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KISHIYAMA, SHIGE

1945-1946

* JUDGEMENT LIST

78/177
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ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

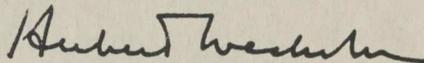
WASHINGTON, D. C.

NOTICE OF APPROVAL OF RENUNCIATION OF UNITED STATES NATIONALITY

To: Shige Kishiyama
(born Nov. 2, 1926, Los Angeles, Calif.)
3305-A
Tule Lake Center
Newell, California

You are hereby notified that, pursuant to Section 401(i) of the Nationality Act of 1940, as Amended, and the regulations issued pursuant thereto, your renunciation of United States nationality has been approved by the Attorney General as not contrary to the interests of national defense. Accordingly you are no longer a citizen of the United States of America nor are you entitled to any of the rights and privileges of such citizenship.

Date: April 17, 1945



Herbert Wechsler
Assistant Attorney General
War Division

A copy of this letter was sent to ~~the~~ Mr. E. J. Ennis and Mr.
Tom Clark, Attorney General, on the respective dates; Aug. 22, 1945,
Oct. 8, 1945

August 22,
1945

DEAR SIR:

PLEASE ACCEPT OR CONSIDER THE FOLLOWING TRUE FACTS WHICH LATER LED ME TO APPLY FOR EXPATRIATION AND TO THE RENUNCIATION OF MY U.S. CITIZENSHIP AFTER REACHING THE TULE LAKE CENTER.

I WAS ^{MUCH} INDEED, AT THE TIME OF EVACUATION, VERY DISGUSTED WITH THE U.S. POLICY FOR THE ORDERING OF JAPANESE ANCESTRY INTO BARBED-WIRE FENCES WITHOUT REGARD TO ~~A PERSONS~~ THE CONSTITUTION OR ONE'S LOYALTY TO THIS COUNTRY. JUST WHY THE GOVERNMENT PLACED THE PEOPLE OF ~~THE~~ JAPANESE ANCESTRY IN THESE CAMPS FOR YEARS, AND NOT THE PEOPLE OF GERMAN OR ITALIAN ANCESTRY I CANNOT UNDERSTAND. ALSO THE REASON WHY I WAS ~~ALSO~~ INTERNED WITH NO REASON OF MY KNOWLEDGE.

UPON ENTERING MY CAMP I HAVE EXPERIENCED ^{OF WHAT I THINK IS} THE WORSE IN MY LIFE. THE DAILY RATIONS WAS ~~AND~~ STILL IS TERRIBLE AND NONE OF THE COMFORTS OF HOME, WHICH I KNEW, WERE NOT FOUND IN CAMP. WHEN EVERYONE BEGAN TO CONSIDER EXPATRIATION, I REGISTERED ~~&~~ BELIEVING THAT I MAY GET AWAY FROM ~~IT ALL~~, FROM THE WHOLE THING. THE FACT THAT EXPATRIATION MEANT GOING BACK TO JAPAN DID NOT EVEN ENTER INTO MY MIND AT THAT TIME.

AFTER BEING TRANSFERRED TO THIS CENTER, I BEGAN TO SEE OF FACT THAT JUST ABOUT ALL THE RESIDENTS HERE FELT THE SAME WAY, BUT THE QUEER THING WAS THAT EVERYONE TOOK THEIR ILL FEELINGS OUT ON THEIR FELLOW RESIDENTS. SOME TIME LATER IT CAME TO THE POINT OF RENUNCIATION OR BEING HARMED BY ~~THE~~ FELLOW RESIDENTS OF THIS CENTER. DURING THAT TIME I APPLIED FOR RENUNCIATION. I WAS AWARE

OF THE BIG MISTAKE BUT WAS IN NO POSITION TO DO ANYTHING ABOUT IT.

