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Claremont McKenna College

Building Our Own Houses: AAPIs in Congress

submitted to
Professor Lisa Koch
by
Daenerys Pineda

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Abstract

During the COVID-19 pandemic, anti-Asian hate peaked and came to national attention. Given the country-wide scope of this issue, a potential avenue for its address is through federal representatives, and particularly through those representatives who identify as Asian-American. This community's political participation began long before 2020, and this thesis evaluates how Asian-American representatives have provided meaningful political representation in various situations for a national Asian-American constituency. For the purpose of this thesis, I define substantive representation as an action of a representative, using their particular political powers and privileges, in the interest of their constituents. I conduct three case studies of Asian-American members of the House of Representatives post 1970 on a variety of legislative issues, integrating a lens of intersectional feminism to compare the experiences of these three representatives. I find that actions that align with interest groups and/or explicitly reference an impact on Asian-American constituents, make for very clear examples of substantive representation. This picture may be complicated by the necessities of political strategy and coalition building. A representative's success is also affected by racial and gender dynamics created by the norms and structures of Congress. Ultimately, the presence of Asian-Americans in the legislative branch does not matter so much as how they spend their time there. Critical evaluation of their actions will determine whether they actually provide substantive representation for Asian-American constituents.

Acknowledgments

I would never have completed this thesis without the help and support of many people in my life. First, thank you to my thesis reader, Professor Koch, who encouraged me to take on the honors thesis. You've given me invaluable help and feedback so I could take my vague idea about "Asian Americans in Congress" and turn it into a thoughtful, 80-page thesis about what political representation means for Asian-Americans. Instead of this being a painful, drawn-out process, writing this thesis has been a passion project that I have been consistently excited to work on. I'm so grateful that I took your independent study course two years ago on the DC program and that you've provided me with so many opportunities ever since.

Second, thank you to my family. I know this isn't a quantitative economics thesis like you wanted, but hey! It turned out okay, I think. Thank you for always grounding me in honesty, for your brutal sense of humor, for encouraging me to go to DC for research, and for always helping me back onto my feet. After living in way too close quarters for one and a half years, I'm happy to dedicate this thesis to you (well, secretly, more so to my upcoming freedom...)

Briefly, thank you to my friends and support system. I'm so lucky to have all of you. Elaine, the girls of Marks second floor, Theo, Tiffany Hu, John, and countless others. You lift me up, make me laugh, and get me out of my room. We may be leaving for our own corners of the world soon, but I'll carry you with me always.

My research process would have been incredibly difficult without outside help. Professor Todd Honma at Pitzer kindly sent me an article by Judy Wu on Patsy Mink's work in the Pacific. The Manuscript Division Librarians at the Library of Congress helped me navigate the immense world of the Patsy T. Mink Papers, which Zane Yamamoto first made me aware of. Jacob Huls, my former supervisor at Representative Judy Chu's office, pointed me to statements and helpful sources about Rep. Chu. Jayson Yasukochi showed me Mitchell Maki's book on Japanese-American redress, and his enthusiasm for my chapter on Norman Mineta propelled me through its writing process.

Finally, thank you to APAM. APAM has been a core part of my college experience and a major inspiration for this thesis. Everything I've written in the following pages would be meaningless if I wasn't a part of this club. It's given me a social circle, a purpose, and a chance to examine my racial identity. Thank you to the previous Head Mentors for your service. It's a hard job, and I am always reminded that I'm a pygmy standing on the shoulders of giants. Happy 20th birthday, APAM! I'm looking forward to your future.

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Chapter 1: Introduction and Literature Review

“My dear Asian American friends, we are building our own damn houses. We got the tools, the ability, and we definitely got the style. Just because others don't see it, doesn't mean we don't have it. We do. I've seen it.” -

Constance Wu, on the cultural significance of *Crazy Rich Asians*

Motivation

In light of ongoing anti-Asian hate, government officials face a call to take action. Media attention around attacks, especially on elderly and vulnerable Asians, peaked in spring 2021. Yet the attacks continue. A recent news story featured Michelle Go, a Chinese-American woman who was pushed to her death in front of a subway train by an unknown attacker without provocation.¹ On the one-year anniversary of the Atlanta spa shootings, her death and others weigh on me and my fellow APIDA (Asian Pacific Islander Desi American) students. In our time of crisis, we want reassurance that someone cares, and we hope to get part of that reassurance from Congress members who identify with our community.

Asian-Americans² now make up around 7% of the overall United States population,³ and are also the fastest-growing minority group in the country. In 2000, Asian-Americans numbered 11.9 million, but doubled to 22.4 million by 2019. Projections estimate that the APIDA population will total 46 million by 2060, which would make them the largest immigrant group in the country.⁴ Yet while Asian-American communities are a large minority group, they are scattered across the country. 30% of the United States's APIDA population lives in California, but in no state except Hawaii do Asian-Americans make up a majority (57%) of the population.⁵

¹ Sanchez and Moshtaghian, “Times Square Subway Victim Michelle Alyssa Go Remembered as a ‘Compassionate Soul.’”

² The Census Bureau defines “Asian” as “a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam”, and “Pacific Islander” as “a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands”. I use the terms “Asian-American”, “APIDA”, and “AAPI” (Asian American Pacific Islander) interchangeably throughout this thesis, but always intend to refer to the two groups of Asian and Pacific Islander as defined by the Census Bureau.

³ Budiman and Ruiz, “Key Facts about Asian Americans, a Diverse and Growing Population.”

⁴ Budiman and Ruiz.

⁵ Budiman and Ruiz.

That is one reason why there are few Asian Americans to be found in Congress. As of the 115th Congress (2017-2019), 3.25% of Congressmen identified as APIDA. While this is a drastic improvement from the 56th Congress (1899-1901), with 0.25%,⁶ or 1 Congressional delegate, identifying as APIDA, Asian Americans are still drastically underrepresented compared to their presence in the general American population. As for existing APIDA-identifying representatives, they have unique positioning and powers. Do they use their capabilities to represent Asian-American communities?

Substantive Representation

APIDA-identifying representatives can provide substantive political representation to Asian-American communities across the nation, but we should hold them to a high standard. The most critical term to define is “substantive representation,” which is a definition I will refer back to consistently throughout all my chapters. In *The Concept of Representation*, Hanna Pitkin defines substantive representation as “independent action in the interest of the governed, in a matter at least potentially responsive to them, yet not normally in conflict with their wishes.”⁷

“Independent action” must be taken voluntarily by a representative to advance material or symbolic interests. Optimally, a political representative would use the systems of a political institution, in this case the House of Representatives, to take full advantage of their powers and privileges. While I place more significance on actions inside the House, this term can also refer to actions that take place outside it. For example, speaking to protesters in a home district is an independent action that does not occur within the House. I will study a variety of actions due to the varied nature of issues covered in my thesis. Written advocacy includes letters to agencies or

⁶ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 27.

⁷ Pitkin, *The Concept of Representation*, 222.

executives; published articles or essays; and communications with constituents and activist groups. Other actions include testifying at Congressional hearings, making statements on the House floor, and introducing or cosponsoring bills. If the representative does not use their institution, legislative powers, or political status unique to their position, it is not political representation. Pitkin writes that political institutions serve as a forum for action;⁸ I agree with this, and add that usage of the accompanying powers are critical for any action. At the bare minimum, leveraging one's status as a federal representative to achieve an end would count as using prestige, which in itself is a form of power. The word "independent" does not mean that representatives cannot cooperate with colleagues or that they shouldn't be influenced by constituents or interest groups. It does mean that they shouldn't be coerced and that free will should be behind whatever they do, regardless of their intentions and/or motivations. However, they should use their authority for the "governed."

Who is "the governed?" Obviously I am interested in APIDA communities, but I run up against the structural problem of political representatives being elected from particular geographic districts. However, I and other scholars agree that this term encompasses more than the people who live within the geographic district a representative is elected to, like the 15th District of California. When considering minority legislators, their minority constituency is national. Katrina Gamble argues that Black representatives focus on not only their geographic constituents, but Black people across America.⁹ Similarly, APIDA representatives believe in working not only for the people within their districts, but also APIDA people throughout the country. In this thesis, I will focus on an APIDA constituency that exists across the entire United States, and in its outlying territories as well, as this is where Pacific Islanders are concentrated.

⁸ Pitkin, 239.

⁹ Gamble, "Black Political Representation," 426.

As noted above, APIDA people are spread across the country, and there are only two Asian-American majority districts in the United States: California's 17th District, represented by Ro Khanna, and Hawaii's 1st District, represented by Ed Case.¹⁰ Clearly, there are no immediate electoral returns from legislative advocacy on APIDA issues. This poses the problem of why representatives would act on them.

Interest groups can also constitute the governed. Their explicit purpose is to articulate concerns and viewpoints of some part of the public, and they actively connect with political representatives. Some interest groups working on APIDA issues mentioned in this thesis include Women's Equality Action League (WEAL), the Japanese American Citizens League (JACL), and Asian Americans Advancing Justice (AAAJ).

What makes an action "potentially responsive" and "not normally in conflict with their wishes?" I argue that any action a representative undertakes needs to respond to either the historical experience of the governed or a current issue they face. Ultimately, this relies on public opinion. It requires a representative to communicate directly with advocacy groups and ordinary people, or to participate in grassroots advocacy. Alignment with these groups' recommendations would indicate that the representative has considered their viewpoint and is responding to it. Additionally, a representative's personal experience will most likely factor into what they think other people want. They may draw on a shared experience and history that comes from their racial identity, and extrapolate based on those experiences.

For APIDA communities, substantive representation is present when political representatives act voluntarily in their interest, in a way that responds to their material, social, or psychological concerns. My definition prioritizes action over outcome. While outcomes make it

¹⁰ U.S. Census Bureau, "Congressional District 17 (117th Congress), California"; U.S. Census Bureau, "Congressional District 1 (117th Congress), Hawaii."

easy to determine whether an action is substantive representation, they are not necessary. Not every action will have a result, but what matters is the effort and intention that representatives put in.

In the literature review portion of this chapter, I will return to this discussion and consider what other political scientists have classified as substantive representation and their findings.

Literature Review

Hanna Pitkin's seminal 1967 book *The Concept of Representation* inspired my definition of substantive representation. In this work, Pitkin defines three types of representation. When we talk about representation, especially representation in media, we often refer to what she calls descriptive representation. When political representatives provide descriptive representation, they share characteristics with constituents, and give information about constituents to colleagues in their political forum.¹¹ In the context of my thesis, descriptive representation is the presence of Asian-Americans in Congress. They share their ethnicity and/or racial identity with APIDA constituents, and express information about being Asian-American to other legislators who do not identify with that group. Pitkin does not view descriptive representation alone as sufficient for constituents.¹² She argues that it becomes passive and removes the incentive for a representative to lead, to show initiative, and to execute creative action.¹³ In other words, she sees a tradeoff between descriptive representation and effective governance.¹⁴ My thesis is focused on proving otherwise: that the presence of descriptive representation leads to better governance for those who have been traditionally excluded.

¹¹ Pitkin, *The Concept of Representation*, 81.

¹² Pitkin, 82.

¹³ Pitkin, 90.

¹⁴ Pitkin, 65.

The second type of representation Pitkin discusses is symbolic representation. This type of representation is less interested in acting for people or constituents, and more so in evoking certain feelings.¹⁵ Symbolic representation rests on emotional or psychological responses rather than impartial criteria as a validation of its success.¹⁶ For example, in 2000, a post office in Chino Hills, California, was renamed the “Joseph Ileto Post Office” in honor of a Filipino-American postal worker who died in a random, racially motivated attack.¹⁷ While it is a meaningful gesture, the renaming itself does not do anything significant for the APIDA community. I will explore the tensions between symbolic and substantive representation, and the validity of addressing constituents’ emotional needs.

The third type of representation that Pitkin discusses is substantive representation, which I am most interested in. Earlier, I defined substantive representation as voluntary, independent action taken on behalf of constituents and their interests. Now I will examine political science literature on this concept.

As there are many actions a representative can take, focusing on one type leads to a deeper investigation of substantive representation. Lowande et al examine communications between representatives and federal agencies. They find that representatives who share identities with their constituents are more likely to contact federal agencies on their behalf.¹⁸ Furthermore, they argue that this demonstrates a link between descriptive and substantive representation. They propose two reasons for this. First, if a representative comes from an underrepresented background, they can provide insight into their community’s shared experiences and history.¹⁹ This can be invaluable to building coalitions and explaining why certain legislation or action is

¹⁵ Pitkin, 107.

¹⁶ Pitkin, 100.

¹⁷ National Archives and Records Administration, “Asian Pacific American Heritage Month.”

¹⁸ Lowande, Ritchie, and Lauterbach, “Descriptive and Substantive Representation in Congress,” 645.

¹⁹ Lowande, Ritchie, and Lauterbach, 648.

needed. The second reason is that a shared group identity increases the likelihood that representatives will be diligent advocates for communities.²⁰ My whole thesis revolves around whether this argument is true. I want to know whether the presence of Asian-Americans in Congress leads to action on behalf of the greater national constituency.

Gamble also articulates the idea of a national constituency, which is very important to my argument. As I mentioned above, Black representatives feel an obligation not only to people living within the district they were elected to represent, but also to Black people across the United States. I argue that APIDA legislators feel a similar sense of obligation to the APIDA community outside their district. Gamble defines substantive representation for Black constituents and representatives as committee participation, specifically through attendance, speaking at hearings, and offering hearings. She finds that Black legislators participate more than their white colleagues on both bills that directly affect Black constituents and on other nonracial bills.²¹

In contrast, Chaturvedi looks at substantive representation for Asian-Americans through the lens of bill sponsorship and cosponsorship. He creates a term called Asian American Policy Proposals (AAPPs), which are domestic policy bills that appeal specifically to APIDA communities.²² This term is most relevant to my chapter on Judy Chu, which mostly examines her AAPPs. He finds that both Democratic and Republican legislators will sponsor or cosponsor symbolic legislation such as renaming post offices, but only Democrats will do so for AAPPs.²³ I imitate his focus on sponsorship and cosponsorship especially in my chapters on Norman Mineta and Judy Chu. Furthermore, he pushes back on Lowande et al: he argues that a representative's

²⁰ Lowande, Ritchie, and Lauterbach, 648.

²¹ Gamble, "Black Political Representation," 438.

²² Chaturvedi, "Evaluating Asian American Representation through Bill Sponsors and Cosponsors from 1999 to 2009," 318.

²³ Chaturvedi, 334.

presence alone does not mean that they will be an advocate for their racial group, and finds that APIDA identity only has a mild effect on whether legislators advocate for APIDA communities.²⁴ This muddies the waters about the impact of racial identity on politics.

While Feng and Lien also examine bill sponsorships and co sponsorships that target Asian-Americans, they provide a new perspective using the lens of intersectionality. They examined bill sponsorships and co sponsorships during the COVID-19 pandemic, focusing on the first six months of 2020. They found that female AAPI legislators, such as Representatives Judy Chu and Grace Meng, have been extremely active in responding to the pandemic and its impact on their APIDA constituents. They are also more likely to advocate for those who are intersectionally disadvantaged, especially if they have a previous history of advocacy on behalf of minorities.²⁵ I use their work as a starting point for my chapter on Judy Chu.

