

No. 12-71

IN THE
Supreme Court of the United States

ARIZONA, ET AL.,

Petitioners,

—v.—

THE INTER TRIBAL COUNCIL OF ARIZONA, INC., ET AL.,

Respondents.

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE NINTH CIRCUIT

**AMICUS CURIAE BRIEF OF THE ASIAN
AMERICAN LEGAL DEFENSE AND EDUCATION FUND
IN SUPPORT OF THE RESPONDENTS**

GLENN MAGPANTAY
JERRY VATTAMALA
ASIAN AMERICAN LEGAL DEFENSE
AND EDUCATION FUND
99 Hudson Street, 12th floor
New York, NY 10013
(212) 966-5932
gmagpantay@aaldef.org
jvattamala@aaldef.org

MICHAEL D. NOLAN
Counsel of Record
MILBANK, TWEED, HADLEY
& McCLOY LLP
1850 K Street NW, Suite 1100
Washington, DC 20006
(202) 835-7500
mnolan@milbank.com
Counsel for Amicus Curiae

January 22, 2013

(additional *amici* listed on inside cover)

Additional *Amici*

The following additional *amici curiae* consist of Asian American organizations in states that have proof-of-citizenship laws similar to Arizona's or whose state legislatures are considering such laws, and have conducted voter registration drives.

Alliance of South Asian American Labor
Asian and Pacific Islander American Vote – Michigan
Center for Pan Asian Community Services, Inc.
Chhaya Community Development Corporation
Chinese Community Federation of Atlanta
Coalition of Asian Pacific Americans of Virginia
Korean American Civic Empowerment
Korean Americans for Political Advancement
MinKwon Center for Community Action
Organization of Chinese Americans – Georgia
Organization of Chinese Americans – Greater Houston
Taking Our Seat

QUESTION PRESENTED

Whether the Ninth Circuit, sitting *en banc*, correctly held that the NVRA's "accept and use" mandate preempts an Arizona law requiring that its local elections officials reject the Congressionally mandated Federal Form to the extent that the applicant does not provide state-required documentation, even where the applicant satisfies the Federal Form's requirements.

TABLE OF CONTENTS

	Page
QUESTION PRESENTED.....	i
TABLE OF AUTHORITIES.....	iii
INTEREST OF <i>AMICI CURIAE</i>	1
SUMMARY OF ARGUMENT.....	2
SUMMARY OF THE CASE.....	4
The NVRA’s Registration Provisions	4
Proposition 200	5
Asian Americans in Arizona	6
Similar Proof-of-Citizenship Laws in Other Jurisdictions	7
ARGUMENT.....	8
Proposition 200 Creates Barriers to Voting and Registration for Asian American Voters	8
CONCLUSION.....	13
APPENDIX	App. 1

TABLE OF AUTHORITIES

	Page(s)
CASES	
<i>Gonzalez v. Arizona</i> , Nos. 08-17094, 08-17115 (9th Cir. filed Feb. 2, 2009)	11
<i>Zobel v. Williams</i> , 457 U.S. 55 (1982) (O'Connor, J. concurring)	8
STATUTES	
42 U.S.C. § 1973gg, <i>et seq.</i>	1
42 U.S.C. § 1973gg(a)	4
42 U.S.C. § 1973gg(a)(3)	2
42 U.S.C. § 1973gg(b)	4
42 U.S.C. § 1973gg-4(a)(1)	2, 4
42 U.S.C. § 1973gg-7	2
42 U.S.C. § 1973gg-7(b)	4
Act of March 2, 1907, § 3, 34 Stat. 1228, 34 Stat. 1228 (1907)	9
Ariz. Rev. Stat. §§ 16-152, 16-166	6
Ariz. Rev. Stat. §§ 16-152, 16-166, 16-579 (LexisNexis 2011)	3
Ariz. Rev. Stat. § 16-166(F)	4, 5
Ariz. Rev. Stat. § 16-166(F)(4)	10
Cable Act, 42 Stat. 1022 (1924)	9
Chinese Exclusion Act, 22 Stat. 58 (1882) (repealed 1943)	9
Immigration Act of 1917, ch. 29, 39 Stat. 874, 874-98	9

