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1945

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copy

6604-D
Newell, California
September 30, 1945

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

OCT 6 1945

Dear Sir:

On January 15, 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 received a letter on May 14th, 1945 dated March 22, 1945 from Mr. Herbert Wechsler, Assistant Attorney General, approving the same.) Immediately after my hearing and acceptance I wanted to withdraw and repudiate this action, but there was no information until now as to how to go about this and no lawyer available to me in the center.

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 continuously from May 10, 1942 had been detained by armed guards, behind barbed wire fences in Tanforan Center at San Bruno, California, then in Central Utah Center, then in Tule Lake 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.

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

On December 8th, 1941, our (my husband's and mine) business in San Francisco was closed and bank account frozen. Although later cleared of all suspicion, our worldly savings and means of

self-support were destroyed as the result.

Being discriminated and hearing rumors of violence outside against persons of Japanese ancestry, I mentioned at the renunciation hearing, I wanted to take my children (8 and 5 years old) away from America and give them an opportunity in Japan where they will not be treated as I was. I said this only because we did not have proper information in the camp where we were held under duress and in mistake and confusion of the fact and the law, and we felt, as a family there was no other course to follow. It did not seem in view of our confinement that I or the children had any rights, privileges and immunities of citizenship. But I now realize that conditions have changed with total Army rescission and the ending of terrorism on the west coast.

I am a native American by birth and also by choice. I have no dual citizenship through any act or acceptance upon my individual part. I have five nephews serving in the United States Army, --- one a Lieutenant, in the Philippines, another in France, both who have seen action at the battle fronts. The other three are in the United States at present. My aged and widowed mother (76 years old) and three brothers are all living in the United States. I have never been abroad, --- never outside of California until this forced evacuation. I completed Grammar School and High School at Monterey, California and considers myself thoroughly Americanized by virtue of birth, education and rearing.

Therefore I demand that you recall, withdraw, cancel and revoke your approval of said renunciation form.

I am ready and willing to have this matter re-opened and ask that a hearing be granted to me in order to prove that said renunciation form was signed when I was not a free agent in any sense of 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.

Very truly yours,

Kimiko Sukami

NAMES AND ADDRESSES OF MY NEPHEWS IN THE U.S. ARMY:

Lieutenant Yosh Higashi O-2037059
Hq. 38th Infantry Div G-2 Sec
c/o Postmaster APO 38
San Francisco, California

Private Harumi Owashi 39013966
Co. C Infantry
c/o Postmaster APO 15474
New York City, New York

Private Masami Higashi 3900521
7th Guard Co.
The Rehabilitation Center
Jefferson Barracks, Missouri

Private Norio Owashi
Private Kanshi Yamashita

I do not know the last two nephews' addresses
as I have never corresponded with them before.

FUKUHARA,
AKIKO

18-yrs old
Claims no dual
citizenship

7th letter
Sept. 3

August 28, 1945

AUG 31 1945

Mr. Ernest Besig
American Civil Liberties Union
216 Pine Street
San Francisco, California

Dear Sir:

I was referred to you by Mr. Louis M. Noyes, Project Attorney of Tule Lake Center, in order that I may obtain help from you. Enclosed are the following letters that I have written to Mr. Edward J. Ennis, Director of the Alien Enemy Control Unit, Department of Justice, Washington, D. C., concerning my renunciation: the letter dated July 30, was the first letter I had written to Mr. Ennis and the second letter dated August 6, was the reply which I received from Mr. Ennis to my first letter; the third letter is the one dated today, which I am sending to Mr. Ennis, and a copy to you, hoping that I may receive help in regaining my United States citizenship.

Any consideration or suggestions on your part will be gratefully received. If you will send any suggestions to me, in care of Mr. Noyes, I will do everything possible to follow through.

Very truly yours,

Akiko Fukuhara

Akiko Fukuhara

P. S. Please send your answer in care of, or to Mr. Louis M. Noyes, Project Attorney. Your prompt attention will be greatly appreciated.

900

3314 B
Newell, California
July 30, 1945

AUG 31 1945

Department of Justice
Alien Enemy Control Unit
Washington 25, D. C.

ATTENTION: Mr. Edward J. Ennis, Director

Dear Sir:

I applied for renunciation in November of 1944, and had a hearing before the Department of Justice, while they were here in January of 1945. As yet, I have received no notice as to what action, if any, was taken on my application to renounce my American citizenship, and I wish to respectfully ask you to withdraw this application.

