

CAPITOL OFFICE  
STATE CAPITOL  
ROOM 4090  
SACRAMENTO, CA 95814  
TEL (916) 651-4029  
FAX (916) 651-4929

WEB  
WWW.SENATE.CA.GOV/HUFF

# California State Senate

SENATOR  
BOB HUFF

TWENTY-NINTH SENATE DISTRICT

DISTRICT OFFICE  
1800 E. LAMBERT ROAD  
SUITE 150  
BREA, CA 92821  
TEL (714) 671-9474  
FAX (714) 671-9750



COPY

July 22, 2016

Janice Luszcak, President  
Sacramento Japanese American Citizens League  
PO Box 22098  
Sacramento, CA 95822

**Re: Statement of the JACL, Sacramento Chapter on Assembly Bill 1726**

Ms. Luszcak,

After reading your statement on behalf of the JACL, I sincerely wonder how my comments in Senate Education Committee regarding AB 1726, which did not affect the bill's passage, could cause this much misunderstanding, or if you were actually there to hear them. From your unhinged comments, it appears not. As the representative of the largest population of Asian Pacific Islander constituents in the California State Senate, it is incredible that my efforts to share their concerns as a point of argument on the Senate Education Committee could be met with such vitriol. My comments were also in sync with the Asian groups present in committee who spoke against AB 1726.

One can only conclude from the tone and inaccurate, inflammatory rhetoric of your letter that it serves no real legislative purpose, that your goal is not to correct some policy issue that occurred in the Senate Education Committee, but rather that you desire to sow division between API groups and myself - when we should be working together on this issue and many others.

For the record, understanding that the committee and plethora of witnesses present that day in support and opposition are educated, reasonable people, I did not feel there was a need to give an American history lesson regarding xenophobic acts against Asian immigrants.

The fact is the author of AB 1726 could not tell us exactly how the additional demographic data, gathered only on Asian peoples, will be used in the future, in spite of his good intentions at this point in time. Our legislative branch of government was designed so that legislators and citizen advocates can share opposing views in a public forum, before a bill becomes law. Public debate often helps a piece of legislation become a better law that is less likely to create unintended consequences that have to be corrected in later years. I welcome a personal conversation about this issue if you would like to work together to help the API community.

I agree with you that demographic surveys inappropriately treat Asian American and Asian Pacific Islanders as a homogenous group when in fact they are not. But the same can be said of Europeans, Latinos and African-Americans. The main issue being raised in committee was why, once again, were Asians being segregated out at the exclusion of all other ethnic groups?

In your letter you made the following misstatements which I am happy to address:

- "...Senator Huff's reasons for opposing AB 1726 grossly misstates the causes and effects of two pivotal episodes in Asian American history."
- "Senator Huff fails to note that at the time of the implementation of the Chinese Exclusion Act of 1882, Chinese immigrants and their families accounted for only .002% of the nation's population, hardly enough to be a primary reason for a ban on all immigration from China. In fact, historians and sociologists primarily blame racism and ignorance as the cause of the cessation of immigration from China in 1882."
- "The collection of demographic data was not a major factor in the decision to forcibly remove families from their homes and businesses."

In 1880, the Chinese population in the United States was .2%, not .002% as you stated.<sup>1</sup> That is still a small number; but in California, Chinese people represented a significant 9% of the state's population.<sup>2</sup> California's Chinese population was growing fast – in 1880 it was over 50% larger than it was in 1870.<sup>3</sup> California's representatives wrongly responded to this trend by leading the fight in Congress for the Chinese Exclusion Act of 1882. This is not a gross misstatement as you indicated. Racism and ignorance were certainly in full bloom, but efforts to use the power of government to enforce such views through law were doubtless made easier by the fact that the U.S. Census Bureau started including "Chinese" as a category starting in 1870, and "Japanese" starting in 1890.<sup>4</sup>

The addition of a "Japanese" category in 1890 would have serious ramifications more than 50 years later. In your letter, with reference to the U.S. government's internment of people of Japanese ancestry during World War II, you said "The collection of demographic data was not a major factor in the decision to forcibly remove families from their homes and businesses." The reality is that the U.S. government did rely upon Census data in an unprecedented move to locate, and then relocate people of Japanese ancestry.