I WAS THE BELIEVER OF MY BROTHER, AS HE ~~ENTERED~~ VOLUNTEERED FOR THE U.S. ARMY A FEW WEEKS AFTER THE OUTBREAK OF THE WAR, THAT IF HE VOLUNTEERED, HIS FAMILY MIGHT BE TREATED AS EQUAL AMERICANS. I AM SURE THAT HE IS NOT TOO PLEASED TO WHAT HAPPENED TO US.

FOR WHAT ~~HAS~~ I HAVE PUTTEN MYSELF IN THE POSITION I AM IN NOW, I CANNOT BLAME ANYONE, BUT I TRULLY BELIEVE THAT THERE MUST BE SOME WAY IN WHICH PERSONS IN THE SAME POSITION AS I, MAKE UP FOR OUR FOOLISH MISTAKES IN THE FUTURE.

I AM JUST HOPING THAT THE DEMOCRATIC JUSTICE CAN IN SOME WAY GIVE US ANOTHER CHANCE TO MAKE A CONSTRUCTIVE USE OF OUR U.S. CITIZENSHIP WHICH WE ACQUIRED THROUGH BIRTH IN THE U.S.

IF I MAY CONCLUDE, PLEASE ADVISE ME WHAT STEPS WHICH I WOULD TAKE TO REGAIN MY CITIZENSHIP.

HAD IT NOT BEEN FOR THE ABNORMAL CAMP LIVING, I WOULD NEVER HAVE LIFTED A FINGER AGAINST GOOD CITIZENSHIP. I HOPE YOU WILL UNDERSTAND MY PRESENT POSITION AND MAKE POSSIBLE THE RETURN OF THE U.S. CITIZENSHIP.

YOURS SINCERELY,

Mr. Edward J. EUNIS, Director
ENEMY ALIEN CONTROL UNIT
DEPARTMENT OF JUSTICE
WASHINGTON 25, D.C.

CIVIL LIBERTY
AFFAIR.
ADD.

AMERICAN CIVIL LIBERTIES UNION

257 S. Spring St.

LOS ANGELES, CALIF.

September 26, 1945

HONORABLE TOM CLARK,
Attorney General of the United States
Department of Justice Building
Washington, D.C.

Dear Sir:

On February 19, 1945, I signed an application for renunciation of United States nationality form at the W.R.A. Segregation Center situated at Tule Lake, Modoc County, California at a perfunctory appearance before a government official, (and I have received a letter dated April 14, 1945, from Mr. Herbert Wechsler, Assistant Attorney General, approving the same.)

I hereby repudiate, withdraw, retract, and revoke the said renunciation upon the following grounds and for the following reasons:

(1) The circumstances under which said renunciation form was signed by me did not constitute a fair and impartial hearing and was a denial of my constitutional guaranty of due process of law and of the equal protection of the laws;

(2) I was not a free agent at the time when and the place where said renunciation form was signed by was then and there held in duress and was the victim of fraud, menace and undue influence and mistake of fact and law;

(3) I then and there was and continuously from September 24, 1945, had been detain in the said W.R.A. Segregation Center by official authority and was deprived of substantially all my constitutional rights, liberties, privileges and immunities as an American citizen by birth and by choice and was thusly discriminated against solely by reason of the Japanese nationality of my ancestors;

(4) I was intimidated and compelled to sign the said

A copy of this letter was sent to the Attorney General and Mr. Ennis, on the respective dates; September 26, 1945, Oct. 8, 1945

renunciation form by threats of physical violence to myself (and members of my family) made by the Hokoku Sainan Dan, a pressure group of Aliens and Kibeis in said camp, and by members thereof, and I was in constant fear, (as was my family) that the said threats would be carried into execution if I refused to sign it. I was acting under the menace and fraud of said group and its members and the undue influence exerted by them upon me and I signed said renunciation form under duress.

