

COMPLAINT AGAINST THE DEPARTMENT OF
COMMERCE AND THE CENSUS BUREAU

FOR DISCRIMINATION AGAINST ASIAN
AMERICANS IN 2020 CENSUS

Submitted to:

Civil Rights Division

U.S. Department of Justice

950 Pennsylvania Avenue, N.W.

Washington, DC 20530

By A Coalition of Asian American Organizations

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Contents

1	Introduction	2
2	Background.....	4
2.1	Census Questionnaire Wrongfully Singles out Asian Americans	4
2.2	Legacy of the Chinese Exclusion Act	4
2.3	Census Bureau and the Japanese American Internment in World War II.....	5
2.4	Census Continues to Perpetuate Racial Discrimination.....	6
3	Lack of Action from Census Bureau.....	7
3.1	Asian Americans Voice Concerns	7
3.2	Public Comments on Asian Checkboxes	8
3.3	Requests for Action.....	9
3.4	Proposed Uniform Formats in 2015 National Content Test.....	10
4	Asian Checkboxes on Census Questionnaire Sets Bad Precedent.....	11
4.1	Nation-wide Asian Data Disaggregation Movement Triggers Fear	11
4.2	Massachusetts Fought Against Asian Data Disaggregation Bill H.3361	12
4.3	Asian Data Disaggregation in Mortgage Form 1003	14
4.4	Minnesota Death Certificate.....	16
4.5	Washington State Daycare Form	18
5	Bipartisan Support for Equal Rights for Asian Americans	19
6	Conclusion and Request for Relief	21
Appendix 1.	Perpetual foreigners: “Where Are You Really From?”	31
Appendix 2.	Negative Psychological Impact of Asian Checkboxes	32
Appendix 3.	Chronology of Fight Against Massachusetts H.3361	35
Appendix 4.	Letters to Department of Commerce and Census Bureau	37
Appendix 5.	Asian American Community Leaders Visited D.C.	40
Appendix 6.	Letter from Dr. Frank Sloan from Duke University.....	44
Appendix 7.	Letter from Massachusetts State Senator Dean Tran	50
Appendix 8.	Letter from Connecticut Attorney General William Tong	52
Appendix 9.	Letter from Attorney McMahon to Kellyanne Conway	54

1 Introduction

The undersigned coalition of Asian American Organizations (“Coalition”), consisting of 51 undersigned Asian American Organizations representing over 10,000 members and over 1,600 individuals, jointly file this Administrative Complaint against the Department of Commerce and the Census Bureau for unlawful racial discrimination against Asian Americans in the 2020 census questionnaire, pursuant to the Fourteenth Amendment of the United States Constitution and Title VI of the Civil Rights Act of 1964.

The race question in 2020 Census questionnaire is discriminatory against Asian Americans and Pacific Islanders (hereafter simply referred to as Asian Americans). It treats Asian Americans differently from White, African American, and American Indian/Alaska Native persons. While other races have a general racial category (for example, “White” or “African American”) followed by a write-in area for the origin, Asian Americans do not have a general racial category for “Asian American” to choose from but are forced to check a box that lists their specific origins (e.g. Japanese, Filipino, Samoan, etc.).

What is this person's race?
Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc.

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc.

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc.

<input type="checkbox"/> Chinese	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Native Hawaiian
<input type="checkbox"/> Filipino	<input type="checkbox"/> Korean	<input type="checkbox"/> Samoan
<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Japanese	<input type="checkbox"/> Chamorro
<input type="checkbox"/> Other Asian – Print, for example, Pakistani, Cambodian, Hmong, etc. <input type="text"/>	<input type="checkbox"/> Other Pacific Islander – Print, for example, Tongan, Fijian, Marshallese, etc. <input type="text"/>	

Some other race – Print race or origin.

Asian Americans are treated differently than White, African Americans and American Indians. Why???

Without a general racial category, terms like Japanese and Filipino can refer to foreign nationals instead of the ethnic origins of Asian Americans, reinforcing the “perpetual foreigner” stereotype that Asian Americans have been bearing for more than a century. Singling out Asians as inferior foreign aliens began in the 1870 census questionnaire amidst anti-Chinese sentiment, which led to the 1882 Chinese Exclusion Act. After 150 years, it is time to stop this unjust and hurtful legacy.

Moreover, the practice of singling out Asian Americans on the census questionnaire sets a bad example for federal and state government agencies, legitimizing the collection of national origin data of **only** Asian Americans (Asian Data Disaggregation initiatives). It sparks fear of ethnic discrimination among Asian Americans and needs to be addressed immediately.

The Census Bureau should take immediate action to amend the 2020 census questionnaire to treat Asian Americans equally. If it is not feasible due to time constraint, the Census Bureau should make an official statement explaining the issue with the current race question and showing its commitment to address it in the next cycle. In addition, the Census Bureau must alleviate the negative impact of its practice by informing federal and state government agencies that the census race question should not be used in its current format in daily operations.

Even after repeated requests, the Census Bureau is unwillingness to make an official statement, allowing the discriminatory census form to fuel the Asian Data Disaggregation movement, undermining the constitutional rights of Asian Americans.

The Asian American community holds the Census Bureau in high regard as an exemplary federal agency. However, we have been sorely disappointed by its reluctance to address our simple request to issue a *written* statement. We file this complaint to show the Census Bureau the scale and negative impact of this issue.

The representatives of the Coalition for the purpose of this Complaint are Yuan Li and Helen Yang from the Asian Americans for Equal Rights (AAER) with the following contact information.

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Boston, MA 02112
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Phone: 978-494-xxxx

2 Background

2.1 Census Questionnaire Wrongfully Singles out Asian Americans

The race question in the 2020 census form wrongfully singles out Asian Americans and Pacific Islanders. Instead of having a general racial category (“Asian American”), or two categories for “Asian American” and “Pacific Islander” similar to other races, the census questionnaire lists checkboxes: “Chinese”, “Vietnamese”, “Asian Indian”, etc.

Asian Americans face the trauma of being treated as foreigners in their own land. The race question is worded and formatted in a discriminatory and alienating way, provoking racial trauma stemmed from centuries of discrimination against Asian Americans.

2.2 Legacy of the Chinese Exclusion Act

Asian Americans have a long history of facing racial discrimination, most notably the Chinese Exclusion Act of 1882.

The first Asian origin box, Chinese, was added to the 1870 census, coinciding with Sinophobic hysteria and the passage of several anti-Asian laws. While the Naturalization Act of 1870 extended citizenship rights to African Americans, it barred Chinese immigrants from naturalization on the grounds that they could not assimilate into American society. Five years later, the Page Act of 1875 effectively prevented Chinese women from entering the U.S., leading to the Chinese Exclusion Act of 1882. Later, all immigrants from Asian countries were banned from entering the U.S. in the Immigration Act of 1924. More boxes for different countries of origin, such as for Japanese (1890), Koreans (1930), and Filipinos (1930), were added during the

Asian exclusion era. These country of origin boxes were created to count those of Asian heritage not as equal beings, but as unassimilable aliens.

According to the History Channel:

The Chinese Exclusion Act of 1882 was the first significant law restricting immigration into the United States. Those on the West Coast were especially prone to attribute declining wages and economic ills on the despised Chinese workers. Although the Chinese composed only 0.002 percent of the nation's population, Congress passed the exclusion act to placate worker demands and assuage prevalent concerns about maintaining white 'racial purity.'

The statute of 1882 suspended Chinese immigration for ten years and declared the Chinese as ineligible for naturalization. Chinese workers already in the country challenged the constitutionality of the discriminatory act, but their efforts failed. The act was renewed in 1892 for another ten years, and in 1902 Chinese immigration was made permanently illegal. The legislation had proved effective, and the Chinese population in the United States sharply declined.

American experience with Chinese exclusion spurred later movements for immigration restriction against other "undesirable" groups such as Middle Easterners, Hindu and East Indians, and the Japanese. The Chinese themselves remained ineligible for citizenship until 1943.

During the sixty years when the Chinese Exclusion Act was in effect, Chinese Americans were unable to bring their families to the U.S. Some waited for decades to reunite with their families and their American-born children could not obtain American citizenship.

2.3 Census Bureau and the Japanese American Internment in World War II

The Census Bureau was instrumental in another case of racial discrimination against Asian Americans: the internment of Japanese Americans in World War II. In 1942, shortly after the Japanese attack on Pearl Harbor, President Roosevelt issued Executive Order 9066, forcing over 110,000 people of Japanese descent into concentration camps. 62% of them were U.S. citizens.

The Census Bureau assisted the internment effort by providing the Secret Service with the neighborhood data of Japanese Americans in California and six other states, as well as names and addresses of Japanese Americans in the Washington D.C. area. Though the Census Bureau is

legally forbidden to share individual names and addresses with other government agencies, the Second War Powers Act of 1942 granted an exception. Nine of the ten camps were shut down by the end of 1945, but the last camp was not closed until March 1946.

In 2000, Dr. Kenneth Prewitt, then the Census Bureau Director, apologized for the Bureau's release of neighborhood data during the war. In 2007, a study of Department of Commerce documents further revealed that the Census Bureau provided "microdata", i.e. the names and addresses, of Japanese Americans in the Washington D.C. area to facilitate internment.

2.4 Census Continues to Perpetuate Racial Discrimination

Such instances of racial discrimination and civil rights violation have imposed hardships on Asian Americans for generations and led to fear of racial profiling and discrimination. The Census Bureau, perhaps without knowing until recently, continues to perpetuate racial discrimination against Asian Americans by singling them out in the census questionnaire. This violates the Fourteenth Amendment of the United States Constitution and Title VI of the Civil Rights Act of 1964, causing heavy psychological burden and stress to Asian Americans.

The coalition stresses the role that the census document plays in spreading and perpetuating harmful racial stereotypes. The Asian American community is haunted by a "perpetual foreigner" prejudice—constantly being questioned "where are you *really* from?", as if America is not their home (see 0). The current census race question is treating Asian Americans as foreigners, *again*, --"Are you Chinese, Japanese or Korean?" while treating other racial groups as Americans first.

The census in its current format is a powerful weapon of alienation in 2020 and beyond. The "perpetual foreigners" stereotype has negatively impacted the lives, mental health, identity, and career opportunities of Asian Americans (see Appendix 2). Being constantly asked "where are you really from?" or "What type of Asian are you?" is profoundly disempowering, suggesting "you are not American, not one of us." The perception of "otherism" burdens Asian Americans in running for public office, social networking, and seeking career advancement. In 2020, federal and state governments, along with community organizations, will spend millions to promote the census. The image of the race question will be on newspapers, social media, and TV

advertisements. It will be a state-sponsored alienation campaign targeting Asian Americans, with irreversible damage.

Worse still, the census questionnaire has been used to justify the Asian Data Disaggregation movement across the nation (see Section 4), directly threatening the privacy and rights of Asian Americans and triggering fear of discrimination based on country of origin.

It is unjustifiable to further harm Asian Americans, even unintentionally, after facing historical discrimination. The Census Bureau should remove these checkboxes as soon as possible so that the Asian American community can be treated equally.

3 Lack of Action from Census Bureau

3.1 Asian Americans Voice Concerns

The Asian American Community has made a significant amount of effort to voice our concerns. Our efforts include but are not limited to the following:

- Asian Americans and their allies submitted nearly 10,000 public comments on 2020 census on federal registry (83 FR 26643, regulation.gov) (see section 3.2);
- Community leaders have sent letters to the Census Bureau and the Department of Commerce among others (see Appendix 4);
- Community leaders have visited Washington D.C. to meet with the Census Bureau and other leaders (see Appendix 5);
- Community leaders have worked with academics, attorneys and state legislators to voice our concerns (see Appendix 6-9);

- A petition named “Remove sub-Asian boxes on Census Form 2020! Stop racist anti-Asian anti-immigrant legacy!” on **change.org** has garnered more than 56,000 signatures as of April 25, 2019¹.