While the main focus of my thesis is substantive political representation, I am also interested in examining the role of intersectional feminism. Two of my case studies are Asian-American women, and their gender and race have affected their relationships with their colleagues and their styles of advocacy. Kimberle Crenshaw first coined the term “intersectional feminism” in her 1989 essay “Demarginalizing the Intersection of Race and Sex.” Crenshaw analyzed court cases on discrimination brought forward by Black women, where decisions were made through a “single axis” approach that did not consider how being Black and being a woman might impact the plaintiffs’ experience.²⁶ For Mink and Chu, APIDA-identifying women, intersectionality played a major part in their experiences in Congress and the political actions they undertook. Mink’s work and rhetoric on Title IX in particular is interesting to examine

²⁴ Chaturvedi, 334.

²⁵ Jeff L Feng, “AAPIs in Congress,” 22.

²⁶ Crenshaw, “Demarginalizing the Intersection of Race and Sex,” 140.

because it came before Crenshaw's essay, and thus it seems to diverge from an intersectional approach.

Since Crenshaw, other academics have applied intersectionality to their disciplines. In political science, Minta and Brown examined hearings held by minority and female legislators, and how these two groups assisted with each other's efforts. I reference their classifications of issues as "indirect," "direct," and "joint" issues, most openly in my chapter on Patsy Mink. "Direct" issues explicitly reference or impact a certain group; "indirect" issues have a disproportionate impact but do not necessarily have this specific reference; and "joint" issues overlap between women and minority communities.²⁷ They find that in the House of Representatives, the cooperation of female and minority male legislators leads to more hearings on direct and indirect issues affecting women.²⁸ This indicates not only the role caucuses play in bringing together legislators, but the importance of allyship and coalition building. It provides insight on the potential role of the Congressional Asian Pacific American Caucus (CAPAC) in advocacy efforts. Their findings provide a way for me to discuss Title IX and other non-AAPP legislation which does not focus specifically on APIDA communities, but may indirectly impact their members. This study exemplifies the two main threads of my thesis: substantive political representation and intersectional feminism.

Meanwhile, Hawkesworth uses a qualitative approach that observes the obstacles for female minority members, who encapsulate this intersectional identity, in Congress. She examines the processes in which they are disadvantaged by their intersectional experience. She calls the creation of norms, structures, and institutions "racing" and "gendering," and explores the individual representatives' experiences in policymaking.²⁹ Her work, which combines

²⁷ Minta and Brown, "Intersecting Interests," 258–60.

²⁸ Minta and Brown, 267.

²⁹ Hawkesworth, "Congressional Enactments of Race-Gender," 546.

interviews with legislators and a discussion of a specific policy issue, validates my approach to this thesis. Her examination of the welfare reform fight in the mid 1990s follows the same model of qualitative analysis of a case study that I use in the following chapters. I will draw on her analysis of the welfare reform fight as a parallel to the fight against anti-Asian hate in my chapter on Judy Chu.

In the same vein as Crenshaw, Li provides examples of court decisions that did not consider APIDA women's intersectional identities. She discusses how APIDA history and stereotype construction has led to unique barriers for women in the workplace,³⁰ which ultimately leads to the failure of the "glass ceiling" (about the limits on women's salaries and mobility) and "bamboo ceiling" (the same for Asian-American men) concepts.³¹ While this work is primarily focused on the corporate space, I apply it to politics and use Li's reasoning to understand why Mink prioritized gender in her discourse on Title IX. Specifically, I use Li to examine the barriers on Mink's career.

I am interested in each representative's advocacy style and have found the term "bridge feminism" an excellent descriptor. Curwood focused on the career of Shirley Chisholm, the first Black woman in Congress. On one level, Chisholm connected white feminism and the civil rights movement, and on another, she connected activists and institutions.³² Curwood consistently calls Chisholm a "bridge" to describe her role.³³ Inherently, this term is tied to coalition building, which brings power to marginalized voices. Curwood's work inspired historian Judy Wu, who applied the term "bridge feminism" to Patsy Mink's career. Wu establishes Mink as a bridge between the federal government and grassroots activists on multiple

³⁰ Peggy Li, "Recent Developments," 158–59.

³¹ Peggy Li, 146–47.

³² Curwood, "Black Feminism on Capitol Hill," 205–6.

³³ Curwood, 220.

issues.³⁴ In my chapter on Mink, I focus on her connections for Native Hawaiian and Pacific Islander activists on the prevention of nuclear testing, and her connections for women's rights activists when writing Title IX.

Findings and Case Studies

In this thesis, I focus on three members of the House of Representatives. Just by virtue of its structure, which has 435 members elected from specific geographic districts, this institution makes minority participation easier. There are more seats available for minority representatives, and the House has more capacity to address a greater range of policy issues.³⁵ There are significantly fewer Asian-Americans in the Senate than in the House, which makes choosing a case study from the former chamber much more difficult. I will review three case studies from 1970 to 2021. Many APIDA Congress members from before 1970 came from American territories, such as Hawaii or the Philippines, and served as non voting delegates. These delegates had an extremely limited range of powers and thus an extremely limited capacity for political representation.³⁶ Blatant racism also prevented Asian-Americans from serving in Congress, but opportunities began to slowly open up around the same time as the civil rights movement.³⁷

All three Congress members I examine have chaired CAPAC, which makes them leadership figures in the House. While I may examine their work on issues from before they took on the chairmanship, this is still an excellent indication of their outstanding work, charisma, and leadership skills among their peers.

³⁴ Wu, "Asian American Feminisms and Legislative Activism: Patsy Takemoto Mink," 317; Wu, "The Dead, the Living, and the Sacred," 327.

³⁵ Minta and Brown, "Intersecting Interests," 265.

³⁶ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 3.

³⁷ Kowalewski, 10,13.

My first chapter revolves around Representative Patsy Mink, who was the first woman of color in Congress. She served the Second District of Hawaii from 1965 to 1977 and 1990 until her death in 2002. In this chapter I examine two of her major legislative issues in the early 1970s: nuclear testing and Title IX. Mink argued fervently against nuclear testing and believed strongly in denuclearization. Given that nuclear testing often occurs in the Pacific Ocean, I explore the idea of a constituency that stretches not only beyond borders but beyond the simple racial descriptor “Asian.” Asians and Pacific Islanders are often grouped together in the same racial category, and I am interested in the relationship between Mink’s work for her Hawaiian constituents and her work for Pacific Islanders. I find that Mink provided substantive representation through multiple strategies, especially when looking at the 1971 Amchitka nuclear test. Her passion for this issue is rooted in the history of American military testing in the Hawaiian islands. The second issue I investigate in this chapter is women’s rights, as expressed by Title IX, which Mink wrote. This landmark act broke down barriers for all American women, especially in education, but I am interested in the specific impact it has had on Asian-American women. I cannot determine whether her work is substantive representation for this limited group, but do provide a strategy for future researchers who also want to know the answer. In this chapter, I introduce the concept of bridge feminism, which brings together grassroots advocacy and political institutions.³⁸ Mink, who listened attentively to activists and her constituents, found bridge feminism a crucial component of her legislative style. For both portions of this chapter, I used materials from the Patsy T. Mink Papers, an archive based in the Manuscript Division at the Library of Congress. Her correspondence with constituents, original speech texts, Title IX anniversary materials, and news clippings were particularly valuable. I was able to glean some of

³⁸ Wu, “Asian American Feminisms and Legislative Activism: Patsy Takemoto Mink,” 306.

her thoughts and influences to discuss insights that would have otherwise been unavailable to me.

My second case study focuses on Representative Norman Mineta, a Democrat elected from San Jose, California, and best known for his work on transportation infrastructure. An internee during World War II, he led the fight for Japanese-American redress after his election to Congress. When he entered the House in 1974, Japanese-Americans had not yet united around what form redress should take, and Congressmen and the general American public did not know about the community's suffering. His fight was a long, gradual one, and I examine multiple steps in this fight. I find that his intermediate steps, such as providing immediate material support, and educating his colleagues and the public, are substantive representation. In 1987, he introduced the Civil Liberties Act (CLA), which can be considered the climax of the redress movement. This act included a national apology and monetary payments. These financial and policy commitments provided substantive representation to the Japanese-American community. Even after the passage of the CLA, there was still work to do. Mineta had to implement his policy and ensure that payments were made in a timely manner. His advocacy on the floor for monetary payments and for the funding of educational initiatives ensured that Japanese-American internment would never be forgotten, and that Americans could take away lessons to prevent such an atrocity from happening again. In this chapter, I explore the role of interest groups and their influence on representatives. I also demonstrate the critical role of coalitions in Mineta's efforts, and describe the comparative ease with which he gathered allies relative to his contemporary Patsy Mink. I use Hawkesworth's theory of a raced-gendered Congress to explain the difference in their experiences.

My final case study is Representative Judy Chu of southern California, whose current district includes the city of Claremont. In this chapter I examine an issue that I've worked on in my capacity as Head Mentor of a CMC club called Asian Pacific American Mentoring (APAM), anti-Asian violence. In 2020, as the COVID-19 pandemic began, Republican politicians linked the virus to Asian-Americans. Attacks against Asian-Americans occurred all over the country. As the current chair of CAPAC, Chu recognized that she and the caucus had to take action on this national issue. She introduced a variety of bills, and although not many passed, the action of introduction is substantive. I interpret her intense activity during this period as an example of Hawkesworth's anger mobilization, or using her anger from experiencing racial discrimination, to drive her legislative activity.

These representatives worked on a wide range of issues affecting Asian-Americans. The scope varies widely, from covering a specific ethnic group to Asian-Americans as a whole to half the country. On the majority of the issues I examine, I find that these three have provided the APIDA community with substantive representation.

At the very beginning of this chapter, I reference a Constance Wu quote that intends to speak about media representation of APIDA communities. However, I think it also serves equally well as a reference to political representation. I first began to wonder what constituted substantive representation for APIDA individuals in spring 2020. That semester, I went on CMC's Washington, D.C. program and interned for Representative Judy Chu, whose district includes the city of Claremont. In her office, I often worked with Congressional Asian Pacific American Caucus (CAPAC) staffers, and that was my first foray into the intersection between identity politics and traditional government.

My other opportunities to think about Asian-American political identity during my time at CMC have come through APAM. This past year, I have served as one of its two Head Mentors which has been an incredible, thrilling, and sometimes exhausting experience. I entered this position in January 2021, during a peak of anti-Asian hate, when the mainstream media and the campus administration were barely speaking about attacks on Asian-Americans. This experience has influenced my choice in topic and kept me deeply connected to my thesis.

Road Map

In the following chapters, I will delve into my three case studies. First will be Representative Patsy Mink of Hawaii, where I will explore her work on two issues from the early 1970s: nuclear testing and land sovereignty, and women's rights through Title IX. Second, I will look at Representative Norman Mineta of California and his leadership in the Japanese-American redress movement. This will encompass all his legislative efforts from before, during, and after the passage of the landmark CLA, a time period that spans from his election in 1974 to his departure to the private sector in 1995. In my fourth chapter, I will examine Representative Judy Chu, also of California, and the legislation she proposed during early 2020, when the COVID-19 pandemic began and when anti-Asian hate peaked. I will then wrap up and discuss broader implications in my conclusion.

Chapter 2: Patsy Mink, Land Rights in the Pacific, and Title IX

Patsy Takemoto Mink was born in 1927 in Hāmākua Poko, a town in Maui, Hawaii, near a sugar plantation. A third-generation Japanese-American, she witnessed firsthand the internment of ethnic community leaders and the closing of cultural institutions after the December 1941 attack on Pearl Harbor.¹

While Mink initially wanted to be a medical doctor, she was rejected by all the medical schools she applied to due to admissions policies that prioritized returning military veterans. Instead, she attended law school at the University of Chicago. Afterward, she returned to Hawaii and tried to find a job at a law firm there, but was unsuccessful.²

She then transitioned into politics, winning a seat in the Hawaii territorial House of Representatives in 1956, and then the state Senate in 1958. In 1965 she was elected to the United States House of Representatives as both the first Asian-American woman to serve in Congress, and the first woman of color. She served Hawaii's Second District during two periods: from 1965 to 1977, and 1990 to 2002.³ In 1994, she and Representative Norman Mineta co-founded the Congressional Asian Pacific American Caucus (CAPAC), and she chaired the caucus from 1995 to 1997.⁴

In this chapter, I will focus on Mink's work surrounding land rights and nuclear testing in the Pacific and Title IX. I will examine whether either counts as substantive representation for APIDA communities, with help from invaluable documents included in the Patsy T. Mink Papers at the Library of Congress. I find that in the case of land rights, Mink clearly provided

¹ Esther Arinaga and Ojiri, "Patsy Takemoto Mink," 256.

² Esther Arinaga and Ojiri, 261.

³ Esther Arinaga and Ojiri, 269–76.

⁴ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 363.

substantive representation. However, Title IX is a murkier case and I will investigate how to determine whether it is substantive representation or not.

Land Rights and Nuclear Testing in the Pacific

As a representative from Hawaii, Mink was predisposed to support Native Hawaiian and Pacific Islander (NHPI) constituents. Two of the most pressing issues for this community were nuclear testing and land rights, which at times merged into the same issue.

Mink was a very “hands-on”⁵ representative, and her advocacy can be described as “bridge feminism.”⁶ In her role, she connected grassroots advocates with political institutions. Her work on land rights and nuclear testing best exemplifies her part as a bridge, as she often worked closely with NHPI activists to provide support from the federal government. That aid could take several forms, such as money, forwarding correspondence to federal agencies, and allowing activists to access restricted areas. She also uplifted their voices, including their perspectives in her written advocacy. Mink’s inclusion of these opposing voices is critical to providing substantive representation to the NHPI community, as historically they have been ignored in favor of larger countries’ strategic and economic considerations. She clearly engaged with these activists and sought to bring their viewpoints from the margins into the mainstream.

The Cold War sparked fears in the United States about a potential threat from the USSR’s nuclear arsenal. While presidents during this time signed nonproliferation treaties and supported limited test bans, many Congressional representatives disagreed with these policies. They often invoked the need for a nuclear counter-force to oppose the USSR, and thus American nuclear development became essential.⁷ Nuclear testing was necessary to try out weapon designs and to

⁵ Boersma, “Who Was Patsy Mink? A Conversation with Historian Judy Wu.”

⁶ Wu, “Asian American Feminisms and Legislative Activism: Patsy Takemoto Mink,” 305–6.

⁷ Cirincione, *Bomb Scare*, 34.

collect data for further improvements. It often took place in remote islands in the Pacific Ocean, which were disconnected from the mainland and therefore would not affect the majority of the American population. To the Atomic Energy Commission (AEC), an American federal agency that existed between 1946 and 1975 and focused on developing nuclear science and energy, out of sight was out of mind. However, indigenous peoples lived on or around these islands and advocated for an end to the usage of their land for this purpose, as well as animal life.⁸

In 1971 the AEC proposed holding an underground nuclear test on the Aleutian island of Amchitka, off the coast of Alaska.⁹ Under the Census Bureau, Aleuts are categorized with Eskimos and other indigenous peoples, separately from Asians and Pacific Islanders,¹⁰ but Mink's advocacy for this community was a natural outgrowth from her work for Micronesians. As I will demonstrate later, her advocacy connected back to her own Second District of Hawaii.