Immigration Act of 1924, ch. 190, 43 Stat. 153. . . .	9
Immigration Reform and Control Act of 1986.	5
National Voter Registration Act.	1, 2, 4
Proposition 200.	<i>passim</i>

FOREIGN STATUTES

Philippine Independence Act of 1934.	9
--	---

TREATIES

The Burlingame Treaty of 1868, U.S.-China, 16 Stat. 739 (1868)	9
---	---

OTHER AUTHORITIES

2011 American Community Survey, 1-Year Estimates S0501, Selected Characteristics of the Native and Foreign-Born Populations, Arizona, 2011	6
Georgia's proof-of-citizenship law, SB 86	7
Letter from Asian Amer. Legal Advocacy Ctr. of Georgia to GA Sec'y of State Brian Kemp, Re: 574 Unprocessed and Challenged Voter Registration Applicants, October 31, 2012, available at http://aalegal.org/2012/10/31/aalac-sends-open-letter-to-secretary-of-state-on-behalf-of-574-new-voters-who-have-not-been-processed/	7, 12

N-565, Application for Replacement Naturalization/Citizenship Document, http://www.uscis.gov/portal/site/uscis/ menuitem.5af9bb95919f35e66f61417 6543f6d1a/?vgnextoid=a910cac09aa5d 010VgnVCM10000048f3d6a1RCRD& vgnnextchannel=db029c7755cb9010Vgn VCM10000045f3d6a1RCRD	12
U.S. Census Bureau, American FactFinder.....	6
U.S. Census Native and Foreign-Born Populations Data.....	11
Voter Registration and Education, http://www.azsos.gov/election/ VoterRegistration.htm#Proof	11

ARTICLES

Kristen Clarke, <i>The Congressional Record</i> <i>Underlying the 2006 Voting Rights Act: How Much Discrimination Can the Constitution Tolerate?</i> 43 Harv. C.R.-C.L. L. Rev. 385 (2008)	10
Shelley de Alth, <i>ID at the Polls: Assessing the Impact of Recent State Voter ID Laws on Voter Turnout</i> , 3 Harv. L. & Pol'y Rev. 185, 193 (2009)	10
Election 2012: Voting Laws Roundup (Oct. 16, 2012), http://www.brennancenter. org/content/resource/2012_summary_of voting_law_changes/#edn2	7, 8
Glenn D. Magpantay, <i>Asian American Access to the Vote: The Language Assistance Provisions (Section 203) of the Voting Rights Act and Beyond</i> , 11 Asian L.J. 31 (2004).....	10

INTEREST OF *AMICI CURIAE*¹

The Asian American Legal Defense and Education Fund (“AALDEF”) is a national civil-rights organization based in New York, New York. AALDEF promotes and protects the civil rights of Asian Americans through litigation, legal advocacy, and community education. A significant component of AALDEF’s mission is to ensure that Asian Americans have an equal opportunity to participate in the voting process. To that end, AALDEF advocates on behalf of Asian American voters and conducts voter registration drives, voter education events and voter protection activities.

The Asian American *Amici*² submit this brief in support of Respondents for two reasons: (i) to help ensure that Asian American citizens, both native-born and naturalized, enjoy the same access to the polls as all other citizens; and (ii) to draw this Court’s attention to the hurdles Asian American and other minority voters will encounter as a result of Proposition 200—hurdles that conflict with the stated purpose of the National Voter Registration Act (the “NVRA”), 42 U.S.C. § 1973gg, *et seq.*³

¹ No party to this litigation, nor its counsel, either authored the brief in whole or in part or contributed money that was intended to fund preparing or submitting the brief. Also, no person—other than the *amici*, or its counsel—contributed money that was intended to fund preparing or submitting the brief. Additionally, there is no parent or publicly held company owning 10% or more of the *amici*’s stock.

