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FUJITA, HISAYO

1954 - 1955

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WEB:CMR  
146-54-879  
93-1-1320

FEB 17 1955

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Department of State  
Winder Building  
Washington 25, D. C.

Attention: Mrs. Ruth B. Shipley  
Director, Passport Office

Re: Hisayo Fujita  
Your ref: PI30

Dear Sirs:

On October 29, 1951, the Department of State forwarded to this Department a Supplemental Affidavit of the above-named subject, and requested an expression of our views as to whether her case might be considered as coming within the scope of the Murakami decision. On November 16, 1951, you were advised that we were of the opinion that her case did not come within the scope of the above decision and that we felt that it was one for trial.

Pursuant to an agreement entered into with Mr. Wayne H. Collins, Attorney, to stipulate to the introduction of satisfactory affidavits submitted by plaintiffs in the case of McGrath v. Abo, 186 F.2d, 766, as set forth in the Department's letter of September 22, 1953, to the Department of State, the subject submitted an additional affidavit setting forth in detail the fear, coercion and pressures exerted upon her to renounce. A review of the subject's additional affidavit, together with an examination of the complete War Relocation Authority and Department files, indicate that this subject renounced because of fear, coercion and duress, and it is now the view of the Department that this subject's case may be considered as coming within the scope of the above decision, and we have advised Lloyd H. Burke, United States Attorney, Northern District of California to this effect. In accordance with our above-referred to letter of September 22, 1953, to the Department of State, we attach copy of our letter to Mr. Burke, together with affidavit of the subject.

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A copy of this letter is being forwarded to Mr. Collins,  
and in accordance with the agreement, may be presented by the  
subject in lieu of the usual supplemental affidavit required  
of renunciant applicants for documentation as American Citizens.

Yours very truly,

WARREN E. RINDER  
Assistant Attorney General  
Civil Division

By:

Enoch B. Ellison  
Chief, Japanese Claims Section

Encl. No. 97069

Affidavit and copy of letter to  
Lloyd H. Burke, Esquire.

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FEB 17 1955

*Hisayo Fujita*  
*7/25/1914*

Lloyd H. Burke, Esquire  
United States Attorney  
422 Post Office Building  
Seventh & Mission Streets  
San Francisco 1, California

Re: Hisayo Fujita  
Your ref: Abo, et al v. Brownell, et al.  
Furuya, et al. v. Brownell, et al.  
(Consolidated actions-Civil Nos. 25294  
and 25295). OSO:lv.

Dear Mr. Burke:

This is in response to your letter of September 23, 1954, enclosing affidavit of the above-named subject for a determination as to whether her case may be considered as coming within the coverage of the ruling of the Court of Appeals in the case of Achason v. Murakami, 176 F. 2d, 953, in accordance with a letter from this Department dated September 21, 1953, to Mr. Wayne N. Collins.

You are advised that an affidavit of this subject was previously submitted to this Department by the Department of State with a similar request for our views. On November 16, 1951, we advised that Department that we were of the opinion that her case did not come within the scope of the above decision and expressed the belief that any questions as to the binding effect of subject's actions should properly be decided through court action.

However, a review of the subject's additional affidavit, together with the complete War Relocation Authority and Department files, indicates that this subject renounced because of fear, coercion and duress, and it is now the view of the Department that this subject's case may be considered as coming within the scope of the above decision.

We have informed the Department of State of our present view by a letter, two copies of which are enclosed herewith. If you disagree with our action please so advise us promptly in order

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that we may recall our clearance from the Department of State before action is taken thereon. If you do not disagree, please forward one of the copies to Mr. Collins, pursuant to the agreement in our above mentioned letter of September 21, 1953, and enter into the necessary arrangements for disposition of the case in accordance therewith. If time will permit, we should appreciate receiving copies of the papers before they are filed. The original and one copy of plaintiff's affidavit are returned to you herewith.

Yours very truly,

WARREN E. BUNGER  
Assistant Attorney General  
Civil Division

By:

Enoch E. Ellison,  
Chief, Japanese Claims Section

Encl. No. 97081

Original and copy of  
affidavit; two copies  
of letter to the  
Department of State.