Mink opposed the test on environmental and political grounds, claiming that the federal government held conservation responsibilities toward Amchitka and its residents. She lobbied through many different means, including letter-writing, speeches, publicity, and Congressional statements.¹¹ In Mink's advocacy against nuclear testing, she often invoked arguments about ecological destruction and protecting both human and animal life. In a letter to President Nixon, Mink wrote: "It is acknowledged that the Amchitka blast will introduce radioactivity into the ocean-- the only question is how soon, and how much."¹² She argued that the radioactivity from the Amchitka (also known as Cannikin) test would affect the salmon, and in turn, the native Alaskans who ate them.¹³

⁸ Wu, "The Dead, the Living, and the Sacred," 306.

⁹ Holden, "Crunch on Cannikin Decision Near."

¹⁰ Bureau, "Subject Definitions."

¹¹ Wu, "The Dead, the Living, and the Sacred," 312–13.

¹² Wu, 314.

¹³ Wu, 314.

Perhaps her most strategic attempt at preventing the Cannikin test was through proposing a bill that would create a National Commission on Nuclear and Seismic Safety that would study the consequences of nuclear testing for a year. In her remarks on the House floor to introduce this bill, Mink snuck in a devastating implication of this commission study: “During this year, no nuclear testing could be done at Amchitka Island or elsewhere in the Aleutians.”¹⁴ While the obvious impact of this bill would have been a report of valuable additions to scientific knowledge, it would quietly have achieved Mink’s real goal, which was to prevent the Cannikin test. The bill did not pass, but its introduction was certainly an example of a representative exerting her creativity, political skill, and capability for the good of others.

The most long-term form of her advocacy, however, was in suing the EPA. While she was working on an amendment that would have removed all funding for the Cannikin test, a news article revealed that the Nixon administration had compiled a top-secret report (known as the Irwin report) that included input about the Cannikin test from seven government agencies, five of which had recommended cancellation or postponement.¹⁵ To support her advocacy, Mink, leading 33 other Congressional members, sued to obtain the report.¹⁶ The case eventually made its way to the Supreme Court and was decided in 1973, long after the original 1971 debates over the test. It was not decided in her favor, but the case did motivate Congress to modify and strengthen the Freedom of Information Act to gain more oversight over the executive branch.¹⁷ The long timeframe of this Supreme Court case indicates Mink’s dedication and willingness to go the extra mile for her constituents. Her actions in this case aligned with groups like the

¹⁴ Mink, “Remarks by Representative Patsy T. Mink on Introduction to Legislation to Suspend Nuclear Testing in the Aleutian Islands in the House of Representatives,” 5.

¹⁵ Mink, “The Mink Case,” 9.

¹⁶ Holden, “Crunch on Cannikin Decision Near.”

¹⁷ Wu, “The Dead, the Living, and the Sacred,” 328.

Association on American Indian Affairs, which also took part in a court case to block the test, and which also invoked the argument about ocean radioactivity.¹⁸

Mink also realized that Hawaii had a stake in preventing this test. She wrote that the Cannikin test would likely set off an earthquake that could end in a destructive tsunami. Hawaiian lives and property would be lost.¹⁹ While Mink undoubtedly cared about the Aleuts and their quality of life, she also perceived that her own constituency would not go unaffected in this matter. So all her actions served not only Aleuts, but her majority-Asian constituency.

The Cannikin test took place on November 6, 1971, despite Mink's consistent and aggressive work to stop it. Still, the time, resources, and effort she invested into its prevention indicate that she provided Aleuts with substantive representation on this issue. She was closely aligned with indigenous advocacy groups and acted on her beliefs to the best of her ability.

Mink was equally active in addressing the disposal of nuclear waste, which is a natural consequence of nuclear testing. Between 1946 and 1970, the US dumped 100,000 curies (units of radioactivity) of nuclear waste into the Pacific.²⁰ This disproportionately impacted areas like the Marshall Islands, where 67 nuclear bombs were detonated within 12 years, and 130 tons of contaminated soil were later dumped. In some areas of the islands, current radiation levels are comparable to those of Chernobyl and Fukushima.²¹ Mink was very aware of this issue and, in writing for the *Fordham Environmental Law Journal*, called it "the most compelling environmental issue facing the world today."²² In that journal article, she pointed out American plans to continue dumping radioactive waste in the South Pacific and declared that they should

¹⁸ Wu, 314.

¹⁹ Mink, "The Mink Case," 8.

²⁰ Branch, "The Waste Bin: Nuclear Waste Dumping and Storage in the Pacific," 327.

²¹ Rust, "How the U.S. Betrayed the Marshall Islands, Kindling the Next Nuclear Disaster."

²² Mink, "NUCLEAR WASTE," 165.

be “quashed.”²³ This claim, which went against American policy, fully aligned with indigenous peoples’ desires and voiced concerns that weren’t often listened to.

Since nuclear testing made the islands unlivable, the American government would often force residents to move from their homes. The people of the Bikini atoll (Bikinians) in the Marshall Islands were evacuated to other parts of the archipelago. They lost their land, their homes, and their lifestyles. Even after the United States finished 23 nuclear tests in 1958, the Bikinians could not return to their original island until well after 1967. Then they found that their atoll had been littered with machinery and their wildlife contaminated. Mink stated that for a people whose lifestyle is highly dependent on fishing and agriculture, and whose culture is tied to land ownership, this was devastating.²⁴ They had been torn away from their homes and experienced instability for decades, but even after being returned to their original atoll, they could not provide for themselves.

The clearest outcome that Mink wanted for Pacific Islanders in this case was the prevention of the unwanted use or seizure of land for military purposes. Another, connected outcome that she wanted was an improved quality of life, through higher wages and economic development of natural resources for Micronesians.²⁵ Without access to safe, clean land or the right to own it, this second outcome would never be possible. Mink supported these causes because she believed that the U.S. had a responsibility to aid and care for the Pacific Islands. In an essay written for the Texas International Law Forum, she pointed to the Trusteeship Agreement for the Former Japanese Mandated Islands, which put the United States in charge of Micronesia. She leveraged this agreement to argue that the U.S. should work with the Micronesian government to improve standards of living and ensure eventual sovereignty.

²³ Mink, 170.

²⁴ Mink, “Micronesia,” 196–97.

²⁵ Mink, 187, 190.

Mink's advocacy for Micronesians stemmed directly from recommendations given by Micronesian politicians, showing that she took their input seriously and acted on it. For example, in her article for the Texas International Law Forum, she incorporated quotes from the Congress of Micronesia, student groups, and local leaders. One such quote suggested "that the Trust Territory [Micronesia] be constituted as a self-governing state and that this Micronesian state-- internally self-governing and with Micronesian control of all its branches, including the executive-- negotiate entry into free association with the United States."²⁶ Given the United States' reluctance to allow Micronesia to transition into a free associated state at the time, this was a controversial suggestion for a federal representative to make. Her statements and essay writing can be considered substantive representation for this reason.

While Micronesia is very far away from Hawaii, a natural relationship exists between the geography of Mink's constituency and the Pacific Islander community. Her district consists of Hawaii's outer islands that didn't have the financial and political power of urban Honolulu, which is part of Hawaii's first Congressional district. Historian Judy Wu describes the Second District as "on the margin."²⁷ Similarly, the NHPI community is often left on the margins, even of the APIDA community.

Gamble writes about how representatives from the same racial group share a sense of "linked fate," or connectedness to others within that group.²⁸ Mink's experience in politics as Hawaii transitioned from territory to state, and specifically a state on the margin of America, created that sense of linked fate with Pacific Islanders. Hawaii, which is not physically connected to the continental United States, gained statehood in 1959. Before that year, the United States classified it as one of its multiple island territories. In this status, Hawaii was only allowed non

²⁶ Mink, 200.

²⁷ Boersma, "Who Was Patsy Mink? A Conversation with Historian Judy Wu."

²⁸ Gamble, "Black Political Representation," 426.

voting delegates, who often came from the white and/or elite population. Mink was fully aware that Hawaiian delegates didn't have the full range of legislative powers as other states, and that they were not interested in pursuing interests that affected low-income people, Japanese-Americans like herself, Native Hawaiians, or other residents. According to Wu, this experience made her "very attuned to the margins."²⁹ While Hawaii became a state, America's other territories, including islands in the Pacific like Guam, retained their territorial status. These islands are also remote and unconnected to the American mainland. Mink saw parallels between her own situation and theirs, and this made her more invested in their interests.

Most strikingly, Mink had previous experience fending off military weapons testing in her district. For decades, the Navy used parts of the Hawaiian archipelago as bombing ranges. While the military did not test nuclear bombs there, they did conduct training exercises with live ammunition. On the south end of the island of Hawaii, an area known as South Kona, bombing not only disrupted fishing season but threatened residents' lives.³⁰ It is no surprise, then, that Mink wrote forcefully in a February 1970 letter to Navy Secretary John Chaffee, "I wish to protest in strongest possible terms the Navy's continued use of the bombing area at Kapua, South Kona... I demand that all bombing and strafing... be terminated forthwith."³¹ She also advocated for Hawaiian sovereignty over military-owned territory. During the first part of her career in the House, she repeatedly introduced a bill that would return Kaho'olawe, an island off the coast of Maui that was used as a bombing range, to Hawaiian jurisdiction. In a drafted statement intended for the Congressional record but never submitted, Mink wrote:

We do not believe that this desecration is necessary. There are on this island many significant historic sites and heiaus worth of preservation. Kahoolawe should not

²⁹ Boersma, "Who Was Patsy Mink? A Conversation with Historian Judy Wu."

³⁰ "Milolii Fishermen Argue over Navy's Bombing Range off the Kona Coast."

³¹ Mink, "Letter to John H. Chaffee from Patsy T. Mink."

be just used as a bombing target. It was once inhabited by Polynesians and could be today, except that the Navy will not relinquish it.³²

Similarly to the Bikini Atoll, Kahoolawe served as both a home and a site of cultural heritage. Here, Mink grappled with the same issue of land sovereignty.

Through her work for her own district, it is easy to see how Mink would have expanded her “constituency” from simply Hawaii’s Second District to all islands under American control. Having seen the wrongs done to her own constituents, she would naturally want to prevent the same thing happening to Micronesians and Aleuts. She was able to apply the same strategies, philosophy, and rhetoric when talking about these different parts of the world.

Mink’s work prompts an important and more general question. How should representatives work with communities they don’t share an identity with? In cases where a representative wants to address the issues of a marginal community, substantive representation should come from the ground up. The “ground up” should be tied to a specific advocacy group or to a local community. Without this tie, the representative is not acting according to any public opinion. This last element, a public opinion, is critical to representation. Political representation relies on the thoughts and desires voiced by at least one part of the nation’s citizens.

Mink’s style of representation definitely factored into whether her work on this issue was substantive. Her bridge feminism connected NHPI leaders and advocacy groups to the federal government. In an analysis of Shirley Chisholm’s political career, Anastasia Curwood emphasized the importance of coalition building, which inherently requires offering power and substantive representation from groups that were already insiders to those that are marginalized. Curwood argues that this broadens the base for political decision making.³³ Coalition building is

³² Mink, Patsy T., “Unsubmitted 1976 Statement Concerning Kahoolawe to the House of Representatives,” 1.

³³ Curwood, “Black Feminism on Capitol Hill,” 219.

an essential part of bridge feminism. Gathering support for issues that affect marginalized populations necessitates an alliance of people from different backgrounds. Mink sought to be the gathering point for such a coalition. When she sued the EPA for the release of the Irwin report, her name was on the court case, but she had allied 32 other representatives behind her. Given that she was only one of two representatives from Hawaii, and one of very few Asian-American representatives, this was naturally a diverse alliance of politicians.

Mink's bridge feminism was also grounded in concrete people and places. When she pushed for an end to nuclear testing, she always talked about a specific location, like Cannikin or Bikini Atoll. This site-specific tie connected her to the people who lived on these islands and therefore raised the stakes of her advocacy. It also made her representation substantive. She had a very strong sense of who she wanted to represent, why she wanted to represent them, and what they wanted from her.

With her close listening to constituents, and her willingness to advocate every time this issue resurfaced, Mink certainly provided substantive representation on land rights and nuclear testing in the Pacific.

Title IX

Mink was a forceful advocate for women's rights throughout her career. While her goal was to eliminate all forms of gender discrimination, she understood that she could make incremental progress by focusing on one portion at a time. In a 2002 House speech reflecting on her work, she said, "supporters of equal rights for women were pursuing any viable avenue to gain equal protection under the law... we understood that prohibition of sex discrimination in

education would be a giant step forward.”³⁴ During the 1970s, she focused on eliminating sex discrimination in education, even though that would only achieve part of her overall goal.

Title IX is a civil rights law that was passed as part of the Education Amendments of 1972. It prohibits sex-based discrimination at any educational institution that receives federal funding. Although only 37 words long in its original form, its areas of impact range from university admissions policies, higher education faculty hiring, program funding (especially in athletics, where there has been long-standing controversy), to sexual assault response policies. Mink authored the early version of Title IX with help from Representative Edith Green, an Oregon Democrat, and considered its passage the biggest achievement of her career.³⁵

At the time, discrimination in higher education was rampant. In a June 1970 statement made before the Congressional Subcommittee on Education, Mink pointed to gender quotas in college admissions and discrimination against women during the faculty hiring process and scholarship distribution as especially problematic. Her colleague Shirley Chisholm, in a July 1970 hearing before the subcommittee, stated that “In college teaching... women are paid median salaries \$400 to \$2,000 less than men of the same academic rank.”³⁶ Mink believed in the power of education to uplift women, improve their quality of life, and make real change in the United States. She wrote for the June 1970 hearing that “The most unfortunate thing of all is that education is the very process we rely upon to make the changes and advances we need and yet we find that even education is not imparted on a fair and equitable basis.”³⁷

Mink was known for providing data and social science to back up her claims, and Title IX was no exception. In Congressional Record remarks from February 1971, she included a

³⁴ Mink, Patsy T., “Statement by Congresswoman Patsy T. Mink in the House of Representatives Celebrating the 30th Anniversary of Title IX of the Education Act Amendments of 1972,” 2.

³⁵ Boersma, “Who Was Patsy Mink? A Conversation with Historian Judy Wu.”

³⁶ Green, Chisholm, and Freeman, *Discrimination Against Women*, 620.

³⁷ Mink and Green, *Discrimination against Women*, 433.

study conducted by the American Association of University Women on women's status in higher education. Among other findings, the study concluded that while institutions claimed to provide equal opportunities for promotions, the average number of women in department chairmanships was 2.6 per school, and in a very limited range of fields.³⁸ Notably, 46 percent of institutions that participated in the study admitted that they had no programming surrounding women's roles or their educational needs.³⁹ Both Mink's personal experiences and the evidence she consistently cited made clear that gender inequality in education was in critical need of address.

