

8:14 GYOTOKU, MASAKAZU FRANK

1945

* JUDGEMENT LIST

78/177

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

DEPARTMENT OF JUSTICE

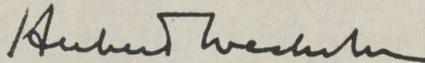
WASHINGTON, D. C.

NOTICE OF APPROVAL OF RENUNCIATION OF UNITED STATES NATIONALITY

To: Frank Masakazu Gyotoku
(born August 31, 1926, San Francisco, Calif.)
1701-D
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

#1133

1701-D
Tule Lake W.R.A.
Newell, Calif.
Sept. 5, 1945

Edward J. Ennis
Department of Justice
Washington D. C.

Dear Mr. Ennis

I am writing this letter for a cancellation of my American Citizenship.

At the time of my renunciation, I was under a strong group pressure and I did it unwillingly. My record of the hearing will justify to that. I have cancelled my repatriation to Japan and I do not hold a citizenship in Japan.

Up to the outbreak of the war, I lived and like the American ~~style~~^{style} of living and I still do, but with the present status I am in now, how can I resume my roll as an American Citizen? My parents are on the free list now and I am the only one that is the obstacle that is stopping our relocation.

If it is possible to, and I hope it is, will you please cancel my renunciation. If this is impossible at this time, can you arrange it so I can relocate as a parolee?

Very truly yours,

Frank Masakazu Gyotoku
Frank Gyotoku

1701-D

LEGATION OF SWITZERLAND

Washington 9, D. C.

September 14, 1945.

Department of
Japanese Interests

Ref. No.: V-13

Mr. Frauk Gyotoku,
1701-D,
Tule Lake Center,
Newell, Calif.

Dear Sir:

This is to acknowledge receipt of your
letter dated September 5, 1945, regarding cancella-
tion of application for repatriation to Japan. ~~of~~

Very truly yours,

LEGATION OF SWITZERLAND
Dept. of Japanese Interests

RF /H

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

DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 25

October 2, 1945

CMR:nm

146-54-3061

Mr. Frank Gyotoku
1701-D
Tule Lake Center
Newell, California

Dear Mr. Gyotoku:

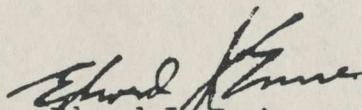
I have for reply your letter of September 5, and September 1, 1945.

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.

Your request for clearance to relocate, I am sorry to say, cannot be granted at this time. However, your letter will be made a part of your file for consideration in the event that your case is re-examined at a later date.

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



Date October 25, 1945

Mr. Ivan Williams, Officer in Charge
Immigration and Naturalization Service
Department of Justice
Tule Lake Center
Newell, California

Dear Sir;

On October 12, 1945, I was requested by you, to appear before your officer to register under the provisions of the Alien Registration Act.

Although I appeared before your office to comply with the provisions of the Alien Registration Act, I wish to state that said registration form was signed by myself under protest.

I am an American citizen. Although within the non-repatriation form it indicated in Question No. 2 that my nationality was Japanese, I hereby wish to protest said designation as I am not a citizen or a national of Japan, but a citizen and a national of the United States.

Therefore I shall appreciate your accepting this letter as a documentary evidence that my signature affixed on said Alien Registration form and informations furnished in Question No. 2 of the non-repatriation form was done so under protest, as I am an American Citizen.

Yours very truly,

Masakazu Frank Gyotoku
Masakazu Frank Gyotoku

Address 1701 D
Tule Lake Center
Newell, California

Date October 25, 1945

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

Sir;

On October 12, 1945, I was requested by Mr. Ivan Williams, Officer in Charge, Immigration and Naturalization Service, Department of Justice, to appear before their officer to register under the provisions of the Alien Registration Act.

Although I appeared before your office to comply with the provisions of the Alien Registration Act, I wish to state that said registration form was signed by myself under protest.

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Yours very truly,

Masakazu Frank Gyotoku
Masakazu Frank Gyotoku

Block 1701 D
Tule Lake Center
Newell, California

CONFIDENTIAL

Committee No. 1133

(For Use Only of My Attorney)

Atty. No. _____

Name (type or print) Masakazu Frank Gyotoku

Block No. 1701 D

Sex: Male Female _____

Age: 19 years Date of Birth: Month: Aug Day: 31 Year: 1926

Place of Birth: (City) San Francisco (County) San Francisco (State) California

Permanent residence address at time of evacuation: _____

1208 Mason Street San Francisco, California

Occupation at time of evacuation: Student

Have you "dual citizenship"? No

Did you ever have "dual citizenship"? No

If you have or have had dual citizenship, who registered you as a dual citizen: _____ When: _____

Where: _____

Did you ever take any steps to cancel dual citizenship? _____

When: _____ Where: _____

What steps were taken to cancel it? _____

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

Month: February Day: _____ Year: 1945

Were you under 21 years of age at the time you signed that renunciation form? Yes

Was there a hearing officer present when you signed? Yes

What was his name? Do not know

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? _____

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? April 17, 1945
About

On what date did you receive the letter of approval? August 8, 1945

Who signed that letter of approval? 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? _____

Have you a copy of that letter? _____

(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? 1. September 1, 1945 to Mr. Ennis
2. September 5, 1945 to Mr. Ennis

3. October 25, 1945 to Honorable Tom Clark
(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? _____ When were you discharged or released from military service? _____

What type of discharge did you receive? _____

What was your last draft classification? 4C

Did you refuse to be drafted? No

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? No

Are your parents U. S. citizens? No

What are their names: Torajiro Gytoku - Father
Chiyono Gytoku - Mother

Have they been released from detention? Free to relocate

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.? No one

Have you registered as an "alien" under the Alien Registration Act of 1940? Yes When: October 12, 1945

Where: Tule Lake Center Who was present with you at that time, if anyone? No one 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? Do not know

Did you protest registering as an alien? No

Did you write your protest on the form? No

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

Yes No (If so, annex a copy of the letter to this form.)
Will send letters of protest to Clark & Williams 10/25/45.

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? _____

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

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

_____ Were you given a hearing by anyone on the question of signing the repatriation form? _____

If so, by whom? _____

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? _____

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? August 25, 1945

When did you send a letter cancelling that request? September 5, 1945

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

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

Marital Status: Single

Renuncee in family: Myself

My parents (Father: Age, 49 Mother, Age: 47) and my brother (Skinny George Gytoku, Age: 17) are free to relocate.

They wish to go out and remain in this country permanently, but cannot do so as they depend on me for a living.

As I forgot to write my protest on the alien registration form, I have send protest to ^{my} Tom Clark and Mr. Williams.

Date: October 25, 1945

Frank Masakazu Gytoku

Masakazu Frank Gytoku

(Name)

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

Date Dec. 28, 1945

Sir:

On Feb, 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 7, 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 law.
- (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 and continuously from April 7, 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 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.

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 my undivided loyalty and allegiance. I have no dual citizenship.

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

I am ready and willing to have this matter re-opened and 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 law.

I respectfully request your immediate consideration of

this urgent matter.

Very truly yours,

Name Frank Masakazu Miyatake

Address 1701-D

Tule Lake Center
Newell, California