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Extra copy - general file

January 26, 1951

Mr. Henry Marubashi
Rt. 1, Box 70
Gridley, Calif.

Dear Mr. Marubashi:

In the mass renunciation cases the Circuit Court has affirmed the judgment cancelling the renunciations of all persons under 21 years of age as at the time they signed their renunciation applications, and likewise those of persons who were admittedly insane or mentally incompetent, and some 58 other persons against whom the Attorney General admitted that he had no evidence whatsoever that they had acted voluntarily. As to the rest the Court's opinion holds that they have established that each of them executed a renunciation application under the coercion of the government but that the Attorney General should be again given an opportunity to present evidence against any one or more of them, if he can, tending to show that they acted voluntarily despite the governmental coercion. I shall file a petition for re-hearing on behalf of the latter and if it is denied I shall appeal to the U. S. Supreme Court on their behalf.

Inasmuch as the State Legislature has not repealed the Alien Property Act, commonly known as the Alien Land Law, and inasmuch as the State Supreme Court has not yet ruled it to be unconstitutional, no alien and no renunciant should rent or buy agricultural land. Two cases have been argued in the State Supreme Court testing the constitutionality of the Alien Land Law. If that Court in due course holds that law to be unconstitutional aliens and renunciants will be able to rent and to purchase agricultural land with safety. However, until such a decision is rendered neither an alien nor a renunciant should attempt to do either thing. When the status of each renunciant has been finally determined each will be informed thereof by a letter from me. For your information, any United States citizen member of your family, however, can rent or buy agricultural land on the same basis as any other citizen.

Very truly yours,

Extra copy

January 25, 1951

Mr. Tokumori Fujita
101 So. Bunker Hill
Los Angeles 12, Calif.

Dear Mr. Fujita:

On January 17th the Circuit Court of Appeals affirmed the judgment cancelling the renunciation applications of every person in the case who was under 21 years of age, of all mental incompetents and some 58 other individuals. As to the remaining persons who were adults the Circuit Court gives the Attorney General another opportunity to produce evidence, if he can, against any one or more of them, tending to show that despite the coercion under which they acted, they nevertheless signed renunciation applications voluntarily. I shall file a petition for a re-hearing for that group and if that should be denied I shall appeal to the United States Supreme Court.

Inasmuch as the judgment of the District Court has not been set aside and will stand until the mandate of the Circuit Court comes down or the mandate comes down from the U. S. Supreme Court, each person in the mass equity cases is still a citizen. However, if any renunciant who is a plaintiff wishes to re-register and obtain an alien registration card he or she may do so; but in registering he or she should state that he claims to be a U. S. citizen, that he renounced under duress at Tule Lake, that the District Court cancelled the renunciation and the matter is still pending on appeal taken by the Attorney General.

Very truly yours,

Extra copy - general file

January 25, 1951

Mrs. Hatsuo Yamasaki
959 So. Fedora St.
Los Angeles 6, Calif.

Dear Mrs. Yamasaki:

Inasmuch as you were born in 1908, you were of age at the time you signed your renunciation application. On January 17th the Circuit Court affirmed the judgment in favor of all persons under 21 years of age, all mental incompetents and some 58 adult persons. As to the remainder, the Circuit Court's opinion gives the Attorney General an additional opportunity to produce evidence against any one or more of them tending to show that despite the government coercion exerted upon them that they nevertheless acted voluntarily in renouncing citizenship. In due course I shall file a petition for re-hearing on behalf of that group and if it is denied I shall appeal to the U. S. Supreme Court.

Inasmuch as you were over the age of 21 years when you signed your renunciation application, if your birth date was March 16, 1908, the Attorney General will be given an opportunity to produce evidence, if he desires to do so and has any, tending to show that you acted voluntarily despite the coercion that existed at Tule Lake. In view of this your status has not yet been fully determined. It may be that in due course the Attorney General will refuse to contest your individual case.

In the meantime if it is imperative that you go to Japan to see your mother who is ill the best thing for you to do is to go to the nearest office of the State Department and fill out an application for a passport. In addition to that application you should notify that office that you renounced U. S. citizenship at Tule Lake by reason of duress and that the State Department in Washington, D. C., has a particular affidavit form for renunciants to sign. You should procure that particular affidavit immediately. If that office hasn't it you can ask them to write directly to the State Department at Washington or the Justice Department at Washington for the special affidavit. After you have filled in your application and the affidavit form, the office of the State Department will forward both to the State Department in Wash., D.C., which will check its records and have

the Justice Department check its records. Then if the Justice Department has nothing in its records against you it will notify the State Department and the passport will issue to you and thereafter the Attorney General will agree in the case that he will not contest your United States citizenship.

Very truly yours,

WAYNE M. COLLINS
Attorney-at-Law
Mills Tower, 220 Bush Street
San Francisco 4, California
Telephone: Garfield 1-1218

March 15, 1951

This is a complete and up-to-date report I am making to you and to each other renunciant client concerning the mass renunciation suits I filed in the U. S. District Court at San Francisco on November 13, 1945. It is a confidential report between attorney and client. It is sent only to the renunciants I represent in those suits. It is not intended to be read by any other persons. The meager funds made available to me by the renunciants prevent me from engaging in correspondence relating to the cases except where it becomes necessary and important to do so.

Two types of "class suits" were filed. The first were mass proceedings in habeas corpus designed to liberate all the petitioners from internment. The second were mass suits in equity to cancel the renunciations and to have each plaintiff declared to be a citizen of the United States. My contention was that the renunciations were caused by the unconstitutional detention of the evacuees and the governmental duress to which they were subjected. It was my theory and argument that each was faced with an election of one

of two choices the government forced them to make. The first was to renounce citizenship in order to secure liberation from a prolonged detention and then be transported to Japan with alien family members whom the government had scheduled for removal to Japan. The second was to renounce citizenship in order to be held in the protective security of internment in order to escape being forced out of camp to face a hostile civilian community in an impoverished condition. In either event renunciation was not the product of free will but was forced upon them by the unlawful detention and the conditions prevailing at the Tule Lake Center for which the government alone was responsible. In consequence each renunciation was the direct product of governmental duress.

The Mass Habeas Corpus Proceedings

The habeas corpus proceedings were thoroughly briefed and were tested by affidavits and other documentary evidence showing the conditions that prevailed at the Tule Lake Center and the government's mistreatment of all the evacuees. On June 30, 1947, U.S. District Judge Louis E. Goodman ordered the applications for the writ granted. His order recited that all the then detained petitioners must be liberated and that none of them could be removed involuntarily to Japan. His decision was based upon his findings

of fact and conclusions of law that native born Americans residing in this country could not be converted into alien Japanese nationals by mere renunciation of U.S. citizenship. He declared that none of them could be detained or be removed to Japan because none of them was an alien enemy subject to detention and removal under the Alien Enemy Act. The writs of habeas corpus issued on August 11, 1947, commanding that all the detained petitioners be liberated.

In due course through so-called "mitigation hearings" precipitated by the cases and through negotiations with the Justice Department all of the removal orders outstanding against the renunciants were cancelled by the Attorney General with the exception of 302 of such orders. By consent of the Attorney General dated Sept. 6, 1947, and an order of court dated Sept. 8, 1947, all of the 302 were released or paroled into my custody and each of them returned to his or her home. On Sept. 8, 1947, the government appealed the cases to the Circuit Court of Appeals for the Ninth Circuit.

On January 17, 1951, the Circuit Court of Appeals affirmed the order of the District Court as to a large number of the renunciant petitioners but also reopened the habeas corpus proceedings as to a large number of them. The effect of this reopening is to enable the Attorney General to introduce new evidence, if he can, concerning the law of Japan if it be admissible on any issue involved

as against those as to whom the cases were ordered reopened.

On February 16, 1951, I filed petitions for rehearing as to those against whom the Circuit Court's decision reopened the cases. On February 27, 1951, the Circuit Court of Appeals refused to grant rehearings. In consequence, it now is necessary and urgent for me to appeal the cases as to those renunciant petitioners to the United States Supreme Court by May 28, 1951. If that Court affirms the order of Judge Goodman its decision will be conclusive. However, if it affirms the Circuit Court's decision individual hearings thereafter will have to be held in the U. S. District Court in San Francisco for each renunciant whose individual case was reopened by the decision of the Circuit Court. In such an event the individual cases will have to be tried by affidavits, depositions or by personal hearings in that court or by a combination of those methods.

In any event the costs and expenses involved in the appeals to the U.S. Supreme Court will be heavy. If individual hearings finally should be required for a substantial number of persons the costs and expenses involved will be enormous in the aggregate but comparatively small for each individual. It is the duty of each person in the mass suits to bear his or her proportionate share of

this financial obligation for all have been mutually benefited by the lawsuits.

The Solicitor General has 90 days within which to appeal for the Attorney General to the Supreme Court against the decision of the Circuit Court of Appeals in favor of a large number of the renunciants. I do not yet know whether he will appeal or not. If he does such will involve additional expenses to fight against his appeal.

The Mass Equity Suits

The mass equity suits were exhaustively briefed and were tested by affidavits and a considerable quantity of documentary evidence showing how the government evacuated, impoverished, imprisoned and mistreated the evacuees and the terrible conditions it permitted to prevail at the Tule Lake Center. That evidence proved all the renunciations were caused by governmental duress. On April 29, 1948, U.S. District Judge Louis E. Goodman handed down his Opinion in which all the renunciations were cancelled. He declared the evidence proved the renunciations were caused by the duress to which each had been subjected. He held that their unconstitutional internment and mistreatment arising out of conditions the government permitted to reign in the camp invoked in each renunciant such fear that each was deprived of freedom of choice and

had to renounce and that, in consequence, each renunciation was involuntary and, therefore, void. His Opinion recites that the renunciations were the result of one or more of the following factors, (1) the internal pressure of organizations at Tule; (2) parental pressure exerted on children by alien parents who induced them to renounce to prevent family separation; (3) fear of community hostility if they were forced to relocate in the United States; (4) the conviction the government would deport them to Japan in any event and that, unless they first renounced, they would be subject to reprisal by the Japanese on arrival in Japan and (5) mass hysteria induced by evacuation, loss of home and property, isolation from outside communication, confinement in an overly crowded concentration camp, uncomfortable living quarters and unhealthful surroundings and climatic conditions - producing neuroses built on fear, resentment, uncertainty, hopelessness and despair of eventual rehabilitation. All those conditions and circumstances were caused directly by the government evacuating and imprisoning them and they constitute duress.

After his first Opinion was handed down approximately 3,000 additional renunciants applied to me to obtain the benefits of the decision and were joined as parties plaintiff to these equity suits. His Opinion in the equity cases, however, gave the Attorney General

a chance to go forward with further proof as to certain plaintiffs to be designated by name by him, if he wished so to do, provided that such a designation would be made in good faith and that such proof would tend to show that such designated plaintiffs were not affected by the duress at all but renounced freely and voluntarily. Thereafter, the Attorney General had ten (10) months' time within which to file such a designation of certain plaintiffs.

On February 25, 1949, the Attorney General filed Designations naming every one of the 4354 plaintiffs. I moved to strike the Designations on the obvious grounds they were neither genuine nor proper and that they were not filed in good faith. On March 23, 1949, Judge Goodman ordered the Designations stricken from the records and forthwith ordered judgment entered for all the renunciant plaintiffs. On April 12, 1949, final judgments in favor of all the plaintiffs were entered cancelling all the renunciations and adjudging each plaintiff was a native born U. S. citizen and entitled to exercise all the rights, privileges and immunities of citizenship without discrimination by the government and its agents.

On April 28, 1949, the government appealed to the Ninth Circuit Court of Appeals at San Francisco. The appeals were briefed and argued. On January 17, 1951, the Circuit Court of Appeals handed down its Opinion affirming the judgments as to a large number of the renunciants and reopening the cases as to a large number of

others. The object of its reopening order is to give the Attorney General another chance to produce additional evidence in the District Court, if he can, tending to show that those as to whom the cases were ordered reopened renounced freely and voluntarily despite the unconstitutional internment and duress. The unfairness of that order is manifested by the fact it gives another chance to produce evidence against them that he had four (4) years to produce in the District Court but did not or could not there produce for various reasons.

I have been informed by the Justice Department as to the general nature of the evidence the Attorney General intends to try to introduce in evidence against each renunciant in the cases. It consists, in part, of statements made at the renunciation and mitigation hearings, written requests for repatriation, answers made to questions 27 and 28 in DSS-Form 304A of the Selective Service System questionnaire, refusals to swear unqualified allegiance to the U.S., the fact of being a Kibei or having been a leader or a member of any of the organizations at Tule, having been registered in a Koseki, prior membership in any proscribed alien Japanese associations, etc., and other evidence the Attorney General asserts indicates sympathy to Japan's cause and disloyalty to the U.S. He has available to him also the records of the

F.B.I. and W.R.A. relating to each renunciant. Judge Goodman considered all of those factors, which were issues tendered by the evidence, and decided that such things were insufficient to offset the proof that the renunciations were the products of duress. The Circuit Court of Appeals decision states that proof of such things overcomes the presumption of duress and leaves on each individual renunciant the burden of explaining any such factors and that such were innocuous and proving that his or her renunciation was entirely involuntary. The question whether the Circuit Court of Appeals has authority to make any such ruling is now a question of law that will be presented to the Supreme Court for settlement.

On February 16, 1951, I filed petitions for rehearings as to those renunciants against whom the Circuit Court's decision reopened the cases. On February 27, 1951, the Circuit Court of Appeals refused to grant rehearings. In consequence it now is necessary and urgent for me to appeal the cases as to them to the U.S. Supreme Court as speedily as warranted and by May 28, 1951. If that Court declares the renunciations to be invalid or void its decision will be conclusive. However, if that Court affirms the Circuit Court's decision individual hearings thereafter will have to be had in the U.S. District Court for each of the renunciants whose separate cause was reopened by the Circuit Court of Appeals.

In such an event the individual cases will be tried by affidavits, depositions or by personal hearings in court or by a combination of such methods. It is incumbent upon me to make immediate preparation to meet any such evidence the government intends to try to introduce against any of them in the event the Supreme Court affirms the decision of the Circuit Court. This entails the enormous task of assembling date relating to each individual case so as to be prepared not only to meet whatever evidence the government can or may be able to produce against individuals but to overcome that evidence and to demonstrate that each renounced solely by reason of the duress and not by reason of any disloyal feeling toward the government.

In view of the foregoing you will appreciate that the costs and expenses involved in the appeals to the U.S. Supreme Court will be substantial. If individual hearings finally should be required for a large number of persons the total costs and expenses involved will be prodigious in the aggregate but only moderate for each individual. It is the duty of each person in the mass suits to bear his or her proportionate share of this financial burden for all have been mutually benefited by the lawsuits. All the renunciants were in the same situation and all were subjected to the same wrongful evacuation and detention and the same mistreatment

by the government. It discriminated against all the renunciants and inflicted misfortune upon for "racial" reasons and subjected them to oppression and coerced them into renunciation. It is through the medium of these mass lawsuits that you and the rest of the renunciant plaintiffs carry on the struggle for your rights, to cancel the outstanding removal orders, to prevent any renunciant from being removed to Japan, to enable those in Japan who wish to do so to return to the United States, to cancel the renunciation of each and to have each declared to be a citizen of the United States.

The Solicitor General has until May 28, 1951, within which to appeal for the Attorney General to the U.S. Supreme Court against the decision of the Circuit Court of Appeals in favor of a large number of the renunciants. I do not yet know whether he will appeal or not. If he does it will involve additional expenses to fight against his appeal on behalf of those renunciants in whose favor the Circuit Court of Appeals rendered a favorable decision.

The names of the renunciants in whose favor the Circuit Court of Appeals' decisions run in the habeas corpus proceedings and in the equity cases will not be known accurately and be made known until the U.S. Solicitor General decides whether to appeal

to the U.S. Supreme Court for the Attorney General. Each record has to be examined to make certain of names of these persons. Several months will elapse before any such judgments can be spread on the minutes of the District Court to finalize and conclude those cases. When a conclusive judgment as to them is to be entered each of these renunciants will be notified thereof by a letter from me.