Yuan Li and Helen Yang of the Asian Americans for Equal Right (AAER) have been in conversations with the Census Bureau since May 2018. Chief Karen Battle of the Populations Division has served as our primary point of contact. Chief Battle has demonstrated ultimate intelligence, professionalism and empathy, for which we are truly grateful.

However, the Census Bureau as a federal agency has not yet taken any action to address this matter with any official document or announcement.

3.2 Public Comments on Asian Checkboxes

In 2018, the Census Bureau posted a Federal Register notice (83 FR 26643) to collect public comments with regard to the 2020 Census questionnaire and data collection operation. Asian American individuals and organizations as well as their allies of all races took the opportunity to express their concerns.

The Census Bureau has provided a summary and analysis of the comments². According to the analysis of the census bureau (see table below), “In particular, there were nearly 10,000 comments— 6.4 percent—requesting the removal of checkboxes to identify Asian countries of origin.”.

¹ This petition was removed from change.org as of June 3rd, 2019 without notifying the owner of the petition due to possible censorship. This is the original link: <https://www.change.org/p/president-of-the-united-states-remove-sub-asian-boxes-on-census-form-2020-stop-racist-anti-asian-anti-immigrant-legacy>

² <https://www.regulations.gov/document?D=USBC-2018-0005-79003>

Table 3 – Total Count of Comments by General Topic

Topic	Topic Count	Topic Percentage*
Citizenship Question	137,695	92.8
Asian Checkboxes Question	9,595	6.5
Against Asian Checkboxes	9,540	6.4
For Asian Checkboxes	55	<0.1

It is also worth noting that comments submitted by organizations represent hundreds or even thousands of people. For example, Asian Americans for Equal Rights (AAER) submitted a letter on behalf of 41 organizations representing over 6,000 people (see the list of organizations in **Error! Reference source not found.**).

3.3 Requests for Action

Our requests are threefold.

First, the Census Bureau should take immediate action to amend the 2020 Census to treat Asian Americans equally. The proposal has a uniform format that treats Asian Americans the same as other racial groups (Pacific Islander and Native Hawaiian category not presented due to space limit).

The Current Version is Racially **Discriminatory**:


What is this person's race?
Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc. ↴

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ↴

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ↴

Chinese Vietnamese Native Hawaiian
 Filipino Korean Samoan
 Asian Indian Japanese Chamorro
 Other Asian – Print, for example, Pakistani, Cambodian, Hmong, etc. ↴ Other Pacific Islander – Print, for example, Tongan, Fijian, Marshallese, etc. ↴



We Demand Racial **Equality**:

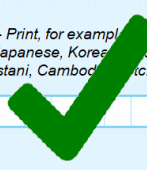
What is this person's race?
Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc. ↴

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ↴

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ↴

Asian or Asian Am. - Print, for example, Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, Hmong, Laotian, Thai, Pakistani, Cambodian, etc. ↴



Second, failing a change in 2020, the Census Bureau should make an official statement explaining the issue with the current race question and showing its commitment to address it in the 2030 census.

Lastly, the Census Bureau should make an immediate effort to inform federal and state agencies that the census questionnaire should not be used to collect country of origin data for Asian Americans.

The Census Bureau has shown no inclination to address this issue.

3.4 Proposed Uniform Formats in 2015 National Content Test

To its credit, the Census Bureau did make an attempt to format the race question uniformly across races. The 2015 National Content Test showed two alternative formats being tested (see below), both of which treated Asian Americans the same as the other races.

Combined w/ Write-Ins

8. What is Person 1's race or origin?
Mark all boxes that apply AND print origins in the spaces below.
Note, you may report more than one group.

White – Print, for example, German, Irish, English, Italian, Polish, French, etc. ☞
[]

Hispanic, Latino, or Spanish origin – Print, for example, Mexican or Mexican American, Puerto Rican, Cuban, Salvadoran, Dominican, Colombian, etc. ☞
[]

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ☞
[]

Asian – Print, for example, Chinese, Filipino, Asian Indian, Vietnamese, Korean, Japanese, etc. ☞
[]

American Indian or Alaska Native – Print, for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ☞
[]

Middle Eastern or North African – Print, for example, Lebanese, Iranian, Egyptian, Syrian, Moroccan, Algerian, etc. ☞
[]

Native Hawaiian or Other Pacific Islander – Print, for example, Native Hawaiian, Samoan, Chamorro, Tongan, Fijian, Marshallese, etc. ☞
[]

Combined w/ Checkboxes

8. Which categories describe Person 1?
Mark all boxes that apply AND print details in the spaces below.
Note, you may report more than one group.

WHITE – Provide details below.
 German Irish English
 Italian Polish French
Print, for example, Scottish, Norwegian, Dutch, etc. ☞
[]

HISPANIC, LATINO, OR SPANISH – Provide details below.
 Mexican or Mexican American Puerto Rican Cuban
 Salvadoran Dominican Colombian
Print, for example, Guatemalan, Spaniard, Ecuadorian, etc. ☞
[]

BLACK OR AFRICAN AM. – Provide details below.
 African American Jamaican Haitian
 Nigerian Ethiopian Somali
Print, for example, Ghanaian, South African, Barbadian, etc. ☞
[]

ASIAN – Provide details below.
 Chinese Filipino Asian Indian
 Vietnamese Korean Japanese
Print, for example, Pakistani, Cambodian, Hmong, etc. ☞
[]

AMERICAN INDIAN OR ALASKA NATIVE – Provide details below.
 American Indian Alaska Native Central or South American Indian
Print, for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat, Nome Eskimo Community, etc. ☞
[]

Either format would have been acceptable to Asian Americans. The equitable race question was assessed in the context of combining the ethnicity and race questions (combined format), however, according to Duke University economist Dr. Frank Sloan's testimony (see Appendix 6), "Even though this test result was based on a combined race and ethnicity question, it provides sufficient information on how [Asian American] persons would respond to the question format I am proposing. There is no need for another full testing cycle."

Despite our expert testimony, we are willing to accept the position that any change in race question has to use a full test cycle. **All we ask for is an official statement from the Census Bureau about plans to change the race form. This reasonable and modest request has been ignored.**

4 Asian Checkboxes on Census Questionnaire Sets Bad Precedent

4.1 Nation-wide Asian Data Disaggregation Movement Triggers Fear

In the last eight years, many federal and state government agencies have adopted the Census questionnaire in their operations, in many cases despite bitter fights from local Asian American communities, directly threatening the privacy and equal opportunity rights of Asian Americans. In other words, the Census Bureau has set a bad precedent for federal agencies, states and private entities by saying that it is legitimate to single out Asian Americans, fueling the invasive nationwide Asian Data Disaggregation movement, and triggering anger and fear in the community.

Asian Americans have rallied to fight against Asian Data Disaggregation at the federal and state level. Below is an incomplete list.

1. Residents of Massachusetts fought against proposed bill H.3361 in 2017 and 2018. It took multiple protests and over one thousand people testifying against at the hearing to defeat it but a new bill H.2681 was introduced in 2019. See Section 4.2 and Appendix 2.
2. Fannie Mae and Freddie Mac adopted a new mortgage form in 2018 that singles out Asian Americans and Pacific Islanders. Community leaders have made complaints to Fannie Mae, Freddie Mac and the Consumer Financial Protection Bureau (CFPB). See Section 4.3).
3. Minnesota passed Asian Data Disaggregation Bill SF2597 in 2016. See Section 4.4 for an example in the form of the **Death Certificate**.
4. Washington State passed Asian Data Disaggregation Bill HB1541 in 2016. See Section 4.5 for an example in the form of a **daycare registration form**.
5. Rhode Island passed Asian Data Disaggregation Bill S0439 in 2017.
6. New York State proposed Asian Data Disaggregation Bill A7352 in 2017.
7. New York City passed 251-A and 551-A in 2016.
8. California passed Asian Data Disaggregation Bill AB1726 in 2016.
9. Hawaii passed HB2174 in 2012, the first case of Asian Data Disaggregation.

The Minnesota Death certificate (in Section 4.4) and the Washington State daycare form (Section 4.5) illustrate the outrageous absurdity of this practice.

4.2 Massachusetts Fought Against Asian Data Disaggregation Bill H.3361

On January 30, 2018, over one thousand Massachusetts residents, predominantly Asian Americans, gathered in the State House to oppose the proposed Bill H.3361, which directed state agencies to collect the country of origin data from Asian Americans and Pacific Islanders, but no other races. This bill immediately sparked anger among the Asian American community, who feared potential profiling based their countries of origin.

Bill H.3361 states:

Notwithstanding any General Law or Special Law to the contrary, all state agencies, quasi-state agencies, entities created by state statute and sub-divisions of state agencies shall identify Asian American and Pacific Islanders as **defined by the United States Census Bureau** in all data collected as part any and all types of data collection, reporting or verification; provided further that, the five largest Asian American and Pacific Islander ethnic groups residing in the Commonwealth shall have individually reported data as part of the total Asian American Pacific Islander reporting.

Massachusetts residents organized opposition against Bill H.3361, culminating in over 1,000 people attending the hearing at the State House³.

Appendix 2 detailed the extraordinary effort that Asian Americans and their allies put in to fight H.3361. This wastes Americans' time and resources, which could have been used to strengthen our economy, serve our communities, or simply enjoy our lives.

While Bill H.3661 was defeated in early 2018, it was soon replaced by Bill H.4408, which would establish a special commission investigating the possibility of collecting disaggregated race data. In early 2019, a new data disaggregation bill, H.2681, was introduced. Here is an excerpt to demonstrate how Census form is inappropriately copied:

Every government agency that collects demographic data as to the race or ethnicity of residents of the Commonwealth of Massachusetts, shall use separate collection and tabulations for the following: (i) each major Asian group, as reported by the United States Census Bureau,

³ <https://www.telegram.com/news/20180131/mass-asian-american-data-collection-bill-sparks-fears-of-profiling>

including but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Laotian, Cambodian, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Nepalese, Burmese, Tibetan, and Thai; ...

These bills waste taxpayer money by duplicating the efforts of the Census Bureau without the scientific approaches and privacy protections that the Census provides. Once again it illustrates the need for the Census Bureau to educate federal, state and local agencies about not using the census race question in daily operation.

4.3 Asian Data Disaggregation in Mortgage Form 1003

At the federal level, the mortgage form is one example of Asian Data Disaggregation. In 2017, Fannie Mae and Freddie Mac released the new version of the mortgage form (Form 1003), collecting the country of origin for Asian Americans and Pacific Islanders only.

New Form 1003 Singles Out Asian Americans and Pacific Islanders (AAPI)

Section 7: Demographic Information. This section asks about your ethnicity, sex, and race.

Demographic Information of Borrower

The purpose of collecting this information is to help ensure that all applicants are treated fairly and that the housing needs of communities and neighborhoods are being fully met. This information is used for statistical purposes and is not shared with anyone else. The law also provides that we may not use this information to discriminate against anyone on the basis of this information, and that we may not use this information to deny anyone credit on the basis of this information.

Instructions: You may select one or more "Hispanic or Latino" origins and one or more designations for "Race." If you do not wish to provide some or all of this information, select the applicable check box.

Ethnicity

Hispanic or Latino

Mexican Puerto Rican Cuban

Other Hispanic or Latino - Enter origin: _____

Examples: Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, etc.

