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Japanese translation 1-5-53
Protest Forms

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December 24, 1952

Dear Renunciant-Plaintiff:

**YOU ARE REQUIRED TO REGISTER UNDER THE NEW ALIEN
REGISTRATION LAW FOR YOUR OWN PROTECTION.**

Inasmuch as your renunciation of U. S. citizenship has not yet been cancelled and your citizenship, therefore, still is in doubt, *you must register and be fingerprinted, under protest, on or before January 23, 1953, at the office of the U. S. Immigration and Naturalization Service in the city or town nearest your place of residence unless you already have done so and already have an alien registration "T-Number" Certificate, Receipt or Card which proves you registered.* (In the smaller towns these offices usually are situated in the Post Office Building).

This step has been necessitated because of the enactment by Congress of the Walter-McCarran Act which became effective at 12:01 A.M. on December 24, 1952. The enactment of this new law was opposed as being bad and oppressive law by President Truman but it was passed by Congress over his veto. The JACL was in favor of its passage.

In order to show and have a record that you register and submit to being fingerprinted as though you were an alien and *to prove that you do so under protest but for your own protection, you must tell the registration officer at the time you register the following facts:—*

(1) That you do not believe you are subject to registration and fingerprinting as an alien but that, for your own protection, you are registering and being fingerprinted and hereafter will notify the Attorney General, in writing, of your current address and of any change of your address; (2) that you deny that you are an alien and (3) that you claim to be a U. S. citizen by birth.

It is important for you to tell the registration officer the above three (3) facts verbally at the time you register and I advise you to do it without fail. He will make a note on the registration form (either on his Form I-94C or AR-2 or I-94-AR) to the effect that you doubt the necessity for your registration but that you register for your own protection. *You should also deliver to him at that time the written protest form I am enclosing for you to fill out and sign which contains a complete explanation why you submit to registration.* It is entitled "Form to Be Attached As A Supplement To Alien Registration Form". He will attach this as a Supplement to your registration form. It may be that he will accept this written protest form from you without requiring you to state your protest verbally.

You may also tell him the following facts, if you wish, but it may not be necessary for you so to do because the written form I am enclosing for you to fill out and deliver to the registration officer contains a complete explanation why you submit to registration. These facts are as follows: (a) that, under coercion and duress, you executed a purported application for renunciation and renounced U. S. nationality, under the provisions of Title 8 U. S. Code, Section 801(i), during the late war while you were illegally detained in a U. S. War Relocation Center and held in duress by authority of the U. S. Government; (b) that you are a party plaintiff in mass class equity suits, Consolidated Nos. 25294-5 entitled Abo et al., versus McGranery, et al., and Furuya, et al., versus McGranery, et al., presently pending in the U. S. District Court for the Northern District of California, Southern Division, at San Francisco, California, brought to have your renunciation application, your purported renunciation and the order of the Attorney General approving your renunciation invalidated and voided as the product of fear induced by coercion and duress and for contravening the U. S. Constitution; (c) that you assert and claim that you did not become, by reason of your said purported renunciation, so made, either an "alien", a "foreigner" or a "stateless" person; (d) that you claim and assert that your renunciation is invalid and void; and (e) that you assert and claim you still are a national and citizen of the United States by birth.

By registering you will prevent any possibility of a charge of a violation of the provisions of this new immigration law being brought against you and thereby prevent any possible criminal penalties from being imposed upon you under this Act.

To make doubly certain that you, under protest, register under this law for your own protection, I am enclosing two forms entitled "Form To Be Attached As A Supplement To Alien Registration Form" for you to sign. You should date, and sign and write your present address on them. *Then deliver one to the registration*

officer at the time you register. Be sure you deliver it to him and leave it with him. You should sign and return the copy to me, fully made up and showing thereon the date and place where you registered so that I shall have a true and correct copy thereof in my files for future reference and record purposes. *Don't delay—Register promptly.*

Next, *within 30 days from January 1, 1953*, that is to say, *on or before January 31, 1953*, you must notify the Attorney General of the United States, in writing, of your current address (and supply him with such additional information as he may require). This notification will be made on a form called an "Annual Address Report Form I-53". You must go to the nearest Post Office (or office of the Immigration Service but preferably the post office), ask for such a form and there fill it out and deliver it to the Post Office agent or Immigration officer. *You cannot mail this notice—you are required to deliver it in person there.* This particular form of notice satisfies the requirements of Section 265 of the Walter-McCarran Act and also a similar requirement under the Internal Security Act of 1950. You must get such a form from the Post Office nearest you, *fill it out there and deliver it there to the postal authorities.* (You may also obtain such a notice from the office of the U. S. Immigration Service nearest to you and there fill it out and deliver it but it is easier for you to obtain it from the Post Office nearest you). Whether you already have registered under the Alien Registration Act of 1940 and now are in possession of an Alien Registration "T-Number" Certificate, Receipt or Card or whether you now register for the first time under this new law, *you must go to the nearest Post Office, fill out, and deliver this "Annual Address Report Form I-53" on or before January 31, 1953.*

Further, thereafter you must notify the Attorney General, in writing, of each change of address you thereafter may have within ten (10) days after you change your address. You can obtain the notification form (Form AR-11) from the Post Office or the office of the U. S. Immigration Service nearest you, and then fill it out, date and sign it, *place a postage stamp on it and mail it* to the Department of Justice, Immigration and Naturalization Service, 19th and East Capitol Streets, NE, Washington 25, D. C., to whom it is addressed. That will constitute notice to the Attorney General who is head of the Department of Justice and also of the Immigration Service of any change in your address.

If you have any doubt as to the time, place or manner of registering and of protesting you can obtain information and assistance from my office, or from a committeeman of the Tule Lake Defense Committee who is nearest your place of residence, viz.:

(1) TULE LAKE DEFENSE COMMITTEE, 124 South San Pedro Street, Room 215, Los Angeles 12, California, telephone Michigan 4728;

(2) HARRY TAKEUCHI, Rt. 9, Box 557-A, Fresno, California, telephone, after 5:00 P.M., Fresno 67596;

(3) TAKESHI KOSUGI, Rt. 2, Box 86, Tracy, California;

(4) HIKE YEGO, P.O. Box 218, Penryn, California;

(5) MASARU YAMAICHI, Rt. 6, Box 208, San Jose, Calif.;

(6) ROGER NARIMATSU, 5509 So. Blackstone Ave., Chicago 37, Illinois;

(7) ARATA HAYASHIDA, 1232 S. California St., Stockton, California;

(8) BEN WATANABE, Route 6, Box 326, Stockton, California;

(9) YASU HONDA, 1027 Yale Street, Sacramento, California;

(10) KAMEI IKEDA, 123 N. Sacramento St., Lodi, California;

(11) MINORU MATSUMOTO, 215 Gregory Lane, Concord, Calif.;

(12) MIKIO TOYOTA, P.O. Box 634, Isleton, California.