Results Achieved By The Mass Suits And The Dangers To Be Avoided

The handling of these mass cases has been long, tedious and difficult. It has taken five and one-half years' time. The cases have been handled at a trifling minimum individual expense to the persons involved. Nevertheless, a considerable measure of success to date has attended my efforts on behalf of each and all the renunciants in the cases. The government was compelled to liberate every renunciant from internment and to close the concentration camps at Tule Lake, Bismarck, Santa Fe, Crystal City and Bridgeton. Further, the Attorney General has not been able to remove a single renunciant who is in the mass suits to Japan. However, the Attorney General still persists in his efforts to remove to Japan the 302 renunciants whose removal orders have not been cancelled and who were released or paroled into my custody pending the outcome of the court cases. He also has the power, inasmuch as the war with Japan has not yet been proclaimed terminated by the President or Congress, to seize any renunciant, issue a removal order against him, intern him and try to remove him to Japan under the provisions of the Alien Enemy Act. I do not believe, however, that he will endeavor to remove any except the 302 renunciants against whom removal orders still are outstanding and who were released or paroled into my custody on September 6, 1947, and thereupon returned

to their homes.

If the U.S. enters into a peace treaty with Japan before these cases finally are decided the Attorney General will lose his authority to seize, detain and remove any person under the provisions of the Alien Enemy Act. If the President or Congress formally proclaims the end of the war he will also lose those powers. Even if such a contingency did not occur he still could not remove any of the renunciants in the mass suits to Japan unless and until after each affected individual first had his separate individual hearing and thereafter, in the event of an adverse decision, first had been given time to exhaust individual appeals to the Circuit Court and the Supreme Court. Such a procedure of course would take a long time to complete if individual hearings finally should be required in any large number of individual cases. The exhaustion of such remedies would involve a considerable period of time and an enormous overall expense although only a moderate expense to the individuals concerned.

I have done my best and shall continue to do my best to make certain that none shall be removed to Japan and that the renunciations of each shall be cancelled and the citizenship of each be preserved. Every person in the mass suits has received from me the same degree of protection and none has been given preferred

treatment. All have been treated equally. Each person in the cases has been mutually benefited by the others and has had his share of the financial burden lightened to a trifling sum by what others have paid towards the costs and expenses of litigation. Each is duty bound to assist the others to a final conclusion of the cases.

The Alien Enemy Act Is Still In Effect

Every renunciant plaintiff must understand the following. The Alien Enemy Act, Title 50 U.S. Code, Sec. 21, provides that wherever "there is a declared war" between the U.S. and any foreign country "all natives, citizens, denizens, or subjects of the hostile nation or government" fourteen years or older can be "apprehended, restrained, secured, and removed as alien enemies".

When the Attorney General approved renunciations each renunciant immediately was classified by him as an alien enemy and his or her detention in the concentration camps thereupon became internment as an alien enemy. Under Presidential Proclamation No. 2655 issued July 14, 1945, all alien enemies in the U.S. deemed by the Attorney General to be dangerous to the peace and safety of the U.S. because they had adhered to Japan or to the principles of the government of Japan were authorized to be removed to Japan on the order of the Attorney General. He issued blanket internment orders

against all the renunciants and thereafter issued individual removal orders. Thereafter, under pressure of these mass class suits, he cancelled a large number of the removal orders. However, there are still 302 such removal orders outstanding against individual renunciants.

The Alien Enemy Act is still in full force and effect and will be ended only when the United States enters into a peace treaty with Japan, or the President or Congress officially proclaims the end of the declared state of war, whichever is the sooner. Until the happening of one of those events alien enemies can be seized, detained and be removed to Japan by the Attorney General unless court proceedings prevent such action against them being carried out.

In consequence, any renunciant against whom the Attorney General has issued or may issue a removal order can be removed to Japan unless the cases are won or a peace treaty with Japan sooner is entered into or the President or Congress sooner officially proclaims the state of declared war with Japan to be ended.

The action taken by the Attorney General against renunciants were internment and removal proceedings arising under the Alien Enemy Act which is an emergency war power law. These cases are not ordinary deportation cases arising under immigration laws.

Issei who entered this country unlawfully or who lost their admission status who were in the U.S. on July 31, 1948, and who, in addition thereto, have resided here for 7 years or have American born children or are married to U.S. citizens or legally resident aliens and who prove themselves to be persons of good moral character may apply for a suspension of deportation under the relief from deportation provisions of Title 8 U.S. Code, Sec.155 (c). That law does not apply to Nisei renunciants. There is no existing law under which a Nisei renunciant under Alien Enemy Act removal orders would be entitled to apply for relief under that law. That statute applied only in ordinary deportation cases to foreigners who entered this country illegally or who were legally admitted but lost their admission status as treaty merchants, professional persons, teachers, students, etc.

Further, I wish to point out that there is no existing law under which a Nisei who is proved to have renounced U.S. citizenship voluntarily can become a naturalized citizen.

Effect of Decision To Be Made By The Supreme Court

The question whether the renunciation statute is constitutional or not was not decided by the district court. The Circuit Court of Appeals assumed it to be constitutional. Both of those courts

considered the basic question for decision in the class suits to be a factual one, that is to say, simply whether the renunciations were invalid or void for being the product of duress. That consequently became for those courts a question of fact to be decided as to each individual renunciant. In consequence, if the U. S. Supreme Court hold the statute to be unconstitutional on its face or as applied to the evacuees its decision will be conclusive and all renunciations will be void. However, if that Court holds the statute constitutional it must then pass on the question whether the renunciations are invalid for being the products of duress. If it decides as Judge Goodman did its decision will cancel all the plaintiffs' renunciations as having been made involuntarily because they were primarily caused by the government's duress or coercion. If it affirms the decision of the Circuit Court of Appeals that will mean that individual hearings of the affected persons must be had in the district court. There the government first would have to produce evidence tending to show that despite the duress certain plaintiffs renounced voluntarily. Then those particular plaintiffs must produce evidence to prove that they were in fear and renounced by reason of the unconstitutional detention, their mistreatment by the government and its agents and by reason of the terror conditions the government permitted to reign in the camp.

If the Supreme Court does not void the renunciations on constitutional grounds or invalidate them because all renunciants were the proved victims of coercion, as the district court held, and affirms the decision of the Circuit Court requiring individual hearings no renunciant who has not sued or does not sue to cancel his renunciation could recover his U.S. citizenship. In other words, if the mass renunciation cases are won in the U.S. Supreme Court only on the question of factual duress and not on the ground of the unconstitutionality of the renunciation statute on its face or as applied such a decision will not restore the citizenship of persons not in the mass cases and such persons will have to commence their own private suits if they wish to recover citizenship.

Neither the Attorney General nor the State Department nor any other agency or agent of the executive branch of our government can cancel renunciations or restore citizenship to any renunciant. Only a court can cancel a renunciation and declare a person to be a citizen.

The issuance of a U.S. passport to a person by the State Department, with or without the consent of the Attorney General, does not automatically make a renunciant a citizen. However, it could be used as evidence in the form of an admission against the government and would assist in gaining a favorable court decision in any individual hearing or trial that might be required to be held. Pending a favorable final settlement of the cases in the courts the State

Department, collaborating with the Justice Department, will deny a passport to any renunciant against whom the Justice Department (Attorney General) believes it can produce sufficient evidence to indicate the renunciant was disloyal to the United States or renounced voluntarily.

Those Who Have Tried To Harm You

No outside assistance has been offered or been given to these mass suits by any person or group except the American Civil Liberties Union of Northern California in San Francisco of which Mr. Ernest Besig is Director and which steadily has given the renunciants and these mass suits its moral support. Aside from it the renunciants have been compelled to rely entirely upon themselves and their Tule Lake Defense Committee.

The JACL did nothing to oppose the renunciation program. It refused to help the renunciants when they were held in concentration camps. While the renunciation hearings were being held in Tule Lake Saburo Kido as the national President of the JACL wrote Tetsujiro Nakamura, the legal aid counsellor at Tule Lake Center, that the JACL national headquarters would do nothing about the program and that he personally did not believe any court suit would be successful. Neither the JACL nor its subsidiary, the ADC, have ever said a good word for the renunciants. The JACL newspaper, the Pacific Citizen, in John Kitasako's column called

the Washington Newsletter, published an article against the renunciants charging them with having been disloyal to this country.

A. L. Wirin who had been the attorney for the JACL and also for the ACLU of Southern California at Los Angeles testified before the Dickstein Congressional Committee in 1945 that all renunciants should be deported to Japan. The American Civil Liberties Union of New York, of which Roger Baldwin was director, never at any time helped the renunciants. Instead, that organization, and especially Roger Baldwin, its director, the JACL and A. L. Wirin and Frank F. Chuman have done much to harm the renunciants and their mass lawsuits. Naturally, however, in view of the successes of these mass suits, those organizations and persons do not now want the real facts to be made known.

Nevertheless, the facts are that after every single renunciant had been pried loose from internment by these mass lawsuits and the internment camps had been closed out and Judge Goodman handed down his favorable decision in the mass habeas corpus cases the ACLU of New York changed its mind. It realized that in failing to support the mass cases it had missed an opportunity to reap a lot of favorable publicity for itself. Thereafter it made feeble announcements that it supported the mass suits in principle insofar as they related to renunciants whose loyalty was beyond question.

It next actively arranged to solicit test cases involving a few renunciants, being careful to screen them to satisfy itself that they were loyal. It was anxious to relieve the WRA, the Justice Department and general agents from any charge of responsibility for the vicious renunciation program. There has come into my possession an affidavit made by Frank F. Chuman dated Dec. 16, 1946, in which he stated under oath that while he was employed as a law clerk he was instructed by his employer A.L. Wirin to solicit renunciation cases for A.L. Wirin to file lawsuits on and that the ACLU of N.Y. was interested in and sponsoring such cases.

Having procured a few renunciants to serve as guinea pigs A. L. Wirin thereafter commenced the joint Murakami, Sumi, Shimizu and Inouye suit in Los Angeles. The attorneys who appeared for the petitioners in that proceeding were A.L. Wirin and Fred Okrand. Nanette Dembitz who had been with the Justice Department, Arthur Garfield Hays and Osmond Fraenkel, both of the ACLU of New York, and Frank F. Chuman who was in the pay of A.L. Wirin appeared as of counsel. (Saburo Kido and Edward J. Ennis are now committee members of the ACLU of N.Y. and both are identified with the JACL).

As a result of their recklessness I wish to inform you that the district court in Los Angeles and the circuit court both found from the evidence in the Murakami case and declared in that case that many internees were pro-Japanese and that many of the interned

Kibei were pro-Japanese and many were disaffected Nisei. That was equivalent to a finding that renunciants were disloyal unless they could prove their loyalty individually. In consequence, the Murakami case caused almost irreparable harm to the renunciants in the mass cases because the Murakami decisions charged, found and branded the great majority of the internees as being disloyal to the United States. The fact that such an unjust brand thereby attached to several thousand persons involved in the mass habeas corpus and equity suits meant nothing to the ACLU of N.Y., Roger Baldwin, A.L. Wirin, Fred Okrand, Nanette Dembitz, Arthur Garfield Hays, Osmond K. Fraenkel and Frank S. Chuman. They were not friendly to the renunciants anyway. They were more anxious to get publicity for their organizations and for themselves. They were unconcerned with the fact that those suits harmed the renunciants generally. Those organizations and persons are not your friends. Those attempts to brand the renunciants in general as being disloyal to the U.S., however, in fact had nothing whatever to do with the legal right to cancel a renunciation. The only basic factual question to be decided in cancelling a renunciation is merely whether a renunciation was voluntarily made or whether it was the product of fear induced by duress and hence void.

Because the circuit court had made such findings of disloyalty on the part of so many renunciants in the Murakami case it stated

in our mass suits, in substance, as follows: the Attorney General has indicated his realization of his duty to prevent a restoration to citizenship of disloyal renunciants who renounced voluntarily because of their sympathy with Japan and their hope of a Japanese victory over the United States. It further stated that many renunciants who "voluntarily renounced were disloyal to the United States" and had no inclination in trying to set aside their renunciations until after Hiroshima and Nagasaki had been damaged by atomic bombs and they had learned that Japan's cause was hopeless and had learned that material conditions in the U.S. had become greatly preferable to those in Japan. It also declared that as it had found in the Murakami case, 176 F. 2d 953 at page 758, some were "permanently pro-Japanese" and that the federal courts "must be more vigilant than ever that the massing of 4315 plaintiffs in two suits does not conceal the facts as to such enemy minded renunciants." In view of those findings and declarations of that Court it must be apparent to you that the Murakami suit did much damage and harm to the mass suits and the cause of the renunciants. The persons and organizations responsible for that harm are not friendly to the renunciants and do not deserve your goodwill. It is my opinion that if the Murakami case had never arisen the Circuit Court of Appeals would have upheld Judge Goodman's judgment in the mass cases cancelling all the renunciations and that no further trouble

or problems would have arisen by reason of renunciations for the government would not have appealed from his decision.

To spread confusion, interfere with the mass lawsuits, get substantial fees and gain publicity by masquerading as a person devoted to the best interests of a few renunciants, after having testified before a congressional committee that all renunciants should be deported to Japan, A.L. Wirin obtained a few other individual renunciant cases. Quite recklessly, in disregard of the harm his actions presented to the mass cases, he secretly prepared papers to dismiss from the mass suits the following persons, Norio Kiyama, Miyoko Kiyama, Michiko Takikawa (Takigawa), Yukiko Nakanishi, Yemiko Hamaji, Akira Tanaka, Harry Masao Hamachi, Gentaro Yamashita and secretly filed those purported dismissals in the district court. However, the mass suits were out of the district court at the time and were on appeal in the Circuit Court. In consequence, the dismissals were ineffective because (1) they were filed in the wrong court which had no jurisdiction over the causes; (2) they were surreptitiously filed without notice being given to me or to the U.S. Attorney; (3) no motions were made in court to dismiss and (4) no dismissal orders were presented to a judge or signed by a judge. In addition thereto he filed a like purported dismissal for Goichi Nerio who never was in the mass suits

at all. Further he apparently commenced individual suits in Los Angeles for Isao James Kuromi, Tetsuo Frank Kawakami, Toshiko Ichikawa, Iwao Shigei, Hajime Kariya, Yoshiko Tokoi, Tadao Adachi and Yukiko Adachi. Neither he nor any of those persons gave me any notice of any such proceedings. He went to such lengths that when I argued the mass appeals in the Circuit Court he appeared there on behalf of Tetsuo Frank Kawakami.

It is proper to draw the conclusion that the Murakami case had the effect of relieving the W.R.A. and the Justice Department and their agents for blame for the renunciations by shifting the blame to a large group of several thousand internees. It is my opinion that any attempt to whitewash the government by relieving it from the charge that all the renunciations were caused by government duress and asserting they were due to the private duress of individuals and groups of internees serves no purposes except to attach to several thousand internees an unjust brand of disloyalty. Further, there is no good reason for injecting any question of loyalty or disloyalty into a lawsuit seeking to void or invalidate a renunciation on the ground of duress. The sole question involved in such cases is simply whether or not the renunciation is involuntary because it was caused by duress.

Each of those separate suits presented a separate danger to the mass suits. The Murakami suit especially injured the mass suits.

In the Murakami decision the circuit court blamed the renunciations on the Kibei at the Tule Lake Center and on members of the Hoshi Dan, Seinen Dan, Joshi Dan and on other groups and

persons but not on the W.R.A. and Justice Department and their agents where it belonged. That manifestly was unfair to those several thousand internees for all of them, too, were victims of the unconstitutional detention and of the duress to which the government had subjected all the persons confined to the Tule Lake Center and other concentration camps. Whatever any internee did to persuade another internee to renounce was excused by Judge Goodman Opinion which stated that they acted abnormally because of abnormal conditions not of their own making and that, although some may have detrimentally affected others, they were not to be held individually responsible. Obviously, all the renunciations were directly caused by the detention and the duress of the government.

What Renunciants Must Not Do

Until a conclusive judgment has been entered in the cases of the renunciants there are a few things they must not do. These are as follows:

1. A renunciant must not leave the United States to visit any foreign country. If he does the Immigration Service will deny him the right of re-entry. However, if he first obtains a U.S. passport after revealing to the State Department that he is a renunciant and fills out the special affidavit it requires of renunciants and the State and Justice Departments approve its issuance he can

go abroad.

(2) A renunciant must not in any application for employment by the federal or a state government assert that he is a citizen. If he is required in any application for a civil service or other government position to state the country of which he is a citizen he may state: "I claim to be a U.S. citizen - I renounced at the Tule Lake Center under duress - litigation is pending to determine my political status".

(3) A renunciant should not lease or purchase agricultural or residential land in California unless and until the California Supreme Court or the U.S. Supreme Court declares the Alien Property Initiative Act of 1920 (The Alien Land Law) to be unconstitutional and void as to Japanese who are not citizens or until the California legislature repeals that law. Two cases presently are pending in the California Supreme Court testing the validity of that law but they may not be decided for several months' time. In the meantime, however, any citizen member of a renunciant's family is authorized to lease or purchase agricultural and residential land on the same legal basis as any other citizen.