This case is certainly substantive representation for *all* women. Mink consistently referenced all women when speaking about the intention and effects of Title IX. In the June 1970 hearing, she wrote, "Discrimination against women in education is one of the most insidious forms of prejudice."⁴⁰ Mink referenced a specific interest group, the Women's Equity Action League (WEAL), which was a women's rights organization founded in 1968 that sought to end sexual discrimination in education and employment. When an interest group has a very specific objective, like WEAL, it is easier to determine if a representative aligns with their beliefs. Therefore close work with interest groups is an example of substantive representation. Interest groups can be small, but are often an outlet for a wider population. For example, WEAL voiced the concerns of not only its own members but of other women affected by discrimination in education and employment. If the representative acts according to this interest group's desires, they represent both the particular and the wider population. Mink does so here with her reference to WEAL.

³⁸ Mink, Patsy T., "Congressional Record - House: Campus 1970: Where Do Women Stand?," E676.

³⁹ Mink, Patsy T., E674.

⁴⁰ Mink and Green, *Discrimination against Women*, 433.

Finally, Mink closed her June 1970 statement by arguing that sex discrimination prevented the entirety of America from truly flourishing.⁴¹ In this step she went past arguing for all women and stretched this issue to address all people in the nation. Congressional testimony, especially by representatives, is an important action and is part of substantive representation. It allows members of Congress to speak directly to their colleagues on behalf of their constituents and to explain their points of view without interruption or criticism.

All the evidence points to Title IX being substantive representation for American women as a general body, and perhaps even the entire American population. However, it is confusing to decide whether this case is substantive representation specifically for APIDA women. Even thirty years later, she did not specify if women are differently affected by this prejudice based on their race. In 2002, she spoke about Title IX's effect "on the lives of girls and women all across the country" and how it "has opened the doors of educational opportunity to literally millions of girls and women."⁴² She clearly meant to address women as an entire block, without considering that there might be gradations to Title IX's impact. I can't use Mink's rhetoric to prove that she provided substantive representation on the behalf of APIDA women, as nowhere in her statements does she discuss specific impacts on them.

There are two reasons Mink may have talked about all women: first, political strategy; and second, personal experience. Any political strategy for passing Title IX would require close work with people of all races. Title IX would start in the Committee of Education and Labor, specifically the Subcommittee on Education. At the time, Rep. Green, a white woman, chaired the subcommittee. In a July 1970 hearing, Green made her opinions on discrimination clear. She said, "Outside of voting, I know of no discrimination that is greater than the discrimination

⁴¹ Mink and Green, *Discrimination against Women*, 434.

⁴² Mink, Patsy T., "Statement by Congresswoman Patsy T. Mink in the House of Representatives Celebrating the 30th Anniversary of Title IX of the Education Act Amendments of 1972," 1.

against women... Since 1964, I have seen a great deal of progress in ending discrimination against blacks.”⁴³ She believed that ending sex discrimination should be the number one priority over racial discrimination. As chair of the subcommittee, Green wielded the power to either kill a bill or move it forward in the legislative process. That may be one reason Mink spoke about all women and not just some: she needed to work closely with Green to ensure that Title IX didn’t die in committee. If she had added a racial component into her speech, Green would probably have been less open to her particular bill.

In this same July 1970 hearing, Frankie Freeman, a black woman and Commissioner of the U.S. Commission on Civil Rights, argued with Rep. Green about whether sexual discrimination should be the highest priority to eradicate. They had the following interaction:

MRS. GREEN. The only disagreement I have is how do you place one discrimination above the other.

MRS. FREEMAN. Oh, yes, I do. I absolutely believe, and I think the factual situation in this country will indicate that racial injustice is more pervasive.⁴⁴

Freeman and Green then proceeded to debate over how much progress had been made in reducing racial discrimination in comparison to sexual discrimination. This exchange only demonstrates the effectiveness of Mink’s strategy, if that was the reasoning behind her rhetoric. Focusing on all women avoided this debate entirely and ensured the security of her working relationship with Green.

As this July 1970 hearing demonstrates, none of the speakers discussed the possible intersections of race and gender. People often ranked one of their personal characteristics as more important than another. Shirley Chisholm, a Black representative from New York, testified

⁴³ Green, Chisholm, and Freeman, *Discrimination Against Women*, 668–69.

⁴⁴ Green, Chisholm, and Freeman, 670.

in the same hearing that “during my entire political life, my sex has been a far greater handicap than my skin pigmentation.”⁴⁵ Chisholm, during this testimony, prioritized sexual discrimination over racial discrimination.

Mainstream media also portrayed the struggles of marginalized groups as competing against each other for equality, rather than working in tandem. A 1971 *Honolulu Star* article headlined the appointment of a white woman to the Civil Service Commission with the phrase “Nixon to Replace Black on CSC With Woman,” and explicitly wrote that “She would replace James J. Johnson, the CSC’s first black member.”⁴⁶ This article, written by one of the largest newspapers in Hawaii, was contained in one of Mink’s Legislative Files in her Library of Congress archive of papers. This indicates that she or one of her staff members most likely marked it as notable and clipped it to bring to her attention. The exact phrase about replacing Johnson is even underlined, although there is no indication of who underlined it. Media pieces like this would certainly have played a role in shaping Mink’s thinking and rhetoric about race and struggles for equality.

Kimberle Crenshaw coined the term “intersectional feminism” in 1989, nearly twenty years after these hearings. She would probably call all of the aforementioned women’s rhetoric examples of a “single-axis approach,” which prioritizes one group over the other. While language around “interconnectedness” existed in Black feminist thought and can be traced throughout history through figures like Sojourner Truth, there is no obvious equivalent for Asian-American women. So given this timing, it’s probably unfair to expect Mink to consider the crossroads between race and gender in this hearing. Using intersectional language to describe Mink is to use terminology that did not exist before her career. While specific references to race

⁴⁵ Green, Chisholm, and Freeman, 618.

⁴⁶ Joseph Young, “Nixon to Replace Black on CSC With Woman.”

aren't necessary for a legislator's action to be substantive representation, their lack makes it difficult to prove the existence of such representation in broad policy proposals.

The second potential reason Mink talked about all women was her personal experience with sex discrimination. Before Mink entered politics, she faced multiple hurdles in her career. This motif ran throughout her career even before she entered politics. First, she applied to medical schools but was denied on the basis of gender. Second, she watched her fellow Asian-American, male attorneys find jobs at Hawaiian law firms while her own job search stagnated.⁴⁷ So these personal experiences, in which her gender disadvantaged her more than her race, factored into her dialogue about Title IX as well. Thirty years down the line, Mink confirmed this: "I knew of this terrible disparity in education long before Congress."⁴⁸

Her political career was not unaffected by gender bias either. Wu writes that different parts of Mink's identity sometimes exerted pressure on each other,⁴⁹ and that is most apparent in political campaigns where she was pitted against other Asian men. In the House of Representatives election of 1959, Mink campaigned against Daniel Inouye, a Japanese-American World War II veteran. The Democratic party leadership, which at the time was dominated by white men, expressly advocated for Inouye due to his gender.⁵⁰ Mink lost that race.

This scenario repeated itself in the Senate election of 1976. This time, Mink's opponent was Spark Matsunaga, another Japanese-American veteran. The race became a gendered debate over "ideology" (represented by Mink) and "tradition" (Matsunaga). Women, and Mink, were on the come-up; Matsunaga was one of many men (although not one of many Asian-American men) in long-standing institutions like Congress. Rhetoric about preferring the "senior male" also

⁴⁷ Bassford, *Patsy Mink*.

⁴⁸ Patrice Gaines, "Title IX at 30: Making the Grade?," 10.

⁴⁹ Wu, "Asian American Feminisms and Legislative Activism: Patsy Takemoto Mink," 318.

⁵⁰ Bassford, *Patsy Mink*.

abounded.⁵¹ Again Mink lost the election, this time losing her seat in the House as well. In both cases it was not her race, which she shared with both men, but her gender that was the tipping factor. The institution of the Hawaiian Democratic party pitted two Asian-Americans against each other and forced them to compete on the basis of gender. In such a situation, it's certainly understandable that Mink would see her gender as more important to election outcomes than her race.

Mink's career exemplifies Peggy Li's 2014 analysis on the glass and bamboo ceilings. The "glass ceiling" is an observed phenomenon of the limits of women's career rise into top-level positions, regardless of their qualifications or other job-relevant characteristics; the "bamboo ceiling" is a similar phenomenon that applies to the APIDA community. Li argues that neither concept can truly capture the unique experiences of APIDA women, as the glass ceiling mostly focuses on white women and the bamboo ceiling on APIDA men.⁵² Mink never articulated the fact that it wasn't her gender alone that was working against her, but that her race in combination with her gender had a distinct impact on how she was perceived and treated.

The absence of her consideration of intersectionality leaves us without direct proof of Title IX being substantive representation for APIDA communities. Now I will discuss a potential path for future researchers to determine the answer to this. This requires an intersectional approach, considering both the axes of race and gender. I would consider Minta and Brown's 2014 analysis of Congressional hearings an example of such an approach. As briefly mentioned in my introduction chapter, they classify issues into three categories: "direct women's issues," "direct joint issues," and "indirect joint issues." Direct joint issues explicitly affect both women and racial minorities, and include topics such as affirmative action programs. Indirect joint issues

⁵¹ Bassford.

⁵² Peggy Li, "Recent Developments," 143–46.

have a disproportionate impact on these two groups but do not explicitly name them, such as food stamps and child care assistance.⁵³ Title IX is definitely a direct women's issue, but what I am more interested in is whether it is a direct *joint* issue. Is there an impact for racial minorities as well? How can we determine it?

First, I have to establish whether education, where Title IX's impact is most obvious, is a critical issue for the AAPI community. Asian immigrants often view education as a pathway to a better life for themselves and their children. This is especially true for the poor, those who enter the US through the H-1B visa system, or those who can't use their degrees from their home countries.⁵⁴ Teranishi and Pazich argue that education is used as a key mechanism to create the Model Minority Myth.⁵⁵ The success of APIDA students, especially in admissions in top-tier universities, is used against them to paint a highly positive picture of their wellbeing. However, the picture of the educational state of the APIDA community varies widely based on class and ethnic lines. East Asian Americans have extremely high college graduation rates, but some Southeast Asian groups' rates of college graduation are lower than Blacks, Latinos, and Native Americans. Even within Southeast Asian America alone, college enrollment rates can either soar above the national average or be the lowest in the country.⁵⁶ Teranishi and Pazich argue that to consider these more specific identities is to approach the APIDA community through an intersectional lens. I've noted ethnicity, income, and immigration status as potential intersecting identities for the APIDA community, and Teranishi and Pazich also point out English Second Language (ESL) and identity as the children of immigrants as others.⁵⁷ So education is critical

⁵³ Minta and Brown, "Intersecting Interests," 258–60.

⁵⁴ Goyette and Xie, "Educational Expectations of Asian American Youths," 23.

⁵⁵ Teranishi and Bordoloi Pazich, "The Inclusion and Representation of Asian Americans and Pacific Islanders in America's Equity Agenda in Higher Education," 206.

⁵⁶ Kumashiro, "Toward an Anti-Oppressive Theory of Asian Americans and Pacific Islanders in Education," 130.

⁵⁷ Teranishi and Bordoloi Pazich, "The Inclusion and Representation of Asian Americans and Pacific Islanders in America's Equity Agenda in Higher Education," 210.

across all these lines, and substantive representation on this issue is necessary for the AAPI community.

Second, I would consider data on the impact of Title IX. There is plenty of existing data on its effect on all women. I look specifically at athletics, even though Title IX encompasses many different elements, as it is the most obvious category associated with the act. A 2010 study found that “a 10 percentage point rise in state-level female sports participation generates a 1 percentage point increase in female college attendance and a 1 to 2 percentage point rise in female labor force participation.”⁵⁸ This study argues that Title IX has directly enabled such a rise in sports participation, which is linked to future outcomes like attending college and having a career. From this work, it’s apparent that Title IX does have a strong impact on women.

Optimally, I would find similar data about how Title IX has specifically affected APIDA women. However, no such research currently exists. There is research that examines all marginalized women in athletics together. Abney and Richey examined whether, as of the late 1970s, this law increased opportunities for ethnic women, disabled athletes, and older female athletes. They found that stereotypes and stigmatization held these women back, and if they chose to pursue careers in coaching they were frequently underpaid.⁵⁹ They also examined the racial breakdown of the Association of Intercollegiate Athletics for Women (AIAW) and found that only 2.6% of the athletes, and 2.0% of the coaches, identified as Puerto Rican, Chicano, Native American, or APIDA.⁶⁰ This is a drastic underrepresentation of women of color in athletics when compared to data from the 1970 census. In that census, 13.2% of the American population identified as APIDA; 6.0% identified as American Indian, Eskimo, or Aleut; and

⁵⁸ Stevenson, “BEYOND THE CLASSROOM,” 284.

⁵⁹ Abney and Richey, “Opportunities for Minority Women in Sport--The Impact of Title IX.,” 56–57.

⁶⁰ Abney and Richey, 57.

25.9% identified as “Other race.”⁶¹ However, this statistic does not tell me about the impact of Title IX for these communities, especially in the long run.

There is a good deal of research that focuses specifically on Black women in athletics. For example, researchers have found that Black women have not received the same opportunities for participation in high school sports as white women. While white women benefit from the introduction of new sports and programs, Black women continue to be “funneled” into only two sports: basketball, and track and field.⁶² Most of the findings in this field indicate that primarily white women have benefited from the law, while for Black women, the effects of Title IX lag behind. Future researchers could conduct a similar study to compare how APIDA women have benefited versus white or other POC women.

Many arguments around Title IX revolve around athletics, but other potential areas of interest include the receipt of scholarships and financial aid, athletics, and hiring of faculty in higher education. The results of this research would most likely dictate the answer to whether this is substantive representation. If it proved that APIDA women received more opportunities than they did before the enactment of the law, then Mink’s work on Title IX is substantive representation. Clearly, this law has substantially changed all women’s experiences and quality of life, but as it stands, I don’t know how it has done so for APIDA women. So when I consider whether Title IX is substantive representation for this community, I am only left with a maybe.

⁶¹ Gibson and Jung, “Historical Census Statistics on Population Totals by Race, 1790 to 1990, and by Hispanic Origin, 1970 to 1990, For the United States, Regions, Divisions, and States,” 103.

⁶² Jomills Henry Braddock, Moneque Walker Pickett, and Marvin P. Dawkins, “Race and Gender Equity in Sports,” 1598.

Conclusion

In this chapter, I examined the life and work of Representative Patsy Mink of Hawaii. A trailblazer for all women, she was a consistent advocate for several communities throughout her political career. One issue that she worked on for decades was an end to nuclear testing and the seizure of land to this end in the Pacific. I find that on this issue, she provided substantive representation for NHPI communities, who were uniquely impacted by American military testing. The second issue I examine in this chapter is Title IX, her landmark bill that prohibits gender discrimination. While she undoubtedly represented all women, Mink didn't bring her race into the conversation. I've provided two potential reasons for this: political strategy and personal experiences. Her rhetoric makes this question so murky that I have proposed a potential avenue to investigate for future researchers. Ultimately, I am unable to come to a conclusion as to whether or not Title IX provides substantive representation for the APIDA community. Despite that conclusion, Mink still stands as a pioneer among American lawmakers for her determination, integrity, and morality.

