitation, places and dates of residences, and whether children were born as the result of the relationship. This evidence should be supplemented by affidavits or certified statements from two or more persons who know as the result of personal observation the reputed relationship which existed between the parties to the alleged marriage, including the period of cohabitation, places of residences, whether the parties held themselves out as husband and wife and whether they were generally accepted as such in the communities in which they lived.

7. Any other evidence which would reasonably support a belief by the Administrator that a valid marriage actually existed.

##### III. Two Documents of Identification

Submit *both* of the following as evidence.

1. An identification with your photograph and with your current legal name.
2. A document to establish your current address such as monthly utility bills, bank or financial statements, employment identification cards.

##### IV. One document of Date of Birth

1. An original birth certificate.
2. An original hospital birth record recorded before the age of five.
3. An original religious record which shows your date of birth and was recorded before age five.
4. An original family bible or family record.
5. An original school record.
6. An expired passport.
7. An original employment record.
8. Affidavits of two or more persons attesting to the date of birth.

##### V. One Document of Name Change

If your current legal last name is the same as the last name of the deceased eligible individual or the same as at the time of marriage this section does not apply.

This section is only required for persons whose current legal last name is different from the last name of the deceased eligible.

Submit *one* of the following as evidence of the change of legal name.

1. A certified copy of the public record of marriage.
2. A certified copy of the divorce decree.
3. A certified copy of the court order of a name change.
4. Affidavits or sworn statements of two or more persons attesting to the name change.

##### VI. One Document of Evidence of Guardianship

If you are executing this document for the person identified as eligible you must submit evidence of your authority.

If you are the legally-appointed guardian, committee, or other legally-designated representative of such an individual, the evidence shall be a certificate executed by the proper official of the court appointment.

If you are not such a legally-designated representative, the evidence shall be an affidavit describing your relationship to the recipient or the extent to which you have the care of the recipient or your position as an officer of the institution of which the recipient is institutionalized.

##### Form C:

#### Declaration of Verification by Persons Identified by the Office of Redress Administration as Statutory Heirs

U.S. Department of Justice

Civil Rights Division

Office of Redress Administration

This declaration shall be executed by the child of a deceased eligible individual as a statutory heir in accordance with Section 105 (a) (7) of the Civil Liberties Act of 1988, 50 U.S.C. app. 1989b.

Complete the following information:

- (1) Current Legal Name: \_\_\_\_\_
- (2) Current Address: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State and Zip Code: \_\_\_\_\_
- (3) Telephone Number: \_\_\_\_\_  
Home: \_\_\_\_\_  
Business: \_\_\_\_\_
- (4) Social Security Number: \_\_\_\_\_
- (5) Date of Birth: \_\_\_\_\_
- (6) Relationship to the Deceased: \_\_\_\_\_

(7) List the names and address (if known) of all other children of the deceased eligible individual. This includes all recognized natural children, step children who lived with the deceased eligible and adopted children. Enter the date of death for any persons who are deceased.

\_\_\_\_\_

\_\_\_\_\_

#### Read the following carefully before signing this document.

A False Statement may be grounds for punishment by fine (U.S. Code, Title 31, Section 3729), and fine or imprisonment or both (U.S. Code, Title 18, Section 287 and Section 1101.)

I declare under penalty of perjury that the foregoing is true and correct.

Signature \_\_\_\_\_  
Date \_\_\_\_\_

**Privacy Act statement:** The authority for this information is contained in 50 U.S.C. app. 1989b. The information that you provide will be used principally for verifying eligible persons for payment under the restitution provision of the Civil Liberties Act of 1988.

#### Required Documentation for Children of Deceased Eligible Individual

The following documentation must be submitted with the above Declaration to complete your verification.

Submit only *original* records, not copies. All documents attached to the Declaration will be returned to the sender within 15 working days.

#### DOCUMENTATION:

##### I. One Document as Evidence of the Deceased Eligible Individual's Death

1. A certified copy or extract from the public records of death, coroner's report of death, or verdict of a coroner's jury.

2. A certificate by the custodian of the public record of death.

3. A statement of the funeral director or attending physician, or intern of the institution where death occurred.

4. A certified copy, or extract from an official report or finding of death made by an agency or department of the United States.

5. If death occurred outside the United States, an official report of death by a United States Consul or other employee of the State Department; or a copy of public record of death in the foreign country.

6. If you cannot obtain the preferred evidence of a person's death, you will be asked to explain why and submit other convincing evidence to ORA such as the signed statements of two or more people with personal knowledge of the death, giving the place, date, and cause of death.

##### II. One Document as Evidence of Your Relationship to the Deceased Eligible Individual

###### Natural Child

1. A birth certificate showing that the deceased eligible individual was your parent.

2. If the birth certificate does not show the deceased eligible individual as your parent, other proof would be:

(a) An acknowledgment in writing signed by the deceased eligible individual.

(b) A judicial decree ordering the deceased eligible individual to contribute to your support or for other purposes.

(c) A certified copy of the public record of birth or a religious record showing that the deceased eligible individual was the informant and was named as your parent.

(d) Affidavits or sworn statements of a person who knows that the deceased eligible individual accepted the child as his or hers.

Continued on Next Page

#### To EDC JACL Subscribers

This week's issue, through the month of June, is being "drop shipped" by Express Mail as a test. The EDC is underwriting this experiment. Non-member subscribers are not affected.

Pete Hironaka  
will be back next week.



# DEPARTMENT OF JUSTICE 28 C.F.R. Part 74 [Order No. 1352-89]

## Redress Provision for Persons of Japanese Ancestry

Continued from Previous Page

(e) A record obtained from a public agency or public records, such as school or welfare agencies, which shows that with the deceased eligible individual's knowledge, the deceased eligible individual was named as the parent of the child.

### Adopted Child

Evidence of the relationship by an adopted child must be shown by a certified copy of the decree of adoption. In jurisdictions where petition must be made to the court for release of adoption documents or information, or where the release of such documents or information is prohibited, a revised birth certificate will be sufficient to establish the fact of adoption.

### Step-Child

Submit all three as evidence of the step-child relationship.

1. One document as evidence of birth to the spouse of the deceased eligible individual. Preferred evidence would be a birth certificate or other evidence of birth to the spouse of the deceased eligible individual as required in the section for a natural child of a deceased eligible. If adopted by the spouse, evidence of adoption as required in the section for an adopted child of a deceased eligible. Other evidence would be a document which reasonably supports the existence of a parent-child relationship between the child and the spouse.

2. One document as evidence that the step-child was either living with or in a parent-child relationship with the deceased eligible individual at the time of the eligible individual's death.

