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October 5, 1948

By request you were made one of the 5,000 parties plaintiff in consolidated suit No. 25294, filed Dec. 13, 1945, in the U. S. District Court at San Francisco. The suit was brought to cancel the renunciations of U. S. nationality because they were caused by governmental duress. It contains a count for declaratory relief. It also contains a count to determine your U. S. nationality under Title 8, U. S. Code, Sec. 903. The suit was brought against the Attorney General, the Secretary of State, as the head of the consular service, the U. S. Attorney, the Director of Immigration, the Director and Project Director of the WRA, the Secretary of the Interior, and other U. S. officers.

On April 29, 1948, U. S. District Judge Louis E. Goodman filed his written Opinion in the case cancelling the renunciations and restoring citizenship to all the Nisei plaintiffs on the ground they were caused by duress. He held there was no such thing as dual citizenship. On September 27, 1948, the Interlocutory Order, Judgment and Decree was signed by the Judge who gave the defendants 120 days within which, in good faith, they may designate any particular plaintiffs against whom they might wish to present additional evidence, if they can, but placed the burden of proof upon the defendants to demonstrate the renunciations of any such designated persons were free and voluntary and in nowise the product of the duress in which they were held and to which they were subjected. Since that burden of proof is very difficult for the defendants to sustain, few persons, if any, will be designated. I do not know whether the defendants will appeal when the judgment becomes final.

About January 29, 1949, when that judgment becomes final, all persons in Japan whose citizenship is restored will be authorized to return to the U. S. and should not need certificates of identity. (Legally, all of them are entitled to return now.) If the defendants designate for special hearing any of the Nisei plaintiffs who are in Japan, such persons will be granted certificates of identity by a U. S. consul and permission to return to the United States for that purpose. Those consuls will be notified by me of the names and addresses of all the Nisei plaintiffs in Japan.

Inasmuch as the time, labor and expense involved in sending and answering thousands of letters is prohibitive, you are requested not to write to me unless the matter is urgent. If you have not given me your right address, or have changed your address, you should notify me of your current address by postcard. If you are in Japan, you should notify me by card or letter of the address at which you can be reached in the United States before you return to this country.

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 of 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.

You should not register as a voter or vote in the U. S. until the judgment restoring your citizenship becomes final and conclusive.

Those of you who are required to register with your draft boards under the recent draft law should do so and, if questioned about your citizenship, you should answer that you claim to be a U. S. citizen by birth, that you renounced under duress, that the court has ordered the renunciations set aside but the judgment has not yet become final.

No renunciations of children under 18 years of age were approved by the Attorney General.

Until the judgment restoring your citizenship becomes final and conclusive you should not purchase or lease agricultural, commercial or residential land and buildings in California or any other State where a statute like the California Alien Land Law prohibits aliens asserted to be ineligible to citizenship from the ownership, possession and use of such property. These laws are still in full force and effect. Until they are repealed by State Legislatures, or are declared to be invalid or unconstitutional by our courts, renunciants whose status will not be decided until the judgment becomes final, should not buy any such property. However, any citizen member of an Issei or a renunciant family can purchase, own, possess or use agricultural, commercial and residential land on the same basis as any other U. S. citizen.

If you are a student attending a state university which requires you to pay a higher tuition rate than a resident citizen, you should pay that tuition under written protest and, when the judgment restoring your citizenship becomes final, the university will refund the excess sum to you.

If you served honorably in our military or naval forces at any time between September 1, 1939, and December 31, 1946, you are entitled to apply to become a citizen by naturalization under Public Law 567 approved June 1, 1948. If you served in those forces honorably, you can go to the nearest office of the U. S. Immigration and Naturalization Service or to the Clerk of the U. S. District Court within the next few

months to file a petition for naturalization. In the petition you should state you were born a citizen, that you renounced under duress, that the court has ordered your renunciation cancelled but that the judgment has not yet become final. When the petition is filed the ex-service man should ask that the proceeding be held in abeyance until the judgment in the renunciation case becomes final.

When the judgment becomes final, each plaintiff in the case will receive written notification from me.

As the direct result of the interest taken by Thomas Cooley, II, and Dillon Meyer, all Issei and Nisei, including renunciants, who were evacuated from military areas in Arizona, California, Oregon, Washington, Alaska and Hawaii after the war started on December 7, 1941, can file claims for damage to or loss of real and personal property caused by that evacuation. Written claims can be filed with the U. S. Attorney General, Department of Justice, Washington 25, D. C., at any time before December 31, 1949.