Chapter 3: Norman Mineta and Redress for Japanese-Americans

In 1931, Norman Mineta was born in a primarily Japanese-American neighborhood in San Jose, California. Before the Japanese attack on Pearl Harbor on December 7, 1941, his parents were community leaders and business owners. After the attack, they lost their business license, and he and his family were interned at the Heart Mountain camp in Wyoming for 10 years.¹

Mineta's experience as an internee directly influenced his entrance into politics. While he started as a member of the Republican party, he eventually changed his political affiliation due to disagreement on social issues. After working for the city of San Jose for several years, he was elected to the House of Representatives in 1974.² His freshman class, elected directly after the Watergate scandal, was known as the "Watergate babies" due to their overall youth and their desire for accessibility and accountability in government.³ He was both the first Japanese-American Congressman from the continental United States and the first U.S. Congressman who had been interned during World War II.⁴ During his freshman term, he was assigned to the Public Works and Transportation Committee, which he sat on for his entire career in the House and chaired beginning in 1993.⁵ As previously mentioned, he co-founded CAPAC with Patsy Mink in 1994 and served as its first chair until he left the House in 1995.

In this chapter, I will explore Mineta's work on redress for Japanese-American internment during World War II between his election in 1974 and his 1995 departure. This time period begins before the passage of the landmark Civil Liberties Act (CLA) of 1988 and continues for seven years afterward. The redress movement, and the definition of what was

¹ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 376.

² Kowalewski, 378.

³ Kowalewski, 379.

⁴ Maki et al., *Achieving the Impossible Dream*, 69.

⁵ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 378.

appropriate for redress, evolved over several decades, and so did Mineta's actions as a representative. I will explore what substantive representation looks like when there are changing standards and compare Mineta's coalition building efforts with those of Patsy Mink.

World War II and Japanese-American Internment

The attack on Pearl Harbor directly led to the misconception that all Japanese-Americans were potential spies for the Japanese government, and thus threats to the American public. The backlash against Japanese-Americans began with FBI roundups of community leaders, searches of private citizens' homes, and property seizure. Emigrants from Japan were especially vulnerable to these civil rights violations, as they could not own property in their own names.⁶

On February 19, 1942, President Franklin Roosevelt signed Executive Order 9066, which authorized the evacuation and internment of people who were deemed national security threats. The stated intention of this order was to prevent espionage. While the original plan for internment would have included German and Italian-Americans, they were exempted because of the perception that it would be unacceptable to intern white American citizens.⁷

Ultimately, internment impacted around 120,000 people, two-thirds of whom were American citizens. Mineta was one of 17,000 children interned. After evacuating their homes, internees often had to stay temporarily in "Assembly Centers" that were supposed to house livestock. Mineta and his family stayed at the Santa Anita racetrack, which was adapted to house 18,000 people, with 8,500 living in the stables.⁸ After their time in Santa Anita, they were moved

⁶ Burton et al., "A Brief History of Japanese American Relocation During World War II (U.S. National Park Service)."

⁷ Burton et al.

⁸ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 376.

to Heart Mountain. There were also nine other internment camps distributed across California, Arizona, Arkansas, Colorado, and Utah.⁹

Although Japanese-Americans adamantly fought this policy, there was no real way to escape internment. Fred Korematsu attempted evasion, but the Supreme Court ruled in the famous case *Korematsu vs. United States* that the policy was a military necessity. He was then forced to live in the Topaz War Relocation Center in central Utah. Adult men had only one legitimate escape route: to serve in segregated military units and to try to prove their personal and their community's worth. In 1945, the Supreme Court finally decided in *Ex parte Mitsuye Endo* to end internment. The last camp, the high-security Tule Lake, closed in March 1946.¹⁰

Internment was a vastly different experience in Hawaii than on the mainland. While all Japanese-American individuals on the West Coast were evacuated and interned, only a portion of the Hawaiian population faced the same treatment. These individuals often held leadership positions or had access to communication or transportation systems. The government did place Hawaii under martial law, and the military effectively redlined Japanese-Americans to prevent them from living in certain parts of the state. These differences indicate that Patsy Mink, Hawaii born and raised, and Norman Mineta, a Californian, did not experience 1942 through 1945 in the same way.

Internment devastated Japanese-American communities on the mainland, and rebuilding their businesses and homes was not an easy task. Japanese-Americans lost an estimated one to three billion dollars of hard-earned property due to internment. In the rush to sell their property before they were evacuated, they were often exploited and forced to sell it at a fraction of its original value. In one example, the Uyematsu family of Los Angeles sold 300,000 of their

⁹ National Archives, "Japanese-American Incarceration During World War II."

¹⁰ National Archives.

uniquely cultivated camellias for \$50,000. This was only one-fifth to one-fourth of the estimated value of their precious flowers.¹¹ This happened to countless families across the country. Mineta estimated that it took twenty years for his community to regain what it had lost in 1942.¹² In some cases, like the Uyematsus, their loss of property could never be recouped.

Until the early 1970s, Japanese-Americans did not frequently discuss their experiences in the camps. Not only was it difficult to talk about, but many felt a strong sense of shame and that it was better to leave those years behind.¹³ Furthermore, the community was divided on whether they should pursue redress at all. At the 1970 Japanese American Citizens League (JACL) convention, a resolution was proposed to award monetary payments to internees or their heirs, and to provide funding for community projects. This was the beginning of the path to redress, but disagreement remained about whether it was necessary.¹⁴

The JACL is the oldest civil rights organization that advocates for APIDA communities in the United States. Since its founding in 1929, it has consistently advocated on behalf of both Japanese-Americans and other APIDA groups on all kinds of initiatives. Mineta was very aware of this organization, and asked the JACL to lead the redress movement from the interest group side. At a JACL event in 1976, he asked the organization to determine what reparations should look like, to build a coalition of other groups, and to unify the Japanese-American community in fighting for redress.¹⁵

This relationship prompts the question, can a representative's actions be considered substantive representation when they influence interest groups to act in a certain way? In his relationship with the JACL, Mineta seems to have partially determined the standards of

¹¹ Wendy Cheng, "Landscape and Historical Memory in a Public Garden."

¹² Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 378.

¹³ Hatamiya, "Righting a Wrong," 63–64.

¹⁴ Maki et al., *Achieving the Impossible Dream*, 64.

¹⁵ Maki et al., 70.

substantive representation for himself. It skews the judgment I have to make in his favor.

However, it is unrealistic to expect legislators to stay away from interest groups. In fact, asking them to stay separate from or to minimize communication with these organizations undoes the relationships they are obliged to create with the public. It prevents them from qualifying for substantive representation, as representatives need to be anchored in the demands of constituents. In this particular case, the Japanese-American community was divided about redress at first, but would eventually come around to a general accord about what was appropriate. Mineta helped to unite a grassroots movement that would drive legislative advocacy on this issue.

The unique history of the redress movement poses the following question. What happens when the definition of substantive representation changes over time? Over his twenty-year tenure, Mineta took many actions to address the impact internment had on his community, and each one can be evaluated by the standard of that particular moment.

1974 - 1988: Pre-Civil Liberties Act

Mineta's efforts in the approximately fifteen years before the passage of the CLA can mostly be considered as intermediate steps to this landmark legislation. In this section, I will analyze whether such efforts count as substantive representation.

Mineta also introduced bills that would provide material assistance to Japanese-American internees. During the 94th Congress (1975-1977), Mineta introduced a bill that would credit the time internees had spent in camps toward their civil service retirement benefits. It failed on this first attempt, but in 1978 Mineta successfully oversaw its passage through Congress.¹⁶ This bill effectively shortened the time former internees would have to work in civil service to receive retirement benefits. It equalized the playing field by removing the government-imposed

¹⁶ Maki et al., 80.

disadvantage on them so they could receive their full pension and benefits on the same timeline as their peers. While this bill did not have the far-reaching impact of the CLA, Mineta used it to chip away at the boulder of injustice that Japanese-Americans had endured. This provision of material benefits, so specifically targeted towards one group, definitely counts as substantive representation under the umbrella of the redress movement.

In 1980, Mineta worked with three other Japanese-American legislators (Dan Inouye from Hawaii, Spark Matsunaga from Hawaii, and Robert Matsui from California) to form the Commission on Wartime Relocation and Internment (CWRIC), which was intended to study the World War II internment of Japanese-Americans and Aleuts and provide recommendations for redress.¹⁷ Over the next two years, the commission conducted a series of nationwide hearings that served as the first public forum for Japanese-Americans to share their experiences. In 1982, the CWRIC published a report called *Personal Justice Denied*. The report contained several recommendations for redress, including a national apology; pardons for those who violated curfew and exclusion orders; the establishment of a foundation to educate the public on internment; and individual payments of \$20,000 be paid to evacuees.¹⁸ Given the similarities between these recommendations and the eventual mode of redress, the CWRIC is rightly considered the direct link to the policies outlined in the CLA.¹⁹

Mineta also arranged media showings that would educate not only the American public but also his colleagues in Congress. John Tateishi, a JACL advocate who met with legislators about redress, distinctly recalled that members of Congress either didn't know about internment, or didn't believe that the policy was wrong.²⁰ Mineta wanted to change that. In February 1984, he

¹⁷ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 383.

¹⁸ Hatamiya, "Righting a Wrong," 76.

¹⁹ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 383.

²⁰ Maki et al., *Achieving the Impossible Dream*, 86.

arranged to show the documentary *Nisei Soldier* on the House of Representatives CCTV system.²¹ This film showing, on the highly decorated Japanese-American 442nd Infantry Regiment, was obviously targeted towards Congressmen and their staff. These targets were especially important because they would evaluate, defend, or reject any policy proposals that Mineta put forward.

Between 1984 and 1987, Mineta worked to provide funding for a Smithsonian exhibit on internment and the 442nd.²² Similar exhibits about segregated Black units had previously been held with popular support. Mineta had been appointed to the Smithsonian Board of Regents. Combining this role with his responsibilities as a Congressman, he fought for an appropriation of \$750,000 to support the exhibit, named *A More Perfect Union*. This appropriation made up the majority of its funding. In light of the Office of Management and Budget's efforts to cut down on such spending, this is especially impressive.²³

Both of these efforts, the formation of the CWRIC and Mineta's educational work, are examples of the "intermediate" steps I referred to above. Specifically, I wonder if recommendations that lead to policy, like those issued in *Personal Justice Denied*, are substantive. I also want to know the same about studies. Recommendations are guidelines that don't have a tangible impact on their own and don't necessarily have the force of government's policy comments behind them. In Chapter 2, I discussed a case where Patsy Mink proposed a study of nuclear detonations and their effects. I considered this substantive because the study would have had immediate consequences such as the prevention of the Cannikin test. However, when Mineta advocated for the CWRIC and its study, he could not know what recommendations

²¹ Maki et al., 142.

²² Maki et al., 159.

²³ Maki et al., 159.

they would propose or that it would lead directly to the Civil Liberties Act. He never laid out specific intentions or results for this commission, as Mink did.

It's important to note the intentions of the four Congressmen who proposed the CWRIC. They saw the commission as a way to satisfy interest groups like the JACL without risking their political careers. While Matsunaga and Inouye were from majority-Asian districts, Mineta was not, and the last member of the quartet, Matsui, was a freshman who would be more critically evaluated during the next election. Redress was not a popular or well-known idea at the time, and any legislation around it could pose a threat to their careers. If the CWRIC had been voted down by Congress, redress advocates could not claim that they had been inactive; if the CWRIC was passed and recommended payments, then their cause would be strengthened.²⁴ The practical reality of their situation meant that, in an atmosphere of general ignorance, they could not immediately introduce bills demanding apologies or monetary payments. It could jeopardize both their political careers and the long-term future of redress.

Mineta and his colleagues also believed the CWRIC, by creating a document backed by government authority, could provide the redress movement with a sense of legitimacy.²⁵ At the end of the day, the CWRIC's conclusions and recommendations were in line with what redress advocates were asking for. Because they are in line with such interest groups, this fulfills the standards for substantive representation.

I have to ask similar questions about Mineta's educational efforts. Does a movie showing or a Smithsonian exhibit address the material or even emotional needs of Japanese-American constituents? Such educational campaigns don't provide direct solutions to these problems, but may provide indirect assistance to advocates.

²⁴ Maki et al., 87.

²⁵ Maki et al., 86.

The exhibit *A More Perfect Union* demonstrates this indirect assistance. During its planning and execution, redress advocates learned how to phrase their demands in broadly appealing ways. Because internment was an experience so specific to Japanese-Americans, they needed to persuade other Americans to ever gain enough support for legislation. *A More Perfect Union* drew on the Bill of Rights and the importance of constitutional freedoms, which appealed to the majority of viewers. Not only did the exhibit serve as practice for future debates on the CLA, it also educated Congressmen and the public. Mineta recognized that for people with no knowledge of internment, the exhibit made it “real.”²⁶ The movie showing he arranged served a similar purpose. It formed a knowledge base for the general public and Congressmen, which he could remind them of later on. When gathering support, he would have to do less work to convince potential allies that redress was a cause worthy of their support.

In general, intermediate steps can still serve as substantive representation. My definition of substantive representation does not consider outcomes. Rather, it focuses on a representative’s efforts, and whether their work is at least potentially responsive to constituents. Mineta made sincere, numerous efforts that took him step by step along the long road to redress. By increasing public knowledge of internment and the World War II Japanese-American experience, he also responded to their needs, although indirectly. Thus both his formation of the CWRIC and his educational work are substantive representation.

The next issue is, how do you evaluate whether representation is substantive when the community is in disagreement? At this early stage, redress advocates diverged on whether the CWRIC was necessary. While some agreed with Mineta and his colleagues that formal recommendations were critical, others argued that a commission would delay action too long; that it would uncover trauma unnecessarily; and that because internment had been so obviously

²⁶ Maki et al., 160.

wrong, a government document saying so was redundant.²⁷ In cases like these, how should representatives choose which faction to align themselves with? And if there is no majority consensus on what is the “right” course of action from a grassroots movement, do you need a certain amount of support to legitimize your action?

Determining a level of support to decide what a representative should do is very arbitrary. But such questions like these also take away a legislator’s agency to do what they view as morally right, politically right, or both. Perhaps the standard should be that the representative is aligned with *some* interest group, even if it’s in the minority, and that they have actually communicated with this group. If that’s the case, Mineta’s actions aligned with *some* of the Japanese-American community, and they were always done in consultation with interest groups such as the JACL, which was itself divided. Then we arrive at the same conclusion: that his efforts before drafting the CLA were all substantive representation.