(4) A renunciant must not register as a voter or vote in any election for federal, state, or municipal officers or measures.

(5) A renunciant must not hold a public office for which only a citizen is declared to be eligible by law.

(6) Without first consulting me no plaintiff in the mass suits should make any written or verbal statement to any governmental officer, agency or agent or to anyone else concerning the mass suits and especially concerning the reasons why he or she renounced except to state that he or she renounced by reason of duress while held in a concentration camp. Remember, no one can compel you to make any statement concerning these matters and no one has any right or authority to compel you to answer any questions except in court. You should refuse to answer any questions on these matters put to you by any person whether it be a government ag nt or a private person. You can state that you refuse to answer any questions on my advice as your attorney. Remember, ex-employees of the W.R.A. and present employees of the government may try to question you to gain information about these matters just to help the Justice Department get adverse evidence against you. Therefore make no statements about the matters to anyone except you first consult me.

I wish also to caution you against paying much attention to rumors, radio reports and newspaper articles concerning the mass suits and your rights. Those sources are seldom accurate and generally are unreliable. You must not be alarmed by them or give them any serious consideration. You must remember that reports and comments concerning the mass cases appearing in a few Japanese language newspapers published in this country are written by JACL

agents or adherents interested in praising the JACL, in publicizing its officers and attorneys and in assisting it to raise funds at an enormous expense for what little, if anything, it accomplishes. The JACL, its officers and members and the ACLU of N.Y. and its officers and attorneys are neither sympathetic to you nor interested in the preservation of your rights. You should not place much faith in their pronouncements. Whenever anything of real importance occurs in the mass suits affecting you directly I shall write and let you know. However, if any problem perplexes you concerning the cases and your rights and the matter is urgent you can communicate direct with me.

Procedure For Renunciant Plaintiffs Who Are In Japan

Renunciant plaintiffs in Japan long ago were informed by me by letter that if they desired to return to the United States they could wait until the Circuit Court of Appeals passed on the issues or could apply to the nearest U.S. consul in Japan for a U. S. passport. The choice was left up to each of them in Japan to make. They now may do either of two things:

They may wait until the U.S. Supreme Court decides the pending appeals. This probably will take place between October, 1951, and March, 1952. On the other hand they may apply to the nearest U.S. Consul in Japan for a U.S. passport. Those who apply for a passport

must tell the consul that they are renunciants. The consul will give them two affidavits to fill out. One is the passport application and the other is a "Supplemental Affidavit To Be Submitted With Passport Applications Of Japanese Renunciants". When those affidavits are filled out and filed with a U.S. consul the supplemental affidavit will be transmitted to the State Department in Washington and from there to the Justice Department in Washington. If the Justice Department is convinced the supplemental affidavit contains a true recital of facts and contains nothing adverse to the applicant's interest and finds nothing substantial against the applicant in its own records, the FBI and WRA records and other records pertaining to the applicant the passport will be issued and the renunciant will be permitted to return to the United States. They must understand, however, that the issuance of a passport does not make them U.S. citizens. Only the courts can declare renunciations void, cancel them and declare renunciants to be citizens. Neither the State nor the Justice Departments can cancel renunciations or declare renunciants to be citizens. Each renunciant in Japan who applies for a passport should make a copy of his passport application and a copy of the supplemental affidavit. The best procedure is for them to send me a copy of the supplemental affidavit

before they file it with a U.S. consul and let me scrutinize it first. The copy may be needed for any subsequent individual court hearing. The plaintiffs in Japan who already have filed such affidavits should send me a copy. It is essential to preserve a copy because it may be needed for purposes of the cases some time in the future.

Further, each plaintiff renunciant in Japan should keep me informed of his or her address. In addition, each should send me the name and address of his or her nearest relative in the United States and the address in the U.S. to which he or she intends to return. It is necessary for me to have this information so that I can communicate with them conveniently. Further, I am preparing detailed letters to each of the plaintiffs in Japan informing each once again concerning the quickest and best method of obtaining clearance so as to return to the United States if they so wish. If there are some of them who believe that passports will not be issued to them and who, nevertheless, still wish to return without waiting for the Supreme Court to decide the appeals and are willing to run the risk of an individual trial in the event the Supreme Court refuses to reverse the Circuit Court's decision reopening the cases as to some renunciants they will have an opportunity to do so. I shall explain this matter to each renunciant in Japan by

way of a separate letter.

If the Solicitor General does not appeal to the Supreme Court from the Circuit Court of Appeal's decision affirming Judge Goodman's decision all those renunciants in Japan in whose favor the Circuit Court's decision runs will be U.S. citizens when I have the Circuit Court's decision spread on the minutes of the District Court. That cannot occur before some 90 days' time elapses. Each of them will be notified by me when that occurs. When that is done none of them will be required to file the supplemental affidavit for renunciants the U.S. consuls now require of them. Passports will be issued to them on their applications for passport in which each will state that he is a citizen of the U.S.

A number of the plaintiffs in Japan already have been granted passports and a number of these have returned to the United States while a number preferred to remain in Japan for various reasons of their own. Each who has been granted a passport and each who is granted one in the future should notify me by letter and give me the passport number and the date of its issuance. Each who has returned to the United States and each who returns to the United States should keep me informed of his or her address until the cases are finally settled by the courts.

Conclusion

I am enclosing for the plaintiffs in the U.S. a list of renunciants who are in the mass cases who have changed their addresses but have not notified me of their present addresses. I shall be grateful if you will look over the list. If you know the addresses of any of the persons thereon kindly write me and give me the addresses. If they cannot be located it will be difficult for me to continue to represent them properly especially if any of them finally should be required to have individual hearings.

I would thank each of you who has served in our military or naval forces to write me and give me the date you entered into such service, the grade or rank you attained, the period of time you served, the places where you served and the date of your honorable discharge if you have been released to inactive duty. I can use that information in connection with the appeals. If you have changed your own address kindly notify me by postcard or letter of your new address.

Very truly yours,

Wayne M. Collins

Form Letter sent to all Renunciants.

WAYNE M. COLLINS
Attorney-at-Law
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA
TELEPHONE GARFIELD 1-1218

Dated: March 19, 1951

March 19, 1951

This is a complete and up-to-date report I am making to you and to every renunciant client concerning the mass renunciation suits I filed in the U. S. District Court at San Francisco on November 13, 1945. It is a confidential report between attorney and clients. It is sent only to the renunciants I represent in those suits. It is not intended to be read by any other persons. The meager funds made available to me by the renunciants prevent me from engaging in correspondence relating to the cases except where it becomes necessary and important to do so.

Two types of "class suits" were filed. The first were mass proceedings in habeas corpus designed *to liberate all the renunciants from internment.* The second were mass suits in equity *to cancel the renunciations* and *to have each plaintiff declared to be a citizen of the United States.* My contention was that the renunciations were caused by the unconstitutional detention of the evacuees and the governmental duress to which they were subjected. It was my theory and argument that each was faced with an election of one of two choices the government forced them to make. The first was to renounce citizenship in order to secure liberation from a prolonged detention by being transported to Japan with alien family members whom the government had scheduled for removal to Japan. The second was to renounce citizenship in order to be held in the protective security of internment in order to escape being forced out of camp to face a hostile civilian community in an impoverished condition. In either event renunciation was not the product of free will but was forced upon them by the unlawful detention and the conditions prevailing at the Tule Lake Center *for which the government alone was responsible.* In consequence every renunciation was the direct product of governmental duress.

The Mass Habeas Corpus Proceedings

The habeas corpus proceedings were briefed thoroughly and were tested by affidavits and other documentary evidence showing the conditions that prevailed at the Tule Lake Center and the government's mistreatment of all the evacuees. On June 30, 1947, U. S. District Judge Louis E. Goodman ordered the applications for the writ granted. His order recited that all the then detained petitioners must be liberated and that none of them could be removed involuntarily to Japan. His decision was based upon his findings of fact and conclusions of law that native born Americans residing in this country could not be converted into alien Japanese nationals by mere renunciation of U. S. citizenship. He declared that none of them could be detained or be removed to Japan because none of them was an alien enemy subject to detention and removal under the Alien Enemy Act. The writs of habeas corpus issued on August 11, 1947, commanding that all the detained petitioners be liberated.

In due course, through so-called Justice Department "mitigation hearings" and administrative reviews in the case of each renunciant, precipitated by the cases, and through negotiations with the Justice Department, all of the removal orders outstanding against the renunciants were cancelled by the Attorney General with the exception of 302 of such orders. By consent of the Attorney General dated Sept. 6, 1947, and an order of court dated Sept. 8, 1947, all of the 302 were *released or paroled* into my custody and each of them returned to his or her home. On Sept. 8, 1947, the government appealed the cases to the Court of Appeals for the Ninth Circuit.

On January 17, 1951, the Court of Appeals affirmed the order of the District Court as to a large number of the renunciant petitioners but also reopened the habeas corpus proceedings as to a large number of them. The effect of this reopening is to enable the Attorney General to introduce new evidence, if he can, concerning the law of Japan if it be admissible on any issue involved as against those as to whom the cases were ordered reopened.

On February 16, 1951, I filed petitions for rehearing as to those against whom the Court of Appeals' decision reopened the cases. On February 27, 1951, the Court of Appeals refused to grant rehearings. In consequence, it now is necessary and urgent for me to appeal the cases as to those renunciant petitioners to the United States Supreme Court by May 28, 1951. If that Court affirms the order of Judge Goodman its decision will be conclusive. However, if it affirms the Court of Appeals' decision individual hearings thereafter will have to be held in the U. S. District Court in San Francisco for each renunciant whose individual case was reopened by the decision of the Court of Appeals. In such an event the individual cases will have to be tried by affidavits, depositions or personal hearings in that court or by a combination of those methods.

In any event the costs and expenses involved in the appeals to the U. S. Supreme Court will be heavy. If individual hearings finally should be required for a substantial number of persons the costs and expenses involved will be enormous in the aggregate but comparatively small for each individual. It is the duty of each person in the mass suits to bear his or her proportionate share of this financial obligation for all have been mutually benefited by the lawsuits.

The Solicitor General has 90 days within which to appeal for the Attorney General to the Supreme Court against the decision of the Court of Appeals in favor of a large number of the renunciants. I do not yet know whether he will appeal or not. If he does such will involve additional expenses to fight against his appeal.

The Mass Equity Suits

The mass equity suits were briefed exhaustively and were tested by affidavits and a considerable quantity of documentary evidence showing how the government evacuated, impoverished, imprisoned and mistreated the evacuees and the terrible conditions it permitted to prevail at the Tule Lake Center. That evidence proved all the renunciations were caused by governmental duress. On April 29, 1948, U. S. District Judge Louis E. Goodman handed down his Opinion in which all the renunciations were cancelled. He declared the evidence proved the renunciations were caused by the duress to which each had been subjected. He held that their unconstitutional internment and mistreatment arising out of conditions the government permitted to reign in the camp invoked in each renunciant such fear that each was deprived of freedom of choice and had to renounce and that, in consequence, each renunciation was involuntary and, therefore, void. His Opinion recites that the renunciations were the result of one or more of the following factors, (1) the internal pressure of organizations at Tule; (2) parental pressure exerted on children by alien parents who induced them to renounce to prevent family separation; (3) fear of community hostility if they were forced to relocate in the United States; (4) the conviction the government would deport them to Japan in any event and that, unless they first renounced, they would be subject to reprisal by the Japanese on arrival in Japan and (5) mass hysteria induced by evacuation, loss of home and property, isolation from outside communication, confinement in an overly crowded camp, uncomfortable living quarters and unhealthful surroundings and climatic conditions—producing neuroses built on fear, resentment, uncertainty, hopelessness and despair of eventual rehabilitation. All those conditions and circumstances were caused directly by the government evacuating and imprisoning them and they constitute duress.

After his first Opinion was handed down approximately 3,000 additional renunciants applied to me to obtain the benefits of the decision and were joined as parties plaintiff to these equity suits. His Opinion in the equity cases, however, gave the Attorney General a chance to go forward with further proof as to certain plaintiffs to be designated by name by him, if he wished so to do, provided that such a designation would be made in good faith and that such proof would tend to show that such designated plaintiffs were not affected by the duress at all but renounced freely and voluntarily. Thereafter, the Attorney General had ten (10) months' time within which to file such a designation of certain plaintiffs.

On February 25, 1949, the Attorney General filed Designations naming every one of the 4354 plaintiffs. I moved to strike the Designations on the obvious grounds they were neither genuine nor proper and that they were not filed in good faith. On March 23, 1949, Judge Goodman ordered the Designations stricken from the records and forthwith ordered judgment entered for all the renunciant plaintiffs. On April 12, 1949, final judgments in favor of all the plaintiffs were entered cancelling all their renunciations and adjudging each plaintiff was a native born U. S. citizen and entitled to exercise all the rights, privileges and immunities of citizenship without discrimination by the government and its agents.

On April 28, 1949, the government appealed to the Court of Appeals at San Francisco. The appeals were briefed voluminously and were argued orally. On January 17, 1951, the Court of Appeals handed down its Opinion affirming the judgments as to a large number of the renunciants and reopening the cases as to a large number of others. The object of its reopening order is to give the Attorney General another chance to produce additional evidence in the District Court, if he can, tending to show that those as to whom the cases were ordered reopened renounced freely and voluntarily despite the unconstitutional internment and duress. The unfairness of that order is manifested by the fact it gives the Attorney General another chance to produce evidence against them that he had four (4) years to produce in the District Court but did not or could not there produce for various reasons.

The decision of the Court of Appeals declares, however, that because the evidence showed the "oppressive conditions" prevailing at Tule Lake "were in large part caused or made possible by the action and inaction of those government officials responsible for them during their internment," a "rebuttable presumption arises as to those confined at Tule Lake that their acts of renunciation were involuntary." This allows the government to go forward with the cases against whom its decision would reopen the cause and to produce evidence rebutting the presumption of coercion. If the government produces any evidence indicating a person renounced voluntarily that person thereupon is required to produce contrary evidence and demonstrate that he or she nevertheless renounced involuntarily in order to prevail.

I have been informed by the Justice Department as to the general nature of the evidence the Attorney General intends to try to introduce in evidence against each renunciant in the cases. It consists, in part, of statements made at the renunciation and mitigation hearings, written requests for repatriation, answers made to questions 27 and 28 in DSS-Form 304A of the Selective Service System questionnaire, refusals to swear unqualified allegiance to the U. S., the fact of being a Kibei and being suspected of having been loyal to Japan, or having been a leader or a member of any of the organizations at Tule, having been registered in a Koseki, prior membership in any proscribed alien Japanese associations, etc., and other evidence the Attorney General asserts indicates sympathy to Japan's cause and disloyalty to the U. S. He has available to him also the records of the F.B.I. and W.R.A. relating to each renunciant. Judge Goodman considered all of those factors, which were issues tendered by the evidence, and decided that such things were insufficient to offset the proof that the renunciations were the products of duress. The Court of Appeals' decision states that proof of any such things

overcomes the presumption of duress and leaves on each individual renunciant the burden of explaining that any such factors were innocuous and proving that his or her renunciation was entirely involuntary. The question whether the Court of Appeals has authority to make any such ruling is now a question of law that will be presented to the Supreme Court for settlement.

On February 16, 1951, I filed petitions for rehearings as to those renunciants against whom the Court of Appeals' decision reopened the cases. On February 27, 1951, the Court of Appeals refused to grant rehearings. In consequence, it now is necessary and urgent for me to appeal the cases as to them to the U. S. Supreme Court, as speedily as warranted, by May 28, 1951. If that Court declares the renunciations to be invalid or void its decision will be conclusive. However, if that Court affirms the Court of Appeals' decision individual hearings thereafter will have to be had in the U. S. District Court for each of the renunciants whose separate cause was reopened by the Court of Appeals. In such an event the individual cases will be tried by affidavits, depositions or personal hearings in court or by a combination of such methods. It is incumbent upon me to make immediate preparation to meet any such evidence the government intends to try to introduce against any of them in the event the Supreme Court affirms the decision of the Court of Appeals. This entails the enormous task of assembling information relating to each individual case so as to be prepared not only to meet whatever evidence the government can or may be able to produce against individuals but to overcome that evidence and to demonstrate that each renounced solely by reason of the duress and not by reason of any disloyal feeling toward the government.