March 2, 1955

Mrs. Hisayo Fujita  
Kushido, Miyauchi Mura  
Saikigun, Hiroshima  
Japan

Dear Mrs. Fujita:

You have been successful in the administrative remedy pursued in your case. The Justice Department has reached the conclusion that you personally renounced citizenship because of fear, coercion and duress. Therefore, it is willing to withdraw the offer of proof it made against you in the mass class equity suits whereupon a judgment can be entered in your favor in the U.S. District Court cancelling your renunciation on the ground of duress and declaring you to be a citizen of the United States.

As soon as a large enough number of persons have been cleared administratively such a judgment will be entered for you. When the judgment is entered I shall let you know by letter and I shall send you a certified copy of the judgment which you can keep for future use.

I am enclosing a copy of the transmittal letter of the Justice Department (Attorney General) which was sent to the Department of State (Passport Office). You should take the enclosed copy of that transmittal letter promptly to the United States Consul in Japan nearest you and there apply for a U.S. passport if you have not already done so. The U.S. Consul will issue a U.S. Passport to you which will show on its face that you are a citizen of the United States.

When you receive the U.S. passport from the U.S. Consul you can make your own arrangements to return to the United States. You should write and let me know your U.S. address and the time you expect to return to the U.S.

If you have children born in Japan such children are U.S. citizens and you will be able to bring them back to the United States with you.

If you have a spouse (wife or husband) who is an alien such person can enter the United States as a "nonquota immigrant" because you are a U.S. citizen. An application can be made to the nearest U.S. Consul in Japan for a non-quota immigrant visa for such spouse.

If your spouse (wife or husband) is a renunciant who does not recover U.S. citizenship administratively through the Justice Department or by court trial, or does not wish further to try to recover U.S. citizenship, such a spouse, nevertheless, can elect to be an alien and can obtain a nonquota immigrant visa from the nearest U.S. Consul and can return to the U.S. because he or she is the spouse of a U.S. citizen.

If your spouse is an alien or a renunciant who does not recover citizenship but becomes an alien who returns to the United States as a nonquota immigrant he or she here becomes eligible to apply to an office of the U.S. Immigration Service to become naturalized, that is to say, to become a U.S. citizen by naturalization.

It is my conclusion that in due course of time Congress will enact a new law authorizing the return of property or its approximate value to aliens whose property was seized and confiscated during the war under the provisions of the Trading With The Enemy Act.

If you intend to remain in Japan for a while you must be careful not to commit any act whereby you might lose U.S. citizenship. You were informed by me in previous letters of various acts of expatriation whereby U.S. citizenship can be lost.

If you have dual citizenship you can denounce (renounce) Japanese nationality. This can be done by signing a renunciation form before a Japanese consular officer in the United States or before an authorized Japanese government officer in Japan.

Very truly yours,

Enc.

# AFFIDAVIT

## INSTRUCTIONS FOR THE PREPARATION OF AFFIDAVIT

This affidavit should be specifically addressed to the circumstances of your particular case and should not consist of generalities. When you are uncertain as to matters related in your affidavit write "uncertain". Where you claim that any action was taken by you as the result of fear, you should state in each instance, with the greatest possible particularity, what was feared and why. If it is claimed that the fears were caused by threats from individuals or groups of individuals, the nature of the threats, the names of the individuals making them, if known, and the time, place and occasion for the making of the threats should be given.

If more space is needed for answers to particular questions, separate sheets of plain white paper should be used. Each separate sheet so used should be plainly marked with the number of the question being answered and your name.