REPORT ON PROGRESS OF LAWSUITS

In the Tomoya Kawakita treason case the U. S. Supreme Court declared that a child born in the United States of Japanese parents is a U. S. citizen by our law and also is a Japanese citizen according to the basic law of Japan. This means that unless you or your parents took steps to renounce and renounced and repudiated Japanese citizenship in a legal manner and form recognized by Japanese law you had Japanese citizenship as well as U. S. citizenship at the time of your renunciation of U. S. citizenship, that is to say, you then had dual nationality. In consequence, if your Japanese citizenship had not been renounced before your renunciation of U. S. citizenship was approved, *and provided it is not finally invalidated by a court judgment*, you then lost U. S. nationality but retained your Japanese nationality. In such an event you thereupon became a Japanese national who had a permanent residence in the United States. In consequence, you were classified by the Attorney General as an "alien enemy" until the peace treaty with Japan was entered into and ratified in 1952 and since then as an "alien" or "stateless" person entitled to permanent residence here. However, if you never had Japanese nationality or that nationality had been renounced you became a legally resident "alien" or "stateless" person in the U. S. unless your renunciation of U. S. nationality is cancelled by a court.

Regardless of what you may have said or done in the past or while interned or at your renunciation or mitigation hearing, and regardless of what others may have said about you, and regardless of whether you are a Kibei, or were a member of the Hoshi Dan, Seinen Dan or Joshi Dan, and regardless whether or not you once asked to be sent to Japan and regardless whether you once were viewed as a trouble maker in camp and were interned at Bismarek, Santa Fe or Crystal City, and regardless of how you answered questions 27 and 28, you still stand a good chance of having your renunciation cancelled and of recovering U. S. citizenship through my negotiations or by court judgment. Don't listen to any gossip or rumors to the contrary.

Ever since the conclusive judgment of May 29, 1952, was entered in the U. S. District Court cancelling some 1228 renunciations and re-opening the causes as to the remainder of the plaintiffs in the mass equity suits I have negotiated with lawyers of the Justice Department with a view to obtaining an agreement as to the methods and means of a final disposition of the active cases. It is my opinion that you stand a good chance of recovering your citizenship through these negotiations. However, if I am not successful for you in these negotiations you still will have the right to an individual court hearing which can be determined on affidavits and depositions without you appearing personally in court or, if you wish, you can appear in court personally and with witnesses and give testimony. Even in a court hearing you will have the advantage of the Court of Appeals' declared legal presumption that your renunciation was caused by coercion. In any event I still am carrying on negotiations which, I hope, eventually may result in the restoration of your citizenship without a court hearing.

During the pendency of these negotiations the government lawyers tried to have the mass equity cases dismissed on motions made by the Attorney General and other defendants. On Nov. 26, 1952, however, U. S. District Judge Louis E. Goodman denied their motions to dismiss the suits and granted my motion to join 160 additional renunciants as parties plaintiff in Abo, et al., v. McGranery, et al., No. 25294. Although they may adopt other tactics in an effort to defeat the cases I believe the Justice Department lawyers now will endeavor to reach some agreement with me on the disposition of the active cases. I will inform you by letter of the final results of these negotiations.

One Japanese language paper has published articles stating that all persons who renounced U. S. citizenship while under 21 years of age automatically had their citizenship restored by reason of the conclusive judgment entered in favor of those specifically named minors who were in our mass equity suits. Such, however, is not true. The written renunciation of a minor is presumed to be valid on its face and is voidable only by a decree of a court of competent jurisdiction. It is likely, however, that neither the Justice Department nor any federal agency again will assert that the renunciation of a person under 21 years of age is valid. The reason for this is that if a person who was a minor at the time of renunciation and who was not a party plaintiff in our suits were to sue the Attorney General independently in a U. S. District Court to cancel his renunciation or to establish his citizenship such a person would win his suit because of the authority and precedent established by the conclusive judgment in our mass suits, provided, however, that the government did not raise the defense of "laches" to his suit. Laches means that a person is barred from suing because he failed to file suit within a reasonable period of time. Such a renunciant, however, still could join our mass equity suits because the order granting a motion to join, under Rule 15 of the Federal Rules of Civil Procedure, probably dates his remedy back to Nov. 13, 1945, the original date of the filing of the mass suits—and this probably deprives the defense of laches of efficacy.

One Japanese language paper also has published articles stating that renunciants are eligible to become naturalized, that is to say, to become citizens through naturalization proceedings. However, the naturalization laws primarily are designed to enable persons who are aliens (not renunciants whose status is undetermined) to become naturalized citizens. Further, the fact that the Attorney General still asserts that you renounced citizenship voluntarily during the war for disloyal reasons and still contests your right to cancel that renunciation is suggestive that he would contest any petition you might file for naturalization, refer the petition to a court and compel you to have a hearing thereon. Further, it is likely the Attorney General would take the view that by applying for naturalization a renunciant thereby admits he renounced voluntarily for disloyal reasons and thereupon became an alien and, therefore, would be more inclined to contest his application for naturalization in a court.

Very truly yours,

Wayne M. Collins

P.S.—A complete translation of this letter in the Japanese language will be mailed to you by me on January 5, 1953.

カリフォルニア州 サンフランシスコ市
ブツシニ街二二〇番ミルズ・タワー内一七〇一號室
電話ガーフィールド一〇二二八

辯護士 ウェイン・M・カリンズ

市民権を放棄した原告の皆様へ…

あなたは自分の身を守るために新しい外人登録法によつて登録しなければなりません。

あなたの米国民権放棄が未だに取消されず 従つてあなたの市民権問題が解決していない以上 もしあなたが外人登録を済ませて登録の證據となる T 號に證明書 受取 またはカードを手していないのでしたら最寄りの移民歸化局に出頭して一九五三年一月二十三日までに、異議を申立てて登録と指紋登録をしなければなりません。(小い町では移民歸化局は大抵郵便局ビルディングにあります。)

これは一九五二年十二月二十四日午前零時〇一分にウォルター・マツカーラン法が施行されたために必要となつた措置です。この新法律の施行は有害で抑壓的であるという觀點からツルーマン大統領によつて反對されましたが これは大統領の拒合を乗切つて議會が立法化したものです。この法律の立法化は市民協會によつて支持されました。

自分の立場を守るために不承々々外人と同様に異議を申立てて登録及び指紋登録に應ずるということを證明するため、あなたは登録に際して登録係り官に次の事實を通告しなければなりません。

一、外人として登録および指紋に應ずる必要はないと思ふ、自分の身を守るために登録と指紋登録を行ひ、今後司法長官に筆頭で現住所變更を通知し、
二、あなたが外人であることを否認し、
三、出生によつて米国民であることを主張する。

登録に際して登録係り官に右の三事實を口頭で告げることが非常に大切で、これを忘れないようにして下さい。係り官は登録書式(一四九C、ARI-1 または一四九A-R)に、あなたは登録の必要を疑うが、自分の身を守るために登録するということを書きとめます。

