Asian Americans Advancing Justice-Atlanta Opposes SB 132 (SB 132/FA)

Asian Americans Advancing Justice-Atlanta opposes Senate Bill 132, which prevents immigrants from certain countries from owning agricultural land. SB 132 runs afoul of federal fair housing law and the Equal Protection Clause of the 14th Amendment. The proposed law has implications for both home purchases and bank lending.

This bill applies to non-citizens and non-Legal Permanent Residents from countries that are designated by the United States Secretary of State as ‘foreign adversaries:’ China, Cuba, Iran, North Korea, and Russia. This could bar visa-holders, refugees, and others from owning, leasing, or having possessory interest in agricultural land and land within 25 miles of any military base, military installation, or military airport. With 10 military bases in Georgia, this legislation covers hundreds of miles of land near cities like Savannah, Marietta, Augusta and Valdosta.

The bill’s restrictions also extend to foreign corporations and other business entities from any nation designated as a ‘Country of Particular Concern’ by the United States Secretary of State, which include Burma (Myanmar), China, Cuba, Eritrea, Iran, North Korea, Nicaragua, Pakistan, Russia, Saudi Arabia, Tajikistan, and Turkmenistan.

The U.S. has a history of similar discriminatory laws that were determined to be unconstitutional. For example, the California Alien Land Law of 1913 similarly prohibited ‘aliens ineligible for citizenship’ from owning agricultural land, which affected Chinese, Indian, Japanese, and Korean farmers in California. Ultimately, a court ruled that the law violated the 14th Amendment, which protects all persons from racial or national origin discrimination.

Furthermore, much of the rhetoric around this legislation has revolved around fears of “Communist China” and an alleged scheme to take control of the United States’ food supply. This rhetoric stokes anti-immigrant and Sinophobic fervor at a time when Asian and other immigrant communities are generally vulnerable to racial violence. We must stand against harmful legislation and rhetoric that scapegoat certain immigrants and countries, and paint them as threats to our national security and economic interests.