Not Hispanic or Latino

I do not wish to provide this information

Sex

Female

Male

I do not wish to provide this information

Race

American Indian or Alaska Native - Enter name of enrolled or principal tribe: _____

Asian

Asian Indian Chinese Filipino

Japanese Korean Vietnamese

Other Asian - Enter race: _____

Examples: Hmong, Laotian, Thai, Pakistani, Cambodian, etc.

Black or African American

Native Hawaiian or Other Pacific Islander

Native Hawaiian Guamanian or Chamorro Samoan

Other Pacific Islander - Enter race: _____

Examples: Fijian, Tongan, etc.

White

I do not wish to provide this information

The New Form 1003 singles out Asian Americans and Pacific Islanders to collect the country of origin, violating the equal protection clause of the 14th Amendment.

The instruction for Form 1003 (https://www.fanniemae.com/content/guide_form/1003rev.pdf) states: "When an application is taken in person and an applicant elects not to provide some or all of this information, federal law requires the lender to note the applicant's sex, ethnicity, and race on the form, *based on the lender's visual observation or the applicant's surname*. To aid in identifying applicants who may be of Hispanic ethnicity and who elect not to self-identify, the

lender may wish to consult the list of Spanish surnames developed by the U.S. Bureau of the Census.”

Since the country of origin is part of race for Asian Americans and Pacific Islanders, the lender is presumably required to note the country of origin for Asian Americans and Pacific Islanders based on visual observations or surname. This once again proves the damage of singling out Asian Americans and Pacific Islanders—it creates the need for one set of instructions to cover Asian Americans and another to cover other races.

Since the information collected on the mortgage form is directly tied to each individual, it opens the door for discrimination based on race and country of origin and threatens the financial well-being of Asian Americans.

On October 19th, 2017, Asian Americans for Equal Rights (AAER), Chinese American Association of Andover (CAAA), and Chinese Americans of Lexington (CALex) sent letters to Fannie Mae and Freddie Mac to voice the concern and received responses from both organizations.

On November 7th, Fannie Mae opened a case (case number 00109103) and pointed out that it simply followed the directives from the Consumer Financial Protection Bureau (CFPB), specifically, the 2015 Home Mortgage Disclosure Act Final Rule, Regulation C⁴. Beginning on page 676, entitled "APPENDIX TO PART 1003 – FORM AND INSTRUCTIONS FOR DATA COLLECTION ON ETHNICITY, RACE, AND SEX.", subsection 9 (iii) "Race – Aggregate categories and subcategories" on page 679 lists the race categories and subcategories required by the new rule and instructs lenders to report each race aggregate category and subcategory selected by the applicant.

On January 7th, 2018, AAER, CAAA, and CALex sent letters to Mick Mulvaney, Director of the CFPB, and Mary McLeod, General Counsel, and filed a case with the CFPB (case number 180410-3023542). Eliot Ponte from the Regulations Department and a representative from the

⁴ http://files.consumerfinance.gov/f/201510_cfpb_final-rule_home-mortgage-disclosure_regulation-c.pdf

Office of Community Affairs called to explain that the **CFPB regulations simply followed the same format as the Census form**. This underscores the importance for the Census Bureau to inform other agencies that the census question should not be blindly copied.

4.4 Minnesota Death Certificate

The State of Minnesota applied data disaggregation on the death certificate for Asian Americans, Pacific Islanders, and African Americans. Yet, the disaggregation did not apply to white people, which makes up 84% of the population in the state. It is very considerate for the State of Minnesota to offer an end-to-end solution for Asian Americans and Pacific Islanders to be treated as foreigners throughout their lives and at death.



Minnesota Registration & Certification (MR&C)

Documentation of Death

Deceased Name (First, Middle, Last, Suffix)		Prior to First Marriage		Also Known As	
Date of Death MM DD YYYY			Sex <input type="radio"/> Male <input type="radio"/> Female <input type="radio"/> Unknown		Social Security Number - - - <input type="radio"/> None <input type="radio"/> Unknown <input type="radio"/> Not Obtainable
Date of Birth MM DD YYYY		Age (in years)		Under 1 Year months days	
Date of Birth MM DD YYYY		Under 1 Day hours minutes			
Birth Country <input type="radio"/> Born in the United States <input type="radio"/> Not U.S. Specify _____ <input type="radio"/> Unknown		State/Province		City/Town	
Deceased's Residence Address <input type="radio"/> U.S. Address <input type="radio"/> Foreign country _____ <input type="radio"/> Unknown		State/Province		County	City/Town
				Street & Number, Zip Code	Inside City Limits? <input type="radio"/> Yes <input type="radio"/> No
Education (highest completed) <input type="radio"/> Unknown <input type="radio"/> 8th grade or less <input type="radio"/> 9th - 12th grade; no diploma <input type="radio"/> High School graduate or GED completed <input type="radio"/> Some college credit but no degree			Associate degree (e.g. AA,AS) Bachelor's degree (e.g., BA,AB, BS) Master's degree (e.g., MA, MS, MEng, Med, MSW, MBA) Doctorate (e.g., MD, DDS, DVM,		Ever In Armed Forces? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown
			Deceased's Usual Occupation		Kind of Business or Industry
Hispanic Origin <input type="radio"/> No, Not Spanish/Hispanic/Latino <input type="radio"/> Yes, Hispanic Origin Known <input type="checkbox"/> Mexican, Mexican American, Chicano <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Cuban <input type="checkbox"/> Other, specify _____ <input type="radio"/> Unknown if Spanish/Hispanic/Latino		Race <input type="checkbox"/> White <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Unknown		Name of the Enrolled or Principal Tribe	
		African African/American <input type="checkbox"/> Black/African American <input type="checkbox"/> Ethiopian <input type="checkbox"/> Liberian <input type="checkbox"/> Ghanaian <input type="checkbox"/> Other African Specify _____		Asian <input type="checkbox"/> Asian Indian <input type="checkbox"/> Chinese <input type="checkbox"/> Filipino <input type="checkbox"/> Japanese <input type="checkbox"/> Other Asian Specify _____	
		Pacific Islander <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> Samoan <input type="checkbox"/> Guamanian or Chamorro <input type="checkbox"/> Other Pacific Islander Specify _____ <input type="checkbox"/> Other Race Specify _____			
Marital Status at time of Death <input type="radio"/> Married <input type="radio"/> Never Married <input type="radio"/> Widowed <input type="radio"/> Divorced <input type="radio"/> Unknown <input type="radio"/> Not Obtainable		Spouse's Name (First, Middle)		Last Name Prior to First Marriage	
Father's Name (First, Middle, Last, Suffix)		Mother's Name (First, Middle, Suffix)		Last Name Prior to First Marriage	
Informant's Name (First, Middle, Last or Institution)		Relationship to Deceased		Address (Street & Number, City, State, Zip)	
Place of Death Hospital <input type="radio"/> Inpatient <input type="radio"/> Emergency Room/Outpatient <input type="radio"/> Dead on Arrival		Other than a Hospital <input type="radio"/> Hospice <input type="radio"/> Nursing home/Long term care <input type="radio"/> Deceased's home <input type="radio"/> Other _____		County _____ Facility Name and Address (Street & Number, City, State, Zip)	
Physician/ME Providing Cause of Death Information (First, Middle, Last) License # Title		Funeral Home/Other Institution, Estab. #		Funeral Director Name (First, Middle, Last)	
Method of Disposition <input type="radio"/> Burial <input type="radio"/> Cremation <input type="radio"/> Donation <input type="radio"/> Entombment <input type="radio"/> Removal from State <input type="radio"/> Other (Specify) _____					
Disposition Facility		State/Province		City/Town	
Cemetery		State/Province		City/Town	

The information on this form is correct to the best of my knowledge

Signature

Date

Form # D103 Feb/2013

4.5 Washington State Daycare Form

Data disaggregation reaches a fever pitch with this daycare registration form from the State of Washington. Caucasians, which include those of European/Middle Eastern/North African descent, make up 77% of the state's population, but have only one check box. On the other hand, Asian Americans, who make up less than 8% of the population, have more than 20 checkboxes.

Ethnicity and Race Data Collection Form
Please answer both questions

Student Name: _____

Question 1. Is your child of Hispanic or Latino origin?

Not Hispanic/Latino

Or (Check all that apply)

<input type="checkbox"/> Cuban	<input type="checkbox"/> Mexican / Mexican American/ Chicano
<input type="checkbox"/> Dominican	<input type="checkbox"/> Central American
<input type="checkbox"/> Spaniard	<input type="checkbox"/> South American
<input type="checkbox"/> Puerto Rican	<input type="checkbox"/> Latin American
<input type="checkbox"/> Other Hispanic/Latino	

Question 2. What race(s) do you consider your child? (Check all that apply.)

<input type="checkbox"/> African American/Black	<input type="checkbox"/> Alaska Native
<input type="checkbox"/> White/European/Middle Eastern/North African <small>(For federal reporting purposes, the race selection "white" includes individuals of European, Middle Eastern, or North African origin.)</small>	<input type="checkbox"/> Chehalis
<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Colville
<input type="checkbox"/> Cambodian	<input type="checkbox"/> Cowlitz
<input type="checkbox"/> Chinese	<input type="checkbox"/> Hoh
<input type="checkbox"/> Filipino	<input type="checkbox"/> Jamestown
<input type="checkbox"/> Hmong	<input type="checkbox"/> Kalispel
<input type="checkbox"/> Indonesian	<input type="checkbox"/> Lower Elwha
<input type="checkbox"/> Japanese	<input type="checkbox"/> Lummi
<input type="checkbox"/> Korean	<input type="checkbox"/> Makah
<input type="checkbox"/> Laotian	<input type="checkbox"/> Muckleshoot
<input type="checkbox"/> Malaysian	<input type="checkbox"/> Nisqually
<input type="checkbox"/> Pakistani	<input type="checkbox"/> Nooksack
<input type="checkbox"/> Singaporean	<input type="checkbox"/> Port Gamble Klallam
<input type="checkbox"/> Taiwanese	<input type="checkbox"/> Puyallup
<input type="checkbox"/> Thai	<input type="checkbox"/> Quileute
<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Quinalt
<input type="checkbox"/> Other Asian	<input type="checkbox"/> Samish
<input type="checkbox"/> Native Hawaiian	<input type="checkbox"/> Sauk-Suiattle
<input type="checkbox"/> Fijian	<input type="checkbox"/> Shoalwater
<input type="checkbox"/> Guamanian or Chamorro	<input type="checkbox"/> Skokomish
<input type="checkbox"/> Mariana Islander	<input type="checkbox"/> Snoqualmie
<input type="checkbox"/> Melanesian	<input type="checkbox"/> Spokane
<input type="checkbox"/> Micronesia	<input type="checkbox"/> Squaxin Island
<input type="checkbox"/> Samoan	<input type="checkbox"/> Stillaguamish
<input type="checkbox"/> Tongan	<input type="checkbox"/> Suquamish
<input type="checkbox"/> Other Pacific Islander	<input type="checkbox"/> Swinomish
	<input type="checkbox"/> Tulalip
	<input type="checkbox"/> Yakama
	<input type="checkbox"/> Other Washington Indian
	<input type="checkbox"/> Other American Indian/Alaska Native

Parent Signature: _____ Date: _____

5 Bipartisan Support for Equal Rights for Asian Americans

During their fight against Asian Data Disaggregation, Asian Americans and their allies have received overwhelming support and empathy from both liberals and conservatives.

When hundreds of Asian Americans protested against the proposed bill H.3361 outside the NCSL (National Conference of State Legislators) in Boston in 2017, state legislators from both parties expressed shock and empathy. Many were quick to blame the issue on the other party, but in reality, this is not a partisan issue. This is a long-overdue matter of correcting historical wrongs and restoring dignity to over twenty million Asian Americans. This is an opportunity for both parties to agree on something and to bring the country together instead of driving it further apart.