Because of the foregoing reasons the said renunciation (and approval thereof) were, and each of them is, invalid, null and void,

I am not a citizen or subject of Japan and I do not and never have owed or given that country or nation any allegiance. I am not an enemy alien. I am a native American by birth and also by choice. I recognize as my sovereign the United States of America and I give and ever given the United States my undivided loyalty and allegiance. I have no dual citizenship through any act of acceptance upon individual part.

Therefore, I demand that you withdraw and set aside the said renunciation form which is repudiated, withdrawn and revoked by me.

As I do desire to remain in the United States of America and live a normal life with my family; I would like, if the above request cannot possibly be fulfilled, a parole to prove that I am not a dangerous person as you might think I may be and can and will remain as any peaceful American citizen.

I wrote to Mr. Ennis, of the Justice Department about this matter approximately four weeks ago, but I have not yet received word from him.

I am ready and willing to have this matter re-opened and a hearing be granted me in order to prove that said renunciation

form was signed when I was not a free agent in any sense of the words but was acting under duress and under menace, fraud and undue influence and mistake of fact and law.

I respectfully request your immediate consideration of this urgent matter.

Truly Yours,

Shige Kishiyama,

3305-A

(copy)

LEGATION OF SWITZERLAND
Washington 9, D.C.

Department of
Japanese Interests

September 15, 1945

Ref. No. V-13

Ben Kishiya ma
3305-A
Tule Lake Center
Newell, Calif.

Dear Sir:

This is to acknowledge receipt of your letter dated August 29, 1945, regarding cancellation of application for repatriation to Japan of: yourself and Shige Kishiyama.

Very Truly Yours,

LEGATION OF SWITZERLAND
Dept. of Japanese Interests

RF/asj

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 25

September 26, 1945

CMR:nm

146-54-1621

Mr. Shige Kishiyama
3305-A
Tule Lake Center
Newell, California

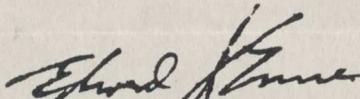
Dear Mr. Kishiyama:

I have for reply your letter of August 27, 1945.

With reference to your statement that you desire to withdraw your renunciation of United States nationality, you are advised that no such procedure is possible. Under the law, neither the Attorney General nor any other official of this Government has any authority whatsoever to permit you to reconsider your action in renouncing United States nationality. Immediately upon the approval of your renunciation by the Attorney General you ceased to be a United States national.

I regret the hardship to which you may now find yourself exposed as a legal consequence of your renunciation. It was to prevent such hardship, wherever possible, that a hearing was required prior to the approval of any renunciation application.

Sincerely,



Edward J. Ennis
Director, Alien Enemy Control Unit

FOR DEFENSE



Mr. Wayne M. Collins
1721 Mills Tower
San Francisco, Calif.

S. Kishiyama
436 N. Virgil ave.
Los Angeles 4, Calif.
August 3, 1946

Dear Sir:

I am forwarding my new permanent address and also of my brother's. If you have any news on the recent development of the test case, kindly send a copy. Thank you.

Very truly yours,

S. Kishiyama

S. Kishiyama,

CONFIDENTIAL

Committee No. 3002

(For Use Only of My Attorney)

Atty. No. _____

Name (type or print) Shige Kishiyama

Block No. 3305-A

Sex: Male ma le Female _____

Age: 18 years Date of Birth: Month: 11 Day: 2 Year: 1926

Place of Birth: (City) Los Angeles (County) LA State) Calif.

Permanent residence address at time of evacuation: 436 N. Virgil ave
Los Angeles, California

Occupation at time of evacuation: Student

Have you "dual citizenship"? no

Did you ever have "dual citizenship"? none

If you have or have had dual citizenship, who registered you as
a dual citizen: no one When: never

Where: no where

Did you ever take any steps to cancel dual citizenship? no

When: never Where: no where

What steps were taken to cancel it? none

On what date did you sign a form renouncing your U. S. citizenship:
Approximately;

Month: February Day: 20 Year: 1945

Were you under 21 years of age at the time you signed that
renunciation form? Yes, I was 18 years of age.