² The “Asian American *Amici*” include AALDEF and other organizations that represent Asian American voters and have conducted voter registration drives, voter education events, and election protection activities on Election Day listed in the Appendix.

³ All parties consent to the filing of this brief.

SUMMARY OF ARGUMENT

The Asian American *Amici* incorporate by reference the preemption arguments stated in the Brief of Respondents The Inter Tribal Council of Arizona, Inc. that Arizona's Proposition 200 is preempted by the NVRA and respectfully refer the Court to the Respondents' brief.

We write to demonstrate to the Court that Proposition 200 is void because it creates unnecessary and discriminatory barriers to the fundamental right to vote, specifically for the Asian American community.

In 1993, Congress enacted the NVRA, which was designed, among other things, to eliminate “discriminatory and unfair registration laws and procedures [that] can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups including racial minorities.” 42 U.S.C. § 1973gg(a)(3). To that end, Congress charged the Election Assistance Commission (the “EAC”) with developing a federal voter-registration form for federal elections (the “Federal Form”), which would (i) specify voter eligibility requirements, including citizenship; and (ii) require the signature of the applicant under penalty of perjury. *See id.* § 1973gg-7. The NVRA further required that “[e]ach State . . . accept and use” the Federal Form. *Id.* § 1973gg-4(a)(1).

In 2004, despite the NVRA's “accept and use” requirement, Arizona enacted Proposition 200, which mandates that its local elections officials reject new voter applications unless applicants provide documentary proof of citizenship in addition to

completing the Federal Form. *See* Ariz. Rev. Stat. §§ 16-152, 16-166, 16-579 (LexisNexis 2011). According to its “findings and declaration” section, Proposition 200 was enacted to “declare that the public interest of [Arizona] requires all public agencies within [Arizona] to cooperate with federal immigration authorities to discourage illegal immigration,” presumably to maintain the integrity of voting in Arizona. Instead, Proposition 200 greatly diminishes the integrity of the voting process by erecting barriers to voting for naturalized citizens, many of whom are minorities.

In practice, the Arizona initiative makes it more difficult for naturalized citizens to register to vote. Proposition 200’s call for “satisfactory evidence” of citizenship is a particularly high hurdle for the Asian American citizens of Arizona, approximately 40% of whom are naturalized. *See id.* § 16-166(F). For example, under Proposition 200, although native-born citizens may simply mail copies of their U.S. birth certificates with their voter registration applications to register to vote, naturalized citizens must physically bring their original naturalization certificate, in person, to the voter registrar in Arizona. Additionally, a Naturalization Number (defined below), one of the forms of additional documentary proof of citizenship permitted under Proposition 200, cannot be verified with United States Citizenship and Immigration Services (“USCIS”), thus completely precluding that form of proof of citizenship. Instead of increasing the integrity of the voting process in Arizona, Proposition 200 limits voting access for actual citizens living in Arizona.

SUMMARY OF THE CASE

The NVRA's Registration Provisions

Congress enacted the NVRA to establish, among other things, “procedures that [would] increase the number of eligible citizens who register to vote in elections for Federal office” and “to protect the integrity of the electoral process.” *See* 42 U.S.C. § 1973gg(b). The NVRA states that “the right of citizens of the United States to vote is a fundamental right,” and “discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups including racial minorities.” *See id.* § 1973gg(a).

Section 4 of the NVRA requires that States accept and use the Federal Form. *Id.* § 1973gg-4(a)(1). The NVRA also dictates the contents of the Federal Form, which in pertinent part:

- (2) shall include a statement that—
 - (A) specifies each eligibility requirement (including citizenship);
 - (B) contains an attestation that the applicant meets each such requirement; and
 - (C) requires the signature of the applicant, under penalty of perjury;
 - (3) may not include any requirement for notarization or other formal authentication
-

Id. § 1973gg-7(b).