Letter from Massachusetts State Senator Dean Tran

Massachusetts State Senator Dean Tran, a Vietnamese American, wrote a letter to Massachusetts Attorney General Maura Healy, to bring the Census race box issue to her attention (see Appendix 7). Senator Tran also carboned copied political leaders from both parties including U.S. Senators and Representatives from Massachusetts, the Governor, the Lieutenant Governor, and the Massachusetts Secretary of State.

In his letter, Senator Tran said,

“I have spent my entire life fighting discrimination and segregation, and can say with certainty that the census question as proposed, about race identification, does nothing but remind me of my painful experiences.”

Letter from Connecticut Attorney General William Tong

Connecticut Attorney General William Tong, while serving as the State Representative and Chairman of the Judiciary Committee, wrote letters to all seven members of congressional delegation from Connecticut at the time: Senator Richard Blumenthal, Senator Christopher Murphy, Congressman Joe Courtney, Congresswoman Rosa DeLauro, Congresswoman

Elizabeth Etsy, Congressman James Himes, Congressman John Larson (see Appendix 8).
Attorney General Tong said in his letter,

“The requirement for us to list our specific origins rather than a general racial category represents an attempt to alienate and divide the general Asian Pacific American Community.”

Letter from Attorney Jay McMahon

On March 13, 2019, Jay McMahon, the Republican candidate for Massachusetts Attorney General in 2018, wrote a letter to Kellyanne Conway, Counselor to the President, to bring this issue to her attention (see Appendix 9).

In his letter, Attorney McMahon said,

Asian Americans are very sensitive to this kind of specialized scrutiny and discrimination. This country only has to look back a little over 150 years ago to the Chinese Exclusion Act. We only have to look back to 75 years ago to the internment of Japanese Americans citizens during World War II. Just recently, here in Massachusetts, the House of Representatives had a bill before it, H3361, which mandated the specific registration of all Asian Americans living in Massachusetts. It is outrageous that with the history of treatment of Asians Americans in this country, that in this day, and in this century, a State Legislature would even consider the Registry of a minority group; and in this case, a Patriotic honorable minority group, such as Asian American citizens. No Hispanic minorities would tolerate this, no Arabic minorities would stand for this, and certainly no Muslims would be silent as to this. Asian Americans are vocal, but they are not violent. We shouted down H3361. ... Nonetheless, this is an insult that in this day and hour that we are further sub-categorizing groups of Americans in this nation.

Our Asian American friends have asked me to reach out to you and President Trump in order to make an end run on this particular insult by these government Census Bureau forms.

6 Conclusion and Request for Relief

The Asian race checkboxes in its current form are a legacy of the Chinese Exclusion Act that continues to perpetuate racial stereotypes, harming Asian Americans and fueling the nationwide Asian Data Disaggregation movement that directly threatens the privacy and equal rights of Asian Americans.

On behalf of the undersigned organizations and individuals, we request the Census Bureau to issue an official statement to acknowledge the current problem with the Asian checkboxes in the 2020 census questionnaire and make a commitment to address it in the 2030 census questionnaire to treat Asian Americans equally by removing the Asian checkboxes and ensuring uniformity across all racial categories.

List of Organization Co-Complainants

1	80-20 Educational Foundation
2	AACE (Asian American Coalition for Education)
3	American Coalition for Equality
4	Asian American Civic Engagement Alliance
5	Asian American Grassroots Coalition
6	Asian American Rights Association
7	Asian Americans for Equal Rights (AAER)
8	BACC
9	Boston Forward Foundation
10	Brookline Asian American Association
11	CALex (Chinese Americans of Lexington)
12	Cast Vote
13	Chenggang Hu MD inc
14	Chinese American Alliance
15	Chinese American Association of Andovers
16	Chinese American Association of Bedford
17	Chinese American Heritage Association
18	Chinese American Network of Winchester
19	Chinese American Parents Association at Howard County
20	Chinese American Republicans of Massachusetts.
21	Chinese Americans Sport Shooting Club
22	Chinese American Sports and Community Services Association
23	CMA Centre
24	Convergent P@cific
25	Fresno Acupuncture &TCM Clinic

26	Goodtime Chinese School
27	Grant Investment Management LLC
28	Greater Philadelphia Chinese self-defense association
29	Harvard Town Asian Group
30	Hopkinton Chinese American Association
31	KCCA
32	Kingdom of Glory Christian Church
33	LTGA Worldwide
34	Maryland Chinese American Network
35	Massachusetts Chinese Family Alliance
36	MCGOP-Asian American Association
37	New Age Sciences & Technologies, Inc.
38	Poka Technologies LLC
39	Rhode Island Asian American Alliance Group
40	Shangder Academy of Classical Chinese
41	Sharon Chinese Association
42	Silicon Valley Chinese Association Foundation
43	Silicon Valley Tsinghua Network
44	Southern Connecticut Chinese School
45	TOC Foundation
46	TVAA
47	Venus Chinese School
48	Virtua Voorhees Hospital
49	Washington Metro Consultants
50	Yin household management
51	ZLC Interactive

List of Individual Co-Complainants

Below is a list of individuals who join the complaint, ordered by first name. Each individual has submitted an email address, an accuracy pledge and a digital signature, which is available upon request.

Abigail Tu, Ada, Adam Xu, Adam Yuan, Aidong Chen, Aijun , Alan Ge, Alan Wang, alex, Alex chen, Alex Gu, Alexander, Alice Du, Alice Tsao, Alice Xu, Allison Li, Ally wang, Alvin cheng, Amin, Amy Chen, Amy Lin, Amy Zhang, An Fei, Andrea Liu, Andrew che, Andy Yao, Angel Long, Angela He, Angela zhao, Angelina Wen, Angie Chen, angie huang, Angke Chen, Anjun liu, Ann Wu, Anneka Spice, Annie ye, Anthony, Anthony, Anzhi Wang, Aria Luo, Avery Wang, Bai King, Baiping Xie, Baomei Wang, Bao-Zhong Wang , Bart Ryan, baum chen, Bei, bei li, Bei Zhang, Beihua zhu, Ben Ni, Benyi Li, Bess Shang, Betty bai, Bike Xie, Bill Wu, Bill Zhang , Bin he, Bin Hu, Bin Huang, Bin Lu, Bin Tan, Bing, Bing chen, Bing Geeng, Bing Li, Bing Shi, Bing Xia, Bing Xiao, Bing Xiao, Bingbing Deng, Bingjie Ding, Bingwei Zhao, Bingyang Zhang, Bingyang Zhang, Bixia, Bo Bian, Bo Li , Bo Yang, Bo Zhan, Bo Zhang, Bob, Bowen Su, Boya Lin, Brandon Yang, Brian Cheng, Brian Gott, Brian Ye, Brian Ye, Cailong Chen , Calvin Liu, Calvin shi, Calvin Tang, cam krosnoff, carol luo, Carol McMahon, Carol St. Jean, Carolyn Bybee, Carrie Huang, Carrisa Guo, Catherine F Doyle, Catherine Ye, Catherine yin, Catherine yin, Cathy Deng, Cathy Hao, Cathy Lu, Cathy Sun, Celine hu, Chan Lin, chang shen, Changyun Liu, Chantel Fan, Chao Jia , Chao yuan, Charlene Sui, Charles Huang, Charlie lin, Charlie Yao, Charmaine Chan, Chen, Chen Cao, Chen Qi, Chen Wang, cheney Gao, Chenggang Hu, Chenggang Zhang, chengjing zhou, Chengli He, Chenglong Yang, Chengwen Zhou, Chengyue , Cheryl Meng, Chester Young, Chloe Chen, Chong Wang, Chongwu Zhou, Chongzhao Ran, Chris Lee, Christina Ding, Christina Y Yang, Christine Lu, Christy Zeng, chuanmin Ruan, Chun Chen, Chunbo Shao , Chunguang Hu, chunhe huang, Chunhe Huang , Chunhe Huang , Chunhong Li, Chunlei hao, Chunlei Huang, Chunling Zhou, Chunxu Liu, Chunyu Zhao, Cindia liu, Cindy, Cindy sun, Cindy Wang, Cindy wang, Cissy Zhang , Cl, Claire, Cliff Guo, Cliff Lee, Clifford J Hamel, Coco Liu, Connie Chen, Connie Weng, Connie Zhu, Creportacax@yahoo.com, Crystal Lu, Cui Cao, Cynthia Li, Cynthia Ninde Finkle, Cynthia xu, D YANG, Daisy, Dan gao, Dan Li, Dan Ma, Daniel Deng, Daotai Nie, Darlene Panko, David Bu, david chang, David Du, David Lee, David Li, david Liu, David Pang, David Tang , David Wan , David Yan, David Zhang, David Zhao, Dawei bu, Dawei Wang, Deana Wang, Deda Zheng, Deguang He, Dengfeng Cao, Dengfeng Cao, Dengqing Guo, Derek Li, Derek Wu, Der-Wei Lee, Di Tang, Diana Zheng, Dionysis Perez, Don Eu, Donald Liu, Donald Sawyer, Dong Cheng , Dong Jiang, Donghong Jiang, Donghui Shi, Donglai Kang , Dongmei lu, Dongmin Liu, Doris Dagen, Dorothy Brockgreitens, Dr. Suying XU, Dr.-Ing. Mike Hou, Duo Jin, duo xu, Earl Kim, Ed lee, Ed Wang, Eddie Wu, Edith Peng, Edward S. Brenwalt, Eileen Su, Eileen Su, Elaine Ding, Elaine Su, Elaine Young, Elizabeth A Fryman, Elizabeth Li, Ellen Yan, Elvis Young, Emi H, Emilily Kosasih , Emily