登録に際しては 何故登録するかを詳細に説明した私の十二月二十四日付あなた宛英文書簡に封した書式に必要事項を記入して署名を終えて、これを係官に提出して下さい。これは「外人登録書式補充の参考書式」というもので、係官はこれを登録書に追加書式として添付します。係り官はあなたから口頭で異議を聞くことなしにこの抗議書式を受取るかも知れません。

なおあなたは、望むとあれば次の諸事實を係り官に通告してもよいわけです。(しかし私の十二月二十四日付英文書簡に同封し、あなたが記入、署名して登録係官に手交する「外人登録書式補充の参考書式」という抗議書式は何故登録するかを詳細にわたつて説明しているのでも、或はその必要がないかも知れません。)

一、米國政府當局の手で大戦中に強壓的に戦時轉住所に不法抑留されている間に、米國法第八號第八百一章I項目の規定に従つて高壓と強迫によつて米国民権放棄の申請手續をとり、市民権を放棄した。

二、市民権放棄は高壓と強迫によつて齎され、米國憲法に反するため無効であることを立証する目的のもとにアポーその他對マツクグラナリーその他、古屋その他對マツクグラナリーその他という名稱で第二五二九四號ケースとして目下加州サンフランシスコ北カリフォルニア南部地區米國連邦地方裁判所に提起中の集團訴訟の原告の一人である。

三、この市民権放棄の理由によつて、あなたは外國人、外人または無國籍者となつていないことを主張する。
四、あなたの市民権放棄は無効であると主張する。
五、出生によつて依然米國民であることを主張する。

あなたは登録することによつて、この新しい移民法違反のそりを免れ、この新法律に則つた刑罰を免れるようになります。

あなたが自分の立場を守るために、この新しい法律のもとに、異議を申立てて登録するということを重ねて明白にするため、あなたの署名を経て提出する事になつてゐる「外人登録書式補充の参考書式」二部を十二月二十四日付英文書簡に同封しておきました。この書式に時日 署名 および現住所を記入して下さい。そして、その一部を登録に際して係官に手渡し置いてくるようにして下さい。なお他の一部に署名して何處で登録したかということと 時日を記入して私に返送して下さい。これは記録として將來の参考のために私の方に保存致します。遅れないように一刻も早く登録して下さい。

次に 一九五三年一月一日から三十日以内、すなわち一九五三年一月三十一日までにはあなたは現住所を米國司法長官に報告しなければなりません。(住所以外に所要の情報も提供しなければなりません。この報告は「年次住所報告I-153型書式」を用いて行ふべきです。最

寄りの郵便局(または移民局)でこの書式を求めて記入したうえで郵便局または移民局係り官にこれを提出しなければなりません。この報告書を郵送することが出来ず自らこれを係り官に手渡さなければなりません。この報告書はウォルター・マツカーラン法第二六十五條および一九五〇年国内安全保障法の規定に基づくものです。この書式を最寄りの郵便局で求め、直にその場で記入して郵便局員に手渡さなければなりません。(この報告書は最寄りの米移民局事務所でも手に入れることができます。そこで記入して係り官に手渡すことも出来ますが、最寄りの郵便局で手に入れる方が容易だと思えます)たとえ、あなたが一九四〇年の外人登録法によつて登録して既に外人登録「T」証、證明書、受取り、またはカードを手に入れていても、また今度はじめて登録するのであつても、この新しい法律によつて、あなたは一九五三年一月三十一日までに最寄りの郵便局で「年次住所報告I-五三型書式」に記入して、これを局員に手交しなければなりません。

このほかに住所を變更した場合には十日以内にその旨司法長官に書式で報告しなければなりません。この住所變更報告書は「書式A R-1」といつて最寄りの郵便局または米移民局で入手でき、これに記入して時日を書き入れて署名し、切手をはつて首都ワシントンの第九街と東キャピトル街(N E)角にある司法省内移民歸化局あてに郵送すればよいのです。これで司法省の主管であり移民局の主任である司法長官あての住所變更届がすむわけです。

もし登録や異議申立てに關する時間、場所、方法などについて疑問がある場合には私の事務所なり、近くに住んでいるツール・レック・デフェンス委員会の委員に聞いて下さい。委員の氏名(すべて音譯)住所は次の通り

(一) ツール・レック・デフェンス委員会 加州ロスアンゼルス市サウス・サン・ビードロ街一二四番二一五號室 電話ミシガン四七二八

(二) ハリー・武内、加州フレズノ、ルート九、ボックス五五七-A 電話(午後五時以後)フレズノ六七五九六

(三) タケシ・小杉 加州トレイシー、ルート二、ボックス八六

(四) ハイク・恵古 加州ベンリン、ビーオーボックス二二八

(五) マサル・山一 加州サンノゼ、ルート六、ボックス二〇八

(六) ロージャー・成松、イリノイ州シカゴ市、サウス

ブラックストーン・アヴェニュー五五〇九番
(七) アラタ・林田、加州スタクトン、サウス・カリフォルニア街一二三二番
(八) ベン・渡邊、加州スタクトン、ルート六、ボックス三二六
(九) ヤス・本田、加州サクラメント市、エール街一〇二七
(十) カメイ・池田、加州ローダイ、ノース・サクラメント街一二三番
(十一) ミノル・松本、加州コンコード、グレゴリー・レイン二一五番
(十二) ミキオ・豊田、加州アイルトン、ビーオーボックス六三四

訴訟の進展に關する報告

川北友彌反逆事件で米國大審院は日本人を兩親として米國に生れたものは法律の定めるところによつて米國民であると同時に日本の基本的法律に従つて日本の國民であると宣言しました。これは、あなた、またはあなたの兩親が日本の法律に照らして日本の國籍離脱手續をとり、これを放棄しなかつた限り、あなたは米國の市民權を放棄した當時、日米兩國の國籍を有していたことを意味します。換言すれば、あなたは米國民市民權放棄當時二重國籍を有していたことになります。故にあなたが米國民市民權の放棄を認められて、これが最後の法廷で無効化される前に日本の國籍を離脱しなかつたならば、あなたは米國の市民權を失つたが、日本の國籍を有しているということになります。ですから、あなたは當時米國において永住權を認められた日本國民となり、司法長官によつて一九五二年に對日平和條約が發効するまで「敵國外人」の部類に入れられ、講和發効後は米國において永住權を認められた「外國人」または「無國籍」の人として認められていたわけです。しかし、もしあなたが日本の國籍なく、または日本の籍を離脱したとすれば、あなたの米國民市民權放棄が法廷で取消されてない限り、あなたは米國において法的に居住權を認められた「外國人」または「無國籍」の人となつたわけですから、あなたの抑留中の言行、市民權放棄または復權に關する聽問會、その他過去における言行が如何なるものであるうとも、あなたのこゝについて他のものが如何なることをいつたにしても、またあなたが歸米であろうとも、率仕團、青年團、あるいは女子團の會員であつたとしても、また日本に送還されるように要請したことがあつたり、ビスマーク、サンタ・フェーまたはクリスタル・シテイに過激分子として抑留されたことがあつても、またあ