Proposition 200

Proposition 200 requires that the county recorder reject any voter registration application if the applicant has not provided “satisfactory evidence of citizenship.” See Ariz. Rev. Stat. § 16-166(F) (“The county recorder shall reject any application for registration that is not accompanied by satisfactory evidence of United States citizenship.”). Satisfactory evidence of citizenship may be established by providing one of the following:

- The number of the applicant’s Arizona driver’s license or state identification card, if the card is issued after October 1996, or the number of a license or an identification card from another State if the card states that the holder has provided satisfactory evidence of U.S. citizenship;
- A copy of the applicant’s U.S. birth certificate;
- A copy of the applicant’s U.S. Passport;
- A presentation to the county recorder of the applicant’s U.S. naturalization documents;
- The number of the applicant’s certificate of naturalization (the “Naturalization Number”);
- Other documents or methods of proof that are established pursuant to the Immigration Reform and Control Act of 1986; or

- The applicant's Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number.

Id. §§ 16-152, 16-166. Notably, if the applicant provides his or her Naturalization Number, the applicant will not be included in registration rolls until the Naturalization Number is verified with the United States Immigration and Naturalization Service⁴ by the county recorder. Such number cannot be verified with the federal government, however. Any application that furnishes only the Naturalization Number would be automatically rejected for that reason.

Asian Americans in Arizona

In Arizona, Asian Americans make up approximately 3% of the population, but approximately 21.3% of foreign-born naturalized citizens. Of the estimated 194,475 Asian Americans living in Arizona, approximately 35.9% are foreign-born naturalized citizens. White Americans make up 79.3% of the population and only 5.05% of White Americans are foreign-born naturalized citizens. *See* U.S. Census Bureau, American FactFinder; 2011 American Community Survey, 1-Year Estimates S0501, Selected Characteristics of the Native and Foreign-Born Populations, Arizona, 2011 (the "U.S. Census Native and Foreign-Born Populations Data"). Given these statistics, Asian Americans are at a disproportionate risk of disenfranchisement through the implementation of Proposition 200. This Court's

⁴ The United States Immigration and Naturalization Service is now known as the USCIS.

determination will have major implications on new Asian American citizens wishing to exercise their right to participate in the electoral process.

Similar Proof-of-Citizenship Laws in Other Jurisdictions

The Court's determination could potentially impact new Asian American citizens far beyond Arizona's borders. Four states—Georgia, Alabama, Tennessee and Kansas—have passed similar proof-of-citizenship laws.⁵ Notably, Georgia's proof-of-citizenship law, SB 86, closely mirrors Proposition 200 and has resulted in serious barriers to Asian Americans seeking to register to vote in Georgia. For example, as of October 31, 2012—only days before Election Day 2012—282 applicants had been flagged as requiring additional certification, mostly involving additional citizenship certification of newly naturalized citizens.⁶ Calls to county election boards inquiring about the flagged status only led to conflicting instructions and information.⁷ Volunteers from certain community-based organizations were told by the contacted counties that the challenged applicants received notification by mail; however, many applicants stated that they had received no

⁵ Election 2012: Voting Laws Roundup (Oct. 16, 2012), http://www.brennancenter.org/content/resource/2012_summary_of_voting_law_changes/#edn2.

⁶ Letter from Asian Amer. Legal Advocacy Ctr. of Georgia to GA Sec'y of State Brian Kemp, Re: 574 Unprocessed and Challenged Voter Registration Applicants, October 31, 2012, available at <http://aalegal.org/2012/10/31/aalac-sends-open-letter-to-secretary-of-state-on-behalf-of-574-new-voters-who-have-not-been-processed/>.

⁷ Id.

such notifications.⁸ In addition, 14 other states—California, Colorado, Connecticut, Maine, Massachusetts, Michigan, Missouri, New Hampshire, Nevada, Oregon, South Carolina, Texas, Virginia and Washington—have introduced legislation requiring proof of citizenship to register to vote.⁹

ARGUMENT

Proposition 200 Creates Barriers to Voting and Registration For Asian American Voters

Justice O'Connor wrote that:

The Constitution places the recently naturalized immigrant from a foreign land on an equal footing with those citizens of a State who are able to trace their lineage back for many generations within the State's borders.