He, Emily Zhu, Eric , Eric Wang, Eric Zhang, Erin zhang, Ernie Hsieh, Eva Ruan, Eve Y Huang, Everlyn Wang, Fan Yang, fang, Fang Li, Fang Xia, Fang Yang, Fang Zhang, Fang, Wang, Fangdai wen, Fangdai Wen , Fangge Xu, Fangxiang Jiao, Faye Zhang , Fee Ya, Fei Guan, Feifei gu , Fen, Feng Chan, Feng Feng, Feng liu, Feng Liu, Feng wang , Feng Wu, Feng Xue, FENG YANG, Fenghua Lu, Fengtao Wang, Fengwei Bai, Fengxiu zhang, Fengying Zhu, Fengzhi Ke, Fengzhi Liu, Fiona Li, Frank Chen, Frank xu, Frank Yang, Fred jiang , Fred Yu, Frederic Mann, Fu Wu, Fugang Zhu, Fuyu Wang , Fuzi gao, Gang Liu, Gang Wang, Gao Song, Gary Hu, Gary Hu , Gary Wang, Gary Wang, GENGSHEG YU, George Cunningham, George Li, George shao, George Sullivan , George sun, George Yuan, George Yuan, gerald eng, Gina zhang , Glen Qin, Gong Hou, Grace, Grace ding, Grace Ge, Grace Li, Grace Lu, Grace Wang, Grace Wang, Grace Yuan, Grace Zhang, Grace Zhang, Grant Zhanh, Guan Hong Fang, Guangchao Zhang, Guangchun Quan, Guanglei, Guangmin Xie, Guangwei Zhou , Guangzhen Hu, Guiying Cui, Guiying Wu, Guo Yin, Guoan He, Guobin Hu, Guohua Liang, Guomin Li, Guoqi Zhang, Guoqiang Yang, Guoqing Lin, Guoxiang Cao, Guoyan Zhao, Guoyan Zhao , Haichen ren, Haidong Gu, Haijun ma, hailiang zhang , Hainan Cai, haining zhao, Haipeng Zheng, Haiqing Dai, Hairong , Haisheng Mou, Haitao Hu, Haitao Wang, Haixiao cheb, Haixin Huang, Haiyan Lan, Haiyan Lin, Haiyan Qian , haiyan sun, Haiyan yuan , Haiying Cai, Haiying Fu, Haiying Ji, Haiyong Liu, Han Wei, Hang Xu, Hannah Chou , Hannah Chou , Hannah Chou , Hanping Wu, Hao Jin , Hao Jin shi, Hao Xu, Hao Yin, Hao Yuan, Hao Zheng, Haowen Bu, Hardy li, Harry Ding, Harry Liu, HE DONG, Heidi Nguyen, Heidi wei, Helen, Helen He, Helen Huang, Helen Yang, Helen Yu, Helen Yue, Helen Zhang, Helen Zhao, Helen zhao , Helen Zhen, Helen Zhou , Heng Zhou , Hengle Li, Henry Cai, Henry Dong, Henry Guo, Henry Li, Henry Wang, herman xiao, Hm Wong , Holly Cao, Holly zhang, Honeymoon Li, Hong Fang , Hong gao, Hong Guo, Hong Hao, Hong Hu, Hong Jiang, Hong Jiang, HONG JING, Hong Lee, Hong Li, Hong Luo, Hong Mizelle, Hong Wang, Hong Wang, Hong Yin, Hong Zou, Hongbo Ma, Hongda Mao, Hongfang Tan, Honghong, Hongmei Chen, Hongqiang Zhou, Hongqiu Zhao , Hongsheng Wang, Hongwei Huang, Hongwei Li, Hongwei Shen, Hongwei Zhang, Hongxue Yao, Hongyan Diao , Hongyan Du, hongyue wang, Hongyun Dai, hongzhe wang, Houbin Fang, Houze Xu, Hsiang lan, tso, Hua Guo, Hua Li, Hua Mei, Huawei Song, Huayan Wang, Hudong Wang, hugh zheng, Hui Chen, Hui Jin, Hui Li, Huijun Tang, Huijun Wang, Huiping Xu , Huixian Liu, Huiyi Chen, Huizhen Shi, Iris Quan, Iris Zhao, Isaac Long, Ivy jiang, J Jiang, J xie, Jack Chen, Jack Chen, Jack Deng, Jack ding, Jack Hao, Jack Zhang, Jackie Wang, Jacky, Jaclyn Chen, Jade, James, james fann, James luo, James P Yin, James Xiao, James Xu , James z, Jane Chen, Jane Li, Jane Li, JANE YU, Jane Yu, Jason Chen , Jason Guan, Jason Ma, Jason Wu, Jay Ren, Jay Jiang, Jay Wang, Jayden, Jean , Jean Chee, Jean Shen, Jean tse, Jean Xu, Jean Zhang, Jeff Guo , Jeff Li, Jeff Rineer, Jeff yang , Jeff Yin, Jeffrey Chu, Jeffrey Ke, Jen Chen, Jenna, Jennifer Wang, Jenny Chen , Jenny lee, Jenny li, Jenny Yu, Jenny Yu, Jenny zang, Jenny Zhang, jerry hong, jerry jiang, Jerry Jiang, Jerry Liu, Jerry mok, Jerry xu , Jerry Yang, JERRY YU, Jessica, Jessica Huang, Jessica Zhang, Jessica

Zhang, Jessica zhang, Jessie Zhao , Ji Lin, Jia can , Jiafang lin, Jiafu Ou, jiajia, Jian, Jian Campian , Jian Cao, Jian li, Jian Liu, Jian Pan, Jian Shao, Jian Wong, Jian Wu, Jianfeng Li, Jiang chen, Jiang Zhao, Jiangang Li , Jianghua He, Jiangnan Song, Jianhong Yao, Jianhua Zhou, Jianhui Xu, Jianjun Wang, Jianli ping, Jiannan Tu, Jianwu Wang, Jianyang Liu, Jianying Yu, Jianyu Zeng, Jianzheng Zhou, jiaqi he, JiaRen Liu, Jiasheng Qian, Jiayan Gan, Jiayou Nasife, Jiayu Liao, Jie chen, Jie Feng, Jie Kou, Jie Li, Jie Ren, Jie Sun, Jie Viviano , Jie Wang, Jie WANG, Jie Yin, JIE ZHANG, Jiejian Lin, Jieling Ho, jieling wu, Jieying Chen, Jilan Xing, Jimin Liu, Jimmy ma, Jimmy Wang, Jimmy xu, Jin, jin gong, Jin li, Jing Chen, Jing Chen , Jing Chen , Jing cheng, Jing Dong , Jing Du, Jing He, Jing Hua, Jing Jia, Jing Jiang, Jing Jin, Jing Jin, Jing Liu, Jing Liu, Jing Ou, Jing Ren, Jing xi, Jing Xi, Jing xie, Jing Xu, Jing Zhang, Jing Zhu, Jing Zhuo, Jingbo Qiao , Jingcheng Leo, Jinghan Yan, Jinghua Liu, Jinghua shi, Jinghui Liu, jing¹/₄(etan, Jingjing Qu, Jingjing Yang, Jingjun Zhou, Jingping Bai, Jingqi Lei, Jingyun Zou, Jinhui wang , Jinny song, Jinou xie, Jinping Lai, JINSONG YU, Jintao He, Jinxin Huang, Jinyu Gao, Jinyun zhong, Jiong Chu, Jiwen Duan, Jiyu Chen, JJ, Joan Miao , Joanna Zhao, Jody Baumgartner, Joe Jin, Joe Swanson, Joey Liang, John Blocher, John Chen, John Liu, John Mannebach, John Mao, John Mao, John shen, John Zhu, Jonathan Wang, Joseph, Joshua Cheng, Joy Mao , Joyce Chen, Joyce Qian, Ju Catherine Mo, Ju huang, Judith D Hamel, Judy Hua, Jue Wang, Juexiao cai, Juey-Fang Sun, Jufeng zhang , Julia Wei, Julie, Julie Hu, Julie Huang, Julie huanh, Julie Yin , Julie zhu, Jun Feng, Jun Gong, Jun Hu, Jun Hu, Jun Hu, Jun Li, Jun Li, Jun Li, Jun li, Jun Liu, Jun Nu, JUN QIAN, Jun Qian, Jun shi, jun shi, Jun Wang, Jun Wang, Jun wu, Jun Yang, Jun Yang, Jun Yang, Jun Zhang, Jun Zheng, June Huang , June Sun, Junhong Dai, Junlin Liang, Junyan Chen , Junying Du, Kaifen Wang, Kalin liu, Kalpana P, Karen Shively-Sanders, Karen Yan, Karen ye, Kate, Kate Gong, Katherine , Katherine Ma, Kathie Fierro, Katie Liu, Ke Wang, Kejun Zeng, Kejun Zeng, Ken Chiu, Ken zheng, Kenny Lee, keren zhu, Kerry B Earle, Kevin Chang, Kevin Li, Kevin Liu, Kevin shi, Kexi Chen, Keyun wang, Khing Shyuan Ng , Kim chen, King zheng, Kingpin Jiang, Kor Tse, Kristine Hutchi, Kui Li , Kun, Kun Zhang, L Zhang, Lan Chen , Lan Jiang, Lan Zhang, Lan Zhang, Lanjuan Zhao, Lanny Getz, Larry He, Larry Huang, Larry Wing, LAU, Laura Li, Laura Lu, Le Jin, Lee Chen, Lei, Lei Chang, Lei Ding, Lei Fang, Lei Gu, Lei Guo, Lei li, Lei Li, Lei Reilley, Lei Wu, Lei Zhang, Lei Zhu , Lei Zhu , Leilei Chen, Leo Li, Leon Cho, Leonard Peterson, Leoudoan Yeh, Leverett Woodruff, Lewanna Li, Li Deng, Li Huang , Li lei, Li Li, Li Li, Li Li , Li Liang, Li Lin , Li Liu, Li Liu, Li Lowry , Li Ma, Li Ren, Li Wang, Lian Luo, Lian Qing liu, liang, Liang Han, Liang Xu, Liangqiao bian, Lifen Bai, Lihong Ji, Lihong Yang, Lijia Yang, Lijuan Yuan, Lijun, Lijun , Lijun Li, Lijun Ma, Lijun Wang, Lili shi, Lili Song, Lili yu, Lili Zhou, Lilian Wang, Lillian Huang , Lily Fu, Lily Guan, Lily Huang , Lily Zhou, Liming Du, Lin Cai, Lin Ji, Lin Jiang, Lin Li, Lin Wan, Lin Ye, Lin Zhao, Lina Liang, Lina Wang , Linda L, Linda L., Linda Samul, Linda Swofford, Linda Zhao, Ling li, Ling Liu, Ling liu, LING XIE, Ling Yan, ling zeng, Ling Zhu, Ling Zhuang , Lingdi Zhang, Lingnan Zhang , Lingting Ye, Lingzhi Liu, Lingzhi wang, Linhui Cheng , Linhui Hao,

