



Japanese American Citizens League Mile Hi Chapter Notes

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President's Message



Thank you to everyone for your continued support and commitment to the Mile Hi JACL. Over the last few months, we have had many new individuals join our chapter and some familiar faces from the past reconnect with us. We would like to invite all of you to our upcoming quarterly social on Saturday, October 16th at Sushi Hai to mingle and network with one another. This event is open to everyone and will also serve as an opportunity for anyone who is interested in learning more about JACL to casually meet with

the board and membership.

Please see the information below or reference the event flyer for specific details.

I hope you can all join us for this wonderful event and I look forward to seeing you there!

Sincerely,
Suzy Shimasaki
Mile Hi JACL President

Quarterly Social

Date: Saturday, October 16
Time: 11:30 am - 2:30 pm
(lunch will be served at noon)
Location: Sushi Hai
(3600 W. 32nd Ave., Denver)
Price: \$15 per person



Please **RSVP** to Suzy Shimasaki by Thursday, October 7th at
milehiJACL@gmail.com or 858.361.6691



Do you have an event or project that you would like to share with our community? Would you like to submit an article for the Mile Hi Chapter Notes? Please help us keep our community informed by submitting events, notices, recognitions, and articles to include in future newsletters. Information can be submitted to Bruce Tawara: RisingSunDen@msn.com

Asian Americans and Birthright Citizenship Under the 14th Amendment

By Harry Budisidharta, Esq.

Within the past six months, the national conversation has shifted from policies addressing the effects of illegal immigration to ideas seeking its prevention. In late April, Arizona's notorious Senate Bill 1070 was signed into law by its governor. The purpose of those laws was to identify illegal immigrants already in the United States so that federal authorities could take proper actions, deporting them if necessary. In late May, as a preventative measure, President Obama issued orders allowing up to 1,200 National Guard troops to be deployed along the U.S.'s border with Mexico. In the past two months, however, the debate has shifted to a decades-old idea, still within the memory of many Asian Americans, that attempts both to prevent illegal immigration and limit its consequences.

Senator Lindsey Graham of South Carolina is widely credited as the latest source of the proposal to amend the 14th Amendment of the United States Constitution. Specifically, Senator Graham stated that he was considering introducing an amendment to eliminate the "mistake" of birthright citizenship. Birthright citizenship is a reference to the first sentence of Section 1 of the 14th Amendment, which declares "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." He believes illegal immigrants are using birthright citizenship as part of their insultingly-named practices of "drop and leave" and "anchor babies." These labels refer to allegations that some illegal immigrants enter the United States for the express purpose of birthing a child, so that the child is a de facto U.S. citizen that can later facilitate the parents' path to citizenship. Senator Graham's proposal provides a stark reminder to the Asian American community of the same fear and paranoia directed toward its members in the not-so-distant past.

In 1898, it took a United States Supreme Court decision to confirm the citizenship of Wong Kim Ark. Wong Kim was born in 1873 in San Francisco to parents who were of Chinese descent and subjects of the emperor of China. Wong Kim visited China briefly when he was 17, but returned to the U.S. without any problems. He again visited China when he was 21, but when he returned he was denied permission to land in the U.S. by the customs official. The official cited the 1882 Chinese Exclusion Act which prohibited Chinese laborers from entering the U.S. as the reason for denying entry to Wong Kim. The Supreme Court thoroughly examined English common law and the history of Section 1 of the 14th Amendment before declaring Wong Kim to be a citizen. The Court recognized that the Section was originally intended to protect the rights of African Americans. But the Court found broader application when



UPCOMING EVENTS

Mile Hi JACL Meeting

Thursday, October 7
7:00 p.m.
JAC Office
Sakura Square (2nd Fl)

Mile Hi Membership

Drive Social

Saturday, October 16
11:30 am - 2:30 pm
(lunch served at noon)
\$15 per person
Sushi Hai
3600 W. 32nd Avenue
Denver, CO
RSVP to
milehijACL@gmail.com

Asian Americans and Birthright Citizenship Under the 14th Amendment (cont.)

it focused on the first three words of the Section, “All persons born,” finding their meaning was “restricted only by place and jurisdiction, and not by color or race.” The Court concluded that the 14th amendment “affirms the ancient and fundamental rule of citizenship by birth within the territory, in the allegiance and under the protection of the country, including all children here born of resident aliens.”

The Court’s ruling was challenged over four decades later by members of the Native Sons of the Golden West. The Native Sons, as the organization readily admits on their website today, was for a number of decades “heavily dominated by a tone of Anglo-Saxon Americanism that included some exclusionary membership policies.” In 1942, the Native Sons attempted to capitalize on the internment of Japanese-Americans during World War II by attacking those individuals’ right to vote. A member of the Native Sons brought a lawsuit against the Registrar of Voters of the City and County of San Francisco in an attempt to “strike the names of all Japanese from the register of voters on the ground that they are enemy aliens, citizens of Japan, and therefore ineligible to

citizenship and the right to vote.”

The Native Sons member admitted that his goal was to get an overruling of the Wong Kim Ark decision. The District Court dismissed his suit without addressing his arguments. The dismissal was affirmed by the Ninth Circuit Court of Appeals, and the U.S. Supreme Court refused to hear the case. The Wong Kim decision stood unharmed, as it does today, affirming the citizenship of all persons, regardless of race or color, born in United States and subject to its jurisdiction. But today, as in 1942, the principles underlying the Wong Kim decision are under attack. Like the Native Sons, those seeking to correct the “mistake” in the 14th Amendment pander to the irrational paranoia and prejudice of a sizeable segment of the population.