The Civil Liberties Act and The Coalition That Passed It

Mineta introduced the CLA into Congress in 1987. It closely followed the recommendations made by the CWRIC in 1982, providing a national apology, clearing the criminal records of Japanese-Americans who attempted to evade internment, setting up funding for public education initiatives, and giving monetary payments of \$20,000 each to surviving internees.²⁸

Is the CLA an example of substantive representation? I think three portions of this bill obviously are. First, clearing criminal records from internment allows people to fully participate in society. For instance, they can get better jobs with more ease, vote, and avoid the shame and

²⁷ Maki et al., 87.

²⁸ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 384.

stigma that comes from being labeled a criminal. Considering that the cleared crimes were often acts of resistance against internment, this is a nontrivial impact for Japanese-Americans.

Second, the creation of a public education fund is also substantive. Above, I concluded that Mineta's educational efforts were substantive representation. Education is key in two ways: it increases the awareness of people currently in power, so that they can make sufficient redress for past mistakes, and it teaches people who will later have power, so that they can avoid repeating earlier mistakes. Preventing future internment is perhaps the longest-lasting, and most important, legacy of this bill. In addition, including this history in educational efforts acknowledges the Japanese-American experience, adding meaning, importance, and belonging for this group. Finally, the monetary payments. Although \$20,000 probably did not replace all the property or potential income lost during internment, it did partially address internees' financial suffering.

Coming in at a total of \$1.2 billion, the monetary payments were the most controversial portion of the bill. During the House debate on the floor, Representative Dan Lungren of California proposed an amendment that would remove these individual payments. In response, Mineta said: "By keeping compensation in H.R. 442, the House will tell the world that this body is genuine in its commitment to the Constitution and we will be putting our money where our mouth is."²⁹ In this one sentence, Mineta proves why these payments were so significant. By obliging the government to acknowledge the harm it had done, he provided substantive representation for the harmed.

The one component where there is uncertainty is the national apology. Does an apology have a tangible impact beyond assuaging feelings? Is having a tangible impact an appropriate standard for evaluating apologies? An apology is about relieving feelings, but it can also be

²⁹ Maki et al., *Achieving the Impossible Dream*, 177.

interpreted as a declaration of policy and a commitment not to repeat the damaging actions. The text of the apology reads:

The excluded individuals of Japanese ancestry suffered enormous damages, both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering for which appropriate compensation has been made. For these fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry, the Congress apologizes on behalf of the Nation.³⁰

Here, Congress implicitly promises not to intern its own citizens ever again, and to compensate those that it harmed. The other three components of the bill act as commitment devices to ensure that the government fulfills that promise. Without them, the apology would lose significant meaning. In combination with the other parts of the bill, the apology becomes substantive. In the next chapter, I will evaluate a resolution that acknowledged a similar harm done to the entire APIDA community. In that case, there are no methods of accountability to enforce the apology's implicit policy promise, but I argue against interpreting emotional considerations as negligible.

The CLA's target group is so specific that coalition building had outsize importance for Mineta. His legislative director recalled that it was a bill that could not be passed without the involvement and attention of other Congressmen,³¹ and so Mineta worked with representatives of all political affiliations and from all over the country to get the CLA through. The legislative director marveled at the two days Mineta spent calling up his colleagues gathering co-sponsorships. This close personal contact is a

³⁰ "Text of H.R. 442 (100th)."

³¹ Maki et al., *Achieving the Impossible Dream*, 139.

privilege unique to political representatives and demonstrates their tremendous capacity for coalition building.

Mineta had a few key allies in his legislative efforts. As mentioned before, he had natural allies in other Japanese-American legislators in Congress: Inouye, Matsunaga, Matsui, and after 1986, Patricia Saiki of Hawaii. Notably, Senator Alan Simpson from Texas served as one of the primary cosponsors. Simpson was not only a Republican but also opposed monetary payments. However, his personal relationship with Mineta influenced his support for the bill. In 1943, while Mineta was interned in Heart Mountain, he and Simpson met on a Boy Scouts camping trip. They stayed in contact long afterwards and reconnected when they became Congressmen.³²

Another ally for Mineta was Representative Barney Frank from Massachusetts. In 1986, he became the chair of the Subcommittee on Administrative Law and Governmental Relations, which was part of the House Judiciary Committee. As the bill was introduced to the Judiciary Committee, his leadership would be critical to getting the bill onto the House floor. In contrast to previous chairs, Frank neither opposed redress nor pushed it to the bottom of the sub committee's agenda. As an openly gay man, Frank saw similarities between the treatment of Japanese-Americans during World War II with the discrimination he himself faced. Gamble writes about how Black representatives feel connected to Black constituents across the United States through a sense of “linked fate.”³³ Here we see a similar principle. Frank, although he is white, felt a sense of sympathy similar to linked fate, whereby uplifting another minority group he was indirectly helping himself. This indicates that coalition building depends not only on

³² Maki et al., 166.

³³ Gamble, “Black Political Representation,” 426.

members of a specific ethnic or racial group, or on personal relationships, but also on connections and similarities that people see that they share with others.

As previously mentioned, Curwood wrote about how coalition-building also requires the sharing of power between “in-groups” and “out-groups.” Frank’s sexuality made him part of an out-group, but his race made him part of the white in-group. Different parts of his identity gave him different perspectives on power. By sharing his racial in-group power, he set a precedent for those who did not identify as LGBT to later share their power with him. This idea of who is on the outside versus inside fluctuates based on issue, and shows that the dynamics of a coalition can also change for the same reason.

These aforementioned members were a small part of Mineta’s coalition, which ultimately totaled 166 cosponsors. His other allies include notables such as Dick Cheney, Leon Panetta, Chuck Schumer, and Nancy Pelosi.³⁴ How was Mineta able to build such a diverse, wide-ranging coalition? I argue that there were two reasons: first, his gender; second, his effective rhetoric around the bill.

As a man, Mineta was not subject to gendering in the same way as Mink and Chu. Hawkesworth argues that institutions such as Congress institute rules, norms, and traditions that entrench gender hierarchies and disadvantage female members.³⁵ One consequence of gendering for female representatives is the difficulty of building close personal relationships with their male colleagues. Congress being an old boys’ club meant that Mineta was always perceived as friendly and likable, an image that was harder for women to create. Mink and her female colleagues spoke of consistently being

³⁴ “Text of H.R. 442 (100th).”

³⁵ Hawkesworth, “Congressional Enactments of Race-Gender,” 531.

excluded from shared spaces such as gyms, which would have undoubtedly helped her form bonds in a more informal setting. In some cases, Mineta had a head start on building those relationships. His friendship with Simpson started long before he entered Congress, although obviously in terrible circumstances. Before Mink's political career started, she had already been excluded from multiple institutions like medical schools and law firms. The potential networks she could have built there could have provided significant support for her legislative efforts.

My discussion here on Mineta's gender is limited because there is no real consensus on how Asian-American masculinity functions within the American racial hierarchy. Research is conflicted as to whether Asian-American men try to assimilate to a White notion of masculinity, or whether their definition is expanded due to Asian cultural norms of humility and communalism.³⁶ Still, my lack of discussion on gender, which is more comprehensive in both the preceding and following chapters, indicates the lack of gendered expectations and exclusion in his career that plays out in Mink and Chu's experiences.

Hawkesworth's concept of "racing," which is similar to gendering but applies to how law creates and entrenches privilege or disadvantages based on race,³⁷ most certainly did apply to Mineta. He did not want his policies to be interpreted as negative, overly specific interest group legislation. To get around this idea, he effectively leveraged language about constitutional rights and morality. Kozen argues that members of Congress "exceptionalized" and "periodized" internment by constructing it as a great moral wrong that was firmly limited in the past. When people spoke about it as a tragedy,

³⁶ Shek, "Asian American Masculinity," 388.

³⁷ Hawkesworth, "Congressional Enactments of Race-Gender," 531.

this created a role for the CLA almost as the “final act” of a play, where the wrong of injustice would be righted permanently in the epilogue. Redress became a recognizable symbol of America’s morality and justice.³⁸ Hatamiya backs this up, but in a more positive light. She calls redress an “all-American issue” that pulled on the moral obligations of Congressmen because of its focus on constitutional rights.³⁹

Kozen condemns the universalization of redress. Under her interpretation, the passage of the CLA is a symbolic performance that allowed the United States to reconcile its sense of itself as morally superior with the grievous injustice it had done to its own citizens. To her, this makes the act symbolic representation because of the emphasis on assuaging emotions.⁴⁰ This introduces the question: is representation substantive when you remove references to the specific group it serves? In this case, can the CLA be considered substantive representation if Mineta and his colleagues removed the racial component from their rhetoric?

This is a similar question to my discussion of Title IX in the previous chapter, where I wondered if that piece of legislation could be considered substantive for APIDA women if no one spoke specifically of helping them. However, in this case it’s fairly obvious who is impacted by the legislation. It was written by Japanese-Americans with the explicit intention of helping Japanese-Americans. Taking out racially specific rhetoric was a political tactic to build support and get it passed. Realistically, without appealing to broader principles, the CLA would most likely never have passed. This underlines the importance of storytelling and narratives in policymaking. So the answer to the question posed above must be no. Rhetoric certainly helps prove that a legislator’s action is an

³⁸ Cathleen K. Kozen, “Redress as American-Style Justice,” 109–12.

³⁹ Hatamiya, “Righting a Wrong,” 68.

⁴⁰ Cathleen K. Kozen, “Redress as American-Style Justice,” 111.

example of substantive representation, but it's not the only indicator. More important indicators include data or tangible impact on the targeted group, which I could not find in the case of Patsy Mink and Title IX, and which I will examine further in the next chapter on Judy Chu.

Although the passage was a watershed moment for the redress movement, the fight did not stop here. After 1988, Mineta continued to press for the implementation of his bill. I will describe these efforts in the next section.

Post 1988: Implementing the Civil Liberties Act

Following the passage of the CLA, Mineta had to ensure that its execution did not simply fall by the wayside. The monetary payments had been approved but remained controversial. Opponents tried to reduce the impact of the bill by refusing to appropriate enough money for it.

In 1989, President Ronald Reagan proposed a budget for the 1990 fiscal year that only allocated \$20 million for redress payments to Japanese-Americans. Compared to the \$1.2 billion necessary to pay all former internees their due amounts, this was staggeringly small. The House Appropriations Committee confirmed this \$20 million figure in their own proposed budget for the same fiscal year. If the allocation went through unchanged, it would take sixty years to complete monetary payments.⁴¹ On the House floor, Mineta noted why this would be so problematic: "This body cannot prevent the deaths of these elderly loyal Americans. But Congress can make the effort to disburse the redress compensation as quickly as possible."⁴² Internment had happened over forty years ago, and many of the people who had been adults during World War II were elderly and liable to die before they ever received their payments.

⁴¹ Maki et al., *Achieving the Impossible Dream*, 199–200.

⁴² Maki et al., 210.

Connecting the needs of elderly Japanese-Americans to his policy makes this both tangible and substantive.

Original estimates of individuals eligible to receive monetary payments numbered around 60,000 people, but only five years later, representatives realized that there were many more eligible individuals. However, the CLA only had \$1.2 million allocated for the first estimates.⁴³ To cover additional needs, another bill would need to be passed. In response, H.R. 4551, the Civil Liberties Act Amendments of 1992, was introduced. It would increase the authorized spending on redress payments to \$1.65 billion. 20,000 more people would now be able to receive redress payments.⁴⁴

While the monetary payments were an important component of H.R. 4551, Mineta's testimony during the floor debate emphasized the educational aspect of the CLA. The Gulf War had happened only a year ago and was fresh in many minds. One of the lesser-known consequences of this war was discrimination against Arab-Americans, who saw their businesses suffer because of public associations with Iraq. Constructed as public enemies, they avoided speaking in Arabic, but still were confronted with vitriol from customers, colleagues, and their neighbors. They also faced FBI investigations on the pretense that they would have information on possible terrorist activity in the United States.⁴⁵

Mineta saw similarities between the experiences of Arab-Americans at this time and his own experiences during World War II. During his testimony on the House floor, he said, "There is no doubt in my mind that a heightened awareness of what happened during World War II was a powerful weapon in fighting discrimination against Arab-Americans this time. But it is clear that

⁴³ Maki et al., 215–16.

⁴⁴ House of Representatives, "Congressional Record, 102nd Congress, 2nd Session," H8347.

⁴⁵ Richter, "For Arab-Americans, Cost of Gulf War Lingers."

the attitudes and the prejudices that led to the internment are still with us.”⁴⁶ This quote highlights a duality. Although education has aided progress in more tolerant racial attitudes, there is still more work to be done. This is the clearest demonstration of how education has tangible results: it prevents future internment not only for Japanese-Americans but for other ethnic groups. Mineta implies here that internment of Arab Americans could have happened if not for his own work and that of the redress movement. This demonstrates that the CLA and its educational initiatives impact multiple racial communities.

Conclusion

Representative Norman Mineta of California was a giant in politics. While he is best known for his time as Transportation Secretary and his work with public infrastructure, I analyze his equally important work for Japanese-American redress. After years of effort, he won a national apology for internment, monetary payments, and funding for education. I find that all three of these components, as well as his efforts before and after the passage of the CLA, are examples of substantive representation. However, this is not an easy conclusion to reach. First of all, the Japanese-American community was divided over the best approach to redress. Generally, even without unanimous agreement on the correct course of action, representatives should still align themselves and communicate with some sector of the public to establish substantive representation. Secondly, many of these efforts can be considered intermediate steps rather than direct resolutions to the needs of Japanese-Americans. In this context, intermediate steps were just as valuable as the CLA due to changing circumstances and conceptions of appropriate redress. Furthermore, the rhetoric many advocates used did not directly reference race. As with Representative Mink, this is due to political strategy. Both needed to build alliances, but for

⁴⁶ Maki et al., *Achieving the Impossible Dream*, 216.

Mineta, his gender made this much easier. As a former internee, he was able to establish himself as a moral authority, a reputation he kept for his entire political career. He never wavered from his dedication to reform, accountability, and oversight, which benefited all Americans.

Chapter 4: Judy Chu and The Fight Against Anti-Asian Hate

Representative Judy Chu (D-CA-27) was born in 1953 in Los Angeles, California. She originally studied psychology and hoped to apply her degree to helping Asian-American families. However, when an anti-immigrant movement in Monterey Park, California began advocating for “English-only” education, she turned to politics instead. She was elected to the Garvey School Board of Education and then to the Monterey Park City Council. In 2001, she moved up to the California State Assembly.¹

When President Barack Obama’s term began in 2009, Chu’s federal representative, Hilda Solis, left to serve as his Secretary of Labor. Chu ran for her vacant spot in a special election, won, and has represented California’s 27th District ever since. At the start of her second term in 2011, she was elected Chair of the Congressional Asian Pacific American Caucus (CAPAC), and still holds that position. She currently serves on the House Ways and Means and Small Business Committees.²

In this chapter, I will address Chu’s efforts to support the APIDA community during the COVID-19 pandemic. In a moment of crisis for Asian Americans and Pacific Islanders, Chu was extremely active on their behalf, introducing a flurry of bills and releasing powerful statements. I will examine some of the bills she introduced at an individual level, and discover that while some were definitely substantive representation, others lie on the border between substantive and symbolic. I will also analyze her political strategy during this time through Hawkesworth’s lens of anger mobilization, and draw comparisons between Chu and her predecessor Patsy Mink. I find that Chu’s actions were not only examples of substantive representation, but also a mode of resistance against anti-Asian racism.