Linyong Song, liping Hinkleman, Liping li, liping xin, Liping Xiong, Liping yang, Liquan, Lisa, Liu Francis , Liu Hong, Liu, Qianjin, Liwei Xu, Liwen Huang , Liying Du, Longchuan Li, Lourdes Best, lu, Lu Chen, Lu Yang, Lu Zhong, Lucy Ye, Lucy Zhang, Lujun huang, luke huan, Luke Zhang, Lulu Li, Luxi ji , Luyan Huang, Luyin Sun, Luz ALBARRACIN, Lydia Mann, Lydia Men, Madeleine Zhou, Maggie Chen, Maggie Kahn, Maggie Zheng, Mandy Ye, Manrong Chen, Mao yang, Mark Johnson, Mark Johnson, Mark Ma, Mary Jo Bonin, mary xu, Matt Sedberry, Matthew Spieler , May Lee, May Lee, May Lee, MC Camacho , Megan Zhou, Mei Chen, Mei Hong, Mei Lin, Mei Liu, Mei Yu, Meihua, Meihui Ma, Meijie li, Meixian Fang, Meng Zhao, Mengjia Li, Miao zhao, Miaomiao Yang , Michael Liu, Michael Wang, Michael Wang, michelle g, Michelle Lu, Michelle Wang, Min DU, Min Pan, Min Wang , Min Xie, MIN ZHENG, Ming, Ming chen, Ming Fang, Ming Lu, Ming Wang, Ming Zhang, Ming Zhou, Mingchao Ma, Minghua Jia , Minglin Deng, Mingquan zheng, Mingran Ma, Mingwei Guo, Mingwu Jin, Mingwu Wang, mingzhu liu, Mojia zhou, Monica Chen , Monica Kim, Monica li, Monica yinbo ye Amorelli , Mousheng Xu, Na Zhao, Nan Li, Nan Li , Nan Zheng, Nancy Xiao, Nathan Tai, Nav, Nian Sun, Nianhua Li, Nightat Navaid , Nina Jiang , Ning Chai, Ning J Yue, Ning Liu, Ning Qi, Ning Yan, Ning Zhang, Olivia , Ou Li, Owen li, P Lee, P Yang, Pam Pan, Pat Annoni, Pat Lang, Patty Zhao, Patty Zheng, Paul Gang , Pei Yang, Pei-Hauan Chiu, Pei-Hsuan Chiu, Peijuan Xie, PeiYi Chou, Peng Feng, Peng Liu, Peng xie, Peng Zhou, Pengbo Guo, Penghua WANG , Peter Liu, peter zhang, Pinchun , Ping, Ping Chen, Ping Chen, Ping Gong, Ping HU , Ping Jia, Ping Xiao, Pingkuam Zhang, Pulan Yu, Qi Cammarano, Qi Li, Qi Li, QI LI, Qi Sun, qi teng, Qi Xu, Qian Sui, Qiang Du, Qiang Song, Qiangrong Liang, Qiao Wang, Qiaoping Wang, Qiaoxiang zhao, Qiaoying Li, Qi-Jing Li, Qiming Zhang, Qin Huang, Qin Yao, Qing Chen, Qing Chen , Qing Liu, Qing Ou, Qing Zhang , Qingchao Li, Qingfu Xu, Qinghong Yan, Qingsheng Li, Qingsong Tang, Qiong Wei , Qishen huang, QIUHONG FAN, Qiyi Tang, Quan wang, Quan Wang, Quanhua Xing, Queenie Tang, Qun Liu, Qun Wu, Qunhui guo, Rachel Chen, Rachel Dong, Rae Wang, Ran Zhang, Ren Liu, Renjian Zhao, RENKUI BAI, Richard Yao, Rick Shi, Robert Bao, Robert J Louie, Rong, Rong Duan , Rong Liu, Rong Teng, rong wang, Rong Yao, Rong Ye, Ronggeng Li, rongyan , Rongying Wu, romn drsken, Rosa Chang, Rosemary Cogan, Ruby Tang, ruby wang, Rudy Wang, Ruhong Wei, rui li, Rui LI, Rui Zhang, Rui Zhao, Rui Zheng , Rui Zhu , Ruifeng Li, Ruifeng Wang, Ruijie Niu, Rulong Ren, Runjie Yuan, Runzhao Li , Ruohong Zhang , Ruoxin Zhang, Ruoyun Huang, Ruth Bai, Ryan, S Uyeda, sam chen, Sam Mao, Sam Song, Sandy Xu, Sarah Liang, Sarah Lindsey, Sarah Weng , Sarah Wu, Sarah Ye, Scott Shirai , sean weng, Sean Wu, Shan Gao , Shan Niang, Shane Feng , Shangming Kao, Shan-Lu Liu , Shao Peng Huang, Shaohong Wang , Shaohua Chen, Shaojing WANG, Shaolei Lu, Shaopeng Sun, Shaoqian Li, shaoqing Huang, Shaowei Lou, Shaoyang Weng, Shaoying Lu, Sharon Bandhold, Sharon Huang, Sharon Long, Shawn Huang, Shawn Nie , Sheldon Li, Shelly, Shen Liu, Sheng Dai, SHENG LIU, Shengqiao Li, Sherry L, sherry wang, Sherry Zhao, Shibin Li, Shifen Qiang, Shihong Zhang, Shilan Wang, Shirley Cui, Shirley Shao, Shirley Tang, Shitao Li, Shiyong Tian, Shouying

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Appendix 1. Perpetual foreigners: “Where Are You Really From?”

The Asian checkboxes on the Census form reinforces the stereotype that Asian Americans are perpetual foreigners.

Asians are often considered less American than Black, White, and Native Americans. Asian Americans are more likely to get the question “where are you from?”, even from well-meaning people just try to be friendly. It shows how deeply ingrained this stereotype is, making it even more hurtful. If the answer is Boston, California, or Texas, they often follow up with “where you are really from?”

These questions imply that Asians are not Americans, which is exactly what the Census form conveys: “Are you Chinese, Japanese or Korean? Where are you really from? You are just not one of us”. This is the same spirit that motivated the Chinese Exclusion Act.

Asian Americans have tried different ways to deal with this kind of question. One approach is to reciprocate with “where are you from?” and “where are you really from?”, at which point many people, even though they are not indigenous Americans and must have come from somewhere else at some point, look genuinely puzzled: “I am an American. What are you talking about?”

The point is: it is not uncommon to assume that Asians are foreigners even if they have been here for generations, while assuming that white people, black people and Latinos are Americans even if they are here for only a few years. Asian Americans ARE every bit as American as White, Black and Indian Americans.

We are Americans first and foremost, not Vietnamese, Koreans or Filipinos.

Appendix 2. Negative Psychological Impact of Asian Checkboxes

Below is a letter from Dr. Myra Zhang on 2020 Asian Box.

August 6, 2018

Ms. Jennifer Jessup, Departmental Paperwork Clearance Officer
Department of Commerce, Room 6616
14th and Constitution Avenue NW
Washington, DC 20230
(sent via internet at PRAcomments@doc.gov)

Dear Ms. Jessup,

As a Ph.D. consumer scientist who has worked in consumer cognition and perception for more than 10 years, I have seen overwhelming literature demonstrating the un-American biases toward Asian American that can be primed through simple questions such as “do you speak English” or “where do you come from”. I am writing this letter to testify and to strongly support the removal of the Asian and Pacific Islander (API) subgroup boxes.

The MSNBC’s headline 20 years ago in the 1998 winter Olympics - “American Beats Out Kwan” vividly illustrated the un-American biases Asian American have experienced. Even Michelle Kwan, who born and raised here, and a five-time world champion representing United States, suffered through the implicit rejection of her “Americanness”. This un-American/foreigner bias may not be explicit expressed due to unawareness of the individuals or social taboo, but can be readily measured by implicit methods such as the one demonstrated in Harvard’s Project Implicit Asian IAT (<https://implicit.harvard.edu/implicit/selectatest.html>, an open self-administered test. Among 366,706 tested between 2004 and 2015, about 50% shown moderate to strong association of Asian with foreign).

The un-American/foreigner bias can be reinforced by categorizing individuals based on their ethnic (rather than personal) identity and by drawing attention to the ethnic identity. A study by Devos and Ma in 2008 is one of the examples demonstrated this effect. The study is titled “*Is Kate Winslet more American than Lucy Liu? The impact of construal processes on the implicit ascription of a national identity*”. Contrast to study participants’ explicit knowledge of Kate’s European and Lucy’s Asian identity, Lucy was implicitly regarded as being less American than Kate. This bias to view Lucy as less American was particularly stronger after the study participants either completed the task to categorize the actresses’ ethnic identity or receive highlighted information about the actresses’ ethnic identity.

Asian Americans are well aware of the foreigner biases toward them, and are very sensitive toward the identity denial of their Americanness. “Identity denial” in this case is instantiated through questions such as what language one speaks or where one is originally from, reminding

threatened group members that they do not fully belong in the group of “American”. In the face of such a threat, Asian Americans try hard to dispel this misperception of viewing them as foreigner and reassert their identity as American. A study conducted in 2005 has shown that even for elite Asian American (students enrolled in Stanford University), a simple question of “Do you speak English?” doubled the amount of time Asian American students spent on answering trivial TV show questions to prove their familiarity with American culture. The same questions had shown no significant impact on White students, likely because they have not experienced the identity denial of their Americanness (Cheryan and Monin, 2005).

Other than Asian Americans, many other ethnic minorities in United States, such as Latinos, also suffer a persistent cultural stereotype of them as foreigners even though they may consider themselves to be just as, if not more, American as their European American counterparts. Being perceived to be foreigner is associated with less life satisfaction and more depressive symptoms, and is indirectly associated with lower self-esteem via identity denial among of U.S.-born Asian Americans and Latinos (Armenta et al. 2013)

In summary, the foreigner perception and identity denial of Americanness toward Asian Americans and other ethnic minorities’ is well documented and can be reinforced by categorizing individuals based on their ethnicity/nationality using simple questions such as “where do you come from”. This reinforced bias and identity denial will negatively impact the psychological well-being of ethnic minorities.

The current proposed race question, in its effect, promotes the foreigner bias against API community. Providing national origin checkboxes for APIs, while not doing the same to people of other racial identity is questioning the Americanness of this community. Therefore, I urge the census bureau to implement a race question that had the consistent format for every racial group. The simplest way is to remove the API subgroup boxes and replace them with two Asian American, and Pacific Islander generic checkboxes and write-in areas.

Best Regards,

Myra Zhang, Ph.D.

Woodbridge, CT

haoxianmyra@gmail.com

List of Key Literature

Harvard's Project Implicit Asian IAT: <https://implicit.harvard.edu/implicit/selectatest.html>

Armenta et al. (2013) Where Are You From? A validation of the Foreigner Objectification Scale and the Psychological Correlates of Foreigner Objectification Among Asian Americans and Latinos. *Cultural Diversity and Ethnic Minority Psychology*, 19(2) 131-142.

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Appendix 3. Chronology of Fight Against Massachusetts H.3361

In 2017, Massachusetts State Representative Tackey Chan and others proposed House Bill H.3361 to “require state agencies to collect Asian American aggregate data”. This bill immediately caused concerns of racial profiling among Asian Americans in Massachusetts. Grassroots activists quickly mobilized and put up a heroic fight to defend our civil rights.

- In early July 2017, leaders of local Asian American associations from several towns of Massachusetts met with Representative Tackey Chan and Donald Wong to voice the strong objections from their local Asian American communities against H.3361. Unfortunately, Rep. Chan and Rep. Wong were not convinced.
- Later in July 2017, hundreds of Asian Americans protested in front of the State House of Massachusetts against H3361.
- On August 5th-7th, 2017, hundreds of Asian Americans protested at NCSL (National Conference of State Legislators) in Boston. Protesters viewed H.3361 as a form of Asian registry and messaged strong objection.
- In the following months, towns in Massachusetts carried out internal surveys of Asian Americans to collect the feedback of H.3361. More than 98% of people voted objection in their surveys. As a result, Asians Americans from every town (Acton, Arlington, Andover, Belmont, Brookline, Lexington, Hopkinton, etc.) started contacting their State Representatives and Senators. Asian Americans also published multiple articles on the media to express their objections and explain the underlying reasoning.
- On August 27th, 2017, hundreds of Asian American protested at the Boston Common and shared our concerns with fellow Massachusetts residents and visitors on the street.
- The movement came to a climax on January 30th, 2018 at the public hearing of H.3361 held at the Massachusetts State House. More than 1,000 Asian Americans attended this public hearing, with more than 90% of people expressed their objection by wearing the “No H.3361” sticker. People from all kinds of ethnic groups (including Chinese, Vietnamese, Hmong, Malaysian, African, Jewish and White Americans) of all backgrounds and all ages (from 7-year-old to 70+ years old) testified their objections to H.3361. The hearing lasted more than 10 hours, ending around midnight. (Please see

media coverage of the historic hearing here:

<https://www.telegram.com/news/20180131/mass-asian-american-data-collection-bill-sparks-fears-of-profiling>)

- After the hearing, many Asian Americans continued to contact their State Representatives and Senators regarding H.3361 to reiterate their objections. They also launched a social media campaign on Facebook and Twitter.
- On February 7th, 2018, State House decided to ask for a re-draft of H.3361 (later proposed as H4408). A special committee was established to study the feasibility and effects of collecting disaggregate data, wasting taxpayer money.
- By the end of 2018, H.3361 and its revised version H.4408 both expired and did not pass during the 2017-2018 legislative session.

However, Representative Tackey Chan didn't give up on his agenda. In early 2019, a new data disaggregation bill, H.2681, came out (<https://malegislature.gov/Bills/191/H2681>).

The fight continues.