あなたが質問第二十七および第二十八に如何なる回答を與えていても、法廷の判決によつてあなたの市民権放棄を取消して米國の市民権を取戻す可能性は非常に大きいのです。ですから悲觀的なデマやゴシップに耳をかさないようにしなさい。

一九五二年五月二十九日の最終判決が米國地方裁判所で取扱われて一千二百二十八名の市民権放棄を取消し、集團訴訟に参加した残余の原告のケースを再開して以來私はこの事件の最後の處理法について合意點を見出さなものと司法省の當局者たちと交渉をかさねてきましたこれらの交渉を通じてあなたの市民権を回復する公算は大きいと私は考えています。しかしもし私がこれらの交渉に失敗しても、あなたは望むとあれば自ら法廷に出廷するなりあるいは自ら出廷せずに口供宣誓書および證言によるなりして、個別的な法廷聽問會を求める權利があります。この法廷の聽問會ではあなたの市民権放棄は強硬によつて齎されたという控訴院の法的假定を味方にし得るわけです。いずれにしても、私は法廷の聽問會を開くことなくしてあなたの市民権を究極において取戻すことを目標に依然交渉を續けています。

これらの交渉の最中に政府の當局者たちは司法長官およびその他の被告の申請で集團訴訟を却下しようと試みました。しかし一九五二年十一月二十六日に米國地方裁判所ルイ・E・グッドマン判事は、この訴訟を撤回しようとする申請を否認して、第二五二九四のアポーその他のマックグラナリーその他のケースの原告のうちに、さらに六十名の市民権放棄者を追加するという私の申請を認可しました。被告側では私たちの敗訴目指して今後他の戦術をとるとするかも知れませんが、このケースの處理について司法省の當局者たちは私との間に意見の一致點を見出そうと努力するものと私は信じています。これらの交渉の最終結果については改めて書簡であなた方に御報告致します。

◎ ◎ ◎

一日本語新聞は、私どもの集團訴訟に参加した未成年者に有利な最終判決に接したので、二十一才以下のすべての米國市民権放棄者は自動的に市民権を回復したという記事を掲載しました。これは事實ではありません。未成年者の市民権放棄は表面的には確認されているものと見られ、當該司法裁判所の裁定によつてのみ無効となるのです。しかし司法省またはその他の政府當局では二十一才以下のもの市民権放棄は有効だということを申立てるようなことはしないだろうと思ひます。何故なればもし、私どもの集團訴訟に原告として参加していない人

で、市民権を放棄した時に未成年者であつたものが、市民権放棄を取消すため、または市民権を取戻すために個別的に米國地方裁判所で司法長官を訴えれば、政府が「怠慢」という法的根拠を理由としない限り、私どもの集團訴訟の決定的判決の先例と實證によつて勝訴するものと考えられるからです。「怠慢」とは法律用語で、適度の期間内に提訴しなかつたために、期限外の問題として訴訟を認めないことを意味します。しかし、「怠慢」を宣告される恐れのある市民権放棄者でも依然私どもの集團訴訟に参加することが出来ます。というのは連邦民事法の規則第十五號によつて、最初に集團訴訟を起した一九四五年十一月十三日にこの人の提訴期日を補修することが可能となつて、参加申請が認められ、その結果恐らく被告側が原告に對して怠慢を主張することが出来なくなるだろうと思はれるからです。

またある日本語の新聞は市民権放棄者は歸化手續を通じて歸化することが可能であるという記事をかかげました。しかし歸化法は原則として（資格の決定していない市民権放棄者を對象とせずに）外國人が歸化市民となることを規定しているのであります。それに司法長官があなたが戦争中に不忠誠の理由で自發的に市民権を放棄したと主張し、放棄取消しの權利に抗争を試みていることは、あなたが歸化申請手續をとることに反對して申請手續を法廷に回付して聽問會を強いることが可能だということを示唆するものです。さらに司法長官は、市民権を放棄したものが歸化を申請することは不忠誠の理由で自發的に市民権を放棄し外國人になつたことを容認したものであるとの解釋を下し、市民権放棄者の歸化申請を法廷で抗争すべく試みるようになる可能性が深まるかも知れないのであります。

敬具

一九五三年一月六日

ウエイン・M・カリンス

FORM TO BE ATTACHED AS A SUPPLEMENT
TO ALIEN REGISTRATION FORM

TO: The Attorney General of the United States; and the Department of Justice, Immigration and Naturalization Service.

Under the provisions of the Alien Registration Act of 1940, as amended, Sections 262(a), 264(b), 264(c), 264(e) and 265 of the Immigration and Nationality Act, 1952, (Public Law 414, 82nd Congress, 2nd Session), and regulations adopted pursuant thereto, the undersigned, under protest, submits to registration, fingerprinting and the giving of notice of his/her current address and any future changes in address for his/her own protection and asserts and claims as follows:

(1) I do not believe and I deny that I am subject to registration and fingerprinting and the giving of the above-mentioned notices of my current address and any future changes in my address under the provisions of the above-mentioned laws but, for my own protection and under protest, I submit to registration and being fingerprinted thereunder and hereafter will notify the Attorney General, in writing, of my current address and of any changes in my address, as thereby provided;

(2) I deny that I am an alien, a foreigner or a stateless person;

(3) I claim and assert that continuously since my birth in the United States I have been and now am a citizen of the United States by birth;

(4) In 1944 or 1945 during the late war I involuntarily executed a purported application for renunciation and purportedly renounced U. S. nationality under the provisions of Title 8 U. S. Code, Section 801(i), while I was detained illegally in a U. S. War Relocation or Segregation Center and was held in duress by authority of the U. S. Government and was subjected to duress and coercion which caused me to sign said renunciation application and make such purported renunciation;

(5) I am a party plaintiff in mass class equity suits, Consolidated Nos. 25294 and 25295, entitled Abo, et al., v. McGranery, et al., and Furuya, et al., v. McGranery, et al., presently pending in the U. S. District Court for the Northern District of California, Southern Division, at San Francisco, California, brought on November 13, 1945, to have my said renunciation application, renunciation and the order of the Attorney General approving said renunciation cancelled, invalidated and voided as having been involuntary and the product of fear induced by coercion and duress and for contravening the U. S. Constitution;

(6) I assert and claim that I did not become, by reason of my said purported renunciation of U. S. nationality, so made, either an "alien", a "foreigner" or a "stateless" person;

(7) I assert and claim that my said renunciation is invalid and void ab initio; and

(8) I assert and claim I still am a national and citizen of the United States by birth.

Dated: January _____, 1953.

