



**Testimony of John C. Yang
President and Executive Director
Asian Americans Advancing Justice | AAJC**

**Before the United States House of Representatives
Committee on Financial Services**

**Hearing On
“Justice for All: Achieving Racial Equity Through Fair Access to
Housing and Financial Services”**

March 10, 2021

Asian Americans Advancing Justice | AAJC (Advancing Justice | AAJC) submits this written testimony to the House of Representative’s Committee on Financial Services for its hearing entitled “Justice for All: Achieving Racial Equity Through Fair Access to Housing and Financial Services” on March 10, 2021. With the dual pandemics of COVID-19 and anti-Asian hate and violence sweeping through Asian American communities nationwide, Advancing Justice | AAJC urges policymakers see the true diversity and disparities within our communities and ensure policies and actions take into account the diverse linguistic, cultural, and economic needs in addressing the pandemic and the rise in anti-Asian hate.

Organizational Background

Asian Americans Advancing Justice | AAJC (Advancing Justice | AAJC) is a national non-profit, non-partisan organization that works through policy advocacy, community education, and litigation to advance the civil and human rights of Asian Americans and to build and promote a fair and equitable society for all. Founded in 1991, Advancing Justice | AAJC is one of the nation’s leading experts on civil rights issues of importance to the Asian American community.

Through our anti-hate work, Advancing Justice | AAJC strives to ensure that the civil rights and human rights of Asian Americans are protected. Advancing Justice | AAJC works to advance laws and policies that address anti-Asian hate, including improvements to hate crimes laws and government data collection, and advocating for increased resources to respond to hate crimes and hate incidents. Advancing Justice | AAJC works with policy makers on the Hill, in the White House, and in executive agencies; with civil rights advocates, including the Leadership Conference on Civil and Human Rights Hate Crimes Task Force; community leaders, including our Community Partners Network of 160+ Asian American and Pacific Islander (AAPI)-serving community-based organizations; and the media to address anti-Asian racism and xenophobia.

The Diversity of Asian American and Pacific Islander Communities

As in all other areas, AAPIs cannot be treated as a monolith when discussing racial and economic justice. In fact, the economic needs of our community are hidden by the myth of the model minority. Our community is bi-modal – with high concentrations at the high and low end of the economic spectrum, but lower numbers in the middle. This economic disparity within the AAPI community is hidden when data is not disaggregated.

Often viewed as homogenous, these communities include more than 50 ethnicities¹ speaking over 100 languages², and can differ dramatically across key social and economic indicators. Among Asian Americans, only 6% of Filipino Americans nationwide live below the poverty line, compared to 26% of Hmong Americans.³ Among Native Hawaiian and Pacific Islanders (NHPIs), about 49% of Marshallese Americans live below the poverty line, compared to only 5% of Fijian Americans.⁴ Roughly 73% of Taiwanese Americans hold a bachelor's degree, yet only 12% of Laotian Americans do.⁵ Similarly, while almost 18% of NHPI adults overall have a bachelor's degree, only 3% of Marshallese Americans do.⁶ Another example is pay equity. While AANHPI women are paid an average of 86 cents for every dollar a white man is paid, disaggregated data demonstrate that, for example, Native Hawaiian women are paid only 66 cents for every dollar a white man is paid; for Vietnamese, Laotian, and Samoan American women, 61 cents; for Burmese American women, 53 cents; and for Bhutanese American women, only 38 cents.⁷

Not surprisingly, then, Asian Americans have the greatest income disparity amongst all racial groups in the United States. While income inequality has grown in the United States overall in the past half century, the Asian Americans at the top of the income distribution experienced more growth than any other group in the U.S., while Asian Americans at the bottom experienced the least growth, less than any other group in the U.S. – resulting in the top 10% of Asian American income earners making over 10 times what Asian Americans in the bottom 10% make – the biggest disparity amongst all racial groups in the U.S.⁸

¹ Asian Pacific Institute on Gender Based Violence, *Census Data & API Identities*, <https://www.api-gbv.org/resources/census-data-api-identities/>

² White House Initiative on Asian Americans and Pacific Islanders, *Critical Issues Facing Asian Americans and Pacific Islanders* (2011), <https://www2.ed.gov/about/inits/list/asian-americans-initiative/criticalissues.html>

³ Asian Pacific American Legal Center & Asian American Justice Center, *A Community of Contrasts: Asian Americans in the United States: 2011*, 36 (2011), http://www.advancingjustice.org/pdf/Community_of_Contrast.pdf [hereinafter “Asian American Report”].