1. Name <b>Hisayo Fujita</b>		Date of Birth <b>July 25, 1914</b>	
2. If born prior to December 1, 1924	(A) Have you ever renounced Japanese nationality? <b>None</b>	When	Where
3. If born since December 1, 1924	(A) Was your name ever registered with a Japanese Consulate for the purpose of reserving your Japanese nationality?		
If so, did you thereafter renounce your Japanese nationality? <b>None</b>	When	Where	
4. State periods of visits to Japan and purpose of each visit:			
Date		Purpose	
From <b>1946</b>	To <b>Present</b>	<b>To accompany with my husband (My first visit to Japan)</b>	
5. Give details concerning any formal education in Japan: <b>None</b>			
School		Period of Attendance	
		From	To
Specify subjects studied (attach additional sheet if necessary).			
6. Have you ever made application for repatriation to Japan? <b>Yes</b> ..... If so, give date <b>around 1943</b> ....., and your reasons for so applying: <b>To accompany my husband AND To Keep The Family UNITED. He ALSO Thought He had no Future in United State because ALL Aliens would be deported ANYWAY AND begged me To Accompany him.</b>			
7. (A) Have you ever expressly indicated that you would not swear unqualified allegiance to the United States? <b>Yes</b>		Have you ever declined to answer when asked whether you would swear unqualified allegiance?	
Or have you ever given a qualified answer to such question asked at War Relocation Centers? <b>Yes</b> ..... If so, give your reasons: <b>I apply because my husband applied and to accompany my husband. I had never been to Japan and did not want to for I do not know what it was like but being forced by my husband and the strong leader, I just couldn't help it.</b>			
(B) If your answer to any of the questions in (A) is affirmative, then did you ever subsequently change your mind and express your willingness to swear an unqualified allegiance or would you have been willing to do so if an opportunity had been afforded you? <b>NO</b> ..... If so, state when you changed your mind and your reasons therefor: <b>I could not change my mind because my husband would not let me, for he had made up his mind to return to Japan. Now my husband regrets very much for forcing me to return with him.</b>			

(C) Did you ever indicate that you would not swear unqualified allegiance to the United States either expressly or by refusal to answer, or a qualified answer, knowing that by so doing you would be sent to the WRA Segregation Center at Tule Lake? *Yes* If so, give reasons:

I knew I would be sent to Tule Lake but since it was my husband's willingness to return to Japan unfortunately I had to accompany him because I did not want to be separated.

8. (A) WERE YOU EVER AT ANY TIME A MEMBER OF ANY OF THE FOLLOWING ORGANIZATIONS:	Answer		Period of Membership
	Yes	No	
Black Dragon Society (Kokuryu Kai)			
Central Japanese Association (Beikoku Chuo Nipponjin Kai)			
Central Japanese Association of Southern California			
Dai Nippon Butoku Kai (Military Virtue Society of Japan or Military Art Society of Japan) (Hokubei Kai)			
Heimusha Kai, also known as Hokubei Heiki Gimusha Kai Zaibei Nihonjin, Heiyaku Gimusha Kai, and			
Zaibei Heimusha Kai (Japanese residing in American Military Conscripts Assoc.) Heimusha Kai			
Hinode Kai (Imperial Japanese Reservists)			
Hinomaru Kai (Rising Sun Flag Society—a Group of Japanese War Veterans)			
Hokubei Zaigo Shoko Dan (North American Reserve Officers Association)			
Japanese Association of America (Zaibei Nihonjin Kai)			
Japanese Overseas Central Society (Kaigai Dobo Chuo Kai)			
Japanese Overseas Convention, Tokyo, Japan, 1940			
Japanese Protective Association (Recruiting Organization)			
Jikyoku Iin Kai (Current Affairs Association)			
Kibe Seinen Kai (Association of U. S. Citizens of Japanese Ancestry who have returned to America after studying in Japan)			
Nanka Teikoku Gunyudan (Imperial Military Friends Group or Southern California War Veterans)			
Nichibei Kogyo Kaisha (The Great Fujii Theatre)			
Northwest Japanese Association			
Sakura Kai (Patriotic Society or Cherry Association—composed of Veterans of Russo-Japanese War) (Cherry Blossom Society)			
Shinto Temples			
Sokoku Kai (Fatherland Society)			
Suiko Sha (Reserve Officers Association Los Angeles)			
Hokoku Seinen-Dan			
Hokoku Joshi Seinen-Dan			
Sokoku Kenkyu Seinen-Dan			
Sokuji Kikoku Hoshi-Dan	<input checked="" type="checkbox"/>		do not know

(B) Give reasons for becoming a member:

My husband being a member I thought I had to be a member in order to accompany him to Japan. And also as my friends and relative were all becoming a member, I thought it was legally sponsored by the W.R.A. and didn't think that being a member would go so deep and get me into so much trouble. Rev. Kai one of the sponsors was very strong in this Hoshi-Dan and really forced me and my husband to become a member.

(C) State nature of your activity and offices you held:

None

I did not hold any office for I did not have any interest, what so ever.