See Zobel v. Williams, 457 U.S. 55, 68-69 (1982) (O'Connor, J. concurring). All eligible citizens, either naturalized or native-born, have the right to vote, which is engrained in the principles and text of the United States Constitution. Proposition 200 unfairly places additional barriers to this right on naturalized citizens—burdens that are not borne by native-born citizens.

Historically, Asian Americans have faced significant discrimination and barriers to political participation. For example, legislative efforts have

⁸ *Id.*

⁹ Election 2012: Voting Laws Roundup (Oct. 16, 2012), http://www.brennancenter.org/content/resource/2012_summary_of_voting_law_changes/#edn2.

limited the Asian American community's access to this country's borders. *See, e.g.*, Philippine Independence Act of 1934; Immigration Act of 1924, ch. 190, 43 Stat. 153 (denying entry to virtually all Asians; repealed 1952); Immigration Act of 1917, ch. 29, 39 Stat. 874, 874-98 (banning immigration from almost all countries in the Asia-Pacific region; repealed 1952). In 1868, just a few years before completion of the transcontinental railroad, the United States signed the Burlingame Treaty.¹⁰ This treaty denied citizenship to the Chinese laborers who built the railroad, and barred the wives of day laborers from entering the United States. Congress later passed the Chinese Exclusion Act,¹¹ which barred Chinese immigration for 10 years. After the Act expired, additional legislation required all Chinese immigrants to register with the government and carry proof of residency.¹² Similar restrictions barred citizenship for Chinese women who were married to American citizens,¹³ while the Cable Act¹⁴ threatened to strip Chinese American women of citizenship if they married foreign-born Asians.

Though such immigration policies were later abandoned and Asian Americans were eventually able to gain citizenship in the United States, discrimination against Asian Americans continued

¹⁰ The Burlingame Treaty of 1868, U.S.-China, 16 Stat. 739 (1868).

¹¹ Chinese Exclusion Act, 22 Stat. 58 (1882) (repealed 1943).

¹² *See id.*

¹³ Act of March 2, 1907, § 3, 34 Stat. 1228, 34 Stat. 1228 (1907).

¹⁴ Cable Act, 42 Stat. 1022 (1924).

through barriers to voting and political participation. *See generally* Kristen Clarke, *The Congressional Record Underlying the 2006 Voting Rights Act: How Much Discrimination Can the Constitution Tolerate?* 43 Harv. C.R.-C.L. L. Rev. 385 (2008); *see generally* Glenn D. Magpantay, *Asian American Access to the Vote: The Language Assistance Provisions (Section 203) of the Voting Rights Act and Beyond*, 11 Asian L.J. 31 (2004). Today, Proposition 200 perpetuates some of those same barriers. Additional documentation requirements diminish voter turnout and often result in apathy. *See* Shelley de Alth, *ID at the Polls: Assessing the Impact of Recent State Voter ID Laws on Voter Turnout*, 3 Harv. L. & Pol’y Rev. 185, 193 (2009). This is particularly true given the history of discrimination discussed above, the high percentage of naturalized or “new” citizens among Asian Americans, and the lack of familiarity of new Asian American citizens with the voting process.

Rather than safeguarding the right to vote, Proposition 200 could deprive people who may rightfully exercise their right to vote from doing so. For example, under Proposition 200, native-born citizens may mail copies of their U.S. birth certificates to the county recorder, but naturalized citizens have no such option since they do not possess a United States birth certificate. Instead, to register, a naturalized citizen may provide a naturalization certificate in person (but not by mail) to the county recorder. *See* Ariz. Rev. Stat. § 16-166(F)(4).