.....
Name

.....
Address

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

January 5, 1953

Dear Renunciant-Plaintiff:

If you once registered and were fingerprinted under the old Alien Registration Act of 1940 while you were in a WRA camp at Tule Lake, Bismarck, Santa Fe, Crystal City or elsewhere, or afterward, you do not need to register again under the new law and you do not need to file the protest form captioned "FORM TO BE ATTACHED AS A SUPPLEMENT TO ALIEN REGISTRATION FORM" which I sent to you in my letter in English dated December 24, 1952, and of which a translation in Japanese is enclosed with this letter.

However, if you did not register and were not fingerprinted under the old Alien Registration Act of 1940 while you were in camp or afterward and you now are *inside* the United States or its territories you should register and be fingerprinted, under protest, under the new Alien Registration Law. In such a case you are required to register and be fingerprinted at the nearest *or any* office of the United States Immigration & Naturalization Service on or by January 23, 1953. (If, for any reason, it is impossible for you so to do by that time you should register as soon thereafter as is possible.)

If you did not register under the old law while in a WRA camp or afterward but now register for the first time under the new law you will note that your answer to Question No. 4 on the "ALIEN REGISTRATION FORM AR-2" which the registration officer will fill out or will have you fill out asks you to state the country of which you are a citizen or subject. Your answer to that question should be "the United States". If you now register and are fingerprinted for the first time under the new law you should do so under protest. *Your protest is made by signing and filing with the registration officer at the time of registration the "FORM TO BE ATTACHED AS A SUPPLEMENT TO ALIEN REGISTRATION FORM" which I sent to you in my letter dated December 24, 1952.*

Whether you once registered under the old Alien Registration Law of 1940 while you were in camp at Tule Lake, or elsewhere, or afterward, or now register for the first time under the new Alien Registration Law *you must fill out an "ANNUAL ADDRESS REPORT FORM I-53"* which you can obtain at the nearest *or any Post Office*. You cannot mail this form but you can get it there, make it out and deliver it there yourself or have it delivered there. Thereafter, if you move or change your address you must get a printed change of address form called an "ADDRESS RECORD CARD-ALIEN REGISTRATION FORM AR-11" from the nearest *or any Post Office* or U.S. Immigration & Naturalization Service Office, fill it out, place a stamp on it and mail it to the Department of Justice to whom it is addressed within ten (10) days from the time you move or change your address.

If you are serving in our military or naval forces *inside* the United States and have never before been registered and fingerprinted under the old Alien Registration Act of 1940 while held in a WRA camp, or afterward, you should register and be fingerprinted under the new law at the first opportunity you get and by January 23, 1953, if possible, and also fill out and deliver the ANNUAL ADDRESS REPORT FORM I-53 at the first opportunity you get and by January 31, 1953, if possible.

If you are now *outside* the United States and have not been registered and fingerprinted under the old registration law you must register and be fingerprinted under the new Alien Registration Law within thirty (30) days after returning to the U.S. from abroad and you should also fill out and deliver the annual report form and also the change of address form within ten (10) days after returning to the U.S.

If it embarrasses you to register and be fingerprinted at the U.S. Immigration & Naturalization office in your own city or town you can register and be fingerprinted in any other city or town at such an office. If it would embarrass you to get, fill out and deliver the ANNUAL ADDRESS REPORT FORM I-53 at the Post Office in the city or town nearest your place of residence you can do so in any other city or town. If it would embarrass you to get the change of address form called "ADDRESS RECORD CARD-ALIEN REGISTRATION FORM AR-11" in your own city or town you can get such a form from any Post Office in any city or town, fill it out, place a stamp on it and mail it.

If you have lost or lose your Alien Registration Card, Certificate or Receipt you should apply to the nearest or any U.S. Immigration & Naturalization Service office for a duplicate or substitute one and pay the fee therefor. You should do this because the new law requires you to have a registration certificate or card in your possession at all times for your own protection.

If the State Department, through one of its offices in the U.S. or one of its consuls in Japan, has issued you a passport that fact does not release you from registering or from making out an annual report or from giving notice of any change in your address because a renunciation cannot be cancelled except by a conclusive court judgment and so long as no conclusive court judgment yet has cancelled your renunciation your citizenship still is in doubt. (A passport is mere evidence of citizenship and is not conclusive proof of it.)

This letter supplements my letter to you dated December 24, 1952, and answers a number of questions put to me concerning registration by a number of the plaintiffs in the mass equity suits.

If you have any questions which perplex you or are in doubt as to what you should do you can get in touch with one of the committeemen of the Tule Lake Defense Committee or with my office.

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

January 6, 1953

Dear Committeemen:

Enclosed find supplementary letter I am sending to each of the plaintiff on the active list. The letter explains details in a simple form.

I am also enclosing a copy of the Japanese translation of the letter of Dec. 24th which is being sent to each plaintiff.

Very truly yours,

Wayne M. Collins/gkc

Copy to:

1. Tule Lake Defense Committee
2. Harry Takeuchi ✓
3. Takeshi Kosugi ✓
4. Hike Yego
5. Masaru Yamaichi ✓
6. Roger Narimatsu ✓
7. Arata Hayashida ✓
8. Ben Watanabe ✓
9. Yasu Honda ✓
10. Kamei Ikeda ✓
11. Minoru Matsumoto
12. Mikio Toyota ✓

AIR LETTER sent to Actives
in Japan re new immigration
law - Jan. 06

Mailed: 1-10-53

WAYNE M. COLLINS
Attorney at Law
1701 MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

January 9, 1953

Dear Client:

Under Section 349 of the new Immigration and Nationality Act of 1952 (Walter-McCarran Act) which became effective at midnight December 24, 1952 (Dec. 25, 1952 at 2:01 P.M. Japanese time) a U.S. citizen automatically forfeits U.S. citizenship by thereafter being employed by the Japanese government or any of its political subdivisions if such U.S. citizen also possesses Japanese nationality, that is to say, if he has dual citizenship.

Therefore, if you have dual nationality, you cannot work for the Japanese government or any of its political subdivisions without losing U.S. citizenship or your claim to it. This new law applies to dual nationals whether their renunciations of U.S. citizenship have been cancelled by a conclusive court judgment or whether their cases still are pending.

If you have Japanese nationality you must renounce it before you, either as an American citizen or as a renunciant claimant thereto, can work for the Japanese government or any of its political subdivisions. The necessary information and forms to renounce Japanese nationality can be obtained from the Japanese Ministry of Foreign Affairs.

If Japanese law prevents an American renunciant who is a dual national from renouncing Japanese nationality because his American citizenship still is in doubt by reason of his renunciation of U.S. citizenship such a person cannot take employment under the Japanese government or any of its political subdivisions except by thereby forfeiting his claim to U.S. citizenship under the new U.S. law.

