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YANAI, Tomozumi

1946-1958

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Alien Internment Camp
Crystal City, Texas
April 29, 1946

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

Dear Mr. Attorney General

Without waiving any of my constitutional and legal rights asserted by me in Actions Nos. 25294 to 25297, inclusive, now pending in the U. S. District Court for the Northern District of California, at San Francisco, California, and without this request in anywise operating as a bar to said or any actions or as a waiver thereof, I hereby request that the mitigation hearing or examination heretofore given me at the BISMARCK, N.D. to show cause why I should not be deported to Japan by you be re-opened for the introduction of further evidence or that a re-examination or new examination be given me thereon for the following reasons and upon the following grounds:

1. I was not allowed to be represented at said mitigation hearing by counsel of my own choosing or by any counsel whatever;
2. I was given neither the time nor the opportunity to obtain witnesses to appear at said hearing and to testify on my behalf;
3. I was not given time or the opportunity to obtain evidence on my behalf or to submit the same to the hearing officer at said hearing and I was not allowed to subpoena witnesses to appear and testify on my behalf but was arbitrarily summoned to said hearing or examination without any reasonable period of time or any time whatever having been allowed me to prepare for the same;
4. The hearing officer's recommendation made at said examination and the refusal to release me from detention and to restore me to civilian life in this country was based either in whole or in part upon secret data kept in dossiers and files in the possession of the hearing officer and authorities which was not made known to me or exhibited to me but was kept secret from me;
5. The said examination or hearing was arbitrary, unreasonable and oppressive in its brevity, in the manner in which it was conducted and in the circumstances under which it was held;
6. The said examination was not under oath and no witnesses were sworn, and no witnesses appeared and testified against me;
7. The said examination was neither full, complete nor adequate and was neither fair nor impartial: I was given neither the time nor the opportunity to answer any unjust charges that may have been brought against me or unjust suspicions that may have been entertained against me and, in fact, there neither then nor now exists nor was there introduced at said hearing any competent evidence whatever upon which an unfavorable recommendation ought to have been made against me or upon which a refusal to release me from detention properly and legally could be based.

For the foregoing reasons and grounds I request that the said examination or hearing be re-opened for the introduction of additional evidence or that a re-hearing or new hearing or examination be given me.

Very truly yours,

Tomozumi Tanai
Name.



Box 300 31-K
Bismarck, North Dakota
January 29, 1945

Wayne M. Collins, Attorney at Law
Mills Tower, 220 Bush St.
San Francisco, Calif

Dear Mr. Collins:

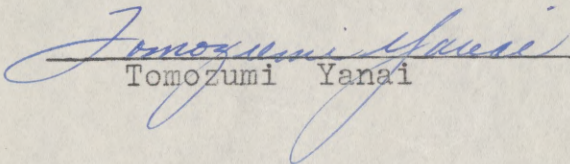
I signified my desire to remain in this country by filling out a non-repatriation form on January 16, 1946.

The reason why I delayed and hesitated to cancel my repatriation was due to the fact that I was under impression that we were all to be deported, with an exception in few cases, regardless of our desires. This information was given me at an interview with Mr. John Burling and Mr. Kelly when they visited this camp in August last year at which time I was a spokesman. Mr. Burling also stated that those who had requested to regain citizenship status have no chance to regain their citizenship once it has been lost, and added that it will be of no avail to write in regards. Such being the case I had no alternative that to be repatriated. However, due to the insistence of my mother and wife I cancelled my repatriation in spite of Mr. Burling's statement. Your recent visit here and your talk gave me the opportunity to receive first hand data as to our possibility for a chance to remain in this country of our birth and of regaining our citizenship, and that has bolstered my spirits and hopes.

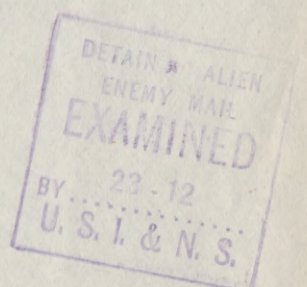
With confidence and trust in your earnest and untiring efforts in our behalf, I wish to request that you add my name in your original petition to the various concerned authorities.

Your kind and immediate attention in the above matter is deeply appreciated.

Yours most truly,


Tomozumi Yanai

Enclosures copy of letter to Attorney General
personal information form



Box 300, Room 31-K
Bismarck, North Dakota

January 29, 1946

Honorable Thomas C. Clark
Attorney General of the United States
Department of Justice Building
Washington, D. C.

Dear Sir:

On January 8, 1945 I signed an Application for Renunciation of United States Nationality form at the Tule Lake Center, Newell, California.

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 but then and there was held in duress;
- (3) I then and there was and for a period of time prior thereto had been detained in government centers by official authority and was deprived of substantially all my constitutional rights, liberties, privileges and immunities as an American citizen and was treated as though I were an alien enemy and thus was discriminated against solely by reason of the Japanese nationality of my ancestors;
- (4) The conditions and atmosphere of the Tule Lake Center were such that when I signed the said renunciation form I was a victim of menace, undue influence and mistake of fact and law.