At the time of making this request, I did not realize what the implications were, nor what I was doing in asking that my American citizenship to be taken away. I do not think that I ever fully realized just what I was doing, and because of the various pressures and of the younger people in camp were so confused, and bewildered that they did not realize what they were doing, and I am certain that I did not. My loyalty has always been to the United States. I have never been to Japan and I have never wanted to go there of my own desire. Many of my friends from Minidoka are now relocated or in the Army.

I can honestly say that I did not do this of my own free will, but did it because my parents believed it was the best thing for me to do. Now that I have had time to think it over and realize what I have given up, I am very sorry and would like to withdraw my request for renunciation. Even now, my parents would not approve of my desire to return my United States citizenship, if they knew, but I believe that if I am to live my own life, it is necessary that I go against their wishes and do as I think best and right. At the time my parents thought that I should apply for renunciation, my younger sister was told to send in for the application for me, and she had to fill it out. I was told to sign it, and they mailed it.

Even when I went to the hearing, it was impossible for me to look at the person who asked me the questions right straight in the eye, for I had a guilty conscience all the time, and knew that I was lying in giving the answers I did. Prior to the hearing, I had

been told the type of questions which would be asked, and also was told the answers I should give. Ever since that day, the thing which I did has been on my mind, and I have never ceased to regret what was in reality, an action forced upon me, by my parents and other persons living in the same area--who did not, and still do not think as I do. I has been on my mind ever since, and has finally reached the point where I can stand it no longer, and I can't let it go on like this, even though I have to go against the wishes of my family in requesting that my application for renunciation be withdrawn.

I came to this center in May of 1944, not because I wanted to, but because I was only seventeen years of age, and I had been promised that after staying at Tule Lake for a few months, I could return to Minidoka. Because of the many pressure groups which operate in this camp, and the influence which they exerted over my parents and many others, I have not been permitted to return to Minidoka and was also influenced to renounce my American citizenship. I have not been happy since I came to this center, and have not been able to adjust my way of living and my thinking to fit that of the majority of the people in this center. I believe that I am an American and I wish to spend my life in the United States as an American citizen. Now that I have been able to figure out some of the things for myself, I realize that I do not wish to stay in this center, but wish to relocate and lead a normal life away from all undue pressures and influences, something which is not possible in this camp.

I am making this request for withdrawal of my application without my parents' knowledge and consent, but I feel that the time has come for me to make a choice of my own free will, and that is to remain in the United States as an American citizen.

Any consideration which you may be able to give this request will be gratefully received. Prompt attention would be greatly appreciated, as I would like to make some plans, in which I must know what my status as an American citizen is to be.

Very truly yours,

Akiko Fukuhara

P.S. Please do not mail the answer to my home, for I do not want my parents to know. Please send it in care of the project attorney, Mr. Louis M. Noyes.

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Y

DEPARTMENT OF JUSTICE
Alien Enemy Control Unit

WASHINGTON

August 6, 1945

AUG 31 1945

Miss Akiko Fukuhara
c/o Mr. Louis M. Noyes, Project Attorney
Tule Lake Center
Newell, California

My dear Miss Fukuhara:

I have your letter of July 30, 1945 requesting that you be permitted to withdraw your renunciation of United States nationality.

In reply, you are advised that no such procedure is possible. Under the law, the Attorney General has no authority whatsoever to permit you to reconsider your action in renouncing United States nationality. Immediately upon approval by the Attorney General of your renunciation, you ceased to be a United States national.

I regret the hardship to which you may 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,

(Signed)
Edward J. Ennis
Director

copy:
E.J.E: A.F.

August 28, 1945

Attorney General
Department of Justice
Alien Enemy Control Unit
Washington 25, D. C.

AUG 31 1945

ATTENTION: Mr. Edward J. Ennis, Director

Dear Sir:

Referring to my letter of July 30, asking for my renunciation to be withdrawn, I would like to bring the following points to your attention:

At the time I sent my first letter to you, I had had no notice as to what disposition had been made in accordance with my application for renunciation of my United States citizenship, but on August 2, I received a notice stating that my application had been accepted. The family was overjoyed about it, but I was horrified beyond words. When I applied for renunciation, I had no idea what the consequences would be. Before the notice came, I was just beginning to come to the realization that I had been influenced against what was definitely against my will. At the time of renunciation, one of the main reasons I did so, was to avoid any arguments with the family, as, up to the present time, it is one of the main points of contention in our family. Since I did not take such an action of my own free will, I certainly did not expect such an answer.