⁴ Asian Americans Advancing Justice & Empowering Pacific Islander Communities, *A Community of Contrasts: Native Hawaiians and Pacific Islanders in the United States, 2014*, 18 (2014), http://empoweredpi.org/wp-content/uploads/2014/06/A_Community_of_Contrasts_NHPI_US_2014-1.pdf [hereinafter “NHPI Report”].

⁵ Asian American Report at 31.

⁶ NHPI Report at 11.

⁷ Miriam Yeung, American Association of University Women, *Overcoming the “Model Minority” Myth: AAPI Women Are Not Paid Equally* (Mar. 15, 2016), <http://www.aauw.org/2016/03/15/aapi-equal-pay-day/>.

⁸ Pew Research Center, Social & Demographic Trends, *Income Inequality in the U.S. Is Rising Most Rapidly Among Asians*, (July 12, 2018), <https://www.pewresearch.org/social-trends/2018/07/12/income-inequality-in-the-u-s-is-rising-most-rapidly-among-asians/>

These disparities are often reflective of the circumstances under which different communities settled in the United States – as students seeking higher education, as professionals and investors, as families seeking democracy and a better life for their children, as refugees of war – or in prior centuries, as laborers who built this nation’s continental railroad, or indigenous peoples whose roots preexist by centuries America’s annexation of their sovereign land. These roots, whether new or centuries old, are varied, myriad, and equally American – and the needs and disparities emerging from these roots should not be erased by the so-called myth of the model minority.

Often lost in the broad brush of the model minority myth are the inequities created by lack of language access. Nearly two-thirds of the Asian American population are immigrants, with 52% of Asian American immigrants having limited English proficiency (LEP). LEP rates vary sharply across Asian American communities.

The top languages spoken among Asian immigrants are Chinese, Tagalog, Vietnamese, Korean, and Hindi. The rates of limited English proficiency among these groups vary: 66% of immigrants from China are LEP, as are 35% of immigrants from the Philippines, 72% of immigrants from Vietnam, 64% of immigrants from Korea, and 29% of immigrants from India. At 79%, immigrants from Burma have the highest LEP rates among Asian Americans, and it is notable that even among the Asian American immigrant groups with lower LEP rates, about one-third of the population face challenges communicating in English.⁹

Even prior to the pandemic, LEP Individuals have limited employment opportunities and often have difficulty accessing educational and training opportunities, as well as other critical services. During the pandemic, we heard many stories of peoples’ inability to access unemployment benefits – these access issues were compounded for people with limited proficiency in English. Furthermore, information about relief programs may have been slow to be relayed to LEP individuals – if the information reached them at all. Even assuming they were able to access information about such programs, navigating application processes would be challenging for LEP individuals. Furthermore, contrary to popular perception, there are segments of the Asian American community that lack reliable internet access or may not know how to navigate online platforms.¹⁰

The Dual Pandemics of COVID-19 and Anti-Asian Hate

The lives and livelihoods of Asian Americans, just as all Americans, have been hit hard by the COVID-19 pandemic. Despite popular misconceptions, including misleading surveys that excluded LEP Asian Americans,¹¹ Asian Americans have suffered tremendous financial hardships during the course of the pandemic. For example, in New York city, in a report by our

⁹ Asian Americans Advancing Justice – AAJC and Asian Americans Advancing Justice – Los Angeles, *Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities* (June 2019), <https://advancingjustice-aaajc.org/inside-the-numbers-report-2019>.