Appendix 4. Letters to Department of Commerce and Census Bureau

In April, 2018, the Asian American Civic Engagement Alliance, Asian Americans for Equal Rights, Chinese Americans of Lexington (CALex), Chinese American Association of Andovers, and Chinese American Network of Winchester jointly sent letters the following American leaders to voice our concern:

- Secretary Wilbur Ross, Department of Commerce;
- Then-Acting Director Ron Jarmin, Census Bureau;
- Paul Ryan, then-Speaker of the House;
- Mitch McConnell, Senate Majority Leader;
- Senator Ed Markey, Junior Senator from Massachusetts;
- Representative Katherine Clark, Representative from Massachusetts' 5th district;
- Elaine Chao, Secretary of Transportation.

Below is an excerpt of the letter to the Honorable Wilbur Ross, Secretary of the Department of Commerce.

April 7, 2018

Asian American Civic Engagement Alliance
Asian Americans For Equal Rights
Chinese Americans of Lexington (CALex)
Chinese American Association of Andovers
Chinese American Network of Winchester

Honorable Secretary Wilbur Ross
1401 Constitution Ave NW
Washington, DC 20230

Subject: Census 2020 Race Box – Why Asian Americans Are Treated Differently?

Dear Honorable Secretary Ross,

We, a coalition of Asian American grassroots organizations, are writing to express our tremendous concerns with the race box in the proposed Census 2020 form currently before the congress and ask for your help so Asian Americans can be treated the same as other races.

What is this person's race?
Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc. ↴

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ↴

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ↴

<input type="checkbox"/> Chinese	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Native Hawaiian
<input type="checkbox"/> Filipino	<input type="checkbox"/> Korean	<input type="checkbox"/> Samoan
<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Japanese	<input type="checkbox"/> Chamorro
<input type="checkbox"/> Other Asian – Print, for example, Pakistani, Cambodian, Hmong, etc. ↴	<input type="checkbox"/> Other Pacific Islander – Print, for example, Tongan, Fijian, Marshallese, etc. ↴	

Some other race – Print race or origin. ↴

Asian Americans are treated differently than White, African Americans and American Indians.

Our request is simple: just make the box for Asian Americans the same as other races.

The diagram illustrates a proposed change to the Census form. At the top, a red-bordered box contains a list of racial categories: Chinese, Filipino, Asian Indian, Other Asian (with examples like Pakistani, Cambodian, Hmong), Vietnamese, Korean, Japanese, Native Hawaiian, Samoan, Chamorro, and Other Pacific Islander (with examples like Tongan, Fijian, Marshallese). A red 'X' is placed over the Pacific Islander section. A blue arrow points down to a green-bordered box. This box contains a single checkbox labeled 'Asian' followed by the same list of examples as the 'Other Asian' category in the top box. A green checkmark is placed to the right of this box.

Singling out Asian Americans in the Census brings back painful memories of 60 years of the Chinese Exclusion Act and the internment of Japanese Americans during World War II. It violates the Equal Protection Clause of the Fourteenth Amendment and the Civil Rights Act of 1964, enforcing the harmful stereotype that Asian Americans are perpetual foreigners. Please see Exhibit A for detail.

The Census Bureau almost got it right in a 2017 draft (see Exhibit B). Unfortunately, it was reversed in the version eventually submitted to the congress.

The current format is offensive to many Asian Americans, which will result in low response rate, missing data and higher cost if the Census workers have to go door to door.

Your attention is most appreciated. Please feel free to contact us at 978-494-xxxx (cell), yuan.li@asianamericans4equalrights.org, or write to: Ms. Yuan Li, (address redacted).

Most Sincerely,

Asian American Civic Engagement Alliance
Asian Americans For Equal Rights
Chinese American Association of Andovers
Chinese Americans of Lexington (CALex)
Chinese American Network of Winchester

Appendix 5. Asian American Community Leaders Visited D.C.

In May 16th and 17th, 2018, a group of Asian American community leaders gathered in Washington D.C. to attend events hosted by the Honorable Holly Ham of the White House Initiative on Asian Americans and Pacific Islanders (WHIAAPI) and Secretary Elaine Chao of the Department of Transportation to celebrate Asian American Heritage Month. The community leaders discussed the issue with the Census Bureau and visited congressional offices to delivered a flyer co-signed by 41 organizations to the following leaders (order by first name).

Name	Affiliation
Ed Perlmutter	Congress
Elaine Chao	Department of Transportation
Elizabeth Esty	Congress
Holly Ham	White House Initiative on AAPI
James P. McGovern	Congress
Jared Huffman	Congress
Jennifer Kim	Census Bureau
Jim Himes	Congress
Jim Himes	Congress
Joe Courtney	Congress
Joe Kennedy III	Congress
John Larson	Congress
Karen Battle	Census Bureau
Katherine Clark	Congress
Kevin McCarthy	Congress
Martha Roby	Congress
Nancy Pelosi	Congress
Paul Ryan	Congress
Rosa Delauro	Congress
Seth Moulton	Congress
Steve Scalise	Congress
Suzanne Bonamici	Congress
Trey Gowdy	Congress

Below is the 3-page flyer that the Asian American community leaders hand-delivered to the American leaders or their staff members.

We **Asian Americans** deserve to be treated the **Same** as other races.

PLEASE HELP US FIX THE CENSUS 2020 RACE BOX!

Current Version

What is this person's race?
Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc. ↴

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ↴

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ↴

<input type="checkbox"/> Chinese	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Native Hawaiian
<input type="checkbox"/> Filipino	<input type="checkbox"/> Korean	<input type="checkbox"/> Samoan
<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Japanese	<input type="checkbox"/> Chamorro
<input type="checkbox"/> Other Asian – Print, for example, Pakistani, Cambodian, Hmong, etc. ↴	<input type="checkbox"/> Other Pacific Islander – Print, for example, Tongan, Samoan, Marshallese, etc. ↴	

Our Proposal

What is this person's race?
Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc. ↴

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ↴

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ↴

Asian – Print, for example, Chinese, Filipino, Asian Indian, Vietnamese, Korean, Japanese, etc. ↴

In the current version submitted to the Congress for approval (left), Asian Americans are treated differently than White, African Americans and American Indians. Why? The Census first implemented a box for Chinese in 1870, coinciding with the anti-Chinese immigrant sentiment in the U.S., which eventually led to the **Chinese Exclusion Act** of 1882.

It is time to end this hurtful legacy and we need your help!

- Please email to director.correspondence@census.gov or call the census bureau at 800-923-8282;
- Please contact your Representative and Senator in the Congress.
<https://www.govtrack.us/congress/members>

The Census form sets a BAD example.

Data disaggregation targeting Asian Americans now appears in the mortgage application form, the CommonApp (for college application), preschool application and even on the death certificate in Minnesota.

In Massachusetts, thousands gathered at the State House in Boston on January 30, 2018 to testify **AGAINST** proposed bill **MA H.3361** for state agencies to collect disaggregated data for Asian Americans only.



This Message is Brought to You by:

80-20 DCAPAC	Dallas Fort Worth Political Action Committee (DFWPAC)
Asian American Civic Engagement Alliance	Dallas-Fort Worth Chinese Alliance
Asian American Coalition for Education	Elk Grove Chinese Association
Asian Americans For Equal Rights	Hopkinton Chinese American Association (HCAA)
Asian Americans Rights Association	Long Island Chinese American Association (LICAA)
Asian Republican Club of North Texas (ARCNT)	Maryland Chinese American Network (MD-CAN)
Association for Education Fairness	MCGOP-Asian American Association
Boston Forward Foundation	Michigan Chinese Conservatives Alliance
Brookline Asian American Association	Minnesota Alliance for Stopping Ethnicity Registry
Cast Vote	Minnesota Chinese Association
Cee Huang Taoist Academic Research Center Corporation	New York Asian Conservative Alliance
Chinese American Alliance	Pennsylvania Northampton County Republican Committee
Chinese American Association of Andovers	Rhode Island Asian American Alliance Group
Chinese American Association of Orange County	San Diego Asian Americans for Equality
Chinese American Association of Tulsa	Shangder Academy of Classical Chinese
Chinese American Heritage Association	Sharon Chinese Association
Chinese American Network of Winchester	Silicon Valley Chinese Association Foundation
Chinese American Parents Association of Montgomery County	Southeastern Connecticut Chinese Cultural Society
Chinese American Republicans of Massachusetts (ChARM)	Tri Valley Asian Association
Chinese Americans of Lexington (CALex)	United Chinese Association of Utah
	WW-P Education Support Association

Contact us at: yuan.li@asianamericans4equalrights.org or 978-494-xxxx.

THANK YOU!

Appendix 6. Letter from Dr. Frank Sloan from Duke University

Below is a letter from Dr. Frank Sloan from Duke University on 2020 Asian Box.

August 4, 2018

Ms. Jennifer Jessup, Departmental Paperwork Clearance Officer
Department of Commerce, Room 6616
14th and Constitution Avenue NW
Washington, DC 20230
(sent via internet at PRAcomments@doc.gov)

Dear Ms. Jessup:

I am J. Alexander McMahon Professor of Health Policy and Management and Professor of Economics Emeritus at Duke University having just officially retired in June 2018. I am writing in response to the recent Federal Register notice (83 FR 26643) regarding data collection activities related to the 2020 Census. In particular, I want to express my concern regarding the current proposed race questions' instruction and format on the 2020 Census. I have conducted research in health, labor, and public economics for over 50 years with various primary and secondary datasets, many of which collect information on race and ethnicity. The proposed race question is worded and formatted in a way which is confusing and culturally insensitive, which is likely to result in a lower response rate.

First, the current format is not equitable to people of different racial identities. It treats persons who self-identify as Asian and Pacific Islanders (APIs) differently than those who self-identify in other broad categories. The U.S. Census Bureau is mandated to adhere to the 1997 Office of Management and Budget (OMB) standards on race and ethnicity, which classify race into five major categories-- White, Black or African American, American Indian or Alaska Native (AIAN), Asian, and Native Hawaiian or Other Pacific Islander (API). The proposed question has uniformity in its designated labels and checkboxes for White, African American, and AIAN. However, APIs are subdivided into nine race/origin checkboxes, such as Chinese, Asian Indian and Native Hawaiian. In addition, it provides two "Other" checkboxes and write-in areas for API persons falling outside the nine origins. However, there no parallel for forcing White, Black or AIAN persons into an "Other" group.

Second, the instructions are not applicable to APIs who have one or more national origins listed in the nine API checkboxes. The instruction on the paper version of questionnaire is “Mark one or more boxes AND print origins” (Figure 1). For those APIs for whom one or more of the nine race/origins apply, it is not possible to follow the “AND print origin” part of the instruction. Similarly, the instruction on the internet version is to “select one or more boxes AND enter 2 origins.” This makes the question even more confusing, since race origin labels and checkboxes are presented in a parallel manner (Figure 2). The instruction is particularly confusing for multiracial individuals for whom more than one broad category applies. The instruction is worded so as to apply to all groups except for persons of Asian origin.

Participation in and truthful answers to the census are mandatory for all persons who reside in the U.S. on the census date. Research ethics specified in the Belmont Report require that researchers and research organizations respect all human subjects. The decennial census questionnaire is an important research instrument and an official government document, which should be formatted and worded in a manner that respects all participants. The current race question format will confuse respondents, and result in delayed responses, and increased workload for call centers’ assistance.

I urge the Census Bureau to change the race question format to a form that provides greater simplicity and uniformity across racial groups. The simplest way to achieve this objective would be to remove the specific API origin checkboxes and replace them with generic Asian/Asian American and Pacific Islander labels and checkboxes, combined with a Write-in response area. The Census Bureau’s 2015 National Content Test (NCT) data (Figure 3) showed that the race question with “Write-in Response Areas” (middle column) elicited detailed origin reporting as well as the current proposed question (left column). Even though this test result was based on a combined race and ethnicity question, it provides sufficient information on how API persons would respond to the question format I am proposing. There is no need for another full testing cycle. For researchers who really worry about the loss in the detailed reporting rate between the current formatted and the suggested change, I refer to the NCT report. That report states “The 2015 NCT was not carried out in a decennial census environment, which is difficult to replicate without a large-scale communication and partnership program. Because of this and other factors

such as increased public awareness and trust in the decennial census, the 2015 NCT likely had a lower overall self-response rate than will be seen in the 2020 Census.”