These barriers to voter registration are disproportionately arduous to Asian Americans in Arizona, a high percentage of whom are naturalized

citizens. Of the estimated 194,475 Asian Americans living in Arizona, approximately 35.9% are foreign-born naturalized citizens. *See* U.S. Census Native and Foreign-Born Populations Data. Thus, almost 40% of the Asian American community may encounter the challenges erected by Proposition 200 when attempting to register to vote.¹⁵ In short, the barriers Asian American citizens encounter as a result of Proposition 200 have the effect of limiting political participation by the Asian American community.¹⁶

Second, Proposition 200 allows for naturalized citizens to register to vote by supplying their Naturalization Number. The parties do not dispute, however, that such number cannot be verified with the federal government and, therefore, any application that furnishes only the Naturalization Number would be automatically rejected. *See Gonzalez v. Arizona*, Nos. 08-17094, 08-17115 (9th Cir. filed Feb. 2, 2009), Opening Brief of Appellants Maria Gonzalez, et al., at 9-10, ECF No. 28 (“There is no dispute that the number of the certificate of naturalization cannot be verified with the federal government. Thus, no naturalized citizen can register by providing his or her naturalization

¹⁵ Many Asian Americans prefer using the Federal Form because it is available in certain Asian languages, including Chinese, Korean, Vietnamese, and Tagalog. *See* Voter Registration and Education, <http://www.azsos.gov/election/VoterRegistration.htm#Proof> (last visited Jan. 7, 2013). Neither Arizona’s voter registration form nor its instructions regarding the additional documentation requirements are available in these Asian languages. *See id.*

¹⁶ We also adopt the arguments set forth in the Brief of Respondents The Inter Tribal Council of Arizona, Inc.

certificate number on the voter registration form.”) (the “Gonzalez Ninth Circuit Opening Brief”).

Third, many Asian Americans register to vote through community-based organizations, such as the Georgia-based Center for Pan Asian Community Services. Due to the confusion caused by the additional proof requirements, Proposition 200 hampers the ability of such organizations to conduct voter registration drives. As noted above, in Georgia (which has a law that closely resembles Proposition 200), 282 applicants had been flagged as requiring additional certification, much of which related to proof of citizenship for new Asian citizens.¹⁷ Moreover, given that these organizations are community-based and often leanly staffed, it can be difficult for such organizations to help potential new registrants overcome the hurdles to registration erected by Proposition 200.

Finally, for many naturalized citizens, the documents acceptable under Proposition 200 are not readily available—official copies of the United States naturalization certificate cost \$345.¹⁸

¹⁷ Letter from Asian Amer. Legal Advocacy Ctr. of Georgia to GA Sec’y of State Brian Kemp, Re: 574 Unprocessed and Challenged Voter Registration Applicants, October 31, 2012, available at <http://aalegal.org/2012/10/31/aalac-sends-open-letter-to-secretary-of-state-on-behalf-of-574-new-voters-who-have-not-been-processed/>.

¹⁸ See N-565, Application for Replacement Naturalization/Citizenship Document, <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=a910cac09aa5d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD>.

CONCLUSION

For the foregoing reasons, this Court should: (i) affirm the decision of the United States Court of Appeals for the Ninth Circuit, sitting *en banc*; and (ii) find Proposition 200 invalid.

Dated: January 22, 2013

Respectfully Submitted,

Michael D. Nolan
Counsel of Record
MILBANK, TWEED, HADLEY & McCLOY LLP
1850 K Street, N.W., Suite 1100
Washington, D.C. 20006
Tel: (202) 835-7500
Fax: (202) 835-7586
mnolan@milbank.com

Glenn Magpantay
Jerry Vattamala
ASIAN AMERICAN LEGAL DEFENSE AND
EDUCATION FUND
99 Hudson Street, 12th floor
New York, NY 10013
Tel: (212) 966-5932
Fax: (212) 966-4303
gmagpantay@aaldef.org
jvattamala@aaldef.org

*Counsel for Amicus Curiae Asian American Legal
Defense and Education Fund*

APPENDIX

APPENDIX

**STATEMENTS OF INTEREST OF
ADDITIONAL AMICI CURIAE**

Alliance of South Asian American Labor

The Alliance of South Asian American Labor (“ASAAL”) is a community-based organization founded by trade unionists that are of South Asian heritage. ASAAL’s mission is to increase civic participation in the larger South Asian American community based on their organizing experiences in the labor movement.