Whether you now are a U.S. citizen or a renunciant whose status still is undecided you should keep in mind that the U.S. law provides that U.S. citizenship is forfeited by any of the following acts: (1) becoming naturalized in a foreign state; (2) taking an oath or making an affirmation or other formal declaration of allegiance to a foreign state or political subdivision thereof; (3) entering or serving in the armed forces of a foreign state; (4) accepting, serving in, or performing the duties of any office, post, or employment under the government of a foreign state or a political subdivision thereof, if he has or acquires the nationality of such foreign state, or if such office, post or employment requires him to take an oath, affirmation or declaration of allegiance to the foreign state; (5) voting in a political election in a foreign state; (6) making a formal renunciation of U.S. nationality before a diplomatic or consular officer of the U.S.; (7) making a formal written renunciation in the U.S. during wartime when approved by the Attorney General; (8) deserting the armed forces in time of war if convicted by court martial; (9) committing an act of treason against the U.S. or by attempting to overthrow or bearing arms against the U.S. when convicted thereof by court martial or court of the U.S. and (10) departing from or remaining outside the U.S. in time of war to evade military service.

Further, Section 350 of this new law, with certain exceptions, provides that a person who acquired at birth the nationality of the United States and of a foreign state and who has voluntarily sought or claimed the benefits of the nationality of any foreign state loses his United States nationality by having a continuous residence for three years after December 24, 1952, in the foreign state of which he is a national by birth at any time after attaining the age of 22 years unless prior to the expiration of such 3-year period he takes an oath of allegiance to the U.S. before a U.S. diplomatic or consular officer in a manner prescribed by the Secretary of State. (This oath can be taken before a U.S. consul in Japan.)

Very truly yours,

Wayne M. Collins

FOLD SIDES OVER AND THEN FOLD BOTTOM UP AND SEAL.
NO OTHER ENVELOPE SHOULD BE USED.

San Francisco 4, California



VIA AIR MAIL
PAR AVION

Mr. Tokio George Harada

MESSAGE MUST APPEAR ON INNER SIDE ONLY
NO TAPE OR STICKER MAY BE ATTACHED

IF ANYTHING IS ENCLOSED, THIS LETTER
WILL BE SENT BY ORDINARY MAIL

SECOND FOLD

FIRST FOLD

COMMITTEE

T. AKUNE
A. HAYASHIDA
Y. HONDA
K. IKEDA
Y. KAKU
L. KATAOKA
J. KIMURA
Y. KIYOHIRO
T. KONO
T. KOSUGI
M. MATSUMOTO
K. MATSUOKA
K. MORISHIGE
I. NAKAMURA
I. NAMEKAWA
R. NARIMATSU
T. OBATAKE
H. OKITA

TULE LAKE DEFENSE COMMITTEE

Room 215, 124 South San Pedro Street
Los Angeles 12, California
Michigan 4728

January 15, 1953

COMMITTEE

M. SASAKI
Y. SHIBATA
I. SHIMIZU
R. SHIRAISHI
T. SHONO
K. TAKAHASHI
M. YEGO
H. TAKETAYA
H. TAKEUCHI
M. TOYOTA
G. TSUETAKE
H. UCHIDA
B. WATANABE
M. YAMAICHI
T. YAMAMOTO
M. UEDA
K. UYENO

Dear Renunciant-Plaintiffs:

The committee desires to report that your attorney, Mr. Wayne M. Collins, has been successful in having your individual name included within the mass equity proceeding No. 25294--Abo v. U.S.A.

Heretofore your name were included within the second suit, namely the Akata case.

This petition was successfully made on your behalf by your attorney on November 26, 1952, when Judge Goodman issued a court order permitting the joinder of some 160 additional plaintiffs. Your joinder into this Abo case removes all possibility of defense being urged by the government on the ground of "laches" since it is presumed that as members of a class your rights are to be determined as of November 13, 1945, the date of the original filing of the suit.

Also added to the advantages of overcoming the defense of "laches", you could receive the benefit of the declared presumption that your renunciation was caused by the product of governmental duress. The burden of proof is now upon the government to show that your renunciation was taken under your own free will. If the government should produce any evidence contrary to you, we shall present on your behalf sufficient evidences of duress to rebut such evidences.

Inasmuch as your inclusion into the Abo case was in doubt to this date, we refrained from asking for your contribution until the joinder into this mass suit was definite. Now it is possible for us to deal with your case in the same manner as other party plaintiffs within this suit, and we shall therefore thank you to remit your remaining balance of your contribution to this office. All remittances should be made payable to Wayne M. Collins.

You have contributed to this date the sum of \$_____, and there remains an unpaid balances of \$_____.

Very truly yours,

TULE LAKE DEFENSE COMMITTEE

By:

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

File Committee

January 23, 1953

Gentlemen:

I am enclosing copies of the questionnaire I have sent to all the renunciants in the case who are in the United States. A few extra questionnaires are included in the event any of them ask you for copies.

Negotiations with the Justice Department are temporarily at a standstill. As explained to me by Enoch Ellison, the policy with reference to the active cases cannot be decided upon until the new Assistant Attorney General, whose name is Berger and who is from Chicago, has been consulted and made a decision thereon. However, he informs me that he is of the opinion that all those who have served in the military forces probably would be cleared and that it may be possible to enter a judgment pursuant to agreement in their favor.

Very truly yours,

P.S. As soon as the new Assistant Attorney General has decided what the policy of the Justice Department is to be, our negotiations will proceed with great rapidity.

Mr. Tex Nakamura
Mr. T. Kono
Mr. Harry Takeuchi
Mr. Roger Narimatsu

WAYNE M. COLLINS

ATTORNEY AT LAW
MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA
TELEPHONE GARFIELD 1-1218

March 19, 1953

Tule Lake Defense Committee
124 South San Pedro Street
Los Angeles 12, California

Gentlemen:

I wish to inform you of the status of the defense funds held by me in trust for litigation purposes in the mass class equity proceedings entitled Abo, Furuya, et al. v. McGranery, etc., et al., Nos. 25294-5 pending in the U.S. District Court in San Francisco. This report covers the funds on hand Jan. 1, 1952, the additional funds received during 1952, the disbursements made and the balance on hand December 31, 1952.

Balance of defense funds on hand in the San Francisco Bank, 526 California St., San Francisco, in Savings Account 792754 in my name "W. M. Collins, Trustee" and in commercial account in my name "Wayne M. Collins, Special Acct" on Jan. 1, 1952, \$52,586.52; plus interest on said savings account Dec. 31, 1952 of \$1774.00 ----- \$54,360.52

Add: additional defense funds that were received and deposited in the said trustee savings account No. 792754 during 1952, \$168,475.85; less J.L. items of \$3810 and dishonored checks of \$150.50 --- \$164,515.35 \$238,875.87

Disbursements made during 1952 pursuant to our agreement:

Operating expenses: Wages: C. Wada; D. Shippen; J. Kajikawa; A. Morimoto; Y. Handa; I. Nao; M. Nao \$9248.55; taxes on wages \$2328.17; travel, printing, postage, stationery, court costs, misc. \$1741.16 - \$13,387.88
Refunds to your Committee ----- \$20,000.00 \$ 33,387.88

Balance of renunciant defense fund on hand Dec. 31, 1952, in trustee savings account No. 792754, \$205,202.20, and in said commercial Special Acct. \$285.79 ---- \$205,487.99

Very truly yours,

7/30/53

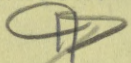
FORM LETTER TO BE SENT TO THOSE JOINED IN JULY, 1953

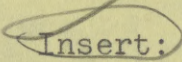
Dear Mr. _____:

At your request you have been joined as a party plaintiff in the mass renunciation cases pending in the U.S. District Court in San Francisco, No. 25294.