The only reason I had for taking such an action is the fact that I am only eighteen years of age, and have been so used to doing what my parents wished, without questioning their judgment, that now I am beginning to see the light, I do believe it is about time that I make my own decisions, with no unwanted influence or influences.

My family was determined to stay in this center until a time when they could go to Japan, but now they are willing to do whatever the United States government thinks is best for them.

As for myself, I have never lived in Japan, and never hope to actually live there. My loyalty is to the United States, for where else can it be, when I was born and raised here and, of course, think like an American. It is so deeply rooted in me, that it would take more than another lifetime to change it, especially since I am so unwilling to accept the Japanese way of thinking, and their way of life. The American way of life is

just like a part of me, and there is very little that can make me change my thoughts and actions. I realized that I am making one of the biggest decisions of my life, but I really have thought it over carefully, until I have a perpetual headache worrying about it and have come to the conclusion that I am right, and intend to follow through on whatever procedure is proper for my intentions.

This is an awfully hard decision to make, and I know many thousands of people are faced with more difficult problems, but to me, it is one of the most serious of my life. It probably seems to be a very trivial problems to you, but if you would put yourself in my place, it would be truly heart-breaking, if you made such a mistake as I did. If I can't get my citizenship back, I would certainly be at a loss for what to do. I hate to think of it.

In the event that I regain my citizenship, I have very serious intentions of relocating where I can look forward to the future with a free mind and a happy heart. If there is no way possible to regain my United States citizenship, what should I do? I don't think I could possibly stand it, if I have to stay here any longer than necessary. I hate to think of the possibility of not regaining it, but if I can't, could I possibly have a parole arranged? Much as I hate to think of the word, I would be willing to do almost anything to get out of here. The sooner I get out of this camp, I know everything would be all right, but in the meantime, it is the biggest worry I have. It's worse than a sore toe. It's awful to stay in here day after day, wondering what the future has in store for you, until you're ready to fly off the handle. There is no solution to my problem, unless, by the Grace of God, my application of renunciation is voided, and I can walk out of this terrible place a free woman.

My feelings and my way of life are so different from the majority of the people in here, that is is a constant "thorn in my side." There's no getting away from it, when you have to face it day after day. It is rather like the prejudice that some people on the outside hold for all people with Japanese faces, but with the kind understanding and democratic principles that the American people have, I am sure I would rather live in the United States than in any other country in the world. The people in this camp think they're always right, and there are

some people like myself, and we think we're right, too. Therefore, I am taking this matter in my own hands, and I hope and pray that I can have the privilege of regaining my United States citizenship. In the future, it will mean so much to me, for it will be very precious, after having put up such a terrific fight to keep it.

I would appreciate it very much, if you could let me know as soon as possible your answer, for it means so much to me. I can't make any plans or anything, until I am sure of the outcome of my application. Please send your answer by wire, in care of, or to Mr. Louis A. Noyes, Project Attorney. Thank you from the bottom of my heart.

Very truly yours,

Akiko Fukuhara

Akiko Fukuhara

September 26, 1945.

Miss Akiko Fukuhara,
c/o Louis Noyes, Project Attorney,
Tule Lake Center,
Newell, Calif.

Dear Miss Fukuhara:

With reference to your letter of September 10, the question of your dual citizenship is one of proof. I suppose your parents are prepared to give affidavits or to testify that they did not register your birth with the Japanese consulate.

What information did you give to the various federal agencies on the question of dual citizenship? At the renunciation hearing, did you claim dual citizenship? In submitting information to the W.R.A., did you at any time claim dual citizenship? Or did you at all times claim only U.S. citizenship?

Someone from the Center was here a couple of weeks ago and expressed the intention of returning and setting up a Defense Committee to fight for the rights of the renunciants. I have heard nothing more from him, but I am hopeful that action was taken. The matter is urgent because it is apparently the intention of the Justice Department to remove renunciants to internment camps which are rather isolated and distant from persons who may be of help.

Sincerely yours,

Ernest Besig, Director.

SEP 11 1945

September 10, 1945

Mr. Ernest Besig, Director
American Civil Liberties Union
216 Pine Street
San Francisco 5, California

Dear Sir:

I would like to thank you ever so much for the letter of encouragement and hope which I received from you the other day. Honestly!! you don't know how much that letter means to me.