In view of the foregoing you will appreciate that the costs and expenses involved in the appeals to the U. S. Supreme Court will be substantial. If individual hearings finally should be required for a large number of persons the total costs and expenses involved will be prodigious in the aggregate but only moderate for each individual. It is the duty of each person in the mass suits to bear his or her proportionate share of this financial burden for all have been mutually benefited by the lawsuits. All the renunciants were in the same situation and all were subjected to the same wrongful evacuation and detention and the same mistreatment by the government. It discriminated against all the renunciants. It inflicted misfortune upon them for "racial" reasons. It oppressed them and coerced them into renunciation. It is through the medium of these mass lawsuits that you and the rest of the renunciant plaintiffs carry on the struggle for your rights, to cancel the outstanding removal orders, to prevent any renunciant from being removed to Japan, to enable those in Japan who wish to do so to return to the United States, to cancel the renunciation of each and to have each declared to be a citizen of the United States.

The Solicitor General has until May 28, 1951, within which to appeal for the Attorney General to the U. S. Supreme Court against the decision of the Court of Appeals in favor of a large number of the renunciants. I do not yet know whether he will appeal or not. If he does it will involve additional expenses to fight against his appeal on behalf of those renunciants in whose favor the Court of Appeals rendered a favorable decision.

The names of the renunciants in whose favor the Court of Appeals' decisions run in the habeas corpus proceedings and in the equity cases will not be known accurately and be made known until the U. S. Solicitor General decides whether to appeal to the U. S. Supreme Court for the Attorney General. Each record has to be examined to make certain of the names of these persons. Several months will elapse before any such judgments can be spread on the minutes of the District Court to finalize and conclude those cases. When a conclusive judgment as to them is to be entered each of these renunciants will be notified thereof by a letter from me.

Results Achieved by the Mass Suits

The handling of these mass cases has been long, tedious and difficult. It has taken five and one-half years' time. The cases have been handled at a trifling minimum individual expense to the persons involved. Nevertheless, a considerable measure of success to date has attended my efforts on behalf of each and all the renunciants in the cases. The government was compelled to liberate every renunciant from internment and to close the concentration camps at Tule Lake, Bismarck, Santa Fe, Crystal City and Bridgeton. Further, the Attorney General has not been able to remove a single renunciant who is in the mass suits to Japan. However, the Attorney General still persists in his efforts to remove to Japan the 302 renunciants whose removal orders have not been cancelled and who were released or paroled into my custody pending the outcome of the court cases. He also has the power, inasmuch as the war with Japan has not yet been proclaimed terminated by the President or Congress, to seize any renunciant, issue a removal order against him, intern him and try to remove him to Japan under the provisions of the Alien Enemy Act. I do not believe, however, that he will endeavor to remove any except the 302 renunciants against whom removal orders still are outstanding and who were released or paroled into my custody on September 6, 1947, and thereupon returned to their homes.

If the U. S. enters into a peace treaty with Japan the Attorney General thereupon will lose his authority to seize, detain and remove any person under the provisions of the Alien Enemy Act. If the President or Congress formally proclaims the end of the war he will also lose those powers. Even if such a contingency did not occur he still could not remove any of the renunciants in the mass suits to Japan unless and until after each affected individual first had his separate individual hearing and thereafter, in the event of an adverse decision, first had been given time to exhaust individual appeals to the Court of Appeals and the Supreme Court. Such a procedure of course would take a long time to complete if individual hearings finally should be required in any large number of individual cases. The exhaustion of such remedies would involve a considerable period of time and an enormous overall expense although only a moderate expense to the individuals concerned.

I have done my best and shall continue to do my best to make certain that none shall be removed to Japan and that the renunciations of each shall be cancelled and the citizenship of each be preserved. Every person in the mass suits has received from me the same degree of protection and none has been given preferred treatment. All have been treated equally. Each person in the cases has been mutually benefited by the others and has had his share of the financial burden lightened to a trifling sum by what others have paid towards the costs and expenses of litigation. Each is duty bound to assist the others to a final conclusion of the cases.

The Alien Enemy Act Is Still in Effect

Every renunciant plaintiff must understand the following: The Alien Enemy Act, Title 50 U. S. Code, Sec. 21, provides that whenever "there is a declared war" between the U. S. and any foreign country "all natives, citizens, denizens, or subjects of the hostile nation or government" fourteen years or older can be "apprehended, restrained, secured, and removed as alien enemies."

When the Attorney General approved renunciations each renunciant immediately was classified by him as an alien enemy and his or her detention in the concentration camps thereupon became internment as an alien enemy. Under Presidential Proclamation No. 2655 issued July 14, 1945, all alien enemies in the U S. deemed by the Attorney General to be dangerous to the peace and safety of the U. S. because they had adhered to Japan or to the principles of the government of Japan were authorized to be removed to Japan on the order of the Attorney General. He issued blanket internment orders against all the renunciants and thereafter issued individual removal orders. Thereafter, under pressure of these mass class suits, he cancelled a large number of the removal orders. However, there are still 302 such removal orders outstanding against individual renunciants.

The Alien Enemy Act is still in full force and effect and will be ended only when the United States enters into a peace treaty with Japan, or the President or Congress officially proclaims the end of the declared state of war, whichever is the sooner. Until the happening of one of those events alien enemies can be seized, detained and be removed to Japan by the Attorney General unless court proceedings prevent such action against them being carried out.

In consequence, any renunciant against whom the Attorney General has issued or may issue a removal order can be removed to Japan unless the cases are won or a peace treaty with Japan sooner is entered into or the President or Congress sooner officially proclaims the state of declared war with Japan to be ended.

The action taken by the Attorney General against renunciants were internment and removal proceedings arising under the Alien Enemy Act which is an emergency war power law. These cases are not ordinary deportation cases arising under immigration laws. Issei who entered this country unlawfully or who lost their admission status who were in the U. S. on July 31, 1948, and who, in addition thereto, have resided here for 7 years or have American born children or are married to U. S. citizens or legally resident aliens and who prove themselves to be persons of good moral character may apply for a suspension of deportation under the relief from deportation provisions of Title 8 U. S. Code, Sec. 155 (c). That law does not apply to Nisei renunciants. There is no existing law under which a Nisei renunciant under Alien Enemy Act removal orders would be entitled to apply for relief under that law. That statute applies only in ordinary deportation cases to foreigners who entered this country illegally or who were legally admitted but lost their admission status as treaty merchants, professional persons, teachers, students, etc.

Further, I wish to point out that there is no existing law under which a Nisei who is proved to have renounced U. S. citizenship voluntarily can become a naturalized citizen. There is a possibility that Congress may authorize the nationalization of those who serve in the armed forces, however.

Effect of Decision To Be Made by the Supreme Court

The question whether the renunciation statute is constitutional or not was not decided by the district court. The Court of Appeals assumed it to be constitutional. Both of those courts considered the basic question for decision in the class suits to be a factual one, that is to say, simply whether the renunciations were invalid or void for being the product of duress. That consequently became for those courts a question of fact to be decided as to each individual renunciant. In consequence, if the U. S. Supreme Court holds the statute to be unconstitutional on its face or as applied to the evacuees its decision will be conclusive and all renunciations will be void.

However, if that Court holds the statute constitutional it must then pass on the question whether the renunciations are invalid for being the products of duress. If it decides as Judge Goodman did its decision will cancel all the plaintiffs' renunciations as having been made involuntarily because they were primarily caused by the government's duress or coercion. If it affirms the decision of the Court of Appeals that will mean that individual hearings of the affected persons must be had in the district court. There the government first would have to produce evidence tending to show that despite the duress certain plaintiffs renounced voluntarily. Then those particular plaintiffs must produce evidence to prove that they were in fear and renounced by reason of the unconstitutional detention, their mistreatment by the government and its agents and by reason of the terror conditions the government permitted to reign in the camp.

If the Supreme Court does not void the renunciations on constitutional grounds or invalidate them because all renunciants were the proved victims of coercion, as the district court held, and affirms the decision of the Court of Appeals requiring individual hearings no renunciant who has not sued or does not sue to cancel his renunciation could recover his U. S. citizenship. In other words, if the mass renunciation cases are won in the Supreme Court only on the question of factual duress and not on the ground of the unconstitutionality of the renunciation statute on its face or as applied such a decision will not restore the citizenship of persons not in the mass cases and such persons will have to commence their own private suits if they wish to recover citizenship.

Neither the Attorney General nor the State Department nor any other agency or agent of the executive branch of our government can cancel renunciations or restore citizenship to any renunciant. Only a court can cancel a renunciation and declare a person to be a citizen.

The issuance of a U. S. passport to a person by the State Department, with or without the consent of the Attorney General, does not automatically make a renunciant a citizen. However, it could be used as evidence in the form of an admission against the government and would assist in gaining a favorable court decision in any individual hearing or trial that might be required to be held. Pending a favorable final settlement of the cases in the courts the State Department, collaborating with the Justice Department, will deny a passport to any renunciant against whom the Justice Department (Attorney General) believes it can produce sufficient evidence to indicate the renunciant was disloyal to the United States or renounced voluntarily.

Why There Is a Possibility Individual Hearings May Be Required for Some Renunciant Plaintiffs

No outside assistance has been offered or been given to these mass suits by any person or group except the American Civil Liberties Union of Northern California in San Francisco, of which Mr. Ernest Besig is director. That organization steadily has given the renunciants and these mass suits its moral support and favorable publicity. Aside from it the renunciants have been compelled to rely entirely upon themselves and their Tule Lake Defense Committee.

The JACL did nothing to oppose the renunciation program. It refused to help the renunciants when they were held in concentration camps. While the renunciation hearings were being held in Tule Lake Saburo Kido as the national President of the JACL wrote Tetsujiro Nakamura, the legal aid counsellor at Tule Lake Center, that the JACL national headquarters would do nothing about the program and that he personally did not believe any court suit would be successful. Neither the JACL nor its subsidiary, the ADC, have ever said a good word for the renunciants. During the progress of the suits the JACL newspaper, the Pacific Citizen, in John Kitasako's column called the Washington Newsletter, published an article against renunciants charging them with having been disloyal to this country.

A. L. Wirin who had been the attorney for the JACL and also for the ACLU of Southern California at Los Angeles, a branch of the ACLU of N. Y., testified before the Dickstein Congressional Committee in 1945 that all renunciants should be deported to Japan. The American Civil Liberties Union of New York, of which Roger Baldwin was director, never at any time helped the renunciants. Instead, that organization, and especially Roger Baldwin, its director, the JACL and A. L. Wirin and Frank F. Chuman have done much which has been harmful to the renunciants and their mass lawsuits. Naturally, however, in view of the successes of the mass suits, those organizations and persons do not now want the real facts to be made known.

Nevertheless, the facts are that after every single renunciant had been pried loose from internment by these mass lawsuits and the internment camps had been closed out and Judge Goodman handed down his favorable decision in the mass habeas corpus cases the ACLU of New York decided to get publicity for itself. It realized that in failing to give the mass cases its moral support it had missed an opportunity to reap a lot of free publicity for itself. Thereafter it made feeble announcements that it supported the mass suits in principle insofar as they related to renunciants whose loyalty was beyond question. However, it never gave the mass suits any support whatever, moral or otherwise. The ACLU of Northern California, a separate organization of which Ernest Besig is Director, however, has given the mass cases and the renunciants its moral support from the inception of the cases and has given them favorable publicity.

The ACLU of New York, just to get publicity for itself when the mass suits were proceeding favorably, actively arranged to solicit cases involving a few renunciants, being careful to screen them to satisfy itself that they were loyal. It was anxious to relieve the WRA, the Justice Department and government agents from any charge of responsibility for the vicious renunciation program. There has come into my possession an affidavit made by Frank F. Chuman dated Dec. 16, 1946, in which he stated under oath that while he was employed as a law clerk he was instructed by his employer A. L. Wirin to solicit renunciation cases for A. L. Wirin to file lawsuits on and that the ACLU of N. Y. was interested in and sponsoring such cases.

The ACLU of N. Y. thereafter procured a few renunciants to serve its purposes. A. L. Wirin thereafter commenced the joint Murakami, Sumi, Shimizu and Inouye suit in Los Angeles. The attorneys who appeared for the petitioners in that proceeding were A. L. Wirin and Fred Okrand. Nanette Dembitz who had been with the Justice Department, Arthur Garfield Hays and Osmond K. Fraenkel, both of the ACLU of New York, and Frank F. Chuman who was in the pay of A. L. Wirin appeared as of counsel. (Saburo Kido and Edward J. Ennis are now committee members of the ACLU of N.Y. and both are identified with the JACL. Ennis once was director of the Alien Enemy Control Unit of the Justice Department and had a hand in the administration of the renunciation statute.)

The unfortunate result was that the district court in Los Angeles and the Court of Appeals both found from the evidence in the Murakami case and declared in that case that many internees were pro-Japanese and that many of the interned Kibei were pro-Japanese and many were disaffected Nisei. That was equivalent to a finding that renunciants were disloyal unless they could prove their loyalty individually. In consequence, the Murakami case caused almost irreparable harm to the renunciants in the mass cases because the Murakami decisions charged, found and branded such a large number of the internees as being disloyal to the United States. The fact that such an unjust brand thereby attached to several thousand persons involved in the mass habeas corpus and equity suits apparently meant nothing to the ACLU of N.Y., Roger Baldwin, A. L. Wirin, Fred Okrand, Nanette Dembitz, Arthur Garfield Hays, Osmond K. Fraenkel and Frank F. Chuman. Evidently they were not concerned with the fact that the Murakami suit might result in harm to the renunciants generally. However, the branding of renunciants generally as being disloyal to the U.S. unless they could prove their

loyalty in fact had nothing whatever to do with the legal right to cancel a renunciation. The only basic factual question to be decided in cancelling a renunciation is merely whether a renunciation was made voluntarily or whether it was the product of fear induced by duress and hence void.

Because the Court of Appeals in the Murakami case had made such findings of possible disloyalty on the part of so many renunciants at Tule Lake it stated in our mass suits, in substance, as follows: the Attorney General has indicated his realization of his duty to prevent a restoration to citizenship of disloyal renunciants who renounced voluntarily because of their sympathy with Japan and their hope of a Japanese victory over the United States. It further stated that many renunciants who "voluntarily renounced were disloyal to the United States" and had no inclination in trying to set aside their renunciaions until after Hiroshima and Nagasaki had been damaged by atomic bombs and they had learned that Japan's cause was hopeless and had learned that material conditions in the U. S. had become greatly preferable to those in Japan. It also declared that over half of the native born citizens at Tule Lake were Kibei, of whom it had found in the Murakami case, 176 F. (2d) 753 at page 758, that some were "permanently pro-Japanese." It further declared that the federal courts "must be more vigilant than ever that the massing of 4315 plaintiffs in two suits does not conceal the facts as to such enemy minded renunciants."

In view of the findings and declaration of that Court it must be apparent to you that the Murakami suit injured the mass suits and the cause of the renunciants. It is my opinion that if the Murakami case had never arisen the Court of Appeals would have upheld Judge Goodman's judgment in the mass cases cancelling all the renunciations or that the Attorney General would not have appealed from Judge Goodman's decision and no further trouble or problems would have arisen by reason of renunciations.

Although he had testified before a congressional committee that all renunciants should be deported to Japan, A. L. Wirin filed a few other individual renunciant suits. Quite recklessly, in disregard of the danger his actions presented to the mass suits, he filed in Los Angeles between May 12, 1948, and Oct. 6, 1950, separate suits for the following named persons who already were in the mass suits and whose rights were adequately protected thereby, viz., Norio Kiyama, Miyoko Kiyama, Michiko Takikawa (Takigawa), Yukiko Nakanishi, Yemiko Hamaji, Akira Tanaka, Harry Masao Hamachi and Gentaro Yamashita. Neither he nor any of these Nisei notified me, or you or the Tule Lake Defense Committee of what they had done. They kept it a secret. They wanted to get the protection and benefits of the mass suits which had been made possible by all the plaintiffs in the mass suits and, at the same time, apparently were willing to jeopardize the mass suits and the rights of all the plaintiffs in them. Further, Wirin prepared papers purporting to dismiss those persons from the mass suits and secretly filed those purported dismissals in the district in San Francisco. However, the mass suits already had been won and were out of the district court at the time they were filed and were on appeal in the Court of Appeals. In consequence, the dismissals were ineffective because (1) they were filed in the wrong court which had no jurisdiction over the causes; (2) they were surreptitiously filed without notice being given to me or to the U. S. Attorney; (3) no motions were made in court to dismiss and (4) no dismissal orders were presented to a judge or signed by a judge. In addition thereto he filed a like purported dismissal for Goichi Nerio who never was in the mass suits at all.