3. One document as evidence of the marriage of the deceased eligible individual and the spouse, such as a copy of the record of marriage, certified or attested, or by an abstract of the public records, containing sufficient data to identify the parties and the date and place of marriage issued by the officer having custody of the record, or a certified copy of a religious record of marriage.

### III. Two Documents of Identification

Submit both of the following as evidence.

1. An identification with your photograph and with your current legal name.

2. A document to establish your current address such as monthly utility bills, bank or financial statements, employment identification cards.

### IV. One Document of Date of Birth

1. An original birth certificate.

2. An original hospital birth record recorded before the age of five.

3. An original religious record which shows your date of birth and was recorded before age five.

4. An original family bible or family record.

5. An original school record.

6. An expired passport.

7. An original employment record.

8. Affidavits of two or more persons attesting to the date of birth.

### V. One Document of Name Change

If your current legal last name is the same as the last name of the deceased eligible this section does not apply.

This section is only required for persons whose current legal last name is different from the last name of the deceased eligible.

Submit one of the following as evidence of the change of legal name.

1. A certified copy of the public record of marriage.

2. A certified copy of the divorce decree.

3. A certified copy of the court order of a name change.

4. Affidavits or sworn statements of two or more persons attesting to the name change.

### Editorials Wag Finger

at Loss of Reparations

Two editorials were received from P.C. readers this past week commenting on the House action to drop the special \$250,000 appropriation for redress (see June 2 P.C.). Excerpts:

### Honolulu Advertiser, May 28—

... That's shameful. A House of Representative attempt to increase spending for this year by \$250 million in an emergency spending bill was defeated, apparently in fear of a presidential veto.

Eventually the money must be paid, to the heirs if not the internees. How much more meaningful it would be to put it into the hands of those who suffered, as a presidential commission found, from "race prejudice, war hysteria and a failure of political leadership." Sadly, it looks like political leadership is failing again.

From Allan Beekman, Honolulu

### Anchorage Daily News, June 1—

Money for reparations has fallen victim to hair-splitting in the nation's capital ... Under the twisted logic that shapes public policy, internees aren't dying fast enough to justify paying the reparations this year, four decades after the fact. Only 200 victims died each month, you see ... Perhaps if the miserly members wait long enough, every victim will be dead, and they won't have to spend a penny.

From Ronald K. Inouye

### VI. One document of Evidence of Guardianship

If you are executing this document for the person identified as an eligible beneficiary, you must submit evidence of your authority.

If you are a legally-appointed guardian, committee, or other legally-designated representative of such an individual, the evidence shall be a certificate executed by the proper official of the court appointment.

If you are not such a legally-designated representative, the evidence shall be an affidavit describing your relationship to the recipient or the extent to which you have the care of the recipient or your position as an officer of the institution of which the recipient is institutionalized.

### Form D:

Declaration of Verification by Persons Identified by the Office of Redress Administration as Statutory Heirs

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

This declaration shall be executed by the identified parent of a deceased eligible individual as statutory heir in accordance with Section 105(a)(7) of the Civil Liberties Act of 1988, 50 U.S.C. app. 1989b.

Complete the following information:

- (1) Current Legal Name: \_\_\_\_\_
- (2) Current Address: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State and Zip Code: \_\_\_\_\_
- (3) Telephone \_\_\_\_\_ Number \_\_\_\_\_  
Home \_\_\_\_\_  
Business \_\_\_\_\_
- (4) Social Security Number: \_\_\_\_\_
- (5) Date of Birth: \_\_\_\_\_
- (6) Relationship to the Deceased: \_\_\_\_\_

(7) The name of the child's other parent and the address if known. This includes fathers and mothers through adoption. If the parent is deceased provide the date and place of death.

Read the following very carefully before signing this document.

A False Statement may be grounds for punishment by fine (U.S. Code, Title 31, Section 3729), and fine or imprisonment or both (U.S. Code, Title 18, Section 287 and Section 1101).

I declare under penalty of perjury that the foregoing is true and correct.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Privacy Act statement:** The authority for this information is contained in 50 U.S.C. app. 1989b. The information that you provide will be used principally for verifying eligible persons for payment under the restitution provision of the Civil Liberties Act of 1988.

### Required Documentation.

The following documentation must be submitted with the above Declaration to complete your verification.

Submit only original records, not copies. All documents attached to the Declaration will be returned to the sender within 15 working days.

### DOCUMENTATION:

#### I. One Document as Evidence of the Deceased Eligible's Death

1. A certified copy or extract from the public records of death, coroner's report of death, or verdict of a coroner's jury.

2. A certificate by the custodian of the public record of death.

3. A statement of the funeral director or attending physician, or intern of the institution where death occurred.

4. A certified copy, or extract from an official report or finding of death made by an agency or department of the United States.

5. If death occurred outside the United States, an official report of death by a United States Consul or other employee of the State Department; or a copy of public record of death in the foreign country.

6. If you cannot obtain the preferred evidence of a person death, you will be asked to explain why and submit other convincing evidence to ORA such as: the signed statements of two or more people with personal knowledge of the death, giving the place, date, and cause of death.

#### II. One Document as Evidence of Your Relationship to the Deceased Eligible

##### Natural Parent

1. A birth certificate that shows you to be the deceased eligible individual's parent.

2. An acknowledgment in writing signed by the person before the eligible individual's death.

3. Any other evidence which reasonably supports a finding of such a parent-child relationship, such as a certified copy of the public record of birth or a religious record showing that the person was the informant and was named the parent of the deceased eligible individual.

4. Affidavits or sworn statements of persons who know the person had accepted the deceased eligible individual as his or her child.

5. Information obtained from a public agency or public records, such as school or welfare agencies, which shows that with the deceased eligible individual's knowledge, you named as parent.

##### Adoptive Parent

1. A certified copy of the decree of adoption and such other evidence as may be necessary.

2. In jurisdictions where petition must be made to the court for release of such documents or information, or where release of such documents or information is prohibited, a revised birth certificate showing the person as the deceased eligible individual's parent will suffice.

#### III. Two Documents of Identification

Submit both of the following as evidence.

1. An identification with your photograph and with your current legal name.
2. A document to establish your current address such as monthly utility bills, bank or financial statements, employment identification cards.

## 'Rating System' Indicative of Deeper Problem

We might think we are fighting for the right to be judged on non-racial criteria, but many of us are judging ourselves by the same standards we are fighting against. The following exchange between two Asian American males is a common example:

John: Wow! That girl is really cute! I'd give her an 8.5.

Dick: Is that on the Asian scale or on the regular scale?

John: What's the difference?

Dick: Well, the Asian scale is lower than the regular scale. For example, a cute Asian gal who rated a 7 on the Asian scale would probably rate about a 6 on the normal scale.

John: Oh.