I would thank you to send me the following information immediately:

1. Full name, including middle name (also maiden name, if married woman).
2. Date of birth.
3. Place of birth.
4. Place and approximate time of renunciation.
5. Name under which you renounced your citizenship.
6. Whether or not you received a letter from the Attorney General approving your renunciation. If you have such a letter in your possession, please forward it to me immediately.
7. Whether or not you served or are serving in the armed forces of the United States and if so, the date of induction, serial number, date of discharge and whether or not it was an honorable discharge.


Very truly yours,

 Insert: If in the future you should change your place of residence, I would thank you to notify me of your new address.

WAYNE M. COLLINS

ATTORNEY AT LAW

MILLS TOWER, 220 BUSH STREET
SAN FRANCISCO 4, CALIFORNIA

TELEPHONE GARFIELD 1-1218

August 13, 1953

Mr. Inaki Tamura
2820 So. Norton Ave.
Los Angeles 18, California

Dear Mr. Tamura:

At your request Mr. Kazuo Doiuchi was joined as a party plaintiff in the mass renunciation cases pending in the U.S. District Court in San Francisco, No. 25294.

I would thank you to send me the following information concerning him immediately:

1. Full name, including middle name, if any.
2. Date of birth.
3. Place of birth.
4. *Marital status - wife's name & nationality*
5. Place and approximate time of renunciation.
6. Name under which ~~you~~ *he* renounced his citizen ship.
7. ~~Whether~~ *Whether* or not he received a letter from the LAttorney General approving his renunciation. If he has such a letter in his possession, please forward it ~~to me~~ *to me* immediately.
8. *he* Whether or not ~~you~~ *he* served or are serving in the armed forces of the united States and if so, the date of induction, serial number, date of discharge and whether or not it was an honorable discharge.

Very truly yours,

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

Telephone: GARfield 1-1218

October 16, 1953

Tule Lake Defense Committee
124 South San Pedro St., Rm 215
Los Angeles 12, California

Mr. Harry Takeuchi
Rt. 9 Box 557-A
Fresno, California

Mr. Roger Narimatsu
5457 So. Kimbark St.
Chicago 15, Illinois

Mr. Sam Iseri
P. O. Box 646
Central Post Office
Tokyo, Japan

Dear Committeemen:

The results of my extended negotiations with officials of the Justice Department concerning the Tule Lake renunciation cases have not been all that I had desired. However, some progress has been made and some concessions have been made by the Justice Department. I am enclosing a copy of my last proposals dated August 7, 1953, to the Justice Department concerning the disposition of the cases of those plaintiffs whose cases still are active and a copy of the answer thereto dated September 21, 1953, from Warren E. Burger, Assistant Attorney General, which followed my discussions in Washington, D.C., with him and Enoch E. Ellison, Esq., an attorney for the Justice Department, and also a copy of the letter of Ruth B. Shipley, Director of the Passport Office of the State Department, to him dated September 1, 1953. To avoid further delay in clearing as many of the plaintiffs as possible the following procedure will be adopted with all dispatch possible, giving the maximum protection to the whole group of plaintiffs:

A set of four or five affidavit forms soon will be sent to each plaintiff in the mass suits along with a letter of instructions from me. These will be filled out by each plaintiff, one as an original to be signed and sworn to before a notary public and the others to be carbon copies. The sets then can be delivered to or be picked up by committeemen and then be sent to me or can be sent to me directly for scrutiny. Then, for those in Japan who desire passports to return to the U.S. and for those in the

1 United States who may desire to visit Japan I shall file the
2 original affidavit and three copies with the U.S. Attorney in
3 San Francisco for processing through the Justice Department and
4 the State Department. For those in Japan who do not presently
5 wish to return to the United States and for those in the United
6 States who do not presently wish to visit Japan I shall file the
7 original and two copies of the affidavit with the U.S. Attorney
8 in San Francisco for processing through the Justice Department
9 only.

10 Thereafter, if the Justice Department is satisfied with the
11 affidavits and is convinced that the person renounced U.S. citizen-
12 ship as a result of duress or coercion it will keep the original
13 and copies of the affidavit and will withdraw the offers of proof
14 it made against such plaintiff. As to those in Japan whom it
15 thereby clears it will send a notice to the State Department
16 (Passport Division) in Washington, D.C., and it will send me a
17 copy of its letter of transmittal to the State Department which
18 I can forward to the renunciant. The plaintiff renunciant in
19 Japan who thereby is cleared thereupon can present the copy of
20 such transmittal letter to a U.S. Consul in Japan along with an
21 application for a U.S. passport and thereafter be issued a U.S.
22 passport and thereupon can return to the U.S. without being
23 required to fill out the special affidavit the State Department
24 heretofore has required of renunciants.

25 The plaintiff renunciant in the United States who thereby is
26 cleared and who desires a passport to visit Japan thereupon can
27 present the copy of such transmittal letter to an agency of the
28 State Department in the U.S. along with an application for a
29 U.S. passport without being required to fill out the special
30 affidavit form heretofore required by the State Department and
31 thereafter be issued a U.S. passport and, upon obtaining a visa
32 from a Japanese consul in the U.S., can visit Japan.

1 Upon being cleared by the Justice Department the U.S.
2 Attorney in San Francisco and the Justice Department lawyers
3 representing the defendants in the mass suit will file withdrawals
4 of the offers of proof they filed against such cleared plaintiffs
5 and thereafter I can have judgment in their favor and against the
6 defendants entered and thereupon the renunciations of such plain-
7 tiffs will be cancelled and they will be declared to be U.S.
8 citizens. (See copy of letter of Warren E. Burger, Assistant
9 Attorney General, to me dated September 21, 1953, which is enclosed
10 and which outlines this procedure.).

11 Those renunciants in Japan or in the United States who are
12 not cleared in such a manner by the procedure above outlined
13 will be required to have court trials. Their affidavits will be
14 returned to me by the Justice Department.

15 Those in Japan who are not cleared by the above-mentioned
16 affidavit method and who, therefore, would be denied U.S. passports
17 because the Justice Department concludes that they acted voluntari-
18 ly in renouncing U.S. citizenship and that they did not do so as
19 the result of duress (coercion, undue influence) nevertheless
20 thereafter can apply to a U.S. Consul in Japan for a certificate
21 of identity which will enable such a person to return to the
22 United States for trial. The consul will issue such a certificate
23 of identity to the applicant provided the investigation conducted
24 by the consular service convinces the State Department that such
25 a person contends in good faith therein that he or she renounced
26 U.S. citizenship as a result of duress and provided such a person
27 has not while in Japan committed an act of expatriation in addi-
28 tion to his renunciation. (See copy of letter of Ruth B. Shipley,
29 Director of the Passport Office of the State Department, dated
30 September 1, 1953, addressed to Warren E. Burger, Assistant
31 Attorney General, which I am enclosing and which explains the
32 procedure to be followed to obtain certificates of identity.).

