

8:22 HATAYE, TAMOTSU Tom

1945-1946

* VIII

* US-I-D

* FINAL JUDGMENT: Consent Mar. 25, 1959

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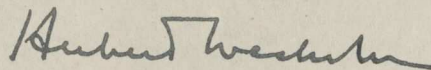
5103

NOTICE OF APPROVAL OF RENUNCIATION OF UNITED STATES NATIONALITY

To: Tamotsu Tom Hataye
(Born February 9, 1923 at Sawtelle, California)
4101-C
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: March 22, 1945.

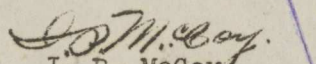


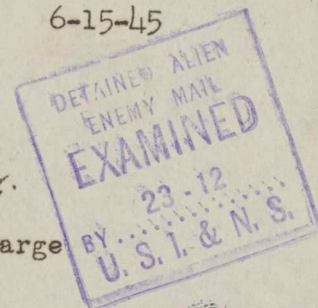
Herbert Wechsler
Assistant Attorney General
War Division

Fort Lincoln, Bismarck, N. Dak.

6-15-45

Forwarded.


I. P. McCoy
Officer in Charge



← Tamotsu Tom Hataye



TAMOTSU HATAYE
P.O. Box 300 Bldg. 31-D
Bismarck, M. DAKOTA
JAN. 3, 1946

Honorable Thomas C. Clark
Attorney of the United States
Department of Justice Building
Washington 25, D. C.

Dear Sir:

On JAN., 1945 I signed an application for renunciation of the U. S. nationality at the W. R. A. Segregation Center at Tule Lake, Modoc County, California, at a perfunctory appearance before a government official and I have received a letter dated MARCH 22, 1945, from Mr. Herbert Wechsler, Assistant Attorney General approving this renunciation.

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 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 continuously from MAY, 1942, had been detained 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 thus discriminated against solely by reason of the Japanese nationality of my ancestors;

(4) I was intimidated and compelled to sign said renunciation form while under duress and 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 that country or nation any allegiance. I am a native American by birth and also by choice. I recognize as my sovereign the United States of America and I give the United States my undivided loyalty and allegiance. I have no dual citizenship through an act or acceptance upon my individual part.

I ask therefore that you withdraw and set aside the said renunciation form which is herewith repudiated, withdrawn and revoked by me and that you recall, withdraw, cancel and revoke your approval of said renunciation form as well.

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 word 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.

Very truly yours,

Tamatsu Hataye


CONFIDENTIAL

Committee No. _____

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

Name (type or Print) TAMOTSU HATAYE
First Name Middle Name Last Name

Address at present: P.O. Box 300 Bldg. 31 ROOM 31-D

Sex: Male ☒ Female ☐

Age: 22 year. Date of birth: Month: 2 Day: 9 Year: 1923

Place of birth: City: SAWTELLE County: L. A. State: CALIF.

Permanent residence at time of evacuation: _____

2030 W. EL SEGUNDO BLVD. LOS ANGELES, CAL.

Occupation at time of evacuation: STUDENT

Have you dual citizenship? NO

Did you ever have dual citizenship? NO

Did you ever take steps to cancel dual citizenship? NO

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

DECEMBER ² JAN. ¹⁷ 1945
OF 1944

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

Did you attend that hearing alone? YES If not, who went with you? Nobody

Have you received a letter approving your renunciation? YES

If you have, what date does it bear? MARCH 22, 1945

On what date did you receive that letter? JUNE 18, 1945

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

Who signed that letter of approval? HERBERT WECHSLER
ASSISTANT ATTORNEY GENERAL

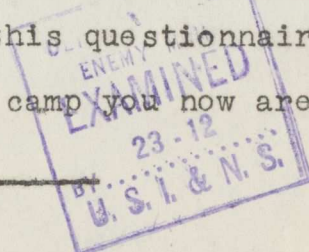
Have you written a letter to Attorney General Tom Clark revoking your renunciation? YES

What is the date of that letter? JAN. 3, 1946

(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, CALIFORNIA



Have you served in our military forces? NO

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

NO NR

What was your last draft classification? 4 - C

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? FATHER, SEITARO HATAYE MOTHER, TOKI "HATAYE"

Have they been relocated? YES

Where do they live now? APT. C BLDG. 154 1116 - 8th ST. BERKELEY, CALIF.