Dick: Yeah, Asian women are cute but they don't match up in some areas! (Dick laughs.)

I don't think a lot of women are aware of it, but many Asian men use a double standard in how they see women. On the surface, this practice is innocent enough, but the underlying causes are more serious.

Ever since we were young, we've been told in ways subtle and not so subtle that we were second class citizens. And after hearing it enough times, some start believing it. It can be hard to maintain a positive self image while you are bombarded with images that proclaim that a particular look is the "ideal" look and then look in the mirror and realize that you aren't even close.

How is it possible to maintain a positive self image in this kind of environment? First, we should realize the taunting and ridicule that most of us have experienced (and to some extent still face) is the result of ignorance. We can be crybabies and feel sorry for ourselves or we can recognize that certain attitudes are the result of misperceptions and ignorance. The best attitude is not to take it personally and do what we can to educate others.

A good example is how we now refer to ourselves as Asians rather than

Oriental. What is in a name? "Oriental" conjures up stereotypes that are better left behind. "Asian" is a more neutral term that tends not to predispose people to think one way or the other. This change in name is not without precedent. Do you remember when African Americans were referred to as Negroes? They correctly believed that the term "Negro" was inherently derogatory and summoned up images of the slavery days. The term "Black" presented a more positive image.

Secondly, I believe that awareness is key to understanding ourselves and our background. Part of the reason many Asians reject their culture is that either they don't know anything about it or that it has been portrayed in a negative manner.

The recent portrayal of a frothing, buck-tooth WWII Japanese fighter pilot in a comic book is a good example of how negative images can hurt a young child's perception of himself and his culture and cause him to question the value of the qualities that make him unique. We have to be on the lookout for images that portray Asians in a negative and derogatory manner.

Perception of the environment starts when we are very young and of all the factors that can affect our self perception, our parents exert the greatest influence. It is one's parents who can instill in a child a pride and appreciation or a shame and contempt of his ethnic heritage. For example, by speaking a different language at home, a child can gain exposure to a different

language and culture. If the language is not spoken at home, sending the child to schools such as Japanese school or Chinese school can at least give a child exposure to his background. Parents can shape how a child formulates his opinion of himself and of the world around him.

As the experiences of childhood make us aware of our background, the experiences that later follow help us understand our background. This is where the various ethnic organizations become important. These groups become the anchors that keep us from drifting away from our origins. The organizations are a cementing bond for people located in areas where there are concentrations of individuals of similar backgrounds.

They are especially important for people in areas where specific ethnic groups are not so well represented. However, if the past is any indication, the more integrated a group becomes, the more diffuse the group will become and cultural influences will proportionally diminish.

So, what is the point of this commentary? The reality is that later generations will continue to intergrade into American society. We will absorb its values, which will lead to a dilution of any cultural influences. But that doesn't mean an appreciation and understanding of our special backgrounds can't develop and grow. We must work to make sure our culture stays alive and well. Our uniqueness is special and it would be a shame to lose it.



Visual Communications Photographic Archive  
**ASSOCIATE PROFESSOR NAKANISHI**—A celebration for Don Nakanishi's newly-won tenure at UCLA was held at Centenary United Methodist Church in Los Angeles June 9. Pictured (l-r) are Nakanishi and his wife Marsha Nakanishi, and California State Sen. Art Torres.

## JACL NATIONAL SINGLES' CONVENTION

KAZ MAYEMURA

## Topics Will Abound at Convention

The '80s provide a freedom of choice and the coming of age of Asian women. But, this new-found independence and assertiveness of Asian women may have adverse effects on the delicate emotional balance between the somewhat self-conscious yet insensitive Asian male and the used-to-be inhibited and somewhat acquiescent Asian female. Do you agree? If not, let's discuss this during the "Man Talk/Women Talk" seminar at the Fourth National JACL Singles Convention, over the Labor Day weekend at the Torrance Marriott Hotel.

Changing values, refining attitudes, shifting roles, and biological and emotional aging lead to the disruption of order, which has been the source of stability in our society. Can we maintain or attain a sense of security and self-direction in this milieu of social metamorphosis? "30-40-50-60 something" delves into these issues.

As you can see, the scheduled seminars for the Fourth National JACL Singles Convention will not be your usual male-female-relationships work-

shops. We plan to offer six to 10 unique workshops dealing with a variety of topics to appeal to Asians in all age groups and at all interest levels.

Whether you are 20, 40, or 60, we share a common bond of Asianness, which has helped shape our unique values and independent coping mechanisms within the host culture. Share with other Asians, in all age groups, and work together to develop a truer sense of self as you bond friendships and transcend age and superficial values barriers.

Other seminar topics include "Crazy Times—Beyond Divorce", "Is Love Enough?", "Risking and Coping with Rejection", "Life Begins at 60", and "Dating in the 80's". For a complete list, send for the registration package (no obligation).

So, if you are interested in voicing your opinions or just want to "kick-back" and listen to what others have to say, join us at the Fourth National JACL Singles Convention. For registration information, write to: B. K. Yanase, 1525 Eagle Park Road, Hacienda Heights, CA 91745.

*Dick Thornburgh*  
**Dick Thornburgh**  
Attorney General

June 7, 1989



HR 2072: 'Dire Emergency Fund' Passes 227-197

Insight's Congressional Briefing features the votes on the major bills of the week acted upon in the House and Senate. In the June 12, 1989, issue, the final tally on the Emergency Appropriations Bill (HR 2072), as passed by the House May 24 (see June 2 P.C.) was 227-197; 219 Democrats for, 33 Democrats against; and 8 Republicans for, and 164 Republicans against.

HR 2072 includes \$1.2 billion for veterans programs, \$822 million for antidrug programs and money for student loans, housing immigration processing and the Forest Service. It dropped from a previous \$4.7 billion version about \$1 billion: most of it funds for the Federal Aviation Administration, the homeless and the Japanese Americans interned during World War II.