1 It is likely that the consuls will refuse to issue certifi-
2 cates of identity to those renunciants in Japan who while in
3 Japan have committed voluntary acts other than renunciation, which,
4 according to U.S. law, would deprive them of U.S. citizenship,
5 such as voting in Japanese elections, working for the Japanese
6 government in positions for which only nationals of Japan were
7 eligible, registering in the Koseki if they thereby intended to
8 become Japanese citizens, keeping or obtaining employment by the
9 Japanese government from and since December 24, 1952, when the
10 Walters-McCarran Act (Immigration and Nationality Act of 1952)
11 became effective, etc.

12 However, if a plaintiff in Japan has committed what appears
13 to be a voluntary act of expatriation other than renunciation
14 but can demonstrate to the consul that such act of expatriation
15 (such as voting in Japanese elections, registering in the koseki,
16 etc.) was not voluntary but was involuntary and caused by duress
17 (coercion, undue influence) such as by fear induced in him by a
18 threat of being deprived of a ration card which deprivation he
19 feared would have resulted in his starvation unless he did so,
20 or because ordered to do so by our military authorities in Japan
21 which order he feared to disobey, etc., the consul will issue him
22 a certificate of identity.

23 The consuls, however, will refuse to issue certificates of
24 identity if the consular investigations convince the consuls
25 that the applicant did not commit such other act of expatriation
26 by reason of any such fear or fears. Then, if such a person,
27 under such circumstances, finally is denied a certificate of
28 identity it thereafter will prove difficult, to say the least,
29 to enable him to return to the United States. Such a person,
30 however, could appeal to the Secretary of State from such a
31 denial. If the Secretary of State refused to reverse the consul's
32 denial of such a certificate and the court refused to issue an

1 order directing the defendant Secretary of State to issue such
2 a certificate or the Secretary of State refused to obey a court
3 order commanding him to issue such a certificate there probably
4 would be no way such a person could return to the United State
5 except as an alien on a nonquota immigrant visa issued to him
6 because he is a child or spouse of a U.S. citizen or as an alien
7 having a quota immigrant status because he is a parent of a
8 U.S. citizen or the spouse or child of an alien lawfully admitted
9 to the U.S. or as an alien entitled to a preference because he
10 is a brother, sister, son or daughter of a U.S. citizen, all
11 as provided by 205(a) and 205(b) of the Immigration and Nationality
12 Act of 1952, or as an alien visitor to the United States.

13 All the renunciant plaintiffs in Japan who finally are not
14 cleared by the Justice Department and who, therefore, would be
15 denied U.S. passports will be informed by me of such non-clearance
16 when the Justice Department informs me that they cannot be cleared
17 without court trial. Thereafter each plaintiff in Japan who has
18 not been cleared by the Justice Department and who, therefore,
19 would be denied a U.S. passport by a U.S. consul in Japan promptly
20 should apply to a U.S. Consul in Japan for a certificate of identity
21 to enable him to return to the United States for trial purposes.
22 (I have had the Justice Department certify lists of the plain-
23 tiffs in the mass suit to the State Department (Passport Division)
24 in Washington, D.C. These lists have been forwarded by the
25 State Department to U.S. Consuls in Tokyo, Yokohama, Kobe and
26 Fukuoka so that when plaintiffs in Japan file applications for
27 passports or for certificates of identity their applications can
28 be acted upon as promptly as possible.). If such a plaintiff,
29 after being notified by me that he will not be cleared by the
30 Justice Department and, therefore, will be denied a U.S. passport,
31 thereafter fails to apply promptly to a U.S. Consul in Japan for
32 a certificate of identity and fails to return to the United States

1 for trial purposes on such a certificate of identity as promptly
2 as possible it is likely that such a person will never be able to
3 return to the U.S. except as an alien entitled to a nonquota
4 immigrant status or as an alien entitled to a quota status or
5 preference or as an alien visitor.

6 It is essential that those in Japan to whom certificates
7 of identity finally issue should return promptly to the United
8 States for trial purposes. This is very important because if
9 the Court of Appeals for the Ninth Circuit on a test appeal
10 initiated by the defendants (Attorney General and other defendants)
11 in the mass suits were to declare that the case had become moot
12 by reason that the war formally has ended, that no renunciant
13 any longer is in detention, that no controversy exists at the
14 present time between the plaintiffs and defendants and that none
15 of the defendants presently is denying any of the plaintiffs
16 any right of citizenship or depriving them of citizenship and
17 that, therefore, the district court no longer has jurisdiction of
18 the cause except to dismiss the case and the U.S. Supreme Court
19 thereafter failed to decide otherwise there then would be no other
20 method by which a renunciant in Japan could be authorized to
21 return to the U.S. on a certificate of identity unless Congress
22 amends the McCarran Act (Immigration and Nationality Act of 1952)
23 to authorize such a person to return to the U.S. on such a
24 certificate.

25 If such a renunciant plaintiff returned to the United States
26 on a certificate of identity and the mass suit thereafter, for
27 any reason, should be dismissed by an appellate court before his
28 individual trial had been decided the Attorney General might
29 order him excluded from the United States. In such an event,
30 such a person could institute an individual habeas corpus
31
32

proceeding in a district court in the United States to review the Attorney General's exclusion order, as provided by Section 360 (c) of the McCarran Act, or probably could bring a suit for a declaratory judgment against the Attorney General in the District of Columbia to have his rights determined.

Very truly yours,

COMMITTEE

T. AKUNE
A. HAYASHIDA
Y. HONDA
K. IKEDA
Y. KAKU
L. KATAOKA
J. KIMURA
Y. KIYOHRO
T. KONO
T. KOSUGI
M. MATSUMOTO
K. MATSUOKA
K. MORISHIGE
T. NAKAMURA
I. NAMEKAWA
R. NARIMATSU
T. OBATAKE
H. OKITA

TULE LAKE DEFENSE COMMITTEE

Room 215, 124 South San Pedro Street
Los Angeles 12, California
Michigan 4728

October 17, 1953

COMMITTEE

M. SASAKI
Y. SHIBATA
I. SHIMIZU
R. SHIRAISHI
T. SHONO
K. TAKAHASHI
M. YEGO
H. TAKETAYA
H. TAKEUCHI
M. TOYOTA
G. TSUETAKE
H. UCHIDA
B. WATANABE
M. YAMAICHI
T. YAMAMOTO
M. UEDA
K. UYENO

Your remaining balance owed to the group is \$_____.

Please make your check and money order payable to WAYNE M.
COLLINS, and mail it to this office.

TULE LAKE DEFENSE COMMITTEE

BY: _____