At the bottom of your letter you asked for some information, so I will enclose it in this letter. I was born January 6, 1927, at Tacoma, Washington. I had my hearing just a month after I turned 18. Up to the present time, my sisters and I have never had dual citizenship, and have never been to Japan, where we never expected to live. At the time of my hearing, I hesitated about throwing away my only citizenship, but everybody assured me that nothing terrible would happen and since I wasn't of legal age, I was told to do what my parents thought would be the best for me. I hated to go against my parents' wishes and knowing that I wasn't of legal age, I did so!

I have already written to the Attorney General in Washington, D. C., and am now waiting for a reply. I would like to bring this case up to court, but I do not have sufficient funds to do so.

The kind efforts of your organization to help innocent Niseis, who find themselves in the same predicament as myself, are greatly appreciated by all persons concerned and we will never be able to thank you enough for the hope and encouragement you are giving us.

Sincerely yours,

Akiko Fukuhara

(Miss) Akiko Fukuhara

AUG 28 1945

*Form letter
Sept 1*

Jiichi Furutani
7918-E
Newell, Calif.
August 26, 1945.

Mr. Ernest Besig
Director
American Civil Liberties Union
216 Pine Street
San Francisco, California

Dear Mr. Besig,

I am a citizen of the United States by birth and now residing here in Tule Lake Center.

During the time hearings were being conducted in this center by the Department of Justice, I was influenced, forced to appear at one of the hearings and renounce my citizenship against my will. To date I have received no letter stating whether it was approved or rejected. I am hoping it has not been approved for I am planning to relocate. The most regrettable fact is that the whole idea of renunciation was against my belief, what an American Citizen like myself who have been in Japan a short time should be doing. I was carried into the mass belief that renunciation was regret way to express resentment because of mass evacuation of Japanese while no citizen of Germans and Italian Ancestry were asked to evacuate.

Before evacuation I was a loyal American Citizen of this country and without any reasons we were told to evacuate. We were sent to Pomona Assembly Center, where we stayed there for a while. Later we were transferred to Heart Mountain Relocation Center. There the camp life different from the outside. For there was barbed wire fences around us. So when the Army Registration came I thought that the Japanese American rights were of no value so I was easily influenced to answer "no no" on the 27th and the 28th question. Therefore I was sent here to Tule Lake.

At the time of the renunciation I was influenced, forced by the members of the Hokoku Seinen Dan to join the organization and renounce my citizenship. I was a member at the time of the hearing. So when I was called, it was difficult to answer the question, for I was told what to say. After leaving the hearing I knew I did wrong but hesitated to do something about it. Later I withdrew my membership from the organization.

Now I fully realize my mistake at the time of the renunciation and now under my own free will, I request you to reconsider my case to make it possible to get my citizenship back and I shall continue to abide the laws of this country.

Sincerely,

Jiichi Furutani

FURUYA, MR TAFASHI

ans by m letter, 9-3-45

T. FURUYA
8313-C
TULE LAKE

To Mr. Cantor

July 3, 1945

Mr. Roger N. Baldwin
170 Fifth Avenue
New York City 10

Dear Roger:

Here is another letter from Tule Lake from a Japanese who has requested renunciation and who has now changed his mind. Miss Katherine Hobbie, who suggested that he write to us, is a member of the ACLU and a very responsible person.

Won't you please write to the Justice Department about this case? I am fearful that upon receiving the request for cancellation of the renunciation application, Mr. Burling will at once advise the applicant his renunciation had been previously accepted. Of course, there would be a nice legal question, I suppose, whether there may be revocation before acceptance. But, in any case, I hope that you will urge your friends, Ennis and Burling, to give this case and others like it full consideration before acting.

Sincerely yours,

EB:ar
ENC.

Ernest Besig, Director

FURUYA, T

JUL 25 1945

Lehi Lake, Calif.
7/23/45

Dear Mr. Ernest Besig:

I have received
reply in regard to cancelling my renunciation
the answer being unfavorable (letter enclosed).

Since presumably there can be little done
in regard to above it is my desire to be
cleared for leaving this camp under any
status and I will greatly appreciate any
assistance that you may render me
in this respect if at all possible.

Thanking you for kind services rendered
me.

Very Resp. yours.

T. Furuya

8313-C

Lehi Lake, Calif.

