



UNITED STATES COMMISSION ON CIVIL RIGHTS

1331 Pennsylvania Ave, NW • Suite 1150 • Washington, DC 20425 www.usccr.gov

March 28, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

We write on behalf of the United States Commission on Civil Rights (hereafter “the Commission”) to request formal recognition and establishment by Congress of January 30th of every year henceforth as a permanent national holiday--National Fred Korematsu Day-- and that the President issue an Executive Order declaring January 30th the Fred Korematsu National Day of Service in recognition of Fred T. Korematsu’s contribution to upholding civil rights and liberties for all citizens in our country.

Fred Korematsu is a civil rights champion who was thrust into our public consciousness in 1942, when at the age of 23 he refused to go to the United States’ internment camps established for Japanese Americans in the wake of the 1941 Pearl Harbor attacks.¹ Executive Order 9066, issued by President Franklin D. Roosevelt, authorized the Secretary of War and all supporting federal agencies to detain and relocate Americans of Japanese ancestry to internment camps in the interest of national security.² Mr. Korematsu was arrested and convicted of going against the government’s orders.³ He subsequently appealed, and his case went all the way to the Supreme Court which ruled against Mr. Korematsu.⁴

For the Commission, this is not merely a part of history, but is personal. Commissioner Michael Yaki’s father and his family were held in an internment camp during World War II.

Mr. Korematsu’s case was overturned in 1983 after a pro-bono team of attorneys re-opened his case on the basis of government misconduct after discovering the government had hidden documents which consistently showed the federal government knew that Japanese Americans were not engaged in any acts of sabotage or any other act which could be construed as against the interests of the United States. In a landmark ruling, a

¹ Fred T. Korematsu Institute for Civil Rights and Education, <http://korematsuinstitute.org/institute/aboutfred/>, last accessed February 25, 2014.

² Executive Order 9066, <http://historymatters.gmu.edu/d/5154>, last accessed February 25, 2014.

³ Fred T. Korematsu Institute for Civil Rights and Education, <http://korematsuinstitute.org/institute/aboutfred/>, last accessed February 25, 2014.

⁴ *Korematsu v. US*, 323 U.S. 214 (1944), <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&vol=323&invol=214>, last accessed February 25, 2014.

federal court in San Francisco overturned Mr. Korematsu's conviction on November 10, 1983.⁵

Mr. Korematu's case was one of many instances which led to the establishment of the Commission on Wartime Relocation and Internment of Civilians in 1980 to investigate Executive Order 9066. The report's findings, and Mr. Korematsu's advocacy, led to the passing of the Civil Liberties Act of 1988, an act granting wartime survivors a public apology and reparations by the United States government.⁶

Mr. Korematu's leadership was recognized by President Bill Clinton in 1998 when he was awarded the Presidential Medal of Freedom. President Clinton is quoted as saying, "in the long history of our country's constant search for justice some names of ordinary citizens stand for millions of souls...Plessy, Brown, Parks... to that distinguished list... we add the name of Fred Korematsu."⁷

Today, four states celebrate Fred Korematsu Day, with California's Fred Korematsu Day of Civil Liberties and the Constitution being the first day in U.S. history named after an Asian American. It is celebrated every January 30th on Mr. Korematsu's birthday.⁸ The Fred Korematsu Day bill, AB 1775, was signed into law by former California Governor Arnold Schwarzenegger on September 23, 2010.⁹ California was followed by Hawaii (May 6, 2012), Utah (January 18, 2013) and Illinois (January 24, 2014).¹⁰

The Commission commends the leadership of these four states but believes more must be done to recognize this civil rights hero and the wrongs against our citizens that he valiantly stood up against. A National Korematsu Day of Commemoration will serve to increase awareness of the history of Asian American and Pacific Islander role in our civil freedoms and their positive contributions to our country, highlight the positive steps the United States has taken to remedy the civil rights violations to Japanese Americans during World War II, and acknowledge Fred T. Korematsu's much-deserved place in history as a long-standing advocate of civil rights and liberties in the United States of America.

⁵ *Korematsu v. U.S.*, 584 F.Supp. 1406 (N.D.Cal. Apr 19, 1984), <http://www.aaba-bay.com/news/korematsu-vs-u-s/>, last accessed February 25, 2014.

⁶ Commission on Wartime Relocation and Internment of Civilians, Densho Encyclopedia, <http://encyclopedia.densho.org/Commission%20on%20Wartime%20Relocation%20and%20Internment%20of%20Civilians/>, last accessed February 25, 2014

⁷ Remembering Civil Liberties Hero Fred Korematsu, ACLU blog, <https://www.aclu.org/blog/organization-news-and-highlights/remembering-civil-liberties-hero-fred-korematsu>, last accessed February 25, 2014.

⁸ California Marks the First Fred Korematsu Day, Time Magazine, January 30, 2011, <http://content.time.com/time/nation/article/0,8599,2045111.00.html>, last accessed February 25, 2014.

⁹ Fred T. Korematsu Institute for Civil Rights and Education, <http://korematuoinstitute.org/fredkorematuaday/about-fred-korematsu-day/>, last accessed February 25, 2014.

¹⁰ Hawaii Korematsu Day, <http://korematuoinstitute.org/fredkorematuaday/about-fred-korematsu-day/fred-korematsu-day-hawaii/>, <http://governor.hawaii.gov/wp-content/uploads/2012/09/Proclamation-2013-01-30-Fred-Korematsu-Day.pdf>; Utah Korematsu Day, <http://korematuoinstitute.org/fredkorematuaday/fred-korematsu-day-utah/>; Illinois Korematsu Day, <http://www3.illinois.gov/PressReleases/ShowPressRelease.cfm?SubjectID=2&RecNum=11886>; all last accessed February 25, 2014.

President Barack Obama
March 28, 2014
Page 3

The Commission looks forward to your response and to our continued collaboration.

Sincerely,



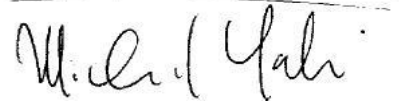
Chairman Martin R. Castro



Commissioner Roberta Achtenberg



Commissioner David Kladney



Commissioner Michael Yaki

*Approved by a majority of the members of the Commission as of March 14, 2014