Further, between Oct. 7, 1947 and Nov. 7, 1950, Wirin commenced individual suits in Los Angeles for Isao James Kuromi, Tetsuo Frank Kawakami, Toshiko Ichikawa, Iwao Shigei, Hajime Kariya, Yoshiko Tokoi, Tadao Adachi and Yukiko Adachi, each one of whom already was in our mass suits. Neither he nor any of those Nisei gave me, you or the Tule Lake Defense Committee any notice of the filing or pendency of those separate suits. They concealed the facts. Wirin went to such lengths that when I argued the mass appeals in the Court of Appeals he appeared there on behalf of Frank Tetsuo Kawakami.

All of the above-named Nisei were in the mass equity suits when Wirin filed separate individual suits for them in Los Angeles. Each of them was protected by the judgments of Judge Goodman cancelling the renunciations. The mass suits already had been won and were on appeal when those separate individual suits were filed in Los Angeles. Each one of them was adequately protected by the mass equity suits. Each one of them allowed a separate suit to be filed by Wirin without your knowledge, my knowledge or the knowledge of the Tule Lake Defense Committee. Each one of them thereby acted against the best interests of all the plaintiffs in the mass equity suits. In so doing each of them exhibited an eagerness to keep the benefits secured to them by all the plaintiffs in the mass suits whose contributions made success possible and, at the same time, by their separate suits indicated an apparent willingness to jeopardize the rights and status of all the plaintiffs in the mass equity suits. It is likely that the court where those separate suits are pending will order them dismissed because the plaintiffs therein have no legal right to proceed by separate suits when their legal rights have been decided in the mass suits. That will be their misfortune.

It is proper to draw the conclusion that the Murakami case had the effect of relieving the W.R.A. and the Justice Department and their agents from blame for the renunciations by shifting the blame to a large group of several thousand internees. It is my opinion that any attempt to whitewash the government by relieving it from the charge that all the renunciations were caused by government duress and asserting they were due to the private duress of individuals and groups of internees serves no purpose except to attach to several thousand internees an unjust brand of disloyalty. Further, there is no good reason for injecting any question of loyalty or disloyalty into a lawsuit seeking to void or invalidate a renunciation on the ground of duress. The sole question involved in such cases is simply whether or not the renunciation is involuntary because it was caused by duress.

In the Murakami decision the Court of Appeals, on the basis of the findings made by the district judge in Los Angeles on the evidence introduced in that case, blamed the renunciations on Kibei at the Tule Lake Center and on members of the Hoshi Dan, Seinen Dan and on other groups and persons but not on the W.R.A.

and Justice Department and their agents where it belonged. That manifestly was unfair to those several thousand internees for all of them, too, were victims of the unconstitutional detention and of the duress to which the government had subjected all the persons confined to the Tule Lake Center and other concentration camps. Whatever any internees did to persuade other internees to renounce was excused in Judge Goodman's opinion in the mass cases which stated that they acted abnormally because of abnormal conditions not of their own making and that, although some may have detrimentally affected others, they were not to be held individually responsible. Obviously, all the renunciations were directly caused by the detention and the duress of the government. It is unfortunate that the Murakami case arose. Except for the decisions therein branding so many Kibei and Nisei with the charge of disloyalty it is likely that the Court of Appeals in the mass suits would have affirmed Judge Goodman's decision in its entirety without permitting a reopening of the cases for any individual hearings.

There is a chance, nevertheless, that the Supreme Court may set aside the unfavorable part of the decision of the Court of Appeals in the mass cases and affirm the ruling of Judge Goodman as to all the plaintiffs. If it does not do so I shall proceed to have whatever individual hearings may be necessary heard so soon thereafter as is possible.

What Renunciants Must Not Do

Until a conclusive judgment has been entered in the cases of the renunciants there are a few things they must not do. These are as follows:

(1) A renunciant must not leave the United States to visit any foreign country. If he does the Immmigration Service will deny him the right of re-entry. However, if he first obtains a U. S. passport after revealing to the State Department that he is a renunciant and fills out the special affidavit it requires of renunciants and the State and Justice Departments approve its issuance he can go abroad.

(2) A renunciant must not in any application for employment by the federal or a state government assert that he is a citizen. If he is required in any application for a civil service or other government position to state the country of which he is a citizen he may state: "I claim to be a U. S. citizen—I renounced at the Tule Lake Center under duress—litigation is pending to determine my political status."

(3) A renunciant should not lease or purchase agricultural or residential land in California unless and until the California Supreme Court or the U. S. Supreme Court declares the Alien Property Initiative Act of 1920 (The Alien Land Law) to be unconstitutional and void as to Japanese who are not citizens or until the California legislature repeals that law. Two cases presently are pending in the California Supreme Court testing the validity of that law but they may not be decided for several months' time. In the meantime, however, any citizen member of a renunciant's family is authorized to lease or purchase agricultural and residential land on the same legal basis as any other citizen.

(4) A renunciant must not register as a voter or vote in any election for federal, state, or municipal officers or measures.

(5) A renunciant must not hold a public office for which only a citizen is declared to be eligible by law.

(6) Without first consulting me no plaintiff in the mass suits should make any written or verbal statement to any governmental officer, agency or agent or to anyone else concerning the mass suits and especially concerning the reasons why he or she renounced except to state that he or she renounced by reason of duress while held in a concentration camp. Remember, no one can compel you to make any statement concerning these matters and no one has any right or authority to compel you to answer any questions except in court. You should refuse to answer any questions on these matters put to you by any person whether it be a government agent or a private person. You can state that you refuse to answer any questions on my advice as your attorney. Remember, ex-employees of the W.R.A. and present employees of the government may try to question you to gain information about these matters just to help the Justice Department get adverse evidence against you. Therefore, make no statements about the matters to anyone except you first consult me.

I wish also to caution you against paying much attention to rumors, radio reports and newspaper articles concerning the mass suits and your rights. Those sources are seldom accurate and generally are unreliable. You must not be alarmed by them or give them any serious consideration. You must remember that reports and comments concerning the mass cases appearing in a few Japanese language newspapers published in this country are written by JACL agents or adherents interested in praising the JACL, in publicizing its officers and attorneys and in assisting it to raise funds at an enormous expense for what little, if anything, it accomplishes. The JACL, its officers and members and the ACLU of N.Y. and its officers and attorneys are neither sympathetic to you nor interested in the preservation of your rights. You should not place much faith in their pronouncements. Whenever anything of real importance occurs in the mass suits affecting you directly I shall write and let you know. However, if any problem perplexes you concerning the cases and your rights and the matter is urgent you can communicate direct with me.

Procedure for Renunciant Plaintiffs Who Are in Japan

Renunciant plaintiffs in Japan long ago were informed by me by letter that if they desired to return to the United States they could wait until the Court of Appeals passed on the issues or could apply to the nearest U. S. consul in Japan for a U. S. passport. The choice was left up to each of them in Japan to make. They now may do either of two things:

They may wait until the U. S. Supreme Court decides the pending appeals. This probably will take place between October, 1951, and March, 1952. On the other hand they may apply to the nearest U. S. Consul in Japan for a U. S. passport. Those who apply for a passport must tell the consul that they are renunciants.

The consul will give them two affidavits to fill out. One is the passport application and the other is a "Supplemental Affidavit To Be Submitted With Passport Applications of Japanese Renunciants." When those affidavits are filled out and filed with a U. S. consul the supplemental affidavit will be transmitted to the State Department in Washington and from there to the Justice Department in Washington. If the Justice Department is convinced the supplemental affidavit contains a true recital of facts and contains nothing adverse to the applicant's interest and finds nothing substantial against the applicant in its own records, the FBI and WRA records and other records pertaining to the applicant the passport will be issued and the renunciant will be permitted to return to the United States. They must understand, however, that the issuance of a passport does not make them U. S. citizens. Only the courts can declare renunciations void, cancel them and declare renunciants to be citizens. Neither the State nor the Justice Departments can cancel renunciations or declare renunciants to be citizens.

Each renunciant in Japan who applies for a passport should make a copy of his passport application and a copy of the supplemental affidavit. The best procedure is for them to send me a copy of the supplemental affidavit before they file it with a U. S. consul and let me scrutinize it first. The copy may be needed for any subsequent individual court hearing. The plaintiffs in Japan who already have filed such affidavits should send me a copy. It is essential to preserve a copy because it may be needed for purposes of the cases some time in the future.

If you are in Japan, you are warned against committing any act of expatriation which would cause you to lose U. S. citizenship. The following acts have been defined by Congress, in Title 8, U. S. Code, Sec. 801, to constitute acts of expatriation whereby a citizen loses his U. S. nationality and citizenship, namely: (1) taking an oath or affirming or declaring allegiance to a foreign state; (2) serving in the armed forces of a foreign state if he has or acquires the nationality of that state; (3) accepting or performing employment under a foreign government if only nationals of that government are eligible for such employment; (4) voting in an election or plebiscite in a foreign state to determine sovereignty over foreign territory; (5) making a formal renunciation of U. S. nationality before a diplomatic or consular officer of the United States in a foreign state; (6) deserting our armed forces in time of war if convicted of desertion or dismissed or dishonorably discharged from those forces; (7) committing any act of treason or attempting to overthrow or bear arms against the U. S. if convicted by a court martial; and (8) leaving or remaining outside the jurisdiction of the U. S. in time of war or national emergency for the purpose of evading service in our armed forces.

Further, each plaintiff renunciant in Japan should keep me informed of his or her address. In addition, each should send me the name and address of his or her nearest relative in the United States and the address in the U. S. to which he or she intends to return. It is necessary for me to have this information so that I can communicate with them conveniently. Further, I am preparing detailed letters to each of the plaintiffs in Japan informing each once again concerning the quickest and best method of obtaining clearance so as to return to the United States if they so wish. If there are some of them who believe that passports will not be issued to them and who, nevertheless, still wish to return without waiting for the Supreme Court to decide the appeals and are willing to run the risk of an individual trial in the event the Supreme Court refuses to reverse the Court of Appeals' decision reopening the cases as to some renunciants they will have an opportunity to do so. I shall explain this matter to each renunciant in Japan by way of a separate letter.

If the Solicitor General does not appeal to the Supreme Court from the Court of Appeals' decision affirming Judge Goodman's decision all those renunciants in Japan in whose favor the Court of Appeals' decision runs will be U. S. citizens when I have the Court of Appeals' decision spread on the minutes of the District Court. That cannot occur before some 90 days' time elapses. Each of them will be notified by me when that occurs. When that is done none of them will be required to file the supplemental affidavit for renunciants the U. S. consuls now require of them. Passports will be issued to them on their applications for passport in which each will state that he is a citizen of the U. S.

A number of the plaintiffs in Japan already have been granted passports and a number of these have returned to the United States while a number preferred to remain in Japan for various reasons of their own. Each who has been granted a passport and each who is granted one in the future should notify me by letter and give me the passport number and the date of its issuance. Each who has returned to the United States and each who returns to the United States should keep me informed of his or her address until the cases are finally settled by the courts.

Conclusion

I am enclosing for the plaintiffs in the U. S. a list of renunciants who are in the mass cases who have changed their addresses but have not notified me of their present addresses. I shall be grateful if you will look over the list. If you know the addresses of any of the persons thereon kindly write me and give me the addresses. If they cannot be located it will be difficult for me to continue to represent them properly especially if any of them finally should be required to have individual hearings.

I would thank each of you who has served in our military or naval forces to write me and give me the date you entered into such service, the grade or rank you attained, the period of time you served, the places where you served and the date of your honorable discharge if you have been released to inactive duty. I can use that information in connection with the appeals. If you have changed your own address kindly notify me by postcard or letter of your new address.

Very truly yours,

WAYNE M. COLLINS.

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California
Telephone: Garfield 1-1218

FORM LETTER SEND TO
COMMITTEEMEN
Dated April 12, 1951

Under separate cover there is being sent to you and to each member of the Tule Lake Defense Committee copies of my petitions for rehearing in the mass habeas corpus proceedings and mass equity cases.

As you were informed by my form letter of March 19, 1951, the Court of Appeals refused to grant rehearings. In consequence, I am in the process of applying to the U.S. Supreme Court for writs of certiorari asking that Court to review and set aside the unfavorable part of the decisions of the Court of Appeals. There is a chance the Supreme Court will act favorably. If it holds Judge Goodman properly gave judgment for all the renunciants in the cases that will bring an end to the litigation. However, if it upholds the unfavorable part of the Court of Appeal's decisions the particular renunciants whose cases the Court of Appeals reopened to give the Attorney General another chance to produce evidence against them will have to be given individual hearings in the District Court.

Only 302 renunciants in the U.S. still have removal orders outstanding. The appeal to the Supreme Court is especially important to them because even if that Court affirms the Court of Appeal's decision as to them the delay in time operates to their advantage. The reason for this is that in the interim a peace treaty may be entered into or the President or Congress may make a formal declaration of the end of the declared state of war with Japan and thereby terminate the Attorney General's authority to remove anyone to Japan under the Alien Enemy Act. Such automatically would cancel the 302 removal orders and bring the threat of removal to an end.

In the printed form letter sent to each renunciant dated March 19, 1951, it is pointed out that the Murakami case, brought by A. L. Wirin and sponsored by the ACLU of New York, resulted in danger and harm to the cause of the renunciants generally. They tried to get cheap publicity for themselves, especially in Japanese language papers, after Judge Goodman gave us a favorable decision in the mass cases. They harmed our mass cases through the method of having their case speed along so as to overtake ours in the Court of Appeals. That court made a favorable decision to Miye Mae Murakami, Tsutako Sumi and Matsu Shimizu but, at the same time, from the evidence in the Murakami case, declared that many Kibei and disaffected

Nisei interned at Tule were sympathetic to Japan and disloyal to the U.S. and voluntarily had renounced. On the basis of that unfortunate finding the Court of Appeals declared in our mass cases that as it had so found the facts to be in the Murakami case the Attorney General should be given another chance to produce evidence against a large number of the renunciants in our mass suits and to try once again to prevent them from regaining their U.S. citizenship.

If Wirin had not filed that ACLU of N.Y. sponsored Murakami suit, the Attorney General probably would have treated Judge Goodman's decision in our mass cases as finally and favorably settling the matter for all renunciants. If they had waited for the Court of Appeals to pass on the Attorney General's appeals from the judgments in our favor in the mass cases and had held their case in abeyance it is likely the Court of Appeals would have affirmed Judge Goodman's decisions.

Those few Nisei who were in our mass suits, namely, Norio Kiyama, Miyoko Kiyama, Michiko Takikawa (Takigawa), yukiko Nakanishi, Yemiko Hamaji, Akira Tanaka, Harry Masao Hamachi, Gentaro Yamashita, Isao James Kuromi, Tetsuo Frank Kawakami, Toshiko Ichikawa, Iwao Shigei, Hajime Kariya and Yoshiko Tokoi, Tadao Adachi and Yukiko Adachi, and who, through Wirin, filed separate suits after our mass cases had been won in Judge Goodman's court thereby presented a serious danger to the mass suits. Most of those separate suits, however, will be dismissed when the court where they are pending is informed that those renunciants are protected by the mass suits. Nevertheless, if any of these cases had been tried and resulted in an unfavorable decision in the district court that fact would have jeopardized the cause of all the renunciants in the mass suits and just as much harm would have resulted to the mass suits as that occasioned by the Murakami suit.

The blame for those actions must fall upon those Nisei who permitted separate suits to be filed without notifying the Tule Lake Defense Committee or me of their intentions. The blame also falls upon the ACLU of New York, A. L. Wirin and Frank F. Chuman for having solicited such cases and for having deliberately tried to interfere with the success which attended the mass suits.

Nevertheless, our mass cases have been won for a large number of plaintiffs. I hope to win for the rest on appeal to the Supreme Court or, if not, then in the District Court in individual hearings for those who may have to have further additional hearings.

So far the costs and expenses of this litigation have been trifling even to those who have paid something towards achieving the results already obtained. A great many have not paid anything but have reaped the benefits of the suits. All will be required to contribute sufficient funds to carry on this extensive litigation to conclusion.