|                       |                     |                      |                     |                    |                    |                    |                   |
|-----------------------|---------------------|----------------------|---------------------|--------------------|--------------------|--------------------|-------------------|
| ALABAMA               | Y Bellenson (D)—23  | N McCollum (R)—5     | N Crane (R)—12      | LOUISIANA          | Y Davis (R)—11     | Y Pallone (D)—3    | Y LaFalce (D)—32  |
| N Callahan (R)—1      | Y Waxman (D)—24     | N Stearns (R)—6      | N Fawell (R)—13     | Y Bonior (D)—12    | Y Smith (R)—4      | Y Smith (R)—4      | Y Nowak (D)—33    |
| N Dickinson (R)—2     | ? Roybal (D)—25     | ? Gibbons (D)—7      | N Hastert (R)—14    | Y Crockett (D)—13  | N Roukema (D)—5    | N Houghton (R)—34  | N Houghton (R)—34 |
| N Browder (D)—3       | Y Berman (D)—26     | N Young (R)—8        | N Madigan (R)—15    | Y Hertel (D)—14    | Y Dwyer (D)—6      | NORTH CAROLINA     |                   |
| Y Bevil (D)—4         | Y Levine (D)—27     | N Bilirakis (R)—9    | N Martin (R)—16     | Y Ford (D)—15      | Y Rinaldo (R)—7    | Y Jones (D)—1      | Y Valentine (D)—2 |
| N Flippo (D)—5        | Y Dixon (D)—28      | N Ireland (D)—10     | Y Evans (D)—17      | Y Dingell (D)—16   | Y Roe (D)—8        | Y Price (D)—4      | Y Galt (D)—5      |
| N Erdreich (D)—6      | Y Hawkins (D)—29    | Y Johnston (D)—11    | N Michel (R)—18     | Y Levin (D)—17     | Y Torricelli (D)—9 | N Coble (R)—6      | Y Rose (D)—7      |
| N Harris (D)—7        | Y Martinez (D)—30   | N Lewis (R)—12       | Y Bruce (D)—19      | N Beggs (D)—18     | Y Payne (D)—10     | Y Hefner (D)—8     | N McMillan (R)—9  |
| ALASKA                | Y Dymally (D)—31    | N Goss (R)—13        | Y Durbin (D)—20     | Y Vento (D)—4      | N Gallo (R)—11     | N Ballenger (R)—10 | Y Clarke (D)—11   |
| N Young (R)—AL        | Y Anderson (D)—32   | Y Nelson (D)—14      | Y Costello (D)—21   | Y Sabo (D)—5       | NORTH DAKOTA       | Y Dorgan (D)—AL    |                   |
| ARIZONA               | N Dreier (R)—33     | N Shaw (R)—15        | Y Posada (D)—22     | MAINE              | Y Siskorski (D)—6  |                    |                   |
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PAID ADVERTISEMENT

LEC/JACL FUND DRIVE — SPECIAL MAIL CAMPAIGN



CONTRIBUTION FROM BUDDHIST WOMEN'S ASSOCIATION —Seabrook JACLer Ellen Nakamura of the Buddhist Churches of America Federation of Buddhist Women's Associations presents to Shig Wakamatsu (right), JACL-LEC treasurer, a check for \$3,405 to JACL-LEC during the national convention of the BCA Federation of Buddhist Women's Associations on Sept. 24, 1988, in Chicago.

JACL-LEC Challenge On-going!

Dear Redress Supporter:

The JACL-LEC mail campaign initiated on August 24, 1988 has been a great success! As of April 30, 1989, a total of \$147,393.78 was raised!

Out of the 25,000 JACL members and Pacific Citizen subscribers on the mailing list, 3,640 contributors generously donated to JACL-LEC averaging \$40.00 — a fantastic 14.5% return.

By all standards based on universal mail campaigns, JACL-LEC's most recent fundraising far exceeded the normal rate of return. To all of you contributors I extend to you, on behalf of the JACL-LEC National Board, our appreciation for your support and commitment to ensure the redress goal through its successful end.

With the success of the mail campaign we thought we could sit back and catch our breath, but in view of the recent set back on the 1989 supplemental appropriations and the continual need to monitor and actively lobby for the maximum allocation in the 1990 fiscal year budget, and perhaps beyond, we must mount the second phase of fundraising to assure uninterrupted operations of JACL-LEC, Washington, D.C., operations.

May we present a challenge to the 21,360 who did not respond to the earlier call for support? Let's bring the return rate up to a good 25% or more! To save the added cost of another massive mailing, please use the clip-out coupon below.

The list of contributors from August 24, 1988, through April 30, 1989, are listed in this issue. TO ALL WHO HAVE DONATED IN THE PAST YEARS, our grateful thanks for your continual support for a very important cause.

Mae Takahashi  
JACL-LEC Fundraising Chair

To: JACL-LEC

YES, I want to join the 3,640 others who have already contributed to help continue the work of lobbying for the maximum allowable appropriations for redress compensation.

Enclosed in my check for:

\$25 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$500 ☐ Other: \$ \_\_\_\_\_  
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Central Cal

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## Pacific Southwest

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| No. Calif.-W. Nevada-Pacific | 1,467 | 53,008.78  | 36.13   |
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| Intermountain                | 54    | 1,730.00   | 32.04   |
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| Midwest                      | 433   | 23,438.00  | 54.13   |
| Eastern                      | 202   | 9,573.00   | 47.39   |
| TOTALS                       | 3,575 | 144,719.78 | 40.48   |



## San Francisco Mayor's Office Grants JCCCNC \$50,000 for Hall-Gym

SAN FRANCISCO — The Japanese Cultural and Community Center of Northern California received a 1989 Community Development block grant of \$50,000 from the Mayor's Office of Community Development; it was announced May 23.

The funds will be applied towards the construction of the Phase II Community Hall/Gymnasium, due for completion this summer.

The Mayor's Office of Community Development has now contributed a total of \$250,000 specifically towards construction of the Phase II Community Hall/Gymnasium.

The Center's main building, completed in May, 1986, houses community organizations such as:

Nihonmachi Legal Outreach, Japantown Art and Media Workshop, Nobiru Kai Japanese Newcomer Services, Theatre of Yugen, Kimochi Inc., Japanese American History Room, and JCCCNC administration.

The community hall/gymnasium will consist of a high school regulation-size gymnasium which will be able to convert for theater style performances and community events. It will also have an art exhibit gallery, a silk-screen/graphics facility, and dressing rooms.

Nob Fukuda, JCCCNC President, stated that "the Mayor's Office of Community Development has been strongly supportive of this community project. We strongly urge others to support this community project and help to pay for these construction costs. This community-owned and operated center will insure that the services and the other positive aspects of our community will be passed onto the next generations."

For further information, contact the JCCCNC office, 1840 Sutter St., San Francisco or call (415) 567-5505.



Photo by Shigeo Yokote

**SACRAMENTO'S NEW JUDGE**—Judge Charles Kobayashi of the Sacramento Municipal Court accepts congratulatory letter from Congressman Robert Matsui through his local office secretary Reiko Kawakami while the judge's wife Doris (right) looks on.

## Sac'to JACL Toasts Judge Kobayashi

By Toko Fujii

SACRAMENTO — With more than 150 people in attendance, Sacramento JACL hosted a dinner honoring newly appointed Judge Charles C. Kobayashi of the Sacramento Municipal Court at the Red Lion Inn on May 11.