T. AYUB

August 1, 1945

Mr. T. Furuya
8313-C
Tule Lake Center
Newell, California

Dear Mr. Furuya:

Thank you for sending me the letter you received from Mr. Ennis. I am going to write to Mr. Ennis, particularly in connection with his statement that you are presumed to be an alien enemy. It seems to me that there is no basis whatsoever for such a presumption.

Since it is your desire to leave the center, I would suggest that you write at once to the Commanding General, Western Defense Command, Presidio of San Francisco, California, appealing your segregation order. Advise him that you have attempted to cancel your renunciation without success. After a reasonable time has elapsed, I will be glad to write the Western Defense Command in your behalf.

Sincerely yours,

Ernest Besig, Director

EB:AR

Tule Lake Calif.
8/4/45

Dear Mr. Ernest Besig:

AUG 6 1945

In answer to your letter of Aug. 1st, I wish to make the following statement. That sometime in 1935 I renounced my citizenship of Japan (recorded by my parents), but that I since the war have applied thru the Spanish Consulate for reestablishing same including balance of family at the time & have received acknowledgment from Madrid Spain of application being forwarded to Japan.

I have also advised the Commanding General in Presidio of cancelling renunciation without success altho cancelling of expatriation was successful.

I had written sometime ago for appealing my segregation order.

Very Resp. Yours J. Furuya

8313-L
Tule Lake, Cal.

JLB:FL 146-54-730

Department of Justice

Alien Enemy Control Unit

Washington 25

July 16, 1945

Mr. Tahashi Furuya
8313-C, Tule Lake Segregation Center
Newell, California

Dear Sir:

I have for reply your letter of July 2, 1945 addressed to Mr. Burling of this office asking that your renunciation of citizenship be canceled. Having executed an application for permission to renounce your citizenship, you appeared on January 17, 1945 before a Hearing Officer appointed by the Attorney General and executed the final renunciation. This renunciation was approved as not contrary to the interests of national defense by the Attorney General on April 20, 1945. You will recall that at the time you executed the final renunciation form you were given a careful hearing and were asked why you wished to renounce your citizenship and whether you understood the consequences of your act and that you indicated that you did understand what you were doing and that it was your own wish to give up your citizenship.

Upon the approval by the Attorney General of your renunciation of citizenship, pursuant to Section 401(i) of the Nationality Act of 1940 as amended, you ceased to be a United States citizen and became an alien. Neither the Attorney General nor any other officer of this Government has any power under the law to restore your citizenship to you and there is no way under the law by which your renunciation of United States citizenship can be canceled.

Since you are an alien and since you are a person of Japanese ancestry and a person who has shown loyalty to Japan by voluntarily renouncing his United States citizenship during the existence of a war between the United States and Japan, it is presumed that under the laws of Japan you are a national of Japan. Thus you are deemed to be an alien enemy and subject to control as such pursuant to Section 21, Title 50, U. S. Code.

In the event that, since your renunciation hearing, your loyalties have changed and you have realized your mistake, I regret the tragic consequences of your earlier act. The renunciation procedure, however, is surrounded as much as possible by safeguards to make sure that renunciants understand what they are doing; and, once the renunciation is complete, there is no way in which it can be undone.

Sincerely,

Edward J. Ennis

Edward J. Ennis
Director



August 7, 1945

Mr. Edward J. Ennis
Director, Alien Enemy Control Unit
Department of Justice
Washington 25, D. C.

Dear Mr. Ennis:

Recently we had a letter from one of the
segregates at Tule Lake who renounced his citizenship
and then sought without success to cancel the renun-
ciation. He sent us your letter which interests us
particularly because of your comments concerning his
present status.*

Offhand, it would seem to us that any
person who renounced would be stateless. You declare,
however, since this individual is of Japanese ancestry
and a person who had shown loyalty to Japan "by volun-
tarily renouncing his United States citizenship during
the existence of a war between the United States and
Japan it is presumed under the laws of Japan that you
are a national of Japan. Thus you are deemed to be an
alien enemy and subject to control as such pursuant to
section 21, Title 50, U. S. Code."

We have considerable difficulty follow-
ing the reasoning in the foregoing quotation. What
legal basis is there for the presumption that under the
laws of Japan a person is a national of Japan? Moreover,
how can such a person born in the United States be deem-
ed an alien enemy? What legal authority is there for
interning such an individual?

Sincerely yours,

Ernest Besig, Director

EB:ar

* His name is Tabashi Tsuruya, 8313-C, & he tells
us that in 1935 he renounced any dual
citizenship to Japan.