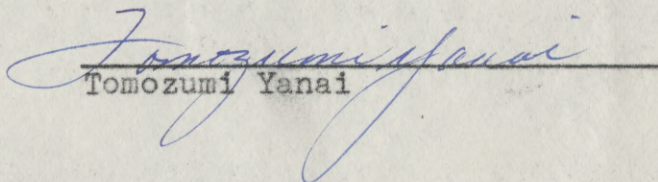
Because of the foregoing reasons the said renunciation was fictitious and is invalid and void.

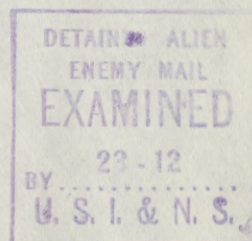
I, therefore, ask that you withdraw and set aside the said renunciation form, and the approval thereof.

I am ready and willing to have this matter re-opened and a hearing granted me in order to prove that said renunciation form was signed at a time when I was not a free agent in any sense of the words, but was acting under duress, undue influence and mistake of fact and law.

I respectfully request your kind and immediate consideration of this urgent matter.

Very truly yours,


Tomozumi Yanai



Sept. 2

7. J. 9/30/58
Documented
as U.S. National

Mr Wm Caelias

Sir:

In reference to your letter of Sept 1st in which you state that I owe \$250⁰⁰ for professional services, I am not aware that I owe you such amount. May I call to your attention that you sent me a letter 3 years ago stating that anyone will be stricken and dropped from the list due to failure to pay the additional \$250⁰⁰ now in question. Furthermore, I personally have obtained necessary forms & petitions without any assistance from you or anyone else to recover any

citizenship. Your files
should show you that I
have had no contact in any
regards since 1946.

I would have paid
any debt which I deem
I owe however due to
some circumstance I feel
that I am not liable or
feel obliged to pay after
being de-listed from
your files.

Hoping this letter will
answer yours of Sept 1st.

Yours truly

T. Yonai

1151 N. Miller

O. G. Calif

Released

CONFIDENTIAL

Committee No. _____

(For Use Only of My Attorney) Atty. No. _____

Name (type or Print) TOMOZUMI YANAI YANAI
First Name Middle Name Last Name

Address at present: BOX 300 31-K FORT LINCOLN, BISMARCK, NORTH DAKOTA

Sex: Male X Female _____

Age: 28 year. Date of birth: Month: NOV. Day: 30 Year: 1917
1945

Place of birth: City: GARDEN GROVE County: ORANGE State: CALIF.

Permanent residence at time of evacuation: RTE. 1 BOX 287

WESTMINSTER

CALIFORNIA

Occupation at time of evacuation: RANCHER

Have you dual citizenship? NO

Did you ever have dual citizenship? YES

Did you ever take steps to cancel dual citizenship? YES

On what date did you sign an application to renounce your citizenship?

JANUARY 8, 1945

Were you under 21 years of age at that time? NO

Were you given a hearing on that application? YES

Where was the hearing conducted? TULE LAKE CAMP, NEWELL, CALIF.

Did you attend that hearing alone? YES If not, who went with
you? _____

Have you received a letter approving your renunciation? YES

If you have, what date does it bear? _____

On what date did you receive that letter? _____

(Attach that letter and the envelope it came in to this
questionnaire.)

Who signed that letter of approval? HERBERT WESLER

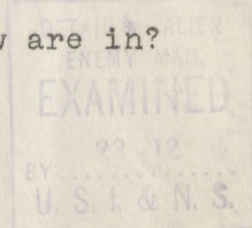
Have you written a letter to Attorney General Tom Clark revoking your
renunciation? YES

What is the date of that letter? JANUARY 29, 1945

(Attach your carbon copy of that letter to this questionnaire).

From what camp were you removed and taken to the camp you now are in?

TULE LAKE CAMP



Have you served in our military forces? NO

If you have, what type of discharge did you receive:

What was your last draft classification? 4-A

Were you ever classified "4-C"? YES

Did you refused to be drafted? NO

Are your parents U. S. citizens? NO

What are their names? KUMAKICHI YANAI, father SUENO YANAI, mother

Have they been relocated? MOTHER ONLY FATHER IN JAPAN

Where do they live now? LOS ANGELES, CALIF.

What members of your family are serving or have served in the military forces: NONE

Have you been registered as an "alien" under the Alien Registration Act of 1940? YES When? May 1945 Where? FORT LINCOLN, N. D.

Did you protest that registration in writing? NO

Have you filed a "non-repatriation" form? YES

When? JANUARY 16, 1945

Are you single or married? MARRIED

What is your wife's name: SACHIKO YANAI

What is her present address? 75 11-E TULE LAKE CAMP, NEWELL, CAL.

Is she a renunciant? YES

Have you any children? NO

What are their names and where are they living?

Are there any other renunciants in your family? NO Who?

The following space is for any remarks you wish to make:

LETTER OF APPROVAL OF RENUNCIATION HAVE BEEN LOST OR MISPLACED.

Dated: JANUARY 29, 1945

(Name)