Master of Ceremonies Mike Sawamura was introduced by chapter President Lon Hatamiya. Speaking at this "semi-roast" were:

Nancy Lee, Asian Bar Association president-elect; Rick Uno, Sacramento Valley ACC and Sacramento Japanese United Methodist Church; Ron Hitomi, friends; and Reiko Kawakami of Rep. Robert T. Matsui's office.

In response, Judge Kobayashi extolled the accomplishments and perseverance of Americans of Japanese ancestry and their contributions to their respective communities.

The Rev. Gary Barbaree prefaced his invocation with some humorous personal observations regarding the judge. The Rev. Mark Nakagawa delivered the benediction.

On the dinner committee were: Mike Iwahiro, Mike Sawamura, Lon Hatamiya, Tom Okubo and the JACL office volunteers.

## Five Seniors, 63-77, Earn H.S. Diplomas

HONOLULU—At Neal Blaisdell Center May 28, five Nikkei grandmothers brought down the house as they walked across the stage to accept their high school diplomas. They had graduated from Oahu's Community School for Adults at Waipahu. Among the 400 graduates who were singled out, they were:

Jane Yamaki, 77; Florence Endo, 73; Lillian Oshiro, 70; Yoshiko Nakasato, 68; and Sadako Higa, 63.

Later, Yamaki said: "I feel good and relieved. I had to study! You know, I'm old and I forget. So last minute, I had to study again to finish up."

Higa chortled: "They tell you the test is now, we're like oh, we forget already. We cannot blame the kids for not studying — when you're old, worse."

Her sister Nakasato said: "I never dream I would get this diploma."

We're looking for new readers . . .

## GATHERING OF JOY

## Midsummer's Obon Service Season Here, Memorial Rites, Festivities Slated in July

ANAHEIM, Calif. — The Orange County Buddhist Church will observe *Obon* with services in Japanese on July 9, 1:30 p.m., and in English on July 16, 10 a.m.. The festive *Odori* (dance) and a bazaar-carnival will be held on July 8, 3 to 10 p.m., and July 9, 3 to 9 p.m.

In Japan, *Obon* evolved from a strictly Buddhist event into a national festival. Families of all religious faiths hold memorial services for their deceased. During this time, comparable holidays are observed throughout the Buddhist world.

The dance practice nights are on June 26, 28, 30, July 3 and 5 at 7:30 p.m. The *obon* dances start at 7 p.m. Other temple members are expected to join.

The Orange County Buddhist

Church is located at 909 S. Dale St. (north of Ball Rd.) in West Anaheim. The head minister is Rev. Satoshi Hirata, assisted by Rev. Marvin Harada and John Doami.

## Fowler JACL Picnic Harbinger of Summer

FOWLER, Calif. — The recent Fowler JACL community picnic at Woodward Park was enjoyed with cool and balmy weather by 100 grandparents, parents and children.

Chapter president Art Fujikawa was assisted by George Hashimoto and Aiko Kamine of Buddhist Sunday School and staff of the games.

This is last get-together before the busy harvesting season of strawberries, fruits and grapes until fall season.

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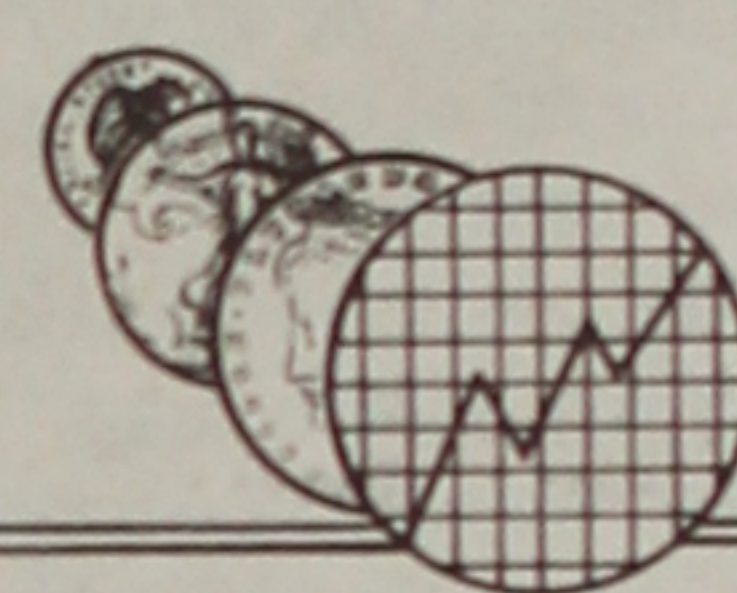
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**AWARDEES MEET L.A. MAYOR**—On May 17, awardees at the 9th Anniversary Dinner of the Japanese American Cultural and Community Center at L.A.'s Century Plaza Hotel met Los Angeles Mayor Tom Bradley. Pictured (l-r) are Reynold Levy, president of the AT & T Foundation; Sosei Matsumoto, Urasenke School of Tea; Bradley; Fujiko Ushiba; and Sohwa Hitomi, Omote Senke School of Tea. The late Nobuhiko Ushiba and Mrs. Ushiba were awarded the "Pacific Pioneer" Award; Matsumoto and Hitomi received with the President's Award.

## Important Role of JACCC Recalled by Many at Its 9th Anniversary Celebration

LOS ANGELES — Close to 750 persons, representing the Japanese American, the Japanese business and the general American corporate communities, attended the ninth anniversary dinner of the Japanese American Cultural and Community Center at the Century Plaza Hotel on May 17.

Guests of honor included Fujiko Ushiba, accompanied by her daughter, Reiko Nishida, who came from Japan to accept one of the "Pacific Pioneer" Awards on behalf of her late husband Ambassador Nobuhiko Ushiba and herself, and Reynold Levy, president of the AT&T Foundation, who accepted the same award on behalf of AT&T.

Also honored were Sohwa Hitomi, teacher in the Omote Senke School of Tea, and Sosei Matsumoto, holder of the highest *meiyo shihan* rank in the Urasenke School of Tea, who were presented the President's Award in recognition of their longtime contribution to furthering appreciation of Japanese culture in Southern California.

Keynote speaker was Mayor Tom Bradley, who recalled the early days of JACCC when the late George J. Doizaki, president and fundraising sparkplug, often prevailed upon the mayor to help.

Bradley expressed pride in the work that the JACCC is now doing to present the best in Japanese performing and visual arts in an effort to further cultural understanding and mutual appreciation between Japan and the United States.

Consul General Hiromoto Seki, who expressed his pleasure at welcoming Ushiba, who with her late husband served as *nakodō* or matchmaker for him and Mrs. Seki, also emphasized the important role the JACCC is playing in providing a cultural venue where American and Japanese corporate leaders can meet on non-competitive ground to deepen personal friendships.

