

referred
for your files
R-5

August 24, 1954
c/o Mr. Fumio Ozawa
2727 Curtis St.
Denver, Colorado

Mr. Robert K. Murakami
P. O. Box 157
Honolulu 10, Hawaii

Dear Mr. Murakami:

Thank you very much for your letter dated August 16, 1954.

Since there is a little time left to me in Denver, I will answer all the questions you have asked me in the following items, as briefly as I can.

1. To paragraph (d) in Schedule 9.
1934-1937(?)---Mishinomiya City, Hyogoken, Japan
1938-Oct., 1945---2 chome, Yokogawacho, Hiroshima City, Hiroshima, Japan
Nov., 1945-1947---874 Karugacho, Kure City, Hiroshima, Japan

As you noticed above, I resided in the different places while in Japan. Will you please rewrite the item (d) if necessary. As to the exact addresses (for I cannot remember the right addresses), I have directed my sister to give them to you.

2. To paragraph (g) in Schedule 9.
I also believe the answer should be "no".
3. Will you please clarify the last paragraph for me?

The foregoing declaration was subscribed and sworn to
(or affirmed) before me this _____ day of _____, 1954.

Official title

4. I believe that my birth was registered with the Japanese Consulate, and my Japanese nationality and name should be in the Japanese Koseki tohon. I also asked my sister to explain to you in detail on this matter. It seems ~~FROM THE ABOVE ASSUMPTION THAT THE ANSWER TO THE LAST QUESTION UNDER PARAGRAPH (e) SHOULD BE "NO" AS YOU HAVE ALREADY INDICATED ON THE SCHEDULE.~~
5. As to the date of my arrival at Honolulu in 1947, will you please ask my sister? Also, I asked her to give my American passport to you.

6. Though I do not know exactly what you meant by my expatriation to

Japan after being registered as a Japanese national with the Japanese Consulate, I believe that I was never expatriated from the United States. If you kindly explain to me the meaning of the expatriation to Japan, I might be able to give you some additional information on this matter.

When you have clarified the items above to me, I will forward the Schedule 9 with my signature on it. In the meantime, to expedite the procedure, I would like to give you my temporary address in N. Y. where I could have the information on the items above as soon as I reach the City. I believe that the Schedule 9 should be at your office around on September 5 after I receive your letter at the following address.

Lawrence Fusio Miwa
c/o Mr. Earle Brown (Temporary address)
40-3rd Ave.
New York 3, N. Y.

Dr. B. Johnson, professor of economics at the University of Denver, received the letter from Mr. Oliver Stone, a lawyer in Washington D. C. I will excerpt some of the paragraphs from his letter which might be of interest to you.

"On the basis of your letter and enclosures, I believe that young Larry will find that he has an almost impossible case. However, I shall be glad to see him in my office in the morning of August 30th and to go over this matter with him. Fundamentally, his problem arises from the burden of proof imposed upon him to establish that, upon return to Japan, his father did not enjoy full rights of Japanese citizenship "as a consequence of any (Japanese) law, decree, or regulation...discriminating against political, racial or religious groups...." To my knowledge, no one thus far in the position of Larry's father has met this burden of proof to the satisfaction of the Department of Justice.

It may surprise you to learn that this legal requirement was enacted as a liberalizing feature to the statute which before 1947 made no such exception allowing the return of property to original claimants such as Larry's father. I happen to know a good bit about the background of this particular exception because at the time it was being proposed I attended several conferences and sessions in the Executive and Legislative Branches here, in my capacity as the Legal Officer for the Inter-Governmental Committee on Refugees, a public international organization which was interested in the broadest kind of provision in this regard. Incidentally, the correct citation to the above-quoted language is 50 U.S.C. App. 32(a)(2)(D). I note that in the third paragraph of Paul Myron's 5 August letter to Senator Millikin the citation omits "(2)(a)", and thus that full citation should be corrected to read: (50 U.S.C. App. 9(a), 32 (a)(2)(D)). I am sure that if the attorney Robert Murakami in Honolulu is familiar with alien property proceedings, he will recognize this omission; otherwise it might be advisable to note the correction to him.

Needless to say, if Larry wants to get the most out of his conversation with me, he should bring with him all records and written background information

on this matter that he can obtain. In particular, it will be especially important to develop all possible facts which might tend to indicate that the late Seigo Miwa returned to Japan under duress from U. S. authorities. Any information that Larry can get as to the circumstances under which he elected to return to Japan from internment here will be of interest.

Thank you again for your kind help, and I am sure I will do my best at New York University.

Cordially,

L. F. Miwa
Lawrence Fumio Miwa