¹⁰ Asian Americans Advancing Justice – AAJC, *Telecommunications and Technology, Lifeline Backgrounder*, https://advancingjustice-aaajc.org/sites/default/files/2020-02/Lifeline_Backgrounder.pdf

¹¹ See, e.g., NPR/Robert Wood Johnson Foundation/Harvard T.H. Chan School of Public Health, *The Impact of Coronavirus on Households by Race/Ethnicity*, 24 (Survey methodology: “Data collection was conducted in English and Spanish”).

community partner Asian American Federation, the pandemic has created record job losses for Asian American New Yorkers, with a 6000% increase in unemployment benefit applications in February through June 2020.¹² In fact, Asian Americans suffered the largest increase in unemployment amongst all racial groups, going from 3.4% in February 2020 to 25.6% in May 2020.¹³ Furthermore, the pandemic has had an immense negative impact on Asian Americans who were already socioeconomically disadvantaged. In California, according to a UCLA report, 83% of Asian Americans with a high school education or less filed unemployment claims, a rate more than twice the rest of California’s labor force at the same education level.¹⁴

And while the lack of disaggregated data on Asian Americans clouds the true health impact of the COVID-19 pandemic, data at the state and local level show a glimpse of the disparities across our communities. In California, the Los Angeles Times reported that “Native Hawaiian and other Pacific Islanders are dying the most disproportionately — at four times their share of the state’s population. They are followed by black and Asian Californians.”¹⁵ This is particularly devastating given California has the highest number of Pacific Islanders in the contiguous U.S. In Nevada, the death rate of Asian Americans is twice that of Whites.¹⁶ At the local level, in San Francisco, Asian Americans accounted for 13.7% of cases but 52% of deaths.¹⁷ Furthermore, Asian American workers hold “high-contact essential jobs” with higher health risk at a disproportionately higher rate.¹⁸

Compounding the devastating health and financial impacts on the Asian American community is the onslaught of anti-Asian hate, directing racist harassment and violence toward Asian Americans who are wrongly blamed for the COVID-19 pandemic. While hate incidents targeting Asian Americans sharply rose with the onset of the pandemic and has been ongoing over the past year, the recent spate of violent attacks against elderly Asian Americans captured on video¹⁹ has drawn previously unseen media attention.

Since February 2020, over 3,200 hate incidents targeting Asian Americans have been reported to Stop AAPI Hate (<https://stopaapihate.org/>) and the Asian American Advancing Justice affiliation’s Stand Against Hatred reporting site (<https://www.standagainsthate.org/>) since the beginning of the pandemic. But it is important to note that the anti-Asian racism and hate is not

¹² Asian American Federation, *Impact of COVID-19 on Asian Employment in New York City*, (2020).

¹³ *Id.*

¹⁴ Donald Mar and Paul Ong, *COVID-19’s Employment Disruptions to Asian Americans*, (July 20, 2020) http://www.aasc.ucla.edu/resources/policyreports/COVID19_Employment_CNK-AASC_072020.pdf

¹⁵ Ben Poston, Tony Barboza, Alejandra Reyes-Velarde, *Younger black and Latinos are dying of COVID 19 at higher rates in California*, L.A. Times (April 25, 2020), <https://www.latimes.com/california/story/2020-04-25/coronavirus-takes-a-larger-toll-on-younger-african-americans-and-latinos-in-california>

¹⁶ McKinsey & Company, *COVID-19 and advancing Asian American recovery*, 6 (August 2020) [*hereinafter* “McKinsey Report”].