The Pacific Pioneer Award varied with each recipient. Ushiba was presented with a Torrey pine needle basket

in recognition of her appreciation for folk arts. AT&T was presented with a framed calligraphy of two poems by Sachio Ito, executed by Hiroko Ikuta. The poems were about personal communication.

Ikuta also demonstrated her calligraphic art in tribute to the two honored tea instructors by writing "Wa, Kei, Se, Jaku" (Harmony, Respect, Purity and Serenity—the four objectives of the art of tea) and a poem by Sen-no-Rikyu, founder of both the Omote Senke and Urasenke Schools, in which he reduced the art of tea to its simplest elements of boiling water, brewing tea and drinking it.

In tribute to the Ushibas, soprano Hiroko Kitano sang "Elsa's Dream" from Wagner's *Lohengrin* and "Un Bel Di" from Puccini's *Madam Butterfly*. She was accompanied by Scott Nagatani, who also composed and arranged all of the music for the dinner, including the musical tribute to AT&T, sung by Lisa Joe.

The President's Award, silver engraved trays, were presented to Mmes. Sohwa Hitomi and Sosei Matsumoto by Toshikazu Terasawa, JACCC president. Also recognized at the dinner were many Japanese delegates to the just-concluded U.S.-Japan Mayors and Chambers of Commerce Presidents, including Mayor Takeshi Araki of Hiroshima.

Chairing the dinner was Minoru Tonai, retired executive of Symbolics, Inc., and a JACCC vice president. Serving as mistress of ceremonies for the third successive year in a row was Judge Kathryn Doi Todd of the Los Angeles County Superior Court.

As favors, dinner goers were presented the JACCC pin and a daruma doll, symbol of good luck, presented by AT&T.

### ALOHA PLUMBING

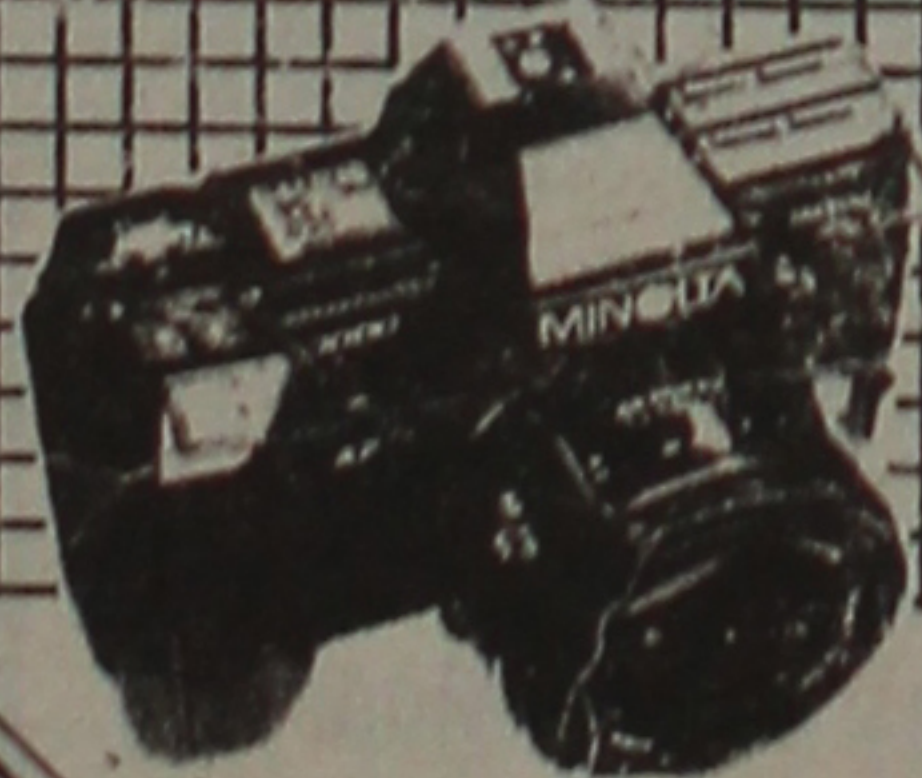
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► **Yoshito & Jean Inouye** of Honolulu are collectors of books and periodicals about orchids, about 400 thus far including the Orchid Review magazines back to 1893, and probably the best library on the subject in Hawaii. Yoshito, founder of the Honolulu Orchid Society, began collecting books in the mid-40s, according to Jean, who was talking with *Advertiser* columnist Bob Krauss.

## Books to P.C.

Briefly Noted by Harry K. Honda

**TSUNAMI.** Walter C. Dudley & Min Lee. Univ. of Hawaii Press, Honolulu 96822, 132 pages, \$10.95 (1988).

On April 1, 1946, at 7 a.m., a series of giant waves (tsunami) struck the Hawaiian Islands without warning. In the hardest hit areas, waves smashed inland for half a mile, leaving 159 persons dead and millions of dollars worth of damage. Others followed in 1952, 1957, 1960 and 1975. Eyewitness accounts, pictures and diagrams of the tsunami engulfing Hilo and points north along the Big Island shore makes people wonder about the odds of the next tsunami (or the big earthquake, if you happen to be a Californian as we are).

P.S.: Tsunami is another Japanese term adopted by the English dictionary. By being adopted, it is not italicized.

**SALTWATER CITY: An Illustrated History of the Chinese in Vancouver.** Paul Yee. Univ. of Washington Press, P.O. Box 50096, Seattle, WA 98145; 176pp, \$35 cloth, (1989).

Paul Yee, a third-generation Chinese Canadian in search of his own roots, tells the story in an inimitable manner. And you understand and appreciate why because he is an archivist by profession. Over 200 photographs, some published for the first time, and his text supported by first-person recollections relate history in a rich, personal style.

The first Chinese came in search of gold in British Columbia in 1858. Their numbers increased to some 20,000 by 1881 to build the transcontinental railway and created in Vancouver, Canada's largest Chinese community, known as *Saltwater City*, to distinguish it from the older city of New Westminster by the freshwater Fraser River. Today, the community totals over 150,000. The sharp racism that coursed through a 100 years and postwar movement into the mainstream might have a familiar ring with Japanese Americans.

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## THE NEWSMAKERS

► **William Nishimura**, HUD's regional administrator at Seattle, announced the city of Seattle has received another \$633,000 grant to its rental rehab program for low-income and moderate income tenants. Started five years ago, the city has been recipient of \$3.9 million.

► "*Our Mothers' Stories*," by **Nikki Nojima Louis**, Seattle playwright, is like a "flea market," Seattle *Post-Intelligencer* theater critic Joe Adcock commented May 11. "Some of the merchandise sparkles. There are contraptions on display that have parts missing. A few articles are funny. A few seem completely useless." The play, a Washington State Centennial project, is due to tour community centers and parks.