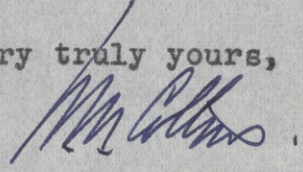
When the cases were filed on Nov. 13, 1945, all the renunciants were interned and faced with the immediate threat of

removal to Japan in an impoverished condition. None then had any income to speak of. The mass suits ended the internment and liberated every renunciant from detention. They also ended the immediate threat of removal to Japan of any of the renunciants. Today, with the exception of 302, none faces even the threat of a future removal to Japan. I expect to be able to ward off any such danger to the 302. Eventually I hope to establish the citizenship of every renunciant in the mass cases. The suits have enabled a large number of renunciants who were in Japan to return to this country. A number are in the process of returning. I hope to compel the government to let each one in Japan who wishes to return to the U.S. to do so.

Today the youngest renunciant in the mass suits is not less than 24½ years of age and the great majority are considerably older than that. When the suits were filed none had any profitable occupation and few, if any, had any income and, in consequence, were either hard pressed to pay something towards the expenses of litigation or simply could not then do so. Today, however, all of them are adults and are gainfully employed. They now can afford to pay their proportionate share of the costs and expenses of the litigation necessary to insure the maximum benefits to be obtained for each and all of the plaintiffs and to establish their citizenship which is of vital importance to them. Each of them, with the exception of the committeemen, will be asked to pay his or her proportionate share. The fact that they are in the U.S. and have the advantage of earning a livelihood in this country is due entirely to these mass suits. Except for these suits they would be trying to eke out a bare living in Japan. Each now is in a position to bear his or her proportionate share of the costs and expenses of this extensive litigation that has been and is so important for each of them.

I have devoted some six years of my time and effort to these mass cases. It is necessary that the legal struggle to vindicate the renunciants and to make certain that none of the 302 is removed to Japan and to cancel the renunciations of every plaintiff and to re-establish their citizenship be carried on to a final conclusion with diligence. It takes money to carry on this gigantic undertaking. If each person pays his or her share the financial burden will be evenly distributed and be trifling per person. In a short time each plaintiff in the cases will be informed by a letter from me of the sum each is expected to pay towards carrying on these cases. When those letters are mailed I will notify each of the committeemen so that they can assist me by persuading the plaintiffs to pay their proportions to me.

Very truly yours,



Form Letter to renunciants
under Removal Order.

WAYNE M. COLLINS
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

Telephone: Garfield 1-1218

April 12, 1951

April 12, 1951

You are one of the 302 renunciants against whom removal orders of the Attorney General are outstanding. The Attorney General is still trying to remove you and each of the 302 persons to Japan. The mass equity suits in which you are a plaintiff and the mass habeas corpus proceedings which protect each of you prevents him from doing that to you. Except for those lawsuits each of you long ago would have been removed to Japan under removal orders.

This letter is being sent only to each of the 302 persons against whom removal orders still are outstanding. The reason for this is that a number of you may not wish your names to be made known to the other renunciants. It is also desirable to prevent unfavorable publicity or comment to be made about any of the 302 persons. I am enclosing a list of the 302 names.

On June 30, 1947, U.S. District Judge Louis E. Goodman ruled that even if a renunciation of citizenship was valid the only effect it would have had would have been to render a person "stateless". He held that none of the renunciants who remained in this country could have become alien enemies subject to removal to Japan under the provisions of the Alien Enemy Act. As a result he held that all the renunciants then detained must be liberated from internment. The Attorney General took appeals from the judgments.

By a written consent entered into by me and the Attorney General dated Sept. 6, 1947, and an order of court dated Sept. 8, 1947, each of the 302 renunciants who were still under removal orders were released or paroled into my custody pending a final outcome of the appeals the Attorney General took. Each of them thereupon returned to his or her home.

As I pointed out to you in the printed letter of March 19, 1951, which I sent to each renunciant in the cases the Court of Appeals affirmed the judgments of Judge Goodman as to a large number of the plaintiffs but also reopened the cases as to a large number of the plaintiffs. Its decision especially reopened the government's case against each of the 302 renunciants against whom removal orders still are outstanding.

I am petitioning the U.S. Supreme Court to review and set aside the Court of Appeals decision in an effort to prevent further

individual hearings being had in the district court concerning you, each of the 302 persons and the other renunciants whose cases the Court of Appeals ordered reopened.

The Department of Justice which is the office of the Attorney General asserts that each of the 302 persons freely and voluntarily renounced U.S. citizenship, was disloyal to the United States, was sympathetic to Japan and gave allegiance to Japan and thereby became an alien enemy dangerous to the security of the U.S. and, in consecuence, should be removed to Japan under the provisions of the Alien Enemy Act. His office asserts it has evidence to prove those facts.

If the U.S. Supreme Court decides in your favor that will end the case. If it decides against you each will be given a further separate hearing in the district court where the Attorney General first will have to produce the evidence he asserts tends to prove that you renounced voluntarily and then we shall have the opportunity to produce contrary evidence to show that you renounced involuntarily and solely by reason of duress.

For the benefit of those renunciants against whom the Court of Appeals made an unfavorable decision the best course for their mutual protection is to appeal from the unfavorable part of the Court of Appeals' decisions to the U.S. Supreme Court. That appeal is necessary to give the 302 persons the maximum legal protection. The reason for this is that if that court upholds the decisions of the Court of Appeals each affected person would have to have a further separate hearing. Naturally a great number do not wish to have any such individual hearing which would be very expensive per case and where each would run the individual risk of not being able to prove he or she renounced involuntarily. Further if any of the 302 were to lose in such a further hearing he or she would be subject to immediate removal to Japan unless an appeal was taken therefrom or unless the President or Congress before then formally declared the state of war with Japan to be ended or unless before then the United States entered into a peace treaty with Japan, either of which events would terminate the power of the Attorney General to seize, detain and remove alien enemies under the Alien Enemy Act. In consequence, the 302 persons have the most to gain by the taking of appeals to the Supreme Court.

You can readily understand that the costs and expenses involved in these appeals is large in the aggregate but is comparatively small per person involved. Each renunciant has received the maximum protection from the mass suits. You and each of the 302 persons should bear your proportionate share of the costs and expenses for you have the most to gain from these suits. It is to your advantage to pay your proportion and to urge other renunciants in the cases to do likewise. If all those in the cases will pay their equal share the financial burden will not fall unevenly upon the more unfortunate ones who may have to have further separate hearings. In due course I shall write you and let you know just what sum you should pay.

Very truly yours,

AMEMIYA, Goro Chester
AMEMIYA, Takeharu
AMEMIYA, Yoshio
AOKI, Shinichi Jimmy
ARAMAKI, Hisae
ARAMAKI, Yoshiro
ASARI, Torao
AWAMOTO, Haruo
CHUMAN, Hayao
CHUMAN, Toshiko Nakamura
DENDA, Takeshi
DOIOKA, Noboru
DOOKA, Akira
DOTE, Shinji
EBISU, Yoshio
EGO, Jim Haruo
FUJII, George Yukio
FUJII, Jiro
FUJII, Shoji Paul
FUJIMOTO, George Masanobu
FUJIMOTO, Hideo
FUJIMOTO, Tamotsu
FUJIMOTO, Yukio
FURUTANI, Jiichi
FURUTANI, Shoichi
FURUTANI, Takeichi
HAMA, Namio
HAMABATA, Kiyoshi
HAMABATA, Takashi
HAMACHI, Shiroji
HAMAMOTO, Matsuichi
HAMAMOTO, Takashi
HARA, Yukio
HARAUCHI, Akio
HATAKEYAMA, Isao
HAYASHI, Yoshiro
HAYASHIDA, Yutaka Frank
HAYASHIMOTO, Yasuo
HIGA, Toshio
HIGASHI, Katsuto
HIRAI, Tomiichi
HIRAKAWA, George Asao
HIRAKI, Henry Tokio
HIRAKI Shigelu
HIRATA, Mitsuo
HIRATA, Shigeo George
HIROKANE, Taneo
HIRONAKA, Makoto
HIROTA, Noboru
HIURA, Shigeki
HONDA, Kazunari
HORI, Masanori
HORI, Masao
HORIKAWA, Takumi
HORITA, Norimasa
HORIUCHI, Akinobu
ICHINOSE, Mitsuo
ICHINOSE, Toshio
IDE, Masatsuji
IKEJIRI, Matsuo
IKEJIRI, Midori NAKAHARA
IMAMURA, Kenichi
IMAMURA, Tsutomu Tom
INOUYE, Hiromi
ISERI, Alexander Rekisanda
ISERI, Masako
ISHIDA, Tsutomu
ISHIHARA, Sumio
ISHUIN, Morimitsu
ITAGAKI, Kikuno
ITAGAKI, Tomoaki
KADOYA, Jiro
KAGEYAMA, Masuto
KAKUTANI, Minoru
KAMEOKA, Masato
KAMI, Yoshiaki
KAMIGAWACHI, Kiyoto Carmel
KAMIKUBO, Masami
KAMIKUBO, Shigeyuki
KANESHI, Shigeru
KANESHIRO, Yoshito
KASUKABE, Ken
KATO, Hiroshi
KATSURA, Kimi
KAWAGUCHI, Masakazu
KAWAMOTO, Frank Fujio
KAWANA, Richard Takeo
KIKUCHI, Hideo Bill
KIKUTA, Noboru
KIMURA, Ichiji
KINOSHITA, Masaru
KINOSHITA, Yoshio
KISHIMOTO, Kazuo
KITAMURA, Harutoshi
KIYOMURA, Takeshi
KOSHA, Ichiro
KOYANAGI, Fukuo
KOYANAGI, Kiyomi

KUNIMURA, Mitsuo
KUNIMURA, Yoshito
KURASHIGE, Kenichi
KURODA, Masatoshi
KUROMIYA, Setsuo Jim
KUROYE, Sadako
KUSANO, Kazuo
KUSHI, James I.
MAKI, Masao
MAKI, Yoneo
MASUMOTO, Hideo
MASUMOTO, Kazuto
MASUMOTO, Masuo
MATSUMOTO, Ben Tsutomu
MATSUMURA, Isamu
MATSUNAGA, Hideaki
MATSUURA, Kazuto
MATSUURA, Koichi
MATSUURA, Masaru
MAYEDA, Frank Ko
MAYEDA, Minoru
MAYEKAWA, Eiji
MINE, Kazuo
MIRIKIDANI, Tsutomu
MITCOKA, Teruo
MITSUDA, Minoru
MITSUHIRO, Joe
MIYAHIRA, Mitsunobu
MIYAKAWA, Isao
MIYAKAWA, Mitsugi
MIYAKAWA, Wataru
MIYAKI, Kazuo
MIYAMA, Shigeru
MIYAMOTO, Kazuo
MIYAO, Masato
MIYATA, Manjo
MORI, Kiyoshi
MORI, Satoshi
MORIKAWA, Masao
MORINAGA, Masato
MORINAKA Shigeru
MORIOKA, Hideo
MORISHITA, Shigeo
MORITA, Miyeko
MORITA, Noboru
MOTOYASU, Takashi
MUNEKIYO, Toshio
MURAKAMI, Tomoichi Tom
NAGAOKA, Akira
NAGATO, Tokuichi
NAKAGAKI, Kiyoshi
NAKAHARA, Kazuichi
NAKAHARA, Mitsue
NAKAHARA, Tokushige
NAKAMA, Masao
NAKAMA, Shigeo
NAKAMICHI, Hifumi
NAKAMOTO, Tokuji
NAKAMURA, Mitsuki
NAKAMURA, Tsugio
NAKANISHI, Ukiyo
NAKANISHI, Yasuto
NAKANO, Shimso
NAKAO, Kiyoto
NAKASHIMA, Kaji
NAKASHIMA, Toshimitsu
NAKAYAMA, Toshiro
NAOYE, Susumu
NISHI, Ryoichi
NISHI, Shizuko
NISHIMORI, Tadashi
NISHIMURA, Hiroaki
NISHIMURA, Shoichi
NISHITANI, Yoshio
NISHIYAMA, Ayao
NISHIYAMA, Katsumi
NOJIMA, Makio
NOJIMA, Minoru
NOJIMA, Noboru
NOJIMA, Tsukara
OBA, Isamu
OCHI, Sei
OKATA, Masanao
OKAZAKI, James Zuichi
OKINE, Minoru Alfred
OKINE, Motomi Bill
OKITA, Kiyoshi
OKUNO , Kazume MASUMOTO
OMI, Takumi SAKODA
OSAKO, Masami
OSHIRO, Shigeru
OTA, Atsuyuki
OTA, Yoshio
OTSUBO, Yutaka
OTSUKA, Yoshi
OZAKI, Sueo
OZAMOTO, George Masami
OZAWA, Haruo
SAIKI, Kihachiro
SAITO, Toshio

SAKAI, Masayoshi
SAKAMOTO, Hideaki
SAKAMOTO, Soichi
SAKATA, Itsuo
SAKODA, Haruye OMI
SASAKI, George
SASAKI, Seiji
SATO, Hideo
SATO, Kiyoshi
SATO, Kokichi
SESOKO, Masaichi
SHIBATA, Iwao
SHIBATA, Tony Tomeo
SHIBATA, Yoshio
SHIGA, Yoshikazu
SHIGEMURA, Yoneo G.
SHIMAKAWA, Tadayoshi
SHIMADA, Kazuo
SHIMIZU, Fusako
SHIMIZU, Iwao
SHINODA, Yoshimi
SHINTAKU, Shozo
SHIOSAKI, Kenji Kenneth
SHIRAISHI, Tadashi
SHONO, Tomiji
SUEDA, Masayuki
SUMIMOTO, Haruo
TABUCHI, Akio
TAGAWA, Hiroshi
TAGUMA, Noboru
TAIRA, Hidea
TAIRA, Kotaro
TAIRA, Shigeko
TAKAGAKI, Toshio
TAKAI, Mikio Jack
TAKARA, Yonetara
TAKATO, Jitsuo
TAKEDA, Senichiro
TAKEMOTO, Seiichi
TAKESHIMA, Juntoku
TAKETA, Masao
TAKETA, Morio Steve
TAKUSHI, Ansho
TAKUSHI, Seikichi
TAMAI, Hitoshi
TAMAKI, Kazuo
TAMANO, Masato
TAMANO, Nobuo
TAMASHIRO, Shigeru
TANAKA, George Joji
TANAKA, Ichitaro
TANAKA, Iwao
TANJI, Yukio
TATSUKAWA, Frank Jiro
TATSUKAWA, Kiyomi
TERADA, Ken
TERANISHI, Toshihiko
TOKOSHIMA, Isao
TOKOSHIMA, Matsuyo
TOMITA, Minoru
TOYODA, Shoichiro
TOZAKI, Michitoshi
TOZAKI, Yoshito
TSUHA, Jitsushige
TSUHA, Kiyoko
TSUJI, Akinobu
TSUJIMOTO, Kazuo
TSUKIDA, Hironori
UEDA, Minoru
UEHARA, Masao
UEZU, Anso
UMEDA, Yoshimori
UNO, Hiromu
UWATE, Matao
UYEDA, Hiroshi
WADA, Tadashi
WAKABAYASHI, Kiyoshi
WAKI, Aiko
WAKI, Tsuneo
WAKITA, Tokutsugu
WATANABE, Hiroshi
YADA, Masato
YAKA, Soko
YAMADA, Hideto
YAMAGUCHI, Chikao
YAMAMOTO, tatsumi
YAMAMOTO, Tetsuo
YAMAMOTO, Yoshio
YAMANAKA, June Shizue
YAMANAKA, Roy Riuichi
YAMAOKA, Yukio
YAMASAKI, Takeo
YAMASHIROYA, Kiyofumie
YONETA, Masami
YOSHIDA, Haruyoshi
YOSHIDA, Kiyoto
YOSHIDA, Minoru
YOSHIDA, Yoneji
YOSHIJIMA, Minoru
YOSHIOKA, Fumio
YOSHIOKA, Riichiro
YOSHIWARA, Eiichi
YOSHIZAKI, Takeshi
YUZUKI, Minoru

Printed letter to renunciants
from T.L.D.C.

May 15, 1951

TULE LAKE DEFENSE COMMITTEE
124 SOUTH SAN PEDRO STREET, ROOM 215
LOS ANGELES 12, CALIFORNIA

TELEPHONE: MICHIGAN 4728

May 15, 1951

Dear Fellow Renunciant:

It is a long time since we were evacuated and then were interned at the Tule Lake Center where our renunciations of U.S. citizenship were taken. All of us, and members of our families, too, would have been removed to Japan by the Attorney General if our attorney, Wayne M. Collins of San Francisco had not represented us. He sued to liberate us from internment and to prevent our removal to Japan.

Mr. Collins succeeded in forcing the authorities to release every renunciant at Tule Lake, Bismarck, Santa Fe, Crystal City and Bridgeton from internment. He prevented our removal to Japan. In addition, he won our cases for us in the District Court in San Francisco. Judgments cancelling the renunciations of every one of the 4354 plaintiffs were entered in that Court.