What members of your family are serving or have served in the military forces: TATSUO HATAYE (BROTHER) PRESENT ADDRESS APT. C BLDG. 154 1116 - 8th BERKELEY CALIF.

Have you been registered as an "alien" under the Alien Registration Act of 1940? YES When? MAY Where? BISMARCK

Did you protest that registration in writing? NO

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

When? NOVEMBER

Are you single or married? NO A SINGLE

What is your wife's name: HU HE

What is her present address? NONE

Is she a renunciant? NONE

Have you any children? NONE

What are their names and where are they living? NONE

Are there any other renunciants in your family? YES Who? MASAMI HATAYE

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

Dated: January 7, 1946

Sanatou Hatay
(Name) 23-12
BY U.S.I. & N.S.
DETAINED ALIEN
EXAMINED

Alien Internment Camp
Crystal City, Texas
May 1, 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 A. I. Camp, 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;

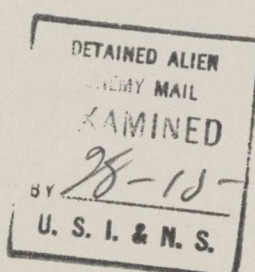
7. The said examination was neither full, complete nor adequate and was neither fair nor impartial: I was given neither the time nor the opportunity to answer any unjust charges that may have been brought against me or unjust suspicions that may have been entertained against me and, in fact, there neither 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,

Samuel Hataner
Name.

Q - 46 - B - 2
Alien Int. Camp
Crystal City, Texas



Q 46 C 1
Alien Internment Camp
Crystal City, Texas

August 5, 1946

Mr. Wayne Collins
Mills Tower
220 Bush St.,
San Francisco 4, Calif.

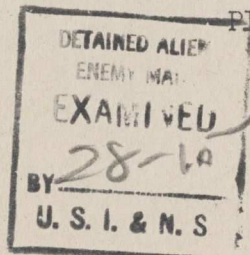
Re: Petition for Pardon and
Release

TAMOTSU HATAYE

Dear Mr. Collins:

For your information, I am enclosing a copy of my appeal to Hon.
Thomas M. Cooley.

Please examine and file the same accordingly.



Truly yours,

Tamotsu Hataye
Tamotsu Hataye

COPY

Q 46 C 1
Alien Internment Camp
Crystal City, Texas

August 5, 1946

Hon. Thomas M. Cocoly II Jr.
Director,
Enemy Alien Control Unit
Department of Justice
Washington 25, D. C.

Re: Appeal for Release

TAMOTSU HATAYE

Honorable Sir:

I, Tamotsu Hataye, a renunciant presently interned here at Crystal City hereby wish to submit to Your Honor this petition for consideration and if possible, an early release.

Before the outbreak of the war I was just a son of a farming family in the suburb of Los Angeles who had no occasion to feel any different from the rest of the fellows in the neighborhood.

When the war broke out, we were all picked up and evacuated to relocation centers. I could not understand why we all had to be taken away from home when there was no prejudices by our neighbors.

I was not able to answer "yes" at the loyalty hearing because I wasn't sure whether we were to be treated as citizens anymore.

After segregation, there was a movement in all the blocks that the young fellows should join up with the Seinen Dan. I didn't particularly care about the organization but since all the other fellows joined, I joined too.

About renouncing our Citizenship, we didn't have much time to think about it because the organization seemed to be handling it for us.

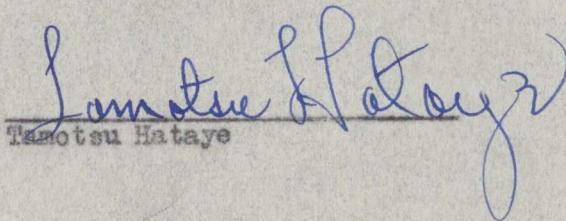
At this time in Crystal City, living a peaceful sort of life for a change, I have had a chance to think things over, and the biggest thing I realize is that in spite of

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all that I had done to get myself in this jam, I could-not think of living anywhere else but here. I know nothing of Japan except that I went back when I was a little kid. My folks are outside and having a hard time and it wouldn't make sense for me to be stranded out in a country I don't know.

I wish to beg Your Honor that I can be released to get back to my folks so I can live a peaceful citizen like before the war. I would appreciate it very much if my situation can receive your understanding and that I can be released.

Respectfully,


Tamotsu Hataye