¹ Kowalewski, *Asian and Pacific Islander Americans in Congress, 1900-2017*, 542.

² Kowalewski, 542–43.

COVID-19 and Anti-Asian Racism

At the beginning of the COVID-19 pandemic in 2020, some Republican politicians created a racial association between the coronavirus and Chinese people through their rhetoric. President Trump in particular led the charge by calling the disease “kung flu” at multiple rallies³ and coining the term “Chinese virus” on Twitter.⁴ This association eventually expanded to conflate all AAPI individuals with the spread of COVID-19. This rhetoric transformed Asian Americans from the “Model Minority,” a relatively privileged racial group, into the “Yellow Peril”⁵ and justified violence against APIDA communities throughout the U.S. Between March 19, 2020 and September 30, 2021, 10,370 hate incidents against APIDA people were reported to Stop AAPI Hate, a nonprofit that collects data on anti-Asian hate incidents. 55.7% of those hate incidents occurred in 2021,⁶ indicating that this is an ongoing and very relevant problem.

Chu has been extremely active in addressing anti-Asian hate during this time. One of her primary means of action was to sponsor or cosponsor bills that fit Chaturvedi’s definition of Asian American Policy Proposals (AAPPs) in the 116th Congress, especially during the early months of 2020. Chaturvedi argues that bill sponsorship and cosponsorship are good examples of substantive representation, as they require the representative to devote resources and clearly declare their position on issues. Furthermore, he writes that bill sponsorships also serve as a path to advance minority interests.⁷ In this chapter I will grapple with whether actions without

³ “Trump Once Again Calls Covid-19 Coronavirus The ‘Kung Flu.’” “Kung flu” plays on the name of the Chinese martial art “kung fu”, and conflates both the art itself and Asian-Americans with this disease. This is particularly insulting given the stereotypes of Chinese-American actors like Bruce Lee who came to prominence for martial arts movies.

⁴ Reja, “Trump’s ‘Chinese Virus’ Tweet Helped Lead to Rise in Racist Anti-Asian Twitter Content.”

⁵ In the late 19th and early 20th centuries, Asian Americans were willing to work for lower wages than local white communities, which sparked fears that the white and Western world would be overwhelmed by foreigners. The most exemplifying cartoon character of the “Yellow Peril” is Dr. Fu Manchu. It was only in the late 20th century that the concept of the “Model Minority” came into existence, to pit minority groups fighting for civil rights against each other.

⁶ “National Report (through September 2021).”

⁷ Chaturvedi, “Evaluating Asian American Representation through Bill Sponsors and Cosponsors from 1999 to 2009,” 317–18.

material impact, such as sponsoring a bill that never leaves a committee, can be considered substantive representation. It is harder to evaluate such actions as they do not tangibly affect the wider APIDA community. However, due to time and agenda constraints, a large number of bills fail to leave committee or to pass on the House floor every year. Limiting my definition of substantive representation to bills that are made into law is impractical and unfair to legislators, who have to juggle multiple priorities. In my definition of substantive representation, any independent action taken in the interest of APIDA communities suffices. Introduction and cosponsorship fall within this grouping.

I will analyze some of Chu's bills from three major categories: information about COVID-19 and relief aid; addressing hate incidents and rhetoric; and immigration. These three buckets most directly address the specific issues APIDA communities face during the pandemic. In the first category, Chu introduced H.R. 6040, the Small Business Relief from Communicable Disease Induced Economic Hardship Act, along with Representatives Nydia Velazquez (D-NY-7) and Grace Meng (D-NY-6). This bill would have provided interest-free loans for small businesses impacted by COVID. Unfortunately, it never left the Small Business Committee, but the act of introduction and the content of the bill itself are substantive representation. Chu directly tied this issue to APIDA communities, specifically APIDA small business owners, and had them in mind when drafting this bill. In a press release about the introduction of the bill, Chu stated, "In my district, some Asian-owned businesses are reporting a 50% drop in customers, and that's the case elsewhere around the country as well... This bill would help by providing necessary assistance to help our Asian-owned businesses continue to operate."⁸ She also notes here that this doesn't only affect people who live in her district but all APIDA people, which draws on Gamble's idea of a national constituency for minority representatives. Chu clearly feels

⁸ "Velazquez, Chu, Meng Bill Would Assist Small Businesses Harmed by Coronavirus," 1.

obligated not only to APIDA people within her district, but to all APIDA people across the U.S. Chu's goal with this policy proposal was to keep APIDA restaurants operating, which is both very concrete and would have a tangible impact on people's lives. For this reason, this bill is an example of substantive representation.

In the second bucket, responding to anti-Asian hate, Chu sponsored H.R. 908. The very short resolution, which condemned anti-Asian sentiment, included statistics and context to explain the spike in anti-Asian hate, leveraging quotes and anecdotes. It ends with a general call from the House of Representatives to all public officials to condemn discrimination, work to stop hate crimes, and to prioritize diversity and inclusion in American society.⁹ Unlike H.R. 6040, there is no tangible action this bill proposes or any particulars about funding. It has a desired outcome - an end to attacks on APIDA communities - but no concrete way to carry it out. It does call on public officials working at other levels of government to act, but does not provide them with help or funding and does not take action itself. With all this in mind, I have to consider very closely whether this would be substantive or symbolic representation.

Pitkin writes that symbolic representation focuses on making people feel a certain way, rather than carrying out tangible action.¹⁰ This resolution definitely intends to make people feel comforted and acknowledged. One of the early sentences of the resolution reads, "Whereas in March 2020, anti-Asian violence includes: a woman wearing a mask was kicked and punched at a New York City subway station; two children and two adults were stabbed at a wholesale grocery in Midland, Texas; a couple was assaulted and robbed by a group of attackers in Philadelphia; and a 16-year-old boy was sent to the hospital after being attacked by bullies in Los Angeles, California."¹¹ Pitkin would argue that since the impact is mostly emotional and

⁹ Meng, "Text - H.Res.908 - 116th Congress (2019-2020)."

¹⁰ Pitkin, *The Concept of Representation*, 107.

¹¹ Meng, "Text - H.Res.908 - 116th Congress (2019-2020)."

unquantifiable, this bill would be symbolic representation. However, I would push back on this limit to substantive representation. At a time when Asian Americans were feeling unseen and unheard by police forces, college administrations, and mainstream white society, reading such a sentence is cathartic and emotionally empowering. This resolution responds to APIDA emotional needs and thus is substantive. H.R. 908 is a case where symbolic and substantive representation overlap. Such resolutions show that the latter can encompass the former. In the previous chapter, I discussed the national apology in the CLA to Japanese-Americans. The apology on its own had no tangible impact, but it did serious emotional work by admitting the government's failure and committing to restitution. Caring for emotional needs is a significant and overlooked aspect of policy that should not be eliminated from the definition of substantive representation.

Also in the bucket of addressing hate crimes and rhetoric, Chu cosponsored H.R. 6721, the COVID-19 Hate Crimes Act. This act intends to increase the federal government's oversight of COVID-related hate crimes. It would create a new position at the Department of Justice to track and respond to hate crimes, and to provide resources to victims. This bill also contains a previous piece of legislation known as the Jabara-Heyer NO HATE Act, which Chu sponsored before it became absorbed by H.R. 6721. The provision would implement a National Incident Based Reporting System (NIBRS), which would enhance law enforcement's hate crime reporting capabilities.¹² In contrast to H.R. 908, this bill takes tangible action against anti-Asian hate crimes. It improves the resources available to both government agencies and to victims. Reporting capabilities are especially critical because, as Chu states, "we cannot fight hate crimes without fully understanding the scope of the problem."¹³ The COVID-19 Hate Crimes Act would help provide justice for victims of hate crimes, making this legislation substantive.

¹² "CAPAC Members, Speaker Pelosi, and House Colleagues Praise Passage of COVID-19 Hate Crimes Act," 1.

¹³ "CAPAC Members, Speaker Pelosi, and House Colleagues Praise Passage of COVID-19 Hate Crimes Act," 1.

The third and final category, immigration, is a critical issue for APIDA communities. 57% of Asian-Americans, including 71% of Asian-American adults, were born in another country. However, only 14% of the general American population, and 17% of all American adults, were born elsewhere.¹⁴ This creates an inherent connection to immigration laws, and an interest in preserving ways to either enter or to stay in the United States. APIDA communities relate very strongly to the idea of the “perpetual foreigner,” a stereotype that suggests that White society will always view ethnic minorities as never truly belonging in the country.¹⁵ As a Chinese-American, Chu also has a very personal and historical tie to immigration laws. In 1882, President Chester Arthur passed the Chinese Exclusion Act, which banned Chinese immigration for 10 years and prohibited them from becoming naturalized citizens. Ten years later, Chinese immigration became completely illegal. The Act opened up avenues to restrict immigration against other Asians, including South Asians and Japanese people. It was only in 1943 when Chinese immigrants and their American-born children finally became eligible for citizenship.¹⁶ When Chu introduced bills in this bucket, this long history of exclusion likely influenced her actions. She wanted to prevent something similar from happening again.

Immigration restrictions during early 2020 mimicked their predecessors in form and intent. Claiming that he wanted to cut off the spread of coronavirus, Trump had announced travel restrictions on foreign nationals from Myanmar, Kyrgyzstan, and other Muslim countries on January 31, 2020;¹⁷ from China on February 2, 2020; and from Iran on February 28, 2020.¹⁸ Chu introduced H.R. 6065 to Congress shortly afterward, on March 3, 2020. H.R. 6065 would have mitigated this by prohibiting federal agencies like the Transportation Security Administration

¹⁴ Budiman and Ruiz, “Key Facts about Asian Americans, a Diverse and Growing Population.”

¹⁵ Huynh, Devos, and Smalarz, “Perpetual Foreigner in One’s Own Land.”

¹⁶ Staff, “Chinese Exclusion Act.”

¹⁷ Kanno-Youngs, “Trump Administration Adds Six Countries to Travel Ban.”

¹⁸ “Perspective | Trump’s ‘Early’ Travel ‘Bans’ Weren’t Early, Weren’t Bans and Didn’t Work.”

(TSA) and the Department of Homeland Security (DHS) from using federal funding, resources, or fees to enact these travel restrictions.¹⁹ Under the same topic, Chu also introduced H.R. 6437, or the Coronavirus Immigrant Families Protection Act. This bill would have ensured equitable access to COVID-19 testing, treatment, information, and relief benefits to immigrants regardless of their citizenship status or English proficiency.²⁰

These bills are interesting to examine because neither made it out of committee. Chu introduced both early in 2020, but no action has been taken on either since April of that same year. In the previous chapter on Patsy Mink, I examined whether she provided substantive representation by using data, but I can't do this here. In this case, I can think about a different way to evaluate whether this is substantive: the potential impact of Chu's actions. For H.R. 6065, its passage would have allowed foreign nationals to keep entering the United States. The people disproportionately impacted by Trump's travel restrictions were potential immigrants and often from Muslim or Asian countries.²¹ Immigration to the United States would have allowed them to resettle, search for work, or reunite with their families. For H.R. 6437, the impact would have ultimately been their health and potentially their lives. Both bills could have made a significant impact on APIDA communities, and are therefore substantive representation. These bills also meet the standard I typically use throughout this thesis: independently taken action that addresses the needs of APIDA communities. The needs met here are social, economic, and health-related.

However, this method of examining potential, tangible impact is limiting. It cuts out certain types of impacts, especially those that are not quantifiable. Under this method, psychological and emotional impact would not be considered. Ignoring them would prevent acknowledgment of discrimination and historic harm from being part of substantive

¹⁹ Chu, "Text - H.R.6065 - 116th Congress (2019-2020)."

²⁰ Chu, "Text - H.R.6437 - 116th Congress (2019-2020)."

²¹ Kanno-Youngs, "Trump Administration Adds Six Countries to Travel Ban."

representation. For minority communities, such acknowledgment is vital to their inclusion in American society.

On multifaceted issues like the effect of COVID-19 on the APIDA community, representatives have multiple opportunities to act on behalf of their constituents. I have only examined a very small portion of Chu's actions, as she is an extremely active representative not only on this issue but in general. However, I have discovered that the same representative can provide substantive and symbolic representation at the same time when the definition of the former is opened up to include constituents' emotional needs.

Chu also leveraged CAPAC to work on this issue. As the chair, she has CAPAC-specific staffers who work in her personal office and take charge of strategic direction and media production. Many CAPAC statements and actions originate in her office and are thus a direct expression of her sentiments. In responding to the COVID-19 pandemic, CAPAC's actions included releasing statements and guidance for other Congressional offices.

On February 26, 2020, CAPAC released a letter intended to guide the rhetoric of Congress. The letter asked "all Members of Congress to share only confirmed and verifiable information about COVID-19 and dispel misinformation"²² and emphasized that "sharing inaccurate information or unconfirmed reports runs the risk of increasing fears and inciting violence,"²³ particularly for Asian-Americans. Over a year later, CAPAC issued another document that sought to provide advice for representatives when they spoke about China and its government. Guidelines included using official names for COVID-19 and avoiding terms like "Chinese virus," specifically referencing the Chinese Communist Party instead of blaming China

²² "As Coronavirus Fears Incite Violence, CAPAC Members Urge Colleagues to Not Stoke Xenophobia."

²³ "As Coronavirus Fears Incite Violence, CAPAC Members Urge Colleagues to Not Stoke Xenophobia."

as a country or Chinese-American immigrants, and not implying that Chinese people and Chinese-Americans are enemies of the United States.²⁴

Both statements discuss two important concepts: the link between rhetoric and violence, and the responsibility of elected representatives. In the July 2021 statement, CAPAC argued that hateful rhetoric leads directly to violence. The statement linked the fearmongering following the 1947 attack on Pearl Harbor and Japanese-American internment, fear of rising Japanese economic power and Vincent Chin's murder, and post-9/11 Islamophobia and hate crimes against South Asians.²⁵ The February 2020 letter established a new parallel for the COVID-19 pandemic. It noted the connection between hurtful rhetoric that constructed stereotypes Asian-Americans as carriers of COVID-19, and recent attacks on APIDA communities across the United States.

It also claimed that members of Congress had an obligation to use their platform and power to discourage hateful rhetoric and violence.²⁶ CAPAC's July 2021 letter went one step further by writing, "As Members of the House of Representatives, we have an opportunity to model responsible rhetoric."²⁷ These statements linked a representative's job duties to preventing violence against APIDA-identifying constituents. As leaders on a national level, representatives have a unique platform to influence their constituents. These CAPAC letters recognize this opportunity and encourage representatives to use it with positive intentions toward APIDA communities. Prevention of violence directly affects people's lives and health, and thus these statements are a form of substantive representation.