Asian and Pacific Islander American Vote – Michigan

Asian and Pacific Islander American Vote – Michigan (“APIAVote-MI”) is a nonpartisan 501(c)(3) nonprofit organization that serves the Asian Pacific Islander American community in Michigan through civic participation, advocacy, and education. APIAVote-MI registered over 700 voters, mobilized over 20,000 voters, conducted poll monitoring/exit polling, and distributed a multilingual voter guide during the 2012 election.

Center for Pan Asian Community Services, Inc.

The Center for Pan Asian Community Services, Inc. (“CPACS”) is a private nonprofit located in Atlanta, Georgia and its mission is to promote self-sufficiency and equity for immigrants, refugees, and the underprivileged through comprehensive health and social services, capacity building, and advocacy. CPACS has sponsored numerous events and provided community services such as voter registration drives, polling site assistance, exit polling, voter education, etc. during the most recent election cycle. CPACS supports the protection and

App. 2

advancement of the voting rights of Asian and Pacific Islander Americans.

Chhaya Community Development Corporation

The Chhaya Community Development Corporation seeks to create stable and sustainable communities by increasing civic participation and addressing the housing and community development needs of New Yorkers of South Asian origin and their neighbors.

Chinese Community Federation of Atlanta

The Chinese Community Federation of Atlanta's mission is to serve the Atlanta Chinese community, to promote harmony and unity, to advocate equal benefits and rights, among other things.

Coalition of Asian Pacific Americans of Virginia

The Coalition of Asian Pacific Americans of Virginia is a 501(c)(3) nonprofit organization whose mission is to provide a common and united voice to advocate for the social, economic, cultural and business interests of all Asian Pacific Americans in Virginia.

Korean American Civic Empowerment

Korean American Civic Empowerment's mission is to empower the Korean American community by promoting civic participation.

Korean Americans for Political Advancement

Korean Americans for Political Advancement ("KAPA") is a membership organization promoting progressive policies that advance the political and civil rights of all citizens, the rights of all immigrants, and economic and social justice for all individuals and communities. Through lobbying, grassroots organizing, and political action, KAPA also strives to encourage the civic participation and

App. 3

help organize the political power of individuals—particularly, Korean American individuals residing in the New York metropolitan area—in ways that advance KAPA’s advocacy purpose.

MinKwon Center for Community Action

The MinKwon Center for Community Action (“MinKwon”) was established to meet the needs and concerns of the Korean American Community through education, civic participation immigrant rights, social services, and culture in New York. MinKwon works with various grassroots organizations on immigration policy and voter rights. MinKwon has conducted election poll monitoring/exit polling for the past several elections, including the 2008 election.

Organization of Chinese Americans – Georgia

Organization of Chinese Americans – Georgia (“OCA-GA”), founded in 1983, is the local Georgia chapter of OCA. Through local events and community involvement, OCA-GA aims to promote the general welfare of Chinese Americans and other Asian Americans while meeting the goals and objectives as set forth by OCA National. Founded in 1973, OCA is a national organization dedicated to advancing the social, political and economic well-being of Asian Pacific Americans in the United States. OCA is dedicated to securing the rights of Chinese American and Asian American citizens and permanent residents through legislative and policy initiatives at all levels of the government. OCA aims to embrace the hopes and aspirations of the nearly two million citizens and residents of Chinese ancestry in the United States as well as to better the

App. 4

lives of the ten million Asian Americans across the country.

Organization of Chinese Americans – Greater Houston

Organization of Chinese Americans – Greater Houston (“OCA Houston”), founded in 1979, is the local Houston chapter of OCA. OCA Houston is dedicated to the national organization’s mission of advocating for and protecting and advancing the rights of Chinese Americans and Asian Pacific Americans.

Taking Our Seat

Taking Our Seat seeks to empower South Asian-Americans in the electoral process. Taking Our Seat works to stop voter dilution by redrawing political district boundary lines to keep South Asian-American communities together.