The Attorney General appealed from those judgments. The Court of Appeals for the Ninth Circuit affirmed the judgments as to 899 renunciants who were under 21 years of age at the time of renunciation and also as to 58 adult persons. It ordered the cases reopened as to the rest, that is to say, as to some 3397 adult renunciants.

The Solicitor General is going to petition the U. S. Supreme Court for a writ of certiorari in an effort to have the Court of Appeals' decision in favor of the 899 minors and the 58 adults set aside. Mr. Collins will oppose that petition. If he is successful the citizenship of the 899 minors and 58 adults will be established conclusively. It is going to take money for him to fight against the government's efforts to set aside the judgments in favor of the 899 minors and the 58 adults.

By May 28, 1951, Mr. Collins is going to petition the U.S. Supreme Court for writs of certiorari in an effort to get that Court to hear the causes and set aside the part of the Court of Appeals' decision which ordered the cases of 3397 adult renunciants reopened for further evidence and individual hearings on the question of factual duress. If he is successful the citizenship of these also will be established conclusively.

There is a good chance that the Supreme Court will take jurisdiction of our applications for certiorari and may hear the causes on their merits. If it does there is a good chance that it will cancel all the renunciations on the grounds the renunciation statute was unconstitutional for being

applied only to interned Nisei to the exclusion of persons of other types of ancestry. There is also a good chance that it may hold that each renunciation was proved to be the product of governmental duress, as held by Judge Louis E. Goodman. If it does, the renunciations of all will be ordered cancelled for having been caused by governmental duress.

To carry on these appeals takes thousands of dollars just to get the bulky records in the cases printed and filed in the Supreme Court. It costs money to carry on these important appeals to the Supreme Court. It is expensive litigation because it involves so many renunciants. However, if each renunciant in the cases will bear his or her proportionate share the financial burden on each will be comparatively light.

Mr. Collins has carried on this fight for us single handed for almost six years. We have not given him adequate financial help. Many of us have failed to appreciate what he has done and is doing for us. We couldn't pay much when we were detained in camps because we had no income to speak of. However, all of us now are gainfully employed. Each of us now can afford to pay our share. We must do so. It is necessary to carry on the struggle to vindicate each renunciant in the cases, to prevent the Attorney General from removing to Japan the 302 renunciants against whom removal orders still are outstanding, to prevent removal orders being reissued against any of the rest of us, to establish our U.S. citizenship, and to make certain that we regain all our citizenship rights such as the right to vote, to hold civil service positions and public office, to own land and to travel abroad and to return to the United States. These are important matters to each one of us.

Mr. Collins has labored for the best interests of each of us for almost six years. He has done everything possible for us. He will not let us down. We should not let him down. Each of us must do our part to carry on this long fight for our rights. The only way we can do this is to pay our proportionate share.

In a short time you will receive a letter from Mr. Collins notifying you of what your share of the expense is. When he does you should pay him promptly.

Very truly yours,
The Tule Lake Defense Committee

By: Nakamura

P.S.--Enclosed is a list of renunciants in the mass cases who have moved and have not notified us of their new addresses. If you know the present address of any on the list please notify our attorney, Wayne M. Collins, Mills Tower, San Francisco 4, California, by letter or postcard.

ADDRESSES NEEDED

ADACHI, Fumiko Rose
ARAKI, David William
ARIYOSHI, Itsuki
ARIYOSHI, Takashi
ARIZUMI, Yoshiko

CHUMAN, Toshiko

EGO, James Haruo

FUJIOKA, Tadashi
FUJITA, Saburo
FUKAWA, Yoshitaka
FUKUNAGA, Miyoko
FURUTA, Geo. Shigeru
FURUYA, Mary Kaname
FURUYA, Takashi

HAMAGUCHI, Yoshiaki
HAMASAKI, Tomiko
HARA, Motoko Mrs.
HARA, Masao William
HARADA, Chiyeko
HARADA, Haruto
HARATANI, Jimmy Kazumi
HASHIMOTO, Hiroshi
HASHIMOTO, Masaru
HASHIMOTO, Masuno
(Neé Kawamoto)
HASHIMOTO, Yaeko Mrs.
HATAYE, Masami
HIDAKA, Kiyoshi
HIGA, Jisho
HIGASHI, Hisako
(Neé Umemoto)
HISATOMI, Setsuo
HONDA, Asao
HONDA, Kazuo
HOSHINO, Hisao
HORITA, Norimasa

ICHINOSE, Mitsuo
ICHINOSE, Toshio
IKEDA, Kaoru
IKEDA, Michiye
IKEMOTO, Tadashi
IMAMURA, Jimmie Iwao
INOUYE, Tokio
INOUYE, Tokiye
IRIYAMA, Masao
ISERI, Fujio
ISHIDA, Jack T.
ISHIDA, Jack Toshio
ISHIDA, Kiyoe
ISHIDA, Mack Chuichiro
ISHIDA, Shizuye
ISHIDA, Tsutomu
ISHIHARA, Kei (Kay)
ISHIHARA, Sumio
ISHIHARA, Tomoye Mrs.
ISHII, William Takeo
ISHIKAWA, Kimiye
ITANI, Tasuma
ITO, Yayoi Tom
IWASAKI, Tatsumi Obelle
IZUHARA, Shizuye

KADOYA, Jiro
KAKIGI, Masaru
KAMADA, Makoto
KAMETA, Kiyoshi
KAMINAKA, Fumio
KANEKO, Hiroshi
KANEKO, Hisashi
KANEKO, Kimiko
KANEKO, Yoshinori
KARIYA, Michiko Susie
KASHIWAGI, Eiko
KASHIWAGI, Hiroshi
KASHIWAGI, Ryo
KATAOKA, Eve Kusumi
KATAOKA, Fred Teruki
KATO, Hanako
(Neé Kameta)
KATO, Kieko
KATO, Keizo
KATO, Kenji
KATO, Tetsuichi
KAWAGUCHI, Tamotsu
KAWAHARA, Atsuko Mary
KAWAHARA, Emiko
KAWAHARA, Yoshinori
KAWAMOTO, Ellen Kiyoko
KAWANA, Richard Takao
KAWASAKI, Hideko
KAWASAKI, Tazuko
KIKUCHI, Hideo Bill
KIMURA, Keiichi
KINOSHITA, Masaru
KISHISHITA, Yuriko
KITAGAWA, Reo
KIYOTA, Minoru
KOBATA, Mitsuye Mrs.
KOBATA, Yurao
KOICHI, Toshio
KOKAWA, Kiyomi
KOKEN, Aiko
KONISHI, Hideo
KOSAKA, Iwao
KOTOW, Kichiya
KOYANAGI, Mickey Masuo
KOYANAGI, Shizue Ruth Mrs.
KUBO, Harry Teiichi
KUBO, Mae Naoye
KUBO, Yasugi
KUBOTA, Genji
KUBOTA, Toshiyuki Bob
KUMASAKI, Tamotsu
KUNIHARA, Kenji
KUNIMURA, Yoshito
KUNISHIGE, Toshio
KURASHIGE, Kiyoshi
KUMAI, Fumiyo
KURODA, Masatoshi
KURODA, Shigeru
KUROSAKI, Bob Tsuyoshi
KUSUDA, Masanao
KUWABARA, Shizuo Frank

MARUYAMA, Lilly Katsuko
MASUDA, Hiroshi
MASUDA, Takao
MASUDA, Yaeko
(Neé Uyeno)
MASUMOTO, Hideo
MASUOKA, Fumio Edward
MASUOKA, Yaeko
MATSUMOTO, Haruye
MATSUMOTO, Masami
MATSUMOTO, Niye
(Yokomizo)
MATSUMOTO, Tsutomu Ben
MATSUMOTO, Tsuyako
(Neé Sato)
MATSUNAMI, Hiroshi
MATSUNAMI, Sachiko
MATSUSHITA, Masaru
MAYEKAWA, George Shizuo
MISAKI, Yoshiko
(Shimokaji)
MITA, Yutaka
MITO, Matsuko
MITO, Paul M.
MIYAHARA, Mitsunobu
MIYAJI, Umeko
MIYAMOTO, Masaye Mary
MIYAMOTO, Roy Hideo
MIYAMOTO, Yoshio Johnny
MIYASAKI, Ben T.
MIYASAKI, Chihiro Carroll
MIYASAKI, Kizuku
MIYATA, Tetsuo
MIYATA, Umeko
MIYATA, Yoshito Skippy
MIZUNO, Michio
MIZUNO, Tadao Ray
MOCHIZUKI, Minoru
MORI, Kiyoshi
MORI, Shigeko Rose Mary
MORI, Shizu
MORIHARA, Ayako
MORIHARA, Yoshihito
MORIMOTO, Tadao
MORINAKA, Hideo
MORINAGA, Masato
MORIOKA, Eiro
MORISHIGE, Toshiko
MORITA, Haruo
MORIUCHI, Fusaye
MUNEKIYO, Toshio
MURAKAMI, Yoshichika
MURANO, Chiyoko Doris
MURAOKA, Shigeru
MURAOKA, Tamie Mrs.
MURATA, George

NAGATA, Yoshiye
NAITO, Toshiko
NAKADA, Fujiko June
NAKAGAWA, Hayao
NAKAMICHI, Hifumi
NAKAMURA, Masashi
NAKAMURA, Mieko Anne
NAKAMURA, Motoi
NAKAMURA, Noriaki
NAKAMURA, Yukio
NAKANISHI, Shigeo
NAKANISHI, Yasuto
NAKANISHI, Yukie
NAKANO, George
NAKANO, Jane Sumiko
NAKANO, Katsumi Frank
NAKANO, Miyoko
(Yoshimoto)
NAKANO, Tsuneo
NAKAO, Kiyoto
NAKASAKO, Haruo
NAKASAKO, Itsuo
NAKASHIMA, Fujiye Helen
(Neé Takahashi)
NAKASHIMA, Kaji
NAKAYAMA, Eichi Richard
NAKAYAMA, Kenji
NAKAYAMA, Toshiro
NAKAZONO, Takeo
NAKAZONO, Yoshiko
NAMBA, Sakae
NAMIKI, Isao
NARAHARA, Minoru
NARAHARA, Toshiko
NAMIKI, Tokuye Mrs.
NEGI, Yoshio
NII, Haruo
NIIMOTO, Tetsuo
NISHI, Shizuko
NISHIGUCHI, Sugio
NISHIO, Shizuko
NISHIO, Yoshito
NISHIOKA, Masa
NISHITANI, Toshio
NOGAWA, Yoshio
NOJIMA, Tsukara
NOMURA, James Susumu

OBANA, Tadashi
ODA, Minoru
ODA, Nobuo
OHARA, Namio
OHARA, Tsutomu George
OHARA, Yukie Mrs.
OKADA, Haruyo
OKADA, Yoshio
OKAMOTO, Eijiro
OKAMOTO, Sadako Mrs.
(Neé Yamaguchi)
OKAMOTO, Takumi
OKAMURA, Akira
OKAWA, Shigeru
OKINO, Shizuko
OKUBO, Hirotaka
OKUSAKO, Kaoru
OMI, Hirao Henry
OMI, Mamoru
ORIEUCHI, Norio
OSHIRO, Florence
OSHIRO, Mary
OSHIRO, Shigeru
OSHITA, Den
OTA, Hiroshi
OTA, Sakaye
OTA, Tokuo

SAITO, Sachiko
SAITO, Takashi
SAKAHARA, Takeo
SAKAMOTO, Yoneo
SAKATA, Elsie Shizuko
SAKATA, Haruko
SAKATA, Ted Atsushi
SAKUMA, Toshiko
(Neé Omoto)
SASAKI, Kaname
SASAKI, Margaret Yo
SASAKI, Minoru
SASAKI, Seiji
SASAKI, Yukio
SASANO, Akira
SASANO, Kiyoshi
SATO, Hideo
SAWADA, Tomihiro
SEKO, Mary
SEKI, Kiyoko
SESOKO, Masaichi
SHIBATA, Iwao George
SHIBATA, Shizuko
SHIGEI, Toshiye
SHIMADA, Frank
SHIMADA, George Saburo
SHIMADA, Jack
SHIMAKAWA, Tadayoshi
SHIMAZU, Yoshio
SHIMIZU, Fumiko
SHINTO, Masaji
SHIRAI, Mary
SHIRAISHI, Kojiro Paul
SHIROMA, Yoshihide Charlie
SHOJI, Masatsugu
SUGAI, Mitsuru
SUMIDA, Jack Toshio
SUMISAKI, Kazuyoshi
SUTO, Hifumi
SUZUKI, Kiyoshi
SUZUKI, Sakaye May

TABATA, Yoshio
TABUCHI, Mary
TAIRA, Kotaro
TAKAKI, Shigeru
TAKATA, Kentaro
TAKEDA, Senichiro
TAKEMOTO, Tsugio
TAKEOKA, Kay
TAKEOKA, Mune
TAKETAYA, May Chitori
TAKETAYA, Hideshi Jim
TAKEUCHI, Matsuye
TAKEUCHI, Kazuto Kenneth
TAKIGAWA, Yoshio
TAMURA, George Masanobu
TAMURA, Jimmie Hiromitsu
TAMURA, Richard Yoshimitsu
TAMURA, Sumiko (Nakano) Mrs.
TANAKA, Masatsuki
TANAKA, Michiko
TANJI, Yukio
TATSUKAWA, Frank Jiro
TATSUKAWA, Tsuneko
TERAMOTO, Hiroshi
TERAO, (Ochimi) Takatoshi
TOKOSHIMA, Isao
TOKOSHIMA, Matsuyo Mrs.
TOYODA, Shoichiro
TOYAMA, Dianne Sumiko
TOYAMA, Tetsutaro (Robert)
TSUCHIDA, Tamotsu
TSUCHIHASHI, Ami
TSUNESHIGE, Kaoru
TSURUI, Yonetaro John
TSURUTOME, Tsuyuko
TSURUTOME, Yutaka

UMEMOTO, Seiichi
UNO, Masaharu
UNO, Toyoko
UYEDA, Tadao
UYEHARA, Masao
UYEKAWA, George
UYEMOTO, Tetsuji
UYENO, Yukio

WADA, Joe
WAKABAYASHI, Namiye
WAKABAYASHI, Nobuki
WASHIO, Kintaro
WATANABE, Hiroshi
WATANABE, Tomi

YAGI, Geo. Yoshinori
YAGI, Frank Yoshikazu
YAGI, Kikuko
YAGI, Toyoki
(Neé Hayashi)
YAMABE, Yoshio
YAMADA, Ben
YAMADA, Hiroshi
YAMADA, Sagi
YAMADA, Takashi
YAMADA, Yoshiye
YAMAGUCHI, Takeshi
YAMAMOTO, Dorothy Sachiko Mrs.
YAMAMOTO, Harold Masayuki
YAMAMOTO, Tatsumi
YAMAMOTO, Tatsuya
YAMAMOTO, Teruko Mary
(Nagura)
YAMAMOTO, Yoshikiyo
YAMANOUYE, Kazuko
YAMANOUYE, Takeharu
YAMASAKI, Takeo
YAMASAKI, Hiroshi
YAMASHITA, Gekishi
YAMAUCHI, Kimiko
YAMAUCHI, Mineo
YAMAUCHI, Shigeo
YAMAUCHI, Toshikazu
YASUI, Akira
YASUI, Masako
YASUZAWA, Susumu
YOKOTAKE, Kiyoshi
YOMOGIDA, Tetsuo
YONEMOTO, Tokio
YOSHIKAWA, Masato
YOSHIMURA, Arata
YOSHIMURA, Toshi
YOSHINAGA, Etsuko
YOSHIOKA, Morihiro
YOSHIOKA, Muneo
YUGAWA, Sanami
YUOKA, Tayeko

Letter sent to Renunciants

Undated
Sent: June 1951

WAYNE M. COLLINS
ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

Dear

On March 19, 1951, I sent you an up-to-date printed report on the mass habeas corpus proceedings and mass equity cases brought on behalf of some 4354 renunciants. Therein I explained to you that it was imperative for me to take appeals to the United States Supreme Court on behalf of 3397 renunciants whose cases the Court of Appeals ordered sent back to the District Court for the introduction of additional evidence.

The Solicitor General, on behalf of the Attorney General, intends to petition the Supreme Court to review and set aside the part of the Court of Appeals' decision which was in favor of the 899 minors and 58 adults. I shall oppose his petitions for certiorari as also his appeals on the merits if the Supreme Court takes jurisdiction of his appeals. This necessarily costs money.