²⁴ "CAPAC Leaders Issue Guidance on Anti-China Messaging and Anti-Asian Violence." In 1982, Vincent Chin was murdered in a racially motivated attack by two white men, who assumed that Chin was Japanese. As one of the men had just lost his job as an autoworker, and Japan's automobile industry was growing, they blamed him for its success.

²⁵ "CAPAC Leaders Issue Guidance on Anti-China Messaging and Anti-Asian Violence."

²⁶ "As Coronavirus Fears Incite Violence, CAPAC Members Urge Colleagues to Not Stoke Xenophobia."

²⁷ "CAPAC Leaders Issue Guidance on Anti-China Messaging and Anti-Asian Violence."

Minta and Brown write that caucuses are a critical means of advocacy for minority legislators. Caucus meetings provide physical space and time for representatives who might not otherwise meet to do so, clear forums for specific issues, and bases of political and emotional support. While Minta and Brown discuss caucuses as a way for legislators of the same race to talk through issues surrounding gender,²⁸ CAPAC facilitates discussion on APIDA issues between those of different races. Its membership includes non-APIDA identifying members, such as House Speaker Nancy Pelosi, who is white, and Representative Jimmy Gomez, who is Latinx. So the caucus serves as a space not only for APIDA-identifying legislators to work with each other, but for non-APIDA legislators to learn how they can best support the APIDA community. As chair, Chu is in charge of this unique space. Her leadership of CAPAC is without a doubt substantive representation of APIDA constituents.

Mink versus Chu: Bridge Feminism over Time

As the only two female chairs of CAPAC, Chu and Patsy Mink have much in common. Although they experienced different institutional and social environments, they shared a commitment to advocacy and coalition-building. In their analysis of Chu's advocacy in early 2020, Feng and Lien wrote that female APIDA legislators with a prior record of advocacy were more responsive to the impact of COVID-19. They posit that these legislators' style of bridge feminism, connecting grassroots advocacy movements to institutions, made them more likely to serve the APIDA community and also those who are intersectionally disadvantaged, like Asian women or LGBTQ+ Asians, for example.²⁹

²⁸ Minta and Brown, "Intersecting Interests," 257.

²⁹ Jeff L Feng, "AAPIs in Congress," 21–22.

As a consistent advocate for the marginalized, Mink built a coalition of all races, including Edith Green, a White woman, and Shirley Chisholm, a Black woman, to ensure passage of Title IX. Similarly, Chu has allied with legislators of all identities since she first became involved in politics. Her district when she first joined the California State Assembly was majority Latinx, and she had a strong reputation for helping the Latinx community.³⁰ To pass bills like H.R. 908 and the COVID-19 Hate Crimes Act through the House, she needed a cross-racial coalition as well. Cosponsors of H.R. 908 included Ayanna Pressley, a Black representative from Massachusetts; Joaquin Castro, the former chair of the Congressional Hispanic Caucus from Texas; and Bill Posey, a Republican from Florida.³¹

Interestingly, while Mink never spoke specifically about Title IX and Asian-American women, Chu has always made the racial connection of her legislation clear. This could be a natural result of her leadership duties as chair of CAPAC, the disproportionate impact of hate on Asian-Americans, or simply the timeframe of her political career, which came after the development of intersectional thought.

Mink and Chu also faced crises which required them to spend significant political capital and emotional energy. Hawkesworth describes the welfare reform fight between 1993 and 1996, which Mink and other female minority legislators were heavily involved in. Hawkesworth argues that these legislators were concerned about the racial stereotype of welfare recipients as unmarried mothers of color who didn't want to work and would rather live off welfare payments.³² As Congress wrote its welfare reform legislation, it considered this stereotype and decided to prioritize the mindset of personal responsibility. Instead of addressing structural causes of poverty, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

³⁰ Winton, "Chu Is Known as a Bridge-Builder."

³¹ Meng, "Text - H.Res.908 - 116th Congress (2019-2020)."

³² Hawkesworth, "Congressional Enactments of Race-Gender," 541.

removed immigrants and unmarried teenage mothers from welfare eligibility, decreased federal spending on entitlement programs, and set stricter conditions for recipients.³³ Clearly, the stereotype of the “welfare queen” harmed Mink’s efforts to expand welfare services. Rather than providing more assistance, the government shrank available resources. Furthermore, the carve outs of unmarried teenage mothers and immigrants in this legislation impacted how the American public viewed welfare recipients. Congress didn’t simply show general American thinking about who received welfare, but actively perpetuated stereotypes.³⁴ Hawkesworth interprets Mink’s intense involvement in this welfare reform fight as a form of resistance, and a way to express her anger, against Congress’ “racing-gendering,” or the institutional policies that excluded racial and gender minorities.³⁵

I can apply Hawkesworth’s analysis to Chu’s advocacy during the COVID-19 pandemic. Trump and Republican legislators drew on stereotypes of Asian-Americans as “diseased” or “dirty” people, and “perpetual foreigners,” to create a scapegoat for COVID-19. These stereotypes became part of their rhetoric and policymaking, which in turn worsened public perception of APIDA communities. This personally affected Chu and directly motivated her advocacy through bills and statements during this time. Like Mink during welfare reform, she too expressed her anger through intense involvement in the legislative process, and I see her flurry of activity as a form of resistance against the virulent racism and attacks on APIDA communities.

Unfortunately, Mink was unsuccessful in arguing for her side on welfare reform. In contrast, Chu achieved success across a broad base of Congressional support with resolutions like H.R. 908 and the COVID-19 Hate Crimes Act. They both used their anger as a powerful

³³ Hawkesworth, 541–42.

³⁴ Hawkesworth, 545.

³⁵ Hawkesworth, 544–45.

weapon to force a white and male-dominated institution, a representation of the patriarchy, to include marginalized perspectives. Anger is an indication of priorities and the direction that constituents, and thus representatives, want to take.³⁶ Interestingly, their modes of action to express this emotion used the very practices and norms of the institution. Mink spoke ceaselessly on the floor; Chu introduced legislation. These actions are fundamentally tied to the purpose of the House of Representatives and the overall legislative branch of government. Both sincerely believed that they could make change through the very systems that treated them badly. This speaks to both women's desires to be included in American society and politics, with, as historian Judy Wu describes, the full "political authority normally reserved for the white, male subject."³⁷ It is an understandable and aspirational desire.

Conclusion

I interned for Representative Chu between January 2020 and March 2020, right as the COVID-19 pandemic began to affect the United States. I was and still am honored to observe her work as the chair of CAPAC, and how she uses that position to advocate for APIDA communities. Over these past two and a half years, Chu has been a prominent voice fighting against anti-Asian hate. She has addressed inequitable access to COVID-19 resources, racist rhetoric and violent attacks, and immigration. I find that within the legion of bills she has sponsored, there are some which were definitely substantive and some which blur the lines between substantive and symbolic representation. I also discuss the role of CAPAC and how Chu's leadership of this caucus is another example of her substantive representation of APIDA communities. Finally, I compare Chu to her only female predecessor in the chairmanship, Patsy

³⁶ Traister, *Good and Mad*, 245.

³⁷ Wu, "The Dead, the Living, and the Sacred," 318.

Mink. Both representatives were committed to bridge feminism, and their intense involvement in certain legislative fights demonstrated resistance against the racism and sexism they personally experienced in Congress. While I can only look back at Mink's work with the rose-colored glasses of hindsight, I can admire Chu now for her courageous leadership, sincerity, and kindness.

Chapter 5: Conclusion

My thesis examines the impact of APIDA identity on substantive political representation for that same community. Relative to their presence in the general American population, Asian-Americans are underrepresented in the House of Representatives, which should be the easiest avenue for them to gain descriptive representation. Yet racial affiliation does not guarantee that representatives will provide material gains or advocate for the national APIDA community. I attempt to cross the gap between descriptive and substantive representation and prove that identity has an impact on the issues representatives work on and/or the intensity with which they advocate. I examine a range of issues, from the nonspecific (Title IX) to those focused on all Asian-Americans (COVID-related anti-Asian hate) to the hyper-specific (redress for Japanese-American internment).

Substantive political representation can be defined in multiple ways. I argue that there are two major components: action using the unique powers of political office, and a connection to people's desires. Given the difficulty of passing a bill through both chambers of Congress, defining substantive representation as merely an outcome or impact visible and tangible for the national APIDA community is severely limiting. Representatives have a wide range of unique actions available to them within the institution, and I include these actions in my definition too. This has allowed me to examine the many ways in which a representative can work on an issue. It also allows me to understand the politicians I write about not only as upstanding, outspoken moral authorities, but as strategists.

I have analyzed the actions of these three representatives through two lenses: of strategy and of personal experience. Both have major influence on what a representative says and does. For contentious issues, one potential strategy can be removing all references to race. Patsy Mink

worked closely with Edith Green, who believed that sex discrimination was vastly more important than racial discrimination. Mink did not reference race during hearings in front of Green's subcommittee, which may indicate her recognition of Green's rankings of discrimination and the political necessity of silence to advance her own interests. Norman Mineta knew well that the American public would not take kindly to giving Japanese-Americans, one small subsection of its population, reparations without a link back to societal values. He connected monetary payments and a national apology, both elements of the CLA, to fundamental American values of constitutional rights, morality, and justice. His rhetoric also removed racially explicit references to Japanese-Americans as a subgroup, instead focusing on their humanity and inherent right to belong to American society.

My conclusions about political strategy are tied to the idea of coalition building and political alliances. Why did Mink want to preserve a working relationship with Green? Why did Mineta want to create a connection between the CLA and cornerstone American values? Both wanted to appeal to representatives who did not share their experiences. Without an alliance of colleagues who believed in their cause, they could never have passed these bills. Coalition building is not only an exercise in political strategy, but an exercise in sharing power. The more people who support your cause, the more power you have. Depending on the issue at hand, some groups have more power than others. Sharing some of your power at a moment when others need it is a gesture that may be reciprocated later.

The second lens I use to examine representatives' actions is that of personal experience. I have selected issues that are closely tied to identity. Mink was rejected multiple times from medical school, law firms, and from Congress on the basis of her gender. When she spoke about Title IX, she clearly stated the impact of these events on her work. The overemphasis on her

gender is potentially another reason for her omission of race in her dialogue. Mineta spent formative years of his childhood in an internment camp. Naturally, he sought to right that major wrong, and to help others who had the same experience. It drove him through decades of work before, during, and after the passage of the CLA. There could be no greater motivator for his willingness to wait for the general American public to catch up to his viewpoint than that the Japanese-American community deserved redress. While he waited, he tried to improve the lives of former internees and build up to the CLA in smaller ways. As CAPAC chair, Chu was incredibly attuned to the rise of anti-Asian hatred during the COVID-19 pandemic. She listened to her colleagues' stories about the violence they experienced, and most likely feared for her elderly family and community members. This fear and resentment against racism no doubt added to the urgency with which she introduced relevant legislation to Congress.

Two of my case studies, Mink and Chu, are women. Their gender shaped their experiences in Congress and their legislative styles. With previous histories of advocacy, both exemplify the term "bridge feminism," a style of feminism that connects grassroots advocates to institutions. Their race and gender combined to create an atmosphere where they were demeaned and undervalued, and both responded in anger. This powerful emotion is a form of resistance and a means to upend patriarchal norms of Congress. While I am able to compare and contrast Mink and Chu on multiple topics, I struggled to write on Mineta and how gender played into his experience. Perhaps this struggle suggests Mineta's ease into assimilating into the "old boys' club" on the basis of gender, if not race. Mineta was known for being friendly and sociable, but having those characteristics is easier if your way "in" isn't restricted on an arbitrary basis.

My thesis suggests implications for both members of the APIDA national constituency and Asian-American representatives. The most obvious would seem to be electing more

Asian-American representatives to Congress. Even though I suggest a link between identity and representation, and although this might bring a wider range of voices to Congress, relying on elections alone would do injustice to the idea of substantive representation. For members of the public, my research should motivate a critical examination of political representatives. What groups are they supporting and why? How are they supporting your own interests? What actions are they taking, beyond giving performative statements meant only for the audience? My analysis of gender and coalition building should also lead people to consider their relative privileges and power respective to others. If political representatives can leverage their status to help out-groups, as Mink used her political powers to support the NHPI community, then we too can use whatever advantages we have to help others.

Political representatives should consider what grounds their beliefs and actions. If they want to provide their constituents with substantive representation, there should not only be principles driving them, but also a connection to some portion of the public. The “public” can be an interest group. It can be high schoolers. It can be an entire community. However, if your action does not connect to someone else’s opinion, it cannot be substantive representation.

Although they encompass a wide range of issues and affect a variety of communities, my case studies all examine East Asian representatives. This is due to the issues I wanted to examine, but it conforms to a mainstream White idea of Asian as East Asian: Japanese, Chinese, or Korean. Although part of the Asian diaspora, South and Southeast Asians have different experiences in American society and often feel excluded by this monolithic idea of Asianness. This is ironic, considering Dalip Singh Saund, the first Asian-American elected to Congress, was of South Asian descent. Additionally, even though I write about nuclear testing in my chapter on Patsy Mink, which almost exclusively affects Pacific Islanders, there are many other issues for

the NHPI community. For example, others include American citizenship and federal aid for territories in the Pacific Ocean. Further research could focus on issues relevant to these groups or on politicians who identify with them. Potential case studies could include Dalip Singh Saund; Pramila Jayapal, one of the first Indian women elected to Congress; Stephanie Murphy, a Vietnamese representative from Florida; and Kai Kahele, a Native Hawaiian.

Many Southeast Asians and Pacific Islanders first entered Congress through the position of nonvoting delegate when the Philippines and Hawaii were still territories. Current territories like Guam and American Samoa still elect nonvoting delegates. Although limited in their political privileges, nonvoting delegates can provide a voice for people who live in these areas. Further research could examine both historical and current delegates. Notable names include Robert Wilcox, the first Native Hawaiian delegate elected for the territory of Hawaii; Manuel Quezon, who lobbied for Philippine autonomy; and Michael San Nicolas, who represents Guam and served as Vice Chairman for the Financial Services Committee in the 116th Congress.

Many of the names I suggest above, and all three of my case studies, are Democratic. While Asian-Americans as a whole lean to the left, there is definitely a sizable portion of the community that identifies as and votes conservative. To ignore them would create an incorrect image of AAPI political identity and continue the idea of the monolithic Asian-American community. Notable APIDA Republicans include Patricia Saiki from Hawaii, Young Kim from Orange County, and Amata Radewagen of American Samoa. Finally, further research can begin to examine Senators. While the presence of Asian-Americans is significantly limited here due to the difference in size between the two legislative chambers, an analysis of senators' work can reveal insights about this chamber's norms. A starting list of Senators for research might include Daniel Inouye of Hawaii, Mazie Hirono of Hawaii, and Tammy Duckworth of Illinois.

No matter their ethnic identity, party affiliation, or political office, all representatives should be evaluated not only by the standards of efficacy and morality, but by their connection to the public and the actions they take. In this way we can guarantee representation for racial minorities and the marginalized. Ultimately, my thesis asks if the powerful use their advantages for the powerless. Patsy Mink, Norman Mineta, and Judy Chu certainly did. They are examples and leaders for upcoming representatives.

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