

THE 1882 PROJECT

A nonpartisan, grassroots effort to address the Chinese Exclusion Laws

What are the Chinese Exclusion Laws? The Chinese Exclusion Laws are a series of eight laws Congress passed between 1870 and 1904 that discriminated against persons of Chinese descent based solely on their race. In 1882, Congress passed the Chinese Exclusion Act, which imposed a ten-year moratorium on Chinese labor immigration, which was later expanded to apply to all persons of Chinese descent. Congress revisited the Chinese Exclusion Act in 1884, 1888, 1892, 1902, and 1904, each time imposing increasingly severe restrictions on immigration and naturalization. Although the Chinese Exclusion Laws were repealed in 1943 as a war measure after China became a World War II ally of the United States, Congress has never expressly acknowledged that the laws singling out and ostracizing Chinese persons violated fundamental civil rights.

What significance and impact did the Chinese Exclusion Laws have? The six decades of anti-Chinese legislation contradicted the Declaration of Independence's basic founding principle that all persons are created equal, and the guarantees of the 14th and 15th amendments. The Congressional debates accompanying the laws condoned anti-Chinese attitudes by frequently portraying Chinese immigrants as "aliens, not to be trusted with political rights" and not able to assimilate in America. By directly targeting persons of Chinese descent for physical and political exclusion, the laws legitimized the political alienation and persecution of Chinese laborers and settlers. In California alone, there were over 200 "roundups" to physically expel Chinese persons. The laws affected the ability of Chinese persons to pursue life in America without fear, and impaired the establishment of Chinese family life in America.

What is the 1882 Project? The 1882 Project focuses on educating legislators and the public about the Chinese Exclusion Laws, and their significance and impact. The project aims to work with Congress to pass resolutions expressing regret for the passage of the Chinese Exclusion Laws, and to increase public awareness of the laws. Several national civil rights organizations spearhead the 1882 Project: the Chinese American Citizens Alliance, the Committee of 100, the National Council of Chinese Americans, and OCA.

What Congressional resolutions do we want? We want Congress to formally acknowledge and express regret at the passage of the Chinese Exclusion Laws. Through the resolutions, Congress can reaffirm its commitment to protect the civil rights of all people in the United States. We do not seek any monetary reparations because it is impossible to identify all the individuals harmed and to quantify the harm meaningfully. We hope to get the House and Senate to each pass a resolution during the 112th Congress (2011-2012). We are asking this Congress to pass the resolutions because only a sitting Congress has the power to acknowledge history and to make amends. Congress needs to act now, before the last living generation subject to the Chinese Exclusion laws leave us.

How can you help? Congress will only act if it hears from concerned citizens who urge it to prioritize and pass the resolutions on the Chinese Exclusion Laws. Contact your Members of Congress to let them know how important the resolutions are to you. Educate others about the 1882 Project and encourage them to contact their Members of Congress. You can also donate to the 1882 Project to help us fund our advocacy and education efforts.

*Join us and learn more about the Chinese Exclusion Laws
by visiting our website, <http://www.1882Project.org>.*

Timeline of Some Events, Ordinances and Legislation Related to Chinese Exclusion

Throughout the mid-1800s and the early 1900s, local, state and federal governments passed laws to exclude Chinese from the United States and from integrating into the communities as full members.