Sincerely yours,

Frank A. Sloan

J. Alexander McMahon Professor of Health Policy and Management and Professor of
Economics Emeritus
Duke University
Durham, North Carolina

Figure 2: Internet Version

What is [redacted]'s race?
Select one or more boxes **AND** enter origins.

- White
- Black or African American
- American Indian or Alaska Native
- Chinese
- Filipino
- Asian Indian
- Vietnamese
- Korean
- Japanese
- Other Asian
- Native Hawaiian
- Samoan
- Chamorro
- Other Pacific Islander

What is [redacted]'s race?
Select one or more boxes **AND** enter origins.

- White
Enter, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc.
- Black or African American
- American Indian or Alaska Native
- Chinese
- Filipino
- Asian Indian
- Vietnamese
- Korean
- Japanese
- Other Asian
- Native Hawaiian
- Samoan

Figure 3: 2015 National Centest Test Table

Table 10. Detailed Reporting for Major Race/Ethnicity Groups by Question Format for Internet
(Percentage providing detailed responses)

Alone or in Combination Groups	Separate Question	Combined Question with Write-In Response Areas	Combined Question with Detailed Checkboxes
White	75.2%(0.35)	87.0%(0.21)	93.3%(0.12)
Hispanic*	96.0%(0.19)	90.3%(0.30)	95.2%(0.25)
Black	72.5%(0.58)	83.8%(0.47)	96.6%(0.22)
Asian*	98.0%(0.18)	97.6%(0.18)	99.0%(0.11)
AIAN	72.1%(0.78)	67.5%(0.83)	73.0%(0.94)
MENA	91.1%(1.04)	91.8%(1.00)	94.2%(0.76)
NHPI*	85.4%(2.02)	82.5%(2.19)	89.9%(1.71)
SOR	66.9%(0.66)	92.0%(0.89)	91.7%(1.00)

*These are the only groups with dedicated detailed checkboxes in the Separate Questions format
Source: 2015 National Content Test data. Note: Estimates are weighted with standard errors in parentheses.

Appendix 7. Letter from Massachusetts State Senator Dean Tran



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

SENATOR DEAN A. TRAN
Worcester and Middlesex District

STATE HOUSE, ROOM 312D
BOSTON, MA 02133-1053

TEL. (617) 722-1230
FAX (617) 722-1130
DEAN.TRAN@MASENATE.GOV
WWW.MASENATE.GOV

The Honorable Maura Healey
One Ashburton Place
Boston MA, 02108

July 26, 2018

Dear Attorney General Healey:

As a member of the Massachusetts State Senate, and a member of the Asian Pacific American Community, I am writing to express my grave concern regarding the most recent US 2020 census form. I have spent my entire life fighting discrimination and segregation, and can say with certainty that the census question as proposed, about race identification, does nothing but remind me of my painful experiences.

Unlike all other ethnicities, the Census divides Asian-American and Pacific Islanders (AAPI) into several subgroups instead of one unified community. I firmly believe that these extra boxes are harmful to the AAPI identity in the following ways.

- 1 The format of these questions is rooted in prejudice. The census initially offered Asians the singular option of "Chinese," irrespective of their country of origin when they first added them to the census in 1870. In later censuses, ethnicities were added over the next sixty years. Unfortunately, each new category was initially used nefariously to further exclude immigrants and discriminate against them. The stain of that shameful period in our nation's history must be completely wiped clean with a question that places Asian Americans on equal footing with other communities.
- 2 It "otherizes" members of smaller AAPI communities. By only including few options, the question indirectly undervalues some ethnicities and groups. As a nation that values the inherent dignity and worth of every human being, we can't let that stand.
- 3 It prohibits the AAPI community from embracing the self-expression of ethnic and cultural identity. As currently formatted, residents who check off the box for "White" are then able to describe their potentially multi-racial history. Unfortunately, the options are different for those that check off Asian. The question then forces you to choose from a

pre-printed selection of options. For example, a person of Chinese and Vietnamese descent wouldn't consider themselves solely Chinese or Vietnamese. Unfortunately, they are pressured by the question to choose one box. This is insensitive to the identity of multiracial persons of Asian heritage.

I respectfully request that, as Attorney General of the Commonwealth, you fight as vigorously for the equal treatment of all groups as you did regarding questions about citizenship. Please urge the Census Bureau to enforce a uniform standard when asking this question. It reduces confusion, is sensitive to cultural identities, and will not lower the response rate as shown in the tests already done by the Bureau.

Sincerely,



Dean A. Tran
State Senator

Carbon Copy:

United States Senator Warren
United States Senator Markey
United States Congressman Kennedy
United States Congressman Capuano
United States Congressman Moulton
United States Congressman McGovern
United States Congresswoman Clark
United States Congressman Lynch
United States Congressman Keating
Governor Baker
Lieutenant Governor Polito
Secretary of the Commonwealth Galvin

Appendix 8. Letter from Connecticut Attorney General William Tong

William Tong has since been elected the Connecticut Attorney General in November, 2018.



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE WILLIAM TONG
147TH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING
HARTFORD, CT 06106-1591
CAPITOL: 860-240-0532
TOLL FREE: 1-800-842-8267
E-MAIL: William.Tong@cga.ct.gov

CHAIRMAN
JUDICIARY COMMITTEE

MEMBER
ENVIRONMENT COMMITTEE
LEGISLATIVE INTERNSHIP COMMITTEE

July 9, 2018

The Honorable Chris Murphy
United States Senator
136 Hart Senate Office Building
Washington, DC 20510

Dear Senator Murphy:

As a State Representative, Chairman of our state legislature's Judiciary Committee, and a member of the Asian Pacific American community, I am writing to express outrage over the most recent U.S. Census Form, which my community and I believe is unfair and discriminatory to people of Asian Pacific descent living in the United States.

My primary concern regarding the census form is the section asking Asian Pacific Americans to check a box stating what their race is. Whereas Caucasians, African Americans, Hispanics and Native Americans can check a box stating a more general category of race and further specify their origins through a space for further comment, Asian Pacific Americans must check a box that lists their specific origins (*i.e.*, Vietnamese, Korean, Samoan, etc.). In the event that our specific origins are not listed among the check boxes, the census instructs us to further specify our origins in writing. We believe that these instructions are discriminatory and written in bad faith to disadvantage the Asian Pacific American community.

The discriminatory aspects of the U.S. Census are numerous. The requirement for us to list our specific origins rather than a general racial category represents an attempt to alienate and divide the general Asian Pacific American community. It forces us to identify with specific countries, thus representing a subtle attempt by the Trump Administration at alienating our race and labeling us as perpetual foreigners in this country.

The current format is an unnecessary measure that fails to improve the accuracy or turnout of the US Census. The section for Asian Pacific Americans on the U.S. Census should have the exact same format as the section used for other communities. An online petition asking for this change has already gathered more than 15,000 signatures. Many have pledged that they will not answer the census in the event that the Trump Administration's proposed section is added to the U.S. Census.

On behalf of the Asian Pacific American community, I urge you to compel the Trump Administration to make these changes on the U.S. Census form.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Tong', written over a horizontal line. The signature is stylized and includes a large loop at the end.

William Tong
State Representative, 147th District

Appendix 9. Letter from Attorney McMahon to Kellyanne Conway

Law Offices Of
James R. McMahon, III, P.C.
25 Main Street, Second Floor
Post Office Box 313
Buzzards Bay, MA 02532-0313

Of Counsel:

E-mail: mcmahonlawoffice@verizon.net

Paralegal:

James R. McMahon, Jr., Esquire
(1929 - 2005)

Tel: (508) 759-9099
Fax: (508) 759-1353

Shelley A. McMahon

March 13, 2019

CERTIFIED MAIL

Kellyanne E. Conway
Counselor to the President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Re: 2020 U.S. Census Bureau forms as to Asian Americans

Dear Ms. Conway:

My name is James McMahon, I am an attorney here in Massachusetts and I was the 2018 Republican Candidate for Attorney General here in Massachusetts. There are more Trump supporters here in Massachusetts than the mainstream media would like to have the public believe.

While I was on the campaign trail, I discovered that President Trump enjoys enormous support from the Asian American Community in Massachusetts. I can attest to their Patriotic zeal for our country.

Having said that, and now that the election is over, many of my friends in the Asian American Community have presented me with a very troubling problem, which we hope you will bring to President Trump's attention and cause a change. We have seen the 2020 forms put out by the Census Bureau. This form treats Asian Americans significantly different from every other American grouping. For instance, the box that is checked off for "WHITE", allows a sub-category to be placed in there, the same for "BLACK", and also the same for "AMERICAN INDIAN". However, "ASIAN AMERICANS" are further broken down by various sub-categories, as if that information was somehow relevant; that is, important to further sub-classify only Asian Americans, but no other race or grouping. As Patriotic Americans, we are appalled that a government agency, the U.S. Census Bureau, has asked this particular question only of Asian Americans. See current example annexed hereto as Exhibit "A".

Asian Americans are very sensitive to this kind of specialized scrutiny and discrimination. This country only has to look back a little over 150 years ago to the Chinese Exclusion Act. We only have to look back to 75 years ago to the internment of Japanese Americans citizens during World War II. Just recently, here in Massachusetts, the House of Representatives had a bill before it, H3361, which mandated the specific registration of all Asian Americans living in Massachusetts. It is outrageous that with the history of treatment of Asians Americans in this country, that in this day, and in this century, a State Legislature would even consider the Registry of a minority group; and in this case, a Patriotic honorable minority group, such as Asian American citizens. No Hispanic minorities would tolerate this, no Arabic minorities would stand for this, and certainly no Muslims would be silent as to this. Asian Americans are vocal, but they are not violent. We shouted down H3361. And the Asian Americans expressed their outrage and Patriotism, at the ballot box. Nonetheless, this is an insult that in this day and hour that we are further sub-categorizing groups of Americans in this nation.

To further complicate matters, children of mixed Asian American ancestry sub-groups cannot properly answer that question on the Census Bureau form. What could possibly be the rationale for asking?

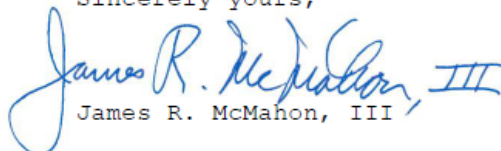
It would certainly be different if this was asked of immigrants as to their background, where they were coming from, and why they are entering this country. But this question is on the Census Bureau form, not addressed to immigrants or legal aliens, but it is addressed to Asian American citizens; that is, Americans of Asian ancestry. There is absolutely no advanced reason as to why any Americans have to be further broken down to sub-groups other than "WHITE", "BLACK", "AMERICAN INDIAN" and "ASIAN AMERICAN".

Our Asian American friends have asked me to reach out to you and President Trump in order to make an end run on this particular insult by these government Census Bureau forms. We fully believe that there is no reason to further designate Asian Americans, other than that they are Asian Americans. We prefer the option as Exhibit "B".

Please have President Trump give serious consideration to this request. I would appreciate it if you could send me a response letter to let me know that you received this letter.

If you have any questions regarding any of this, please feel free to contact me by whatever means are convenient to you.

Sincerely yours,


James R. McMahon, III

JRM:dfz