(D) If you voluntarily discontinued membership in any of the aforementioned organizations, give approximate date and reasons for so doing:

None

(E) If you claim that your membership in any of the aforementioned organizations, your activities therein, or your acceptance of an office was due to misunderstanding of the purpose or nature of the organization, explain fully:

I did not hold any office. This organization was causing so much trouble at the Lake Lake Center which was really against my idea. None

(F) If you at any time wished to discontinue membership, activity, or office and were prevented from so doing, explain fully: None

AFTER ALL this organization was causing so much trouble I really wanted to discontinue my membership but rumors that my alien husband would be deported, I let it go.

9. (A) When did you decide to apply for forms upon which to renounce your United States citizenship? Give reasons for so doing:

My husband was interned at Santa Fe internment camp and there were rumors that he would be deported to Japan so I thought I had to renounce my citizenship so that I may be able to join him later

I really did not have any idea of Renouncing my citizen ~~my citizen~~ until AFTER my Husband was sent to Santa Fe, my relative and the strong leaders forced me that if I did not Renounce, my husband would be sent where, you may never be able to join him and you be separated forever.

(B) If reasons given in answer to preceding question differ from reasons given to officer who held renunciation hearing, give your explanation for difference:

I really <sup>same</sup> donot know if I have any different answer but I was asked why I was going to Japan when I had never been there. I do not know Japan. But if my husband will be deported I had to Renounce so I will not be separated from him.

(C) If you claim that your renunciation was caused by fear, you should explain fully why such fear extended from the time of the application for renunciation papers until the date of actual renunciation:

Because I do not want to be separated from my husband if he would be deported to Japan for being an Alien. As for me with these small children I could not make my living if I was forced to relocate outside the camp without funds and would not know what will become of us, for I had no ability to support my childrens.

(D) If the fear did not extend from the date of application to the date of approval by the Attorney General, you should state whether you made any effort to withdraw your application, and if not, explain fully:

AT that time my only wish was NOT to be separated from my husband so I did NOT withdraw my Application.

(E) If, after approval, you requested the Attorney General to withdraw his approval of your renunciation or to cancel your renunciation, give the reasons for the delay in making such request:

I never cancel my Renunciation for I believed my husband would be deported and I did NOT want to be separated

(F) If there are any other facts which influenced your action in renouncing your United States citizenship, state fully below or on a separate sheet if necessary.

I thought that I would never be able to get my citizen back, for whether you have a citizen or not, we were put in the camp with the Alien and treated the same way, and also believed that at the end I would be deported with my alien husband anyway. At the time when the war broke out, what little farming we were doing was all taken up and we were put in camp, and what little funds we had, were used up and our future was unknown.

10. (A) If you now are in Japan, give your reasons for having returned to Japan.

I thought my family should not be separated at the time

since my husband returned, I joined him and returned together.

(B) If you are in Japan, have you since you returned to Japan taken any action to resume or acquire Japanese citizenship? **No** Answer Yes or No

If you have, state nature of action taken and reasons therefor.

11. (A) If you have served or are serving in the military or naval forces of the United States fill in the following:

I enlisted (or was drafted) on \_\_\_\_\_ in the \_\_\_\_\_; my Serial number is \_\_\_\_\_;  
State the date State the Branch of Service

I still am in such service \_\_\_\_\_; I was released from active duty on \_\_\_\_\_ and received my Discharge  
Answer Yes or No on \_\_\_\_\_

(B) If at any time while in a war relocation center or since then you volunteered for military or naval service but your offer of service was rejected state the time when and the place where you volunteered.

(C) State why your offer of such service was rejected, if the reason was made known to you.

(D) If you were rejected for military or naval service by your Local Draft Board since your release from a war relocation center state the reason for the rejection if known to you.

12. If any member of your family has served or is serving in the military or naval forces of the United States state the relationship of such person to you, the name of such person, the branch of service and serial number of such person:

Relationship	Name
Branch of Service	Serial Number

*Misayo Fujita*  
(Signature in full of applicant)

Subscribed and sworn to before me this 11th day of August, 19 54.

*Maida F. Stotts*

**Maida F. Stotts**  
Vice Consul of the United States  
of America, in and for Kobe, Japan.

Service No. 3845  
**No Fee Prescribed**

This affidavit may be executed before any person authorized to administer oaths.