► **Commander Dean S. Nakayama**, USN, was transferred from Albuquerque, N.M. to Guantanamo Naval Air Station, Cuba, according to his relative in Fresno. The pilot is a native of Lyons, Ill.

► **May Fujii Foo**, acting director since November, was named the executive director of the Yu-Ai Kai, the San Jose Japanese American community senior service agency May 26. The Marysville native with 20 years of social service experience, she and her husband Joe Foo have lived in Santa Clara county the past six years, are parents of three grown children. Wesley Mukoyama, Yu-Ai Kai board president, said, "During her ninth months here, May has demonstrated a winning attitude and a high degree of professionalism." She holds a master's in public administration. Prior to joining YHu-Ai Kai, she worked with international students and scholars at the Stanford graduate housing.

► **Satoye Ruth Yamada Hashimoto**, of Albuquerque was among 30 exceptional New Mexico women named to receive the Fourth Annual Governor's Award June 10 at the New Mexico Commission on the Status of Women dinner at the Holiday Inn Pyramid. A longtime JACCLer from prewar San Jose, Calif., and a charter member of the New Mexico JACL, she was nominated by the Albuquerque Sister Cities board.

► **Dr. Kensaku Nakayama**, professor of chemistry at Cal State Long Beach, was awarded a \$15,500 Cottrell College Science Grant for studies in asymmetric induction with homochiral metallacycles. The grant supports of basic research in the physical life sciences at the undergraduate level and involvement of students. He was an NIH post-doctoral research fellow in chemistry at MIT, taught at UCLA where he received his BS and Ph.D. degrees, and a resident of Monterey Park.

► **George H. Ohye**, of Berkeley Heights, N.J., has been appointed senior vice president, regulatory affairs worldwide, for the R.W. Johnson Pharmaceutical Research Institute, which coordinates research and development for four Johnson & Johnson sites including Ortho Pharmaceutical Corp., Cilag International, McNeil Pharmaceutical and Ortho Biotech. He assumes responsibility for managing regulatory affairs and government relations functions for PRI and serves of the board of directors. During his 28 years in the industry, Ohye has held several senior management posts in drug development and regulatory affairs and joined PRI from Bristol-Myers. He is a Rutgers University graduate with a law degree from Seton Hall.

► **Akiko Mitsui**, an employee of Fuji Bank and Trust Company in New York, was crowned Miss New York Nikkei 1989 at the Nippon Club on April 15. The daughter of Professor Akira Mitsui and Christine Mercugliano Mitsui, she was born in Yokohama.

► **Cynthia Kadohata**, 32, who led a nomadic life because her father searched for work chick-sexing in Arkansas and Georgia, is the subject of her first novel, *The Floating World* (Viking), which were born out of a few short stories published in the *New Yorker*. The U.S. News & World Report said the novel is "sparse, melancholy and magical, written with a child's matter-of-fact vision." She studied journalism at USC. Her aunt used to write for the Chicago JACL newsletter many years ago.

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(4) Develop better relationships with other Asian American groups.

A panel discussion highlighted the afternoon workshop, regarding concerns of the Central California Japanese American community. Panelists included:

Don Kanesaki, past Fresno JACL president; Mary Nishioki, retired public health nurse and community activist; Rev. Roger Morimoto, Christ United Methodist Church; March Masumoto, genetics director at Valley Children's Hospital; Dr. Izumi Taniguchi, past Fresno JACL president and economics professor at CSU-Fresno; and Kana Norimoto, Fresno JACL delegate to the Presidential Classroom

## HR 2072 VOTE

Continued from Page 6

## OREGON

Y AuCoin (D)—1  
N Smith, R (R)—2  
Y Wyden (D)—3  
Y DeFazio (D)—4  
N Smith, D (R)—5

## PENNSYLVANIA

Y Foglietta (D)—1  
Y Gray (D)—2  
Y Borski (D)—3  
Y Kolter (D)—4  
N Schulze (R)—5  
Y Yatron (D)—6  
N Weldon (R)—7  
Y Kostmayer (D)—8  
N Shuster (R)—9  
Y McDade (R)—10  
Y Kanjorski (D)—11  
Y Murtha (D)—12  
N Coughlin (R)—13  
Y Coyne (D)—14  
N Ritter (R)—15  
N Walker (R)—16  
N Gekas (R)—17  
Y Walgren (D)—18  
N Goodling (R)—19  
Y Gaydos (D)—20  
N Ridge (R)—21  
Y Murphy (D)—22  
N Clinger (R)—23

## RHODE ISLAND

N MacIntyre (R)—1  
N Schneider (R)—2

## SOUTH CAROLINA

N Ravenel (R)—1  
N Spence (R)—2  
Y Derrick (D)—3  
N Patterson (D)—4  
Y Spratt (D)—5  
N Tallon (D)—6

## SOUTH DAKOTA

Y Johnson (D)—AL

## TENNESSEE

N Quillen (R)—1  
N Duncan (R)—2  
N Lloyd (D)—3  
Y Cooper (D)—4  
Y Clement (D)—5  
Y Gordon (D)—6  
N Sandquist (R)—7  
Y Tanner (D)—8  
Y Ford (D)—9

## TEXAS

Y Chapman (D)—1  
Y Wilson (D)—2  
N Bartlett (R)—3  
N Hall (D)—4  
Y Bryant (D)—5  
N Barton (R)—6  
N Archer (R)—7  
N Fields (R)—8  
Y Brooks (D)—9

Y Pickle (D)—10  
Y Leath (D)—11  
Y Wright (D)—12  
Y Sarquiss (D)—13  
Y Laughlin (D)—14  
Y de la Garza (D)—15  
Y Coleman (D)—16  
N Stenholm (D)—17  
Y Leland (D)—18  
N Combest (R)—19  
Y Gonzalez (D)—20  
N Smith (R)—21  
Y Delay (R)—22  
Y Bustamante (D)—23  
Y Frost (D)—24  
Y Andrews (D)—25  
N Arrey (R)—26  
Y Ortiz (D)—27

## UTAH

N Hansen (R)—1  
N Owens (D)—2  
N Nielson (R)—3

## VERMONT

N Smith (R)—AL

## VIRGINIA

N Bateman (R)—1  
N Pickett (D)—2  
N Bilely (R)—3  
Y Sissidy (D)—4  
Y Payne (D)—5  
Y Olin (D)—6  
Y Slaughter (R)—7  
Y Parris (R)—8  
Y Boucher (D)—9  
N Wolf (R)—10

## WASHINGTON

N Miller (R)—1  
Y Swift (D)—2  
Y Unsworth (D)—3  
N Morrison (R)—4  
Y Foley (D)—5  
Y Dicks (D)—6  
Y McDermott (D)—7  
N Chandler (R)—8

## WEST VIRGINIA

Y Mollohan (D)—1  
Y Staggers (D)—2  
Y Wise (D)—3  
Y Rahall (D)—4

## WISCONSIN

Y Aspin (D)—1  
Y Kastner (D)—2  
N Gunderson (R)—3  
Y Kleczka (D)—4  
Y Moody (D)—5  
N Pett (R)—6  
Y Obey (D)—7  
N Roth (R)—8  
N Sensesbrenner (R)—9

## WYOMING

N Thomas (R)—AL

for Young Americans in Washington, D.C. David Masumoto, local rancher, a published writer and Japanese American historian, was the moderator.