As scholars William Seltzer and Margo Anderson reported in 2000 regarding the use of Census Bureau data, including block-level data, the racial classification used in the 1940 Census, including its choice of categories, was likely both a reflection of an endemic racism that led to the internment of the Japanese Americans and an important contributing factor that helped to continually fuel racism generally and shape the specific basis and geographic scope of the internment program.<sup>5</sup>

In recent years we have found that the U.S. Census Bureau provided not only non-specific information but, as *Scientific American* reported based on U.S. Commerce Department records, the Bureau also released the names and addresses of Japanese-Americans during World War II:

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<sup>1</sup> In 1880, "Chinese" was a catch-all for East Asian residents, although most East Asian residents at the time were of Chinese origin or descent. For data, see: Campbell Gibson and Kay Jung, *Historical Census Statistics On Population Totals by Race, 1790 to 1990, and by Hispanic Origin, 1970 to 1990, for the United States, Regions, Divisions, and States: Working Paper No. 56* (Washington, D.C.: U.S. Census Bureau, September 2002), 19, 136, accessed July 20, 2016, [http://mapmaker.rutgers.edu/REFERENCE/Hist\\_Pop\\_stats.pdf](http://mapmaker.rutgers.edu/REFERENCE/Hist_Pop_stats.pdf).

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> "What Census Calls Us: A Historical Timeline," Pew Research Center, June 10, 2015, accessed July 20, 2016, <http://www.pewsocialtrends.org/interactives/multiracial-timeline/>.

<sup>5</sup> William Seltzer and Margo Anderson, *After Pearl Harbor: The Proper Role of Population Data Systems in Time of War*, AMSTST Online, March 8, 2000, accessed July 20, 2016 <http://www.amstat.org/about/statisticiansinhistory/index.cfm?fuseaction=PaperInfo&PaperID=1>.

Despite decades of denials, government records confirm that the U.S. Census Bureau provided the U.S. Secret Service with names and addresses of Japanese-Americans during World War II.

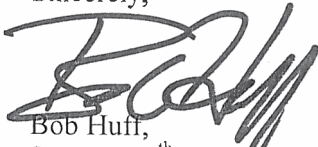
The Census Bureau surveys the population every decade with detailed questionnaires but is barred by law from revealing data that could be linked to specific individuals. The Second War Powers Act of 1942 temporarily repealed that protection to assist in the roundup of Japanese-Americans for imprisonment in internment camps in California and six other states during the war.<sup>6</sup>

During the Senate Education Committee debate on AB 1726 an exhaustive study of historical discrimination was not part of the agenda; but as you can clearly see, government data that segregated people out by race and ethnicity facilitated unjust actions by our government, not only in distant but also in living memory. That data may or may not have been generated for innocent reasons, but it was certainly misused by those in power.

By your own admission of historical racist actions, it is not a stretch to conclude, as I did in committee, that data gathered under AB 1726 could be used in harmful ways to discriminate against the very people we want to protect. Whether or not you support AB 1726, history suggests that it is prudent to be careful when we decide to gather such data. Although that data may be put to good use in the near term, the future is impossible to predict or determine.

As the representative of the largest API population of any California State Senator, I cannot promise my constituents that this data will only be used for upright purposes by future legislatures and governors. Furthermore, I have not yet heard a cogent argument justifying the need to disaggregate data on Asian Americans while not doing so with every other racial grouping. And therefore, I still oppose AB 1726.

Sincerely,



Bob Huff,  
Senator 29<sup>th</sup> District

Cc: Senate President Pro Tempore, Kevin de Leon  
Senator Pan  
API Caucus members

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<sup>6</sup> JR Minkel, "Confirmed: The U.S. Census Bureau Gave Up Names of Japanese-Americans in WW II," *Scientific American*, March 30, 2008, accessed July 20, 2016, <http://www.scientificamerican.com/article/confirmed-the-us-census-b/>.