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Folder 3
Item 13
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J. A. Selective Service

Yasuda, Masagi

x- Defense Commands, Western (Washburn) 18 Jul 44
x- Gerhardt
x- Yasuda, Masagi

TELEPHONE CONVERSATION BETWEEN COLONEL GERHARDT AND COLONEL WASHBURN,
18 JULY 1944.

- W: General Bonesteel asked me to call your office this morning and discuss with you a problem which is coming up here in regard to these inductees. We have a case here late yesterday afternoon in which the U. S. Attorney's office in Sacramento called us up and advised us that the FBI had picked up one, MASAGI YASUDA, who formerly resided at Courtland, California (that's near Sacramento) who was registered by Local Board 28A in Courtland and was evacuated out of the area to Marysville Assembly Center, from there to Tule Lake, and from there East. He apparently was turned loose back there and he was ordered to report for his preinduction physical examination to Local Board No. 712 in Hicksville, L. I., New York. He went down to the office there in New York and told them in so many words that he wasn't going to take a physical examination in New York whatsoever, that he was going back to his original board in Courtland, California to take his physical and he told them that his reason for that was more or less for the principle of the thing. Now, he came on out here and the FBI picked him up and filed a complaint against him charging him with violation of the Selective Service Training and Service Act. Then they reported the thing to us. Well, they have a -- there's a question in there of whether they have any charges against him or not, or whether they can support them, but he knows that he's here in violation of the prohibition to come back into the restricted area and he says that he did so that he could get back here into this area.
- G: It's a clear intent to violate a law.
- W: Yes, sir. There's a question of whether he did violate the law if - he claims that he went to the board there in response to the notice and that the board - he told them that he was coming back here and they said they'd let him know about it, and subsequently they wrote him a letter and told him to come in, and he says they told him it was all right if he wanted to come back here into the prohibited area he could come.
- G: Well, the board has no jurisdiction over that.
- W: Well, there's the thing that we would like some way or other to get together on the thing. The District Attorney and the FBI and the Western Defense Command are put in a pretty bad predicament by people like this. This fellow is very antagonistic and he preaches to the FBI and the U. S. Attorney about his rights as a citizen and that he's got a full Constitutional right to come back here into this prohibited area if he wants to.

G: Well, he hasn't. That's the answer to that. Until 9066 is rescinded or until it's modified he has no right to come back into the area and that was confirmed by 503, wasn't it?

W: Yes sir, but then one branch of the military service orders him to report

G: Now, wait a minute, no branch of the military service ordered him to report. Selective Service is not part of the War Department, never was.

W: Well, it's a branch of the Government.

G: Right. If the local board orders him back, then the local board is in error.

W: I wonder if there is any possibility of getting the Selective Service to direct all of their boards to stop sending Japs back into the prohibited area.

G: Have you had many cases of this?

W: Yes, we've had several cases and I think that blood brother who have pledged in blood that they will do anything that they can to impede the war effort ought to get wise to this little trick. You know we had 65 convictions at Heart Mountain and here in the last week we've issued 25 permits for the moving of inductees to Eureka to stand trial for violation of Selective Service from Tule Lake. So, there's a concerted effort on the part of some of these smart boys to cause us trouble and this fellow from the conversations that we've had with Mr. O'Hara, the U. S. District Attorney at Sacramento and Mr. Stoddard of the FBI, that this boy is pretty smart, taking us for a ride.

G: Oh, yes, he's doing this purely to test the principle of the thing. On the larger problem of the induction of these people there's an inter-departmental meeting being arranged by the Department of State to include representatives of Interior, representing WRA; the Selective Service; Department of Justice; Department of State; and the War Department. That should be held shortly, we sent out an acknowledgment that we would attend two or three days ago--that's to be arranged by the Department of State. In that the question of the induction of disloyal Japanese (in other words, we tell them to report and they say they don't want to, they want repatriation or something of that sort) that will be discussed at that meeting. You're familiar with the recent legislation which was put through which gives the Department of Justice the authority to set up procedures whereby people may be - their citizenship may be taken away from them?

W: Yes, sir.