Was there a hearing officer present when you signed? yes

What was his name? Mr. Rostein

Did you have a hearing on the matter at that time? yes

Did anyone represent you at that appearance or hearing? no

If so, who? no body

Did you attend that hearing alone? yes If not, who went with
you? no one

Have you received a letter approving your renunciation? yes

If you have, what date does it bear? April 17, 1945

On what date did you receive the letter of approval? Aug. 5, 1945

Who signed that letter of approval? Mr. Herbert Wechsler, Assistant
Attorney General. (Attach the letter of approval and the envelope.)

Did you write a letter revoking your renunciation before you received
a letter approving your renunciation? no

If you did, what date did you send that letter in the U. S. mail? none

Have you a copy of that letter? no

(If you have, annex it to this form)

Since receiving a letter from the Attorney General's office approving your renunciation, have you sent a letter to that office or to the Attorney General revoking your renunciation? yes

What date did you send that letter revoking your renunciation of U. S. citizenship? September 26, 1945

(If you have a copy of that letter revoking your renunciation, annex it to this form.)

Have you served in our military forces? no

If so, what date did you enroll? never When were you discharged or released from military service? never ~~never~~ none

What type of discharge did you receive? none

What was your last draft classification? none

Did you refuse to be drafted? none

Are you or have you ever been a member of the Hoshi Dan, the Hokoku Dan, Seinen Dan or similar organizations while in camp, either becoming such by intimidation, coercion, or otherwise? never

Are your parents U. S. citizens? no

What are their names: none

Have they been released from detention? yes

Have they been relocated? no

What members of your family, if any, are serving or have served in the military forces of the U. S.? Pfc. Shin Kishiyama

Fort Louis, Washington

Have you registered as an "alien" under the Alien Registration Act of 1940? yes When: Oct. 18, 1945

Where: Tule Lake Center Who was present with you at that time, if anyone? Ben Kishiyama Were you represented by anyone at that time? no

Was any hearing given to you at that time? no

Who registered you, if you know? _____

Did you protest registering as an alien? YES

Did you write your protest on the form? yes

Did you file a letter of protest with the registering officer?

_____ (If so, annex a copy of the letter to this form.)

Have you signed non-repatriation form asking to stay in U.S.? yes

Have you filled out a Department of Justice Repatriation form asking to be sent to Japan? no If you did, when? never

Where: _____ Before whom did you appear to sign that repatriation form? _____

Did anyone represent you at that time or were you alone? alone

_____ Were you given a hearing by anyone on the question of signing the repatriation form? no

If so, by whom? no

Did you protest signing that Repatriation form? _____

Did you write the protest on the form? _____

Did you file a letter of protest with the registering officer at the time you signed it? no

What was the name of the officer present when you signed, if you know? _____

When, if ever, did you fill out a repatriation form for W. R. A. Social Welfare? Yes, approximately June 1943

When did you send a letter cancelling that request? Aug. 29, 1945

Do you own any agricultural land, a home, or commercial property in the U. S.? no If so, where? no where

The following space is for any remarks you care to write:

I am single and not married. I have no children. I have one member in my family, besides me, who renounced. His name is Ben Kishiyama, 22 years of age, and is my second to the oldest brother.

Date: Oct. 28, 1945

Shige Kishiyama

Shige Kishiyama
(Name)

MEMBERS:

Upon relocation will you kindly notify Mr. Wayne M. Collins,
1721 Mills Tower, San Francisco, California, the following infor-
mation immediately:

| <u>Name</u> | <u>Old Address</u> | <u>New Address</u> | <u>Committee No.</u> |
|------------------------|--------------------|---|----------------------|
| <i>Shige Kishiyama</i> | <i>3305-A</i> | <i>436 N. Virgil ave. Los Angeles 4, Calif.</i> | <i>3002</i> |

Your cooperation on the matter will be appreciated.

DEFENSE COMMITTEE