The claims cover damage to or loss of agricultural, residential and commercial land, houses and buildings and leasehold and other interests therein. They also cover damage to or loss of business assets, farming, industrial, commercial and household furniture, fixtures, furnishings, utensils, supplies and equipment, automobiles, trucks, musical instruments, tools, clothes, personal belongings, jewelry and livestock and other assets and possessions. They also cover losses suffered by forced selling of property as distressed merchandise. Compensation for property damaged or loss while kept in custody by the Government or any of its agencies or agents likewise is authorized.

To recover compensation, however, the damage or loss must have been the reasonable and natural consequence of your evacuation and exclusion from these States or have resulted from your voluntary departure from any of the military areas before evacuation but in anticipation of the issuance against you of an exclusion order. You cannot claim compensation, however, for any such damage or loss if you already have received compensation for that particular damage or loss under an insurance policy or through any other means.

However, you do not need to rush to file your claims because Congress has not yet appropriated any money for the Attorney General to pay claims which may be allowed and will not appropriate that money until its next session during January or February of 1949. Further, the printed claim application forms will not be available until sometime in October, 1948.

The Attorney General is authorized to make payment of any award up to \$2,500 and to determine a reasonable attorney's fee, not exceeding ten per cent of the amount awarded, which is to be deducted from that award and paid to the attorney who represents you in connection with your claim. Awards higher than \$2,500 will be paid in like manner as are final judgments of the Court of Claims, that is, by special bills approved by Congress.

No claims for damage or loss can be made by or for any Issei or Nisei who was deported voluntarily or involuntarily to Japan since December 7, 1941, or who was not actually residing in the United States on December 7, 1941. No claims can be made for damage or loss arising out of any action taken by any federal agency under the provisions of the Alien Enemy Act or the Trading With the Enemy Act. No claims for damage or loss on account of death, personal injuries, personal inconvenience, physical hardship, mental suffering or for loss of anticipated profits or anticipated earnings will be considered.

Before any such claim for damage or loss is filed it is necessary to make certain that the applicant is a person entitled to the benefits of the statute, that the claim is prepared properly and that the damage or loss can be supported by proof.

Inasmuch as the filing of a false claim with any federal agency is made a criminal offense by Title 18, U. S. Code, Section 89, you are warned against having private agencies preparing your claims and representing you. Especially do I advise you and each renunciant, and also the hundreds of Issei whom I represent, against having the JACL, CRDU or ADC or their officers or attorneys (excepting James Purcell) preparing your claims or representing you on them. Those organizations and their leaders, who now masquerade as your friends, never have been friendly to you but, on the contrary, have been opposed to you and have criticized you through the JACL newspaper called the Pacific Citizen in which articles against your best interests have appeared from time to time.

The following persons in the area nearest you, each of whom is familiar with the procedure on such claims, are highly recommended by me to you as being competent to prepare your claim and to represent you if any hearing may be required to be held thereon. You may call upon him, write him or telephone him. Their names, addresses and telephone numbers are as follows:

1. Y. R. HIRAOKA, *attorney*, 1435 Fresno St., Fresno 1, Calif. Telephone Fresno 4-2078.
2. TETSUJIRO NAKAMURA, 1328 South Glendale Ave., Glendale 5, Calif. Telephone Citrus 3-9451, who will help you or refer you to a lawyer.
3. THEODORE TAMBA, *attorney*, Foxcroft Bldg., 68 Post St., San Francisco, Calif. Telephone Sutter 1-3488.
4. VICTOR ABE, *attorney*, 2209 Pine St., San Francisco, Calif. Telephone Fillmore 6-3403.
5. MAS YONEMURA, *attorney*, 1027 Adeline St., Oakland 7, Calif. Telephone Twinoaks 3-9688.
6. THOMAS COOLEY, II, *attorney*, Tower Building, 14th and K Streets, Washington 25, D. C. Telephone National 0985.

Mr. Cooley is the lawyer, formerly with the Justice Department, to whom the chief credit goes for initiating legislation in Congress under which relief from deportation is granted to Issei who entered this country illegally or lost their admission status. He also, jointly with Dillon Meyer, deserves full credit for initiating the compensation bill which gives you the right to recover for damages or loss of property due to the evacuation. If you are in any of the Eastern States, he will be able to handle your claims after February 1, 1949. That is time enough for reasons stated above.

Very truly yours,

WAYNE M. COLLINS