G: That will also be discussed at that meeting to see whether a request

-3-

for repatriation can be - will be considered by the Department of Justice as the voluntary act of renunciation of citizenship. I think if that thing works out that we'll calm down a lot of these boys who say I don't want to service, I'm loyal to Japan, etc. just to get out of serving in the Army.

W: Now, the FBI and the U. S. Attorney wanted to lock this fellow up last night but we were just a little bit afraid of it so we had him report back to their office this morning. In the meantime, we called Ninth Service Command and attempted to get him inducted into the service. They tell us that they have no quota and that they have 515 in reserve right now, and that they're not in the service, they're in the enlisted reserve and they suggested that we turn him back to the Hicksville, New York board and let him be inducted back there and be taken out of the area that way. We have hesitated here in evicting him by physical force and we've hesitated in letting the FBI lock him up in violation of 503, If he can prove that this draft board told him that he was perfectly authorized as a citizen since he had been drafted to report to any draft board that he wanted to, we were afraid that the Department of Justice would have a pretty weak case. So they're standing by back there in Sacramento to await our decision. I thought I'd call you up and discuss the thing with you, before we called them back and told them what we were going to do.

G: If he reports to his local board they will not induct him at the present time?

W: They'll give him a preinduction physical and the Ninth Service Command says that they could induct him but that they, if they did that, would simply return him to his home wherever he said his home was, and of course he'd say his home was in the prohibited area. They say that they think they might sometime in August get a quota to ship out, out of the 515 that they already have. General Bonesteel advanced the idea to me a few moments ago that he thought the Army could if they saw fit increase this quota by one person and immediately notify the Selective Service Board at Courtland, California to induct him into the service and take him out of circulation and put him into the hands of the military control, because he was telling everybody off.

G: I don't see how they could jump the other 515. Aren't they called up - they're put in the enlisted reserve already?

W: Yes, sir. And they have filled up yesterday with no orders to ship out.

G: I'd be inclined to ship him back to Hicksville as the best solution because if you induct him and put him in the Enlisted reserve and

he's ordered to his home, he'll still say California is his home, so you're not going to get rid of him there.

- W: Well, now, if he refuses to leave, You mean should Western Defense Command buy him transportation to Hicksville? He came out here on his own you know. Now, he's liable to say well, I did what they told me to and I don't have the money to go back. You buy me a ticket.
- G: Does he have proof that the local board ordered him back?
- W: Only his word for it?
- G: What does the local board say?
- W: We haven't checked with the local board yet. We have wired G-2 War Department to find out if he had been certified for induction, we haven't had a reply on that wire yet. It just went out last night.
- G: I can find out whether he was certified for induction by looking in our files here and call you back and give you that information.
- W: Well, I don't know as that has much to do with the case anyway, because I assume that he was, or how would the Selective Service board have him?
- G: I don't know. They're supposed to handle only those cases upon which certification has gone out.
- W: That was my understanding and quite naturally if it shows up by actual experience that a lot of them that are certified are not so pure and lily white as we might have thought. As the case starts to drop we get a lot of either yellow or else determined anti-American. So, Western Defense Command would not look with favor upon giving a blanket clearance on anyone who was certified by G-2, War Department to the Selective Service Board for induction because experience has proven that they are not the type of people that we would want to give an exemption to and
- G: I think you have to make a distinction there, Colonel, in this that many of these are fighting exclusion and are not disloyal to the United States; they're fighting the exclusion policy and they are vehement against that but really loyal to the United States they just don't like that exclusion business. There's a tendency to confuse disloyalty with animosity against exclusion.

Box 49
Folder 2
Item 13
P. 5

W: I know, but I still contend that we have some cases that are the other way.

G: Oh, yes, undoubtedly you have.

W: I recognize there are two types of people.

G: Your immediate problem is ~~is~~ you've got this man in Sacramento? You want to know whether to (1) throw him out? (2) transport him to Hicksville? or (3) induct him?

W: Yes, sir, or (4) ask the U. S. Attorney to prosecute him on the violation of 503?

G: Well, let me talk to the Secretary about it and see what he wants to do. I'll also talk to Selective Service and see if we can't stop these local boards from ordering them in.

W: All right, Sir.

G: Fine. Bye.