In that printed letter I pointed out the dangers inherent in the cases to a substantial number of the renunciants. The importance of prosecuting appeals to the Supreme Court in an endeavor to obtain from that Court a conclusive settlement of the legal questions in favor of the 3397 renunciants whose cases the Court of Appeals ordered reopened also was stressed in that letter.

If I am successful in the Supreme Court a large savings in expense will be possible which otherwise would fall as a disproportionate financial burden on each person in the cases who would have to have an individual hearing in the District Court. The trifling amounts paid to me to date by persons in the cases is insufficient to carry on the appeals to a conclusion, much less to prosecute to finality any substantial number of individual hearings that might be required. Therefore, it is essential that each person in the cases pay his or her proportionate share of the costs, fees and expenses.

It is essential to speed along the appeals to the Supreme Court on behalf of the 3397 adult renunciants. It is also essential to defend the 899 minors and 58 adults against the appeals the Solicitor General is taking to that court for the Attorney General. This necessarily involves considerable expense in connection with printing the complete record of the proceedings and the necessary briefs.

If individual hearings finally have to be held for any substantial number of renunciants the expenses will rise sharply. It is necessary for me to have funds in reserve to meet such a contingency.

It is important to carry on this fight for the vindication of every renunciant in the mass cases. It is vitally important to each one of them to establish his or her U.S. citizenship conclusively. The right of a renunciant to vote, to hold a civil service position, to hold public office, to own land in California, to travel abroad and to be able to return to this country and many other rights and privileges depend upon the establishment of his or her citizenship. The appeals are of extreme importance to the 302 renunciants who still are under removal orders although they are in my custody. The Attorney General is persistent in his efforts to remove them to Japan.

It is also important to try to obtain a declaration from the Supreme Court to the effect that the Alien Enemy Act, which authorizes the seizure and removal of persons to Japan, has expired or is not applicable to renunciants. Unless a peace treaty with Japan is entered into or the President or Congress formally declare the declared state of war with Japan to be ended or the Supreme Court holds renunciants are not subject to seizure and removal under the Alien Enemy Act the Attorney General has the power to seize renunciants, issue removal orders against them and remove them to Japan.

It is practically impossible for me to continue to represent renunciants who are not willing to pay their share of the costs, fees and expenses of carrying on this difficult struggle for the vindication of the renunciants and to establish the U.S. citizenship of each.

It is estimated that each renunciant in the cases should pay the sum of $ as his or her proportion of the costs, fees and expenses necessitated by the lawsuits. My records reveal that you have paid either direct to me or to the Tule Lake Defense Committee for delivery to me the sum of $. In consequence, you should forward direct to me, as soon as possible, the balance of $ to enable me to carry on these cases. You should make your remittance by check, cashier's check, money order or postal money order, payable to me and mail direct to me at my office.

Very truly yours,

Wm Collins

Wayne M. Collins

P.S.--If the sum you have already paid on account as above shown is incorrect I would thank you to write and let me know the correct amount you paid, the date you paid and to whom that payment was made or sent.

Wayne M. Collins
Attorney at Law
Mills Tower, 220 Bush Street
San Francisco 4, California

August 13, 1951

Enclosed find copies of my final petitions for certiorari and supporting briefs which were filed in the mass renunciation cases with the Clerk of the U.S. Supreme Court on August 9, 1951. Copies are being sent to each of the committeemen.

The one numbered 113 relates to the habeas corpus proceedings involving the 302 renunciants who still are under removal orders. Fortunately, a peace treaty between the United States and Japan is scheduled to be entered into at San Francisco sometime during September, 1951. As a result the authority of the Attorney General to remove any of the 302 against whom removal orders still are outstanding will terminate when the peace treaty is signed.

The one numbered 112 relates to the equity cases which were designed to cancel the renunciations on the grounds (1) that the renunciation statute is unconstitutional and (2) that each renunciation is void in equity for having been caused by governmental duress. When the peace treaty is entered into this will be the only case which then will be of importance. The U.S. Supreme Court is asked therein to decide whether or not the renunciations are void for constitutional reasons or are void for having been caused by governmental duress, as we contend and hope will be decided, or whether the cases will have to be reopened simply to let the Attorney General introduce additional evidence against each of the plaintiffs.

The U.S. Supreme Court is now in its vacation period. However, it convenes again in October and during that month it should decide whether or not it will review the cases. When it makes a decision I shall let you know the result.

Very truly yours,

W. M. Collins

Printed Form Letter - from
Tule Lake Defense Committee
November 17, 1951
to renunciants (other than
Judgment List)

TULE LAKE DEFENSE COMMITTEE
124 SOUTH SAN PEDRO STREET, ROOM 215
LOS ANGELES 12, CALIFORNIA

TELEPHONE: MICHIGAN 4728

Committee
Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
R. NARIMATSU
H. OKITA
L. KATAOKA

Committee
T. OBATAKE
M. SASAKI
R. SHIRAISHI
T. SHONO
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI
T. YAMAMOTO

November 17, 1951.

Dear Fellow Renunciant:

The appeals our attorney Wayne M. Collins took from the Court of Appeals to the U. S. Supreme Court have resulted in success for some 1228 renunciants whose citizenship soon will be ordered restored by entry of a conclusive judgment in the U. S. District Court at San Francisco.

As to the remaining renunciants the U. S. Supreme Court refused to take jurisdiction of our appeals. It likewise refused to take jurisdiction of the appeals of the Attorney General. In consequence, the cases as to these were ordered remanded to the U. S. District Court. There these causes will be reopened to let the Attorney General try to overcome the legal presumption their renunciations were caused by coercion. He will have a chance to introduce evidence against such of them as he may wish tending to show that they renounced by free choice. Thereupon our attorney will have the right to introduce contrary evidence showing that these renounced solely because of the duress in which the government held them and to which it subjected them.

You are one of the persons whose case has been ordered reopened for the introduction of further evidence. Soon our attorney will write you and let you know what is required of you by way of evidence to prove your own renunciation was caused by duress. There is no need for you to worry. Our attorney is capable of proving your renunciation was caused by duress and was not the product of your free choice.

This will be proved by affidavits and depositions and, where necessary, by hearings in court. It well may be that as matters progress the Justice Department will concede that a good number of the remaining plaintiffs in the case should have their citizenship restored without having to take depositions and without having hearings in court.

Everyone in the case should be grateful to those in the original group at Tule Lake who preliminarily put up just enough money to get these cases started. Everyone whose citizenship is to be ordered restored is being requested to put up his or her own full share of the costs, fees and expenses necessitated by these suits. Everyone who still remains in the cases is being asked to contribute his or her own full share of the financial burden which is necessary to carry on these cases to a conclusion.

For six solid years Mr. Collins has labored single-handed to protect and preserve our rights. He has carried on the battle to cancel our renunciations and to have our citizenship restored. It has been a long and hard fight. It has required of him an extraordinary amount of

difficult legal work. These lawsuits were contested by the Attorney General in the District Court, the Court of Appeals and the U. S. Supreme Court. Mr. Collins has handled this colossal task expertly, with tenacity and with excellent results.

Thousands of dollars necessarily had to be spent to carry on these lawsuits. Expensive appeals had to be taken to the Court of Appeals and to the U. S. Supreme Court. Heavy additional expenses will be required to carry on the cases to a successful conclusion for those individuals whose cases are not yet completed.

No person in the cases has the right to expect to take a free ride at the expense of the others who have met their share of the financial burden. It is absolutely necessary that each person in the cases should pay his or her full share of the costs, fees and expenses for the conduct of this litigation by our attorney. Everyone should be grateful to him for what he has done for each and all of us. We must not handicap him in his work. We must be ready and willing to pay him. We cannot in good conscience ask him to continue to represent any renunciant who is unwilling to pay his or her share.

You have not yet paid our attorney in full. You should pay or arrange to pay him the balance you owe him to cover your proportionate share of the costs, fees and expenses due to him. You should send your payment direct to him at his office as soon as possible. Send it to Wayne M. Collins, Esq., attorney at law, 1701 Mills Tower, San Francisco 4, California, as soon as possible.

Very truly yours,

The Tule Lake Defense Committee

By

Printed Form Letter - From Tule Lake Defense Committee, November 17, 1951 to Renunciants on Judgment List

Committee
Y. HONDA
Y. KAKU
T. KONO
J. KIMURA
Y. KIYOHIRO
M. MATSUMOTO
K. MATSUOKA
I. NAMEKAWA
T. NAKAMURA
R. NARIMATSU
H. OKITA
L. KATAOKA

TULE LAKE DEFENSE COMMITTEE
124 SOUTH SAN PEDRO STREET, ROOM 215
LOS ANGELES 12, CALIFORNIA

TELEPHONE: MICHIGAN 4728

Committee
S. OBATAKE
M. SASAKI
R. SHIRAISHI
T. SHONO
Y. SHIBATA
I. SHIMIZU
H. TAKETAYA
G. TSUETAKE
H. TAKEUCHI
H. UCHIDA
M. YAMAICHI
T. YAMAMOTO

November 17, 1951.

Dear Fellow Renunciant:

For six years our attorney, Wayne M. Collins, has carried on the battle to cancel our renunciations of U. S. citizenship and to have our citizenship restored. It has been a long and hard fight. It has required of him an extraordinary amount of extremely difficult legal work. The lawsuits were contested by the Attorney General in the District Court, the Court of Appeals and the U. S. Supreme Court. He handled this colossal task expertly, with tenacity and excellent results.

You are one of the lucky ones. Our attorney has won the cases for you. He soon can have a conclusive judgment entered in the district court in your individual favor. When he enters that judgment your renunciation forever will be cancelled. Thereupon you will be entitled to exercise all the rights of citizenship without discrimination. You then will be able to vote, to hold public office, to obtain federal and state employment. You will be able to own, operate and lease land for agricultural, residential and commercial purposes in California and any other State which has laws prohibiting aliens from the ownership and use of real property. You then will be able to travel abroad and to re-enter the United States without difficulty.

Thousands of dollars had to be spent to pay for these lawsuits. An enormous amount of legal services has been rendered by Mr. Collins. Expensive appeals had to be taken to the Court of Appeals and to the U. S. Supreme Court. Heavy additional expenses will be necessary to carry on the cases to a successful conclusion for those whose cases are not yet completed.

No person in the cases has the right to expect to take a free ride at the expense of the others who have carried their share of the financial burden. It is absolutely necessary that each person whose citizenship is to be restored by the conclusive judgment should pay his or her share of the costs, fees and expenses for the conduct of this successful litigation.

You have not yet paid our attorney in full although you are one of the fortunate ones who will have your citizenship restored as soon as he has a conclusive judgment entered for you in the district court.

You should immediately pay or arrange to pay Mr. Collins the balance you owe to him to cover your proportionate share of the costs, fees and expenses due to him.

You should send your payment direct to him at his office as soon as possible. Send it to Wayne M. Collins, Esq., attorney at law, 1701 Mills Tower, San Francisco 4, California. After you do he will notify you by special letter when a conclusive judgment cancelling your renunciation and restoring your citizenship is entered.

Very truly yours,

The Tule Lake Defense Committee

By T. Kono

PRINTED LETTER OF 11-19, 1951
SENT TO JUDGMENT LIST

Dated 11-19; date changed to
11-29-51 and mailed Dec. 3, '51

Noted on card by O 1

WAYNE M. COLLINS
ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

November 19, 1951.

You are one of the renunciants in the mass equity suits for whom, by reason of the favorable decision of the U. S. Supreme Court on Oct. 8, 1951, I shortly can have a conclusive judgment entered in the U. S. District Court in your favor.

When that is done your renunciation of U. S. citizenship will be cancelled permanently. The judgment will establish and declare that you always have been and still are a native born citizen of the United States.

When the judgment in your favor is entered you will be authorized to exercise and enjoy all the rights, privileges and immunities of U. S. citizenship without discrimination. You will be able to vote, to hold public office, to obtain federal and state employment, to travel abroad and to re-enter the United States. You will be able to own, possess, lease and occupy land and buildings for commercial, residential and agricultural purposes in California and in other States which now have laws prohibiting aliens from owning and using land. You will be entitled to exercise and enjoy any and all lawful citizenship rights and to do anything that any citizen lawfully may do on a like basis as any other native born citizen.

Everyone who has his citizenship restored should be grateful to those in the first group at Tule Lake who originally put up just enough money to get the cases started. To them primarily every renunciant owes a debt of gratitude.

Thousands of dollars were spent in the handling of these mass lawsuits in the district court and then in the appeals to the Court of Appeals and to the U. S. Supreme Court. All this has turned out successfully for your benefit. No one should be the recipient of the enormous amount of work and expenses incurred in the prosecution of these cases to finality without contributing his or her full share of the financial expense. It still is necessary for me to carry on the fight for those whose cases still have to be won.

It is essential that each person whose citizenship is to be restored by the conclusive judgment should pay his or her share of the costs, fees and expenses incurred in the conduct of this successful litigation for their individual and mutual benefit.

You owe to me a balance of $ on your share of the expenses. You should pay this sum promptly. When you make payment you will soon thereafter be notified by letter from me of the entry of a conclusive judgment in your favor cancelling your renunciation and restoring your citizenship.

Very truly yours,

Wm Collins

Form Letter sent to U.S. Active (unpaid group) - (02)

WAYNE M. COLLINS
ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

Dated: December 29, 1951

December 29, 1951.

On Oct. 8, 1951, the U. S. Supreme Court refused to take jurisdiction and review our appeals and the appeals of the Attorney General in the mass equity suits and habeas corpus cases brought on behalf of the renunciants.

The direct result is that some 1228 of the renunciants will have their citizenship restored when I have a conclusive judgment entered in the U. S. District Court at San Francisco.

The remaining 3108 cases are ordered sent back to the U. S. District Court where they will be reopened to let the Attorney General try to overcome the "legal presumption" that their renunciations were caused by duress or coercion. The Attorney General there will be given an opportunity to introduce evidence against such of them as he may wish providing it tends to show that they renounced voluntarily. Thereupon I shall have the right to introduce contrary evidence showing that they renounced solely by reason of the duress in which the government held them and to which it subjected them.

You are one of the renunciants whose individual case has been ordered reopened for the introduction of additional evidence. Soon I shall write to you and let you know what documents, records and information I shall require of you by way of evidence to prove that your own renunciation was caused by coercion or duress.

In the meantime there is no reason for you to worry or be alarmed. We should be able to obtain sufficient evidence to overcome any that the Attorney General may offer against you. If he offers any such evidence we should be able to prove that your renunciation was caused solely by the mistreatment to which the government subjected you and to the duress in which it held you.

It may be that in your individual case we can supply the proof by affidavits or depositions and, if necessary, by a personal hearing in court. It well may develop that as matters progress the Attorney General or his agents in the Justice Department will concede that a goodly number of the plaintiffs remaining in the case should have their citizenship restored without the taking of depositions or hearings in court being necessitated.

Do not be alarmed by any newspaper or magazine article you have read or may read about these cases. False and misleading articles have appeared in a few Japanese language papers about the cases. Spokesmen for the JACL, the ACLU of New York and other persons who know nothing about the cases and are ignorant of your rights have made false statements concerning the cases. They long have been unfriendly to renunciants. Do not trust or rely upon any publications or statements of spokesmen for the JACL and the ACLU of N. Y. about the cases. Those people are not friendly to you.

Thousands of dollars had to be spent in these lawsuits to pry each renunciant loose from detention at Tule Lake, Bismark, Santa Fe, Crystal City, and Bridgeton. Thousands had to be spent to cover the enormous costs of the lawsuits in the District Court and on the appeals to the Court of Appeals and to the Supreme Court.

It is still necessary to carry on the struggle to win for those remaining in the cases. It is vital to the cause that sufficient funds be made available to me to carry on the struggle to a final conclusion to vindicate each person still in the cases. This is a debt each renunciant in the cases should be ready, willing and happy to pay.

No one has the right to expect to be carried in the cases at the expense of the others. No one should receive the benefit of the enormous amount of legal services and the expenses discharged, incurred and to be incurred in the prosecution of these cases to finality without contributing his or her full share of this financial burden.

It will be impossible to carry on each individual's personal case unless each pays his or her own share. Each person whose citizenship is to be restored by the conclusive judgment is being asked to pay his share. Likewise each person still in the cases is being asked to pay his or her own share of the costs, fees and expenses involved.

You are asked to do your share. You owe on this a balance of $. You should make arrangements to remit this balance to me promptly so that the cause can be carried on to conclusion.

Very truly yours,

W. M. Collins