Some observations made during the hour-long panel discussion were that many Sansei have left the agriculturally-based Central Valley to pursue educational and professional interests elsewhere in the state, therefore, leading to a leadership pool vacuum for those remaining in the valley. As a result, leadership transition from the Nisei to the Sansei generation has not been smooth and communication between the two generations is often lacking or non-existent.

It was also mentioned that unlike their Nisei parents, Sansei have the opportunity to network with "hakujiin", whereas the Nisei associated more with other Nisei. As a result, many Sansei prioritize their time more than their Nisei parents, who might have devoted more time to JACL and other Japanese community activities.

Kanesaki mentioned as an outsider to the Central Valley, he noticed the CCDC chapters are broken down along small community lines rather than one unifying force and that the chapters are more involved with mechanical activities than with global issues.

The conference concluded with the distribution of a needs survey, funded by a grant provided by the Buddhist Churches of America, which will pinpoint areas of concern among the Central Valley Japanese communities. The results will be available in the future.

## Butte H.S. '45 Grads to Gather for Reunion

TORRANCE, Calif. — A reunion of former Butte High School class of 1945 (Gila River Relocation Center) is planned here for Oct. 6 and 7.

The Friday mixer will be at the Jollyn Cntr., 3333 Torrance Blvd. and the Saturday banquet at the Marriott Hotel. Registration package covers the mixer and banquet; golf and Sunday breakfast are optional events.

Information contacts by area are:

San Francisco Bay Area, Yo (Tanaka) Hirakawa (415) 849-3531; No. Calif.—Stockton, Lily (Katayama) Tanji (209) 466-7750, Taye (Iwata) Takeda (209) 941-2511; Santa Maria Valley, Tets Furukawa (805) 937-4667; WLA, Tak Shishino, OD. (312) 390-6287; San Fernando Valley, May (Yogi) Higa (818) 781-6249; Gardena-South Bay, Toshi (Inamura) Nagata (213) 404-1648 or Tomi (Shinozaki) Harada (213) 329-2079.

## New York's AALDEF Summer Event Slated

NEW YORK — The Asian American Legal Defense and Education Fund (AALDEF) will hold its annual summer fundraiser at Club Mars, from 7 to 10 p.m. on Wednesday, July 12.

Tax-deductible tickets are \$30 advance, \$20 AALDEF members, students, \$40 at the door.

The summer event is directed at attorneys, summer associates, and summer interns, and other professionals interested in helping the organization through a fun social event.

## San Jose JACL Bridge Tournament Results Told

SAN JOSE, Calif.—Winners of the San Jose JACL bridge tournament held April 8 at Wesley United Methodist Church received prizes from Sumitomo Bank, Union Bank, Charm Co. of San Mateo and local bridge enthusiasts. Winners were:

**Juniors**—Jerry-Marion Uchiyama, Ted-Grace Miyagishima, Ray Uyeda-Sue Ogimachi. **Intermediates**—N.S.: Tomoko Mitchell-Joy Sakai, Bob Uchiyama-Bob Friederich, Betty Ross-Carol Prussia; E.W.: Shogo Hikido-Howard Watanabe, Helen Mineta-Tomoo Inouye, Dr. Tak Inouye-Peter Nakahara. **Majors**—Helen Mitchell-John Fasnaght, Henry Ogimachi-Susie Otigiri, Phil-Barbara Bingham.

## DEATHS

Shiro Ebihara, 100, of Los Angeles died May 24 at Keiro Nursing Home. A machinist until his retirement in 1972, the Tokyo native settled in New Mexico, moved to Cleveland in 1946 and spent his final years in Los Angeles. Eldest son Henry remembered "his indomitable can-do spirit which remained unquenched despite economic ups & downs, family tragedies . . . and his refusal to waste his time in bitterness and self-pity, enjoying life" were the secret of his longevity. He lost one eye due to an industrial accident at age 65, and took up watercolor painting at 90 until arthritis in his hands brought this to a halt. Surviving are Henry (Wilmette, Ill.), Benjamin, Roy, William, Emiko Miyagawa, Fumiko Machida, Katherine Sakaki, Mary Kitahara, 22 gc, 5gcg.

Shogo Joseph Myaida, 92, distinguished landscaper to many estates on Long Island and elsewhere, died of cancer May 20 at his home in Hendersonville, N.C., where he and his wife Grace (nee) Babcock of Brooklyn had moved last November. A native of Kagawa-ken, he came to the U.S. in 1922, supervised construction of the Japanese exhibit at the 1939 New York World's Fair, Brooklyn Botanical Gardens (1923), landscaped the Bresnau College campus (1924) at Gainesville, Ga.; hotels, estates, country clubs and Singer Bldg., Palm Beach, Fla. (1925-28); Levitt housing on Long Island and Pennsylvania (1951-53), Mrs. Marjorie Merriweather Post's Japanese garden Ko Rin En, Washington (1957) schools, shopping centers and apartment buildings. He was a naturalized citizen. Some of his designs and records are to be displayed by the Japanese American National Museum, Los Angeles.



**EDELMAN HONORED**—Los Angeles County Board of Supervisors Chairman Edmund D. Edelman was recently presented an illustration in honor for his work with the Asian Pacific Planning Council's Older Adults Task Force. From the left are Leon Omega, president, Filipino American Senior Citizens of Los Angeles; Edelman; Ron Kuramoto, chairman, Asian Pacific Older Adults Task Force; Debbie Ching, executive director, Asian Family Services Center; and Chong Suh, acting director, Asian Pacific Counseling and Treatment Center operated by the Los Angeles County Department of Mental Health.

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JAPAN HOKKAIDO & HONGKONG . . . . . (11 dys) SEP 25  
EAST COAST & FALL FOLIAGE (2 departure dates) . . . . . (10 dys) OCT 2 & 9  
JAPAN FALL ADVENTURE (Hong Kong ext) . . . . . (12 dys) OCT 9  
GRAND FAR EAST (Taiwan/Singapore/Bangkok/Penang/HKG) . . . . . (14 dys) NOV 5

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