

C-O-P-Y
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San Francisco, 4, California
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Miss Haruye Imahori
K-26, 1-chome, Bandai-nishi
Abeno ku, Osaka, Japan

Dear Miss Imahori

On April 12, 1949, U.S. District Judge Louis Goodman entered a final judgement cancelling the renunciation of all renucients in mass Equity Suits No 25294 and 25295. The judgement prohibits the Attorney General and the Secretary of the State and their respective agents and other governmental officials from in any wise depriving any of the renucient plaintiffs of their liberty, rights, priveleges and immunities of U.S. citizenship. An appeal was taken by the defendents from that judgement to the Circuit Court of Appeals for the Ninth Circuit where a conclusive decision will be rendered sometime in March of 1950.

Until recently, however, U.S. Consuls in Japan, acting on instructions from the Justice Department, have not been complying fully with the terms of that judgement but have been denying plaintiffs in Japan the right to return to the United States simply by denying them clearances.

However, until the Circuit Court of Appeals decides the first mass equity suits any renucient who is now in Japan, whether he is in the mass equity or has not filed any suit to cancel his renunciation, may take the following steps to return to the United States hunder the new policy decided upon by the Attorney General and the Secretary of State, viz: -

He may apply to a U.S. Consul in Japan for a passport. The Consul will require him to fill out an application for a passport and a supplemented affidavit which requires him to answer a number of questions such as whether or not he refused at any time to swear unqualified allegiance to the United States, and whether at any time he was a member of various organizations, and whether or not he discontinued his activities in such organizations, and his reasons for having renounced U.S. citizenship, and whether he ever attempted to cancel his renunciation and also his reasons for having returned to Japan, among other questions. When the affidavit form is transmitted by the Consul to the Secretary of State and then to the Attorney General's Office, if the Justice Department records and the affidavit the renucient submits to the Consul contain nothing against the applicant, the Justice Department will notify the State Department and the State Department will notify its cons lar agents abroad that the Government (that is to say the State Department and the Attorney General) admit that the applicant is a citizen of the United States and such an applicant will be permitted to return to the United States. However, if the Attorney General's record or the affidavit contain anything derogatory to the applicant, the Secretary of State and the Consul in Japan will be notified of that fact whereupon the passport of such applicant will be denied and the applicant, if not then protected by a law suit, must commence an individual suit to cancel his renunciation and to determine his nationality.

Mr Enoch Ellison in the Justice Department, Washington, D.C., who is the Director of the Alien Enemy Control Unit for the Attorney General, informed me on January 6, 1950, that so far few if any, such affidavits have been received by the Justice Department. He also informed me that it is anticipated that the affidavits of such renucients will be processed by the Justice Department as speedily as possible.

I personnaly wish to advise the renucients who are in the mass suit that little, if anything, is to be gained by any of them applying to a consul for a pssport and illing out the affidavit

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forms prescribed by the Attorney General because the Justice Department may attempt to use any adverse statements in the affidavits against them on appeal and also because of the fact that it is likely that the Attorney General's Office would not be able to pass on those affidavits before the Ninth Circuit Court of Appeals determines the mass equity suit sometime in March of this year. If that Court affirms the judgments, no consul will ask any plaintiff in the suit to file any such affidavit but will issue to him the necessary passport upon his application. All of the matters referred to in the affidavit which the consuls require renunciants to fill out on the application for passports were matters which were raised in the equity suits in the District Court and were matters which were decided entirely in favor of the renunciants and against the Government. In consequence, neither the Attorney General, the Secretary of State nor consular agents have any right to re-question renunciants who are in the suit concerning those matters.

However, if any renunciant in Japan is not willing to await the final decision of the Circuit Court of Appeals, but insists upon applying for a passport and filling out the affidavit form, my suggestion is that he should answer truthfully the questions in the affidavit and that he should state as reasons why he renounced his U.S. citizenship the following applicable reasons, among any other special ones he may have namely:

1. I was discriminated against solely by reason of my Japanese ancestry in that although I was a U.S. citizen, I was confined within a military area, was evacuated from the West Coast and interned simply because of my type of ancestry.
2. I was classified and treated as an alien enemy simply because of my ancestry and was deprived of all citizenship rights.
3. I lost my property because of my interment without any hope of recovery.
4. My parents and I (or members of my family) were threatened with removal to Japan and they and I believed that we would be removed to Japan.
5. I was offered no reasonable opportunity to be relocated in the United States and was in fear of community hostility, which threatened my personal safety and the lives and safety of the members of my family.
6. I feared I would be indefinitely or permanently interned and I feared final deportation to Japan.
7. Expecting to be removed to Japan involuntarily, I feared that the Japanese in Japan would take reprisals against me if I had not renounced U.S. nationality before arrival in Japan.

Very truly yours
(signed) W.M Collins