

January 30, 2023

The Honorable Mark Takano
2078 Rayburn House Office Building
Washington, DC 20515
House of Representatives

The Honorable Jill Tokuda
1005 Longworth House Office Building
Washington, DC 20515
House of Representatives

The Honorable Mazie Hirono
109 Hart Senate Office Building
Washington, DC 20510
United States Senate

The Honorable Tammy Duckworth
524 Hart Senate Office Building
Washington, DC 20510
United States Senate

Dear Representative Takano, Representative Tokuda, Senator Hirono, and Senator Duckworth,

We the undersigned 85 organizations write in strong support of your efforts to recognize Fred Korematsu's legacy as a civil rights hero. Accordingly, we offer our endorsement of the following legislation, introduced today: (1) Fred Korematsu Congressional Gold Medal Act;¹ (2) Recognizing the importance of establishing a national "Fred Korematsu Day of Civil Liberties and the Constitution";² (3) Korematsu-Takai Civil Liberties Protection Act.³

On February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066, which authorized the forced relocation and incarceration of Japanese Americans. In all, more than 120,000 Japanese Americans were detained and forcefully removed from their homes without charges or due process for years. The lawsuit brought by Fred Korematsu, an American citizen of Japanese descent, fought the implementation of that order, challenging the mass violation of civil liberties on the basis of race.

Korematsu stood against these unfounded and racist actions. At the time, our institutions — our democracy — failed him. The Supreme Court, intended as a bulwark against Executive power run amok, upheld Korematsu's detention in *Korematsu v. United States* in 1944, with a 6-3 majority. However, the dissent by Justice Frank Murphy spoke the truth that the United States, grudgingly and slowly, would come to recognize through executive, judicial, and legislative action. Justice Murphy declared the order to detain Japanese Americans the "legalization of racism."

The imprisonment of Americans of Japanese ancestry, and its legal sanction, is now recognized as a grave injustice and a violation of civil liberties. Its basis was rank racism and xenophobia

¹ <https://www.congress.gov/bill/117th-congress/house-bill/734>

² <https://www.congress.gov/bill/117th-congress/house-resolution/906>

³ <https://www.congress.gov/bill/117th-congress/house-bill/1181>

combined with undue deference to the Executive branch, not facts. While the racist basis of the incarceration decision was discovered in the early 1980s, leading to Korematsu's conviction being overturned after 40 years, the decision remains a dangerous precedent used to justify discrimination against other communities.

We urge Congress to elevate this history for all Americans to learn from it and recognize the importance of this civil rights hero who took a stand on behalf of all of us, and urge the enactment of the following legislation:

Korematsu-Takai Civil Liberties Protection Act, which would prohibit detention or imprisonment based solely on an actual or perceived protected characteristic of an individual.

Recognizing the importance of establishing a national "Fred Korematsu Day of Civil Liberties and the Constitution," which will help to ensure that Fred Korematsu's legacy is remembered and honored, and that the lessons of the incarceration are not forgotten.

Fred Korematsu Congressional Gold Medal Act, which will honor Fred Korematsu for his decades-long fight for justice, and will serve as a powerful reminder of the importance of protecting civil liberties for all Americans.

We must never forget. This legislation will refresh our memory on the liberties that we must always be on guard to protect.

We welcome the opportunity to discuss this with you further. Please contact Hajar Hammado, policy advisor, Demand Progress Action, at hajar@demandprogress.org, or Dr. Karen Korematsu, founder and executive director, Fred T. Korematsu Institute.

Sincerely,

80-20 Initiative

Advocacy For Principled Action In Government

American Humanist Association

American Muslim Bar Association

American Muslim Empowerment Network (AMEN)

American-Arab Anti-Discrimination Committee (ADC)

APA Justice Task Force

Arab American Institute

Asian American Federal Employees for Nondiscrimination (AAFEN)

Asian American Legal Defense and Education Fund (AALDEF)
Asian American Scholar Forum
Asian Americans Advancing Justice - AAJC
Asian Counseling and Referral Service
Asian Pacific American Labor Alliance, AFL-CIO
Asian Pacific Islander Trustee Association of the Community College League of California
Bainbridge Island Japanese American Exclusion Memorial Association
Broward for Progress
Campaign For Justice: Redress NOW for Japanese Latin Americans!
Center for Common Ground
Center for Democracy & Technology
Center for Popular Democracy
Center for Victims of Torture
Central Valley Islamic Council
Columbia Law School
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Council on American-Islamic Relations (CAIR)
Daily Kos
Defending Rights & Dissent
Demand Progress Action
Densho
Des Moines Catholic Worker
Due Process Institute
Electronic Frontier Foundation
Equal Justice Society
Fight for the Future
Fix the Court
Fred T. Korematsu Institute
Free Government Information (FGI)
Friends Committee on National Legislation
Heart Mountain Wyoming Foundation
Holy Spirit Missionary Sisters, USA-JPIC
Human Rights First
Immigrant Legal Resource Center
Institute for Policy Studies, New Internationalism Project
J Street
Japanese American Citizens League
Japanese American Citizens League - Contra Costa
Japanese American Citizens League - Dayton Chapter
Japanese American Citizens League - DC Chapter

Japanese American Citizens League - Puyallup Valley Chapter
Japanese American Citizens League - Seattle Chapter
Japanese Cultural Center of Hawai'i
Japanese Peruvian Oral History Project
Jewish World Watch
Muslim Counterpublics Lab
Muslim Justice League
Muslims for Just Futures
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Jewish Women
National Japanese American Memorial Foundation (NJAMF)
National Organization for Women
National Religious Campaign Against Torture
NETWORK Lobby for Catholic Social Justice
No More Guantánamos
Nonviolence International
Ohio Chinese American Association (OCAA)
OneAmerica
Organization for Identity and Cultural Development
Other98
Our Revolution
Peace Action
Project On Government Oversight
Public Citizen
RootsAction.org
Sikh American Legal Defense and Education Fund (SALDEF)
Sisters of Mercy of the Americas Justice Team
Surveillance Technology Oversight Project
The Calyx Institute
Tule Lake Committee
UltraViolet Action
Voices for Progress
Western States Legal Foundation
Women's Empowerment Coalition of NYC
World BEYOND War
X-Lab