- 1855 – California passes Capitation Tax requiring owners of vessels to pay \$50 for each passenger who is “not eligible for state or federal citizenship.”
- 1858 – California legislature forbids Chinese to land on California coast except by stress of weather. Declared unconstitutional by Supreme Court in 1862.
- 1862 – California legislature passes law excluding Chinese from public schools and “An Act to Protect Free White Labor against Competition with Chinese Coolie Labor and to Discourage the Immigration of Chinese into California. All Chinese people who are not employed in growing tea, rice, coffee or sugar must pay monthly \$2.50 license fee. Declared unconstitutional in 1862.
- 1867 – California legislature passes a law (targeting Chinese) declaring illegal all living rooms containing “not less than five hundred cubic feet of air space to each person.”
- 1868 – U.S. signs the Burlingame Treaty with China and recognizes “the inherent and inalienable right of man to change his home and allegiance.”**
- 1870 – California imposes \$1,000 to \$5,000 fine for vessels owners bringing Chinese into the state without certificates of good character. San Francisco City Commission announces that no Chinese workers will be hired to improve the Yerba Buena Park and prohibits the transporting of goods on “yeo-ho” poles across the shoulders.
- 1873 – San Francisco passes Laundry Ordinances that require laundries with animal-drawn carts to pay \$2 fee, but laundries without carts (largely Chinese businesses) to pay \$15.
- 1875 – Congress passes Page Law to prevent Chinese prostitutes from entering the United States, but law is used to exclude virtually all Chinese women.**
- 1876 – San Francisco passes the Queue Ordinance, requires Chinese prisoners to have their hair cut. Declared unconstitutional in 1879.
- 1877 – Anti-Chinese riots break out in California. 22 killed. Congress sends committee to investigate.
- 1878 – California law forbids Chinese to hold real estate.
- 1879 – Congress passes bill to restrict Chinese immigration. Vetoed by President Hayes.**
- 1879 – California’s second constitution prevents states and municipalities from employing Chinese and requires all incorporated towns and cities to remove Chinese outside the city limits. Declared unconstitutional.
- 1880 to 1883 – San Francisco forbids lotteries and building materials imported from China. California Penal Code amended to make hiring Chinese a misdemeanor, punishable by fine or imprisonment. Mob in Denver loots Chinese homes and lynch Chinese person.
- 1880 – U.S. renegotiates treaty with China to allow the U.S. to suspend the immigration of laborers. Ratified in 1881.**
- 1882 – Congress passes the Chinese Exclusion Act to make people of Chinese descent ineligible for U.S. citizenship and to prohibit their immigration except for a few narrowly defined professionals and students for ten years.**
- 1885 – Wyoming riots kill 28 Chinese. Congress investigates after protests from Chinese government.
- City of Tacoma expels Chinese and burns down Chinese-owned stores and homes.
- 1886 – Anti-Chinese riots in Seattle and Portland. Snake River Massacre in Oregon, followed by cover up.
- 1888 – Scott Act rescinds reentry permits of over 20,000 Chinese who were traveling overseas and prevents their return despite the 1882 law allowing for their reentry. Provides for the establishment of Angel Island detention center in San Francisco Bay.**
- 1889 – Oregon Constitution prohibits “Chinaman, not a resident of the state” from owing real estate or mining claims.
- 1890 – San Francisco passes the Bingham Ordinance – Chinese people, including citizens, must not live or work in San Francisco, except in “a portion set apart for the location of all Chinese.” Declared unconstitutional.
- 1892 – Congress renews the Chinese Exclusion Act for another ten years, and requires people of Chinese descent to register and carry a Certificate of Residence at all time or be subject to immediate deportation.**
- 1893 – McCreary Amendments extend time to register for Certificates of Residence but excludes fishing, mining, laundry and street peddling from the “merchant” categories, which makes Chinese in those businesses no longer exempt from exclusion and claiming those professions in order to immigrate to the U.S.**
- 1900 – San Francisco requires all Chinese be quarantined and inoculated for bubonic plague. Declared unconstitutional.
- 1901 – Arizona prohibits Chinese from marrying “persons of Caucasian blood.”
- 1902 – Congress renews the Chinese Exclusion Act, and two years later, reaffirms and makes permanent “all laws...prohibiting the coming of Chinese persons or persons of Chinese descent into the United States...”**
- 1907 – Congress legislates that a woman who marries is assigned the nationality of her husband, regardless of her being a native-born citizen of the United States. In 1922, the Cable Act allows women to retain their U.S. citizenship, but only if the husband is “not ineligible for naturalization” because of the “Asiatic Exclusion” policy.**
- 1917 – Congress expands exclusion provisions to anyone born in the “Asiatic Barred Zone” that includes most of the Asian continent and the Pacific.**
- 1924 – National Origins Act creates national quotas tied to the US population based on 1920 census.**
- 1943 – Congress repeals Chinese exclusion provisions and allows for naturalization, but Chinese immigration is limited to 105 individuals per year per quota formulas established in the 1924 Immigration Act.**
- 1945 – War Brides Act facilitates immigration of wives of U.S. servicemen, but excludes wives of Chinese descent until 1947.**
- 1946 – Chinese wives of American citizens are placed on a non-quota basis.**
- 1952 – McCarran-Walter Immigration Act replaces National Origins Act, to become foundation for current immigration law.**
- 1965 – President Johnson signs the Hart Cellar Act to abolish race, ancestry, or national origin as the basis for immigration, calling the previous laws “un-American in the highest sense.”**
- 2009 – State of California apologizes for its role in past discrimination against the Chinese.