¹⁷ *Id.*

¹⁸ *Id.* at 2

¹⁹ Kyung Lah and Jason Kravarik, *Family of Thai immigrant, 84, says fatal attack ‘was driven by hate’*, CNN, (February 16, 2021), <https://www.cnn.com/2021/02/16/us/san-francisco-vicha-ratanapakdee-asian-american-attacks/index.html>

a new phenomenon,²⁰ and comes on the heels of years of attacks on immigrant communities by the Trump administration. In fact, the Advancing Justice affiliation launched the Stand Against Hatred website²¹ in January 2017 in response to the increase in hate incidents against Asian Americans connected to the xenophobic, anti-immigrant, and racist rhetoric of Trump's presidential campaign in the 2016 election cycle. It comes as no surprise that Trump and other elected officials' racist rhetoric blaming China for COVID, and calling it the "Chinese Virus" and "Kung Flu" poured fuel on the fire of anti-immigrant and anti-Asian sentiment that was slowly burning for years.

In fact, anti-Asian hate and discrimination has impacted almost every aspect of life for Asian Americans during the pandemic, including housing, employment, and places of public accommodation like restaurants, stores, and so much more.²² In Indiana, two Hmong men were denied lodging by a motel employee who asked if they were Chinese and refused to give them a room.²³ Other reports include Asian American renters being refused housing based on their race. In New York City alone, between February and April 2020, there were 105 reports of anti-Asian incidents reported to the New York Commission on Human Rights, including 5 reports of housing discrimination, 9 reports discrimination in public accommodation, and 91 reports of harassment.²⁴

This same anti-Asian hate has expectedly impacted Asian American-owned businesses. As noted in a report by McKinsey & Company, "misguided fears of the virus effectively shuttered businesses in many Asian American cultural districts" a full month before lockdowns began nationwide.²⁵ Adding to the hit to Asian American-owned businesses, they are overrepresented in some of the sectors that have suffered the worst economic effects of the pandemic, including accommodations and food service (26%), retail (17%), and education-services (11%).²⁶ And with the hateful acts of anti-Asian violence instilling fear in business owners, employees,²⁷ and customers, Asian Americans are doubly threatened with both their physical and financial security at risk.

²⁰ The current wave of anti-Asian racism and xenophobia is part of the deep structural racism that has long impacted communities of color. Anti-Asian racism has manifested itself at many points throughout U.S. history, including with the "Yellow Peril" and the Chinese Exclusion Act of 1882; the incarceration of over 120,000 Japanese Americans during World War II; the murder of Vincent Chin in 1982 at the height of trade tensions with Japan, and the scapegoating and violence directed against Arab, Middle Eastern, Muslim, and South Asian communities after 9/11.

²¹ Asian Americans Advancing Justice, www.standagainsthatred.org

²² Catherine Thorbecke and Deena Zaru, *Asian Americans face coronavirus 'double whammy': Skyrocketing unemployment and discrimination*, ABC News, (May 20, 2020), <https://abcnews.go.com/Business/asian-americans-face-coronavirus-double-whammy-skyrocketing-unemployment/story?id=70654426>

²³ Shawn Nottingham and Dave Alsup, *Hmong men record alleged coronavirus discrimination at Indiana hotels*, CNN, (February 15, 2020), <https://www.cnn.com/2020/02/14/us/hmong-men-hotel-refusals/index.html>

²⁴ Stephanie Yang, *New York City Has Logged 248 Complaints of Coronavirus Discrimination*, Wall Street Journal, (April 19, 2020), <https://www.wsj.com/articles/new-york-city-has-logged-248-complaints-of-coronavirus-discrimination-11587308400>

²⁵ McKinsey Report at 8.

²⁶ *Id.*

²⁷ Elizabeth Elkind, *CEO of Chinese food chain speaks out about attacks on Asian Americans*, CBS News, (March 4, 2021) <https://www.msn.com/en-us/news/us/ceo-of-chinese-food-chain-speaks-out-about-attacks-on-asian-americans/ar-BB1efjVm?ocid=uxbndlbing>

Working Together Toward Solutions

While there are no easy solutions, there are a few steps that different sectors could take to collectively to minimize harm in the short term and create broader institutional changes in the longer term.

Awareness, Training (Prevention), and Support (Response)

While we have been raising awareness through documenting hate incidents and lifting up stories of impacted individuals to policymakers and the media,²⁸ more work must be done to