Thankfully, Senator Graham’s proposed amendment to eliminate birthright citizenship does not appear to be politically feasible. It’s highly unlikely that the amendment could pass the House and Senate by two-thirds vote, and then be affirmed by three-fourths of the states. Even more unlikely is a Constitution Convention, which would have to be called for by the legislatures of two-thirds of the states. Nonetheless, the threat of Senator Graham’s proposal should be taken seriously. It must never be forgotten that only two years after the Supreme Court refused to hear the Native Sons case, it issued its infamous 1944 opinion in *Korematsu v. United States* upholding the internment of Japanese Americans. Each and every one of the constitutional rights guaranteed to us as citizens, regardless of how obvious or self-evident, must be protected with vigor and vigilance.

Harry Budisidharta is a partner at the Law Firm of Balaban, Claeson & Budisidharta, LLP. He received his Bachelor of Arts in Political Science from California State University of Los Angeles, and his Juris Doctor (J.D.) from the University of Colorado Law School. Mr. Budisidharta practices in the area of civil and criminal litigation. Please send questions or comments to harry@denverfirm.com

Colorado Dragon Boat Festival's 10th Birthday Party!

Date: Friday, October 15, 2010
 Time: 5:30-7pm Games/Networking/Light Appetizers
 7-9pm Dinner
 Place: Kings Land Seafood Restaurant
 2200 W. Alameda Ave.

Cost:

\$60 Early Bird Registration by October 5th
 \$70 Registration after October 5th or at door
 \$1000 Corporate Table (10 seats)

The Colorado Dragon Boat Festival has reached a milestone this year! Please join their 10 year celebration of Pan-Asian culture, education and dragon boat racing on Friday, October 15th, 5:30 pm at King's Land Seafood Restaurant.

And, what would a birthday party be without fun and games? To highlight another aspect of Asian/Asian Pacific American culture, they're playing Mahjong, Go, Hanafuda and other Asian games. If you've always wanted to learn how to play, be sure to register early (plus, you'll get the early-bird discount!).

For more information and to purchase tickets, visit:
<http://www.cdbf.org/birthday.html>

Nihongo-o Naraimashyou! (Let's Learn Japanese!)

Words of the Month:

Pear: Nashi (na-shi)	Please (request): Onegai shimasu (o-ne-ga-i shi-ma-su)
Work/job: Shigoto (shi-go-to)	Please (offer): Douzo (do-u-zo)
Plane: Hikooki (hi-ko-o-ki)	September: Kugatsu (ku-ga-tsu)

Hello: Konnichiwa (ko-n-ni-chi-wa)
 How are you?: Ogenki desuka? (o-ge-n-ki de-su-ka?)
 I'm fine.: Hai, genki desu (ha-i, ge-n-ki de-su)
 What is your name?: Onamaewa nandesuka? (o-na-ma-e-wa na-n-de-su-ka?)
 My name is...: Watashino namaewa... (wa-ta-shi-no na-ma-e-wa...)
 I don't understand/know: Wakarimasen (wa-ka-ri-ma-se-n)

If you're interested in practicing Japanese, join the free Kaiwa (Conversation) Club of Japan America Society of Colorado at Buzz Café (1229 E 6th Ave.) every Wednesday from 6:30 pm - 8:00 pm.

“What cannot be achieved in one lifetime will happen when one lifetime is joined to another.”

The Japanese American Citizens League is a national organization whose ongoing mission is to secure and maintain the civil rights of Japanese Americans and all others who are victimized by injustice and bigotry. The leaders and members of the JACL also work to promote cultural, educational and social values and preserve the heritage and legacy of the Japanese American community.

APDC’s 30th Anniversary Celebration

The Asian Pacific Development Center celebrated its 30th anniversary with a fabulous evening of great food, friends, and fun. The event was kicked off by Joshua Bang and Mai Choua Lee who performed a unique Ethno-Modern dance. Their performance was followed by the presentation of a proclamation presented by Fran Campbell, remarks from Board Chair Dr. Rudy Lie, a video capturing APDC’s 30 year experience, and a keynote speech from Judge Kerry Hada who official launched APDC’s Capital Campaign. The capital campaign is an exciting new step that will allow APDC to carry out its goals of offering integrated health services in a single building while growing to become an even stronger contributor to our society and communities.

For more information regarding the Capital Campaign and how you can contribute to this great effort, please contact Christine Wanifuchi, CEO, at 303.365.2959 ext 115 (cwanifuchi@apdc.org) or Byeongsook Seo, Capital Campaign Committee Co-Chair, at 303.256.3948 (bseo@ir-law.com).

Ask the Advocacy Aficionado

Similar to the “Legal Lessons from our Lawyer” section, we are starting a column entitled, “Ask the Advocacy Aficionado.” Our 1st VP, Jin Tsuchiya, who works as the Field and Member Director for the Colorado Consumer Health Initiative, will begin writing a column related to advocacy issues impacting our community, including information on upcoming ballot initiatives. If you have questions regarding any advocacy issues you would like to have Jin address, please email him at Jin.Tsuchiya@gmail.com.

JAC Appreciation Luncheon

On Saturday, September 18, the Japanese Association of Colorado hosted its second annual Appreciation Luncheon to honor all Japanese American veterans and their spouses or widows. The event was at the Arvada Center for the Arts & Humanities and brought together over 300 veterans, family members, and friends. The program was MC-ed by Tom Migaki and included the Pledge of Allegiance by Joe Sakato and keynote by Paul Maruyama, author of “Escape from Manchuria.” The event was a great success and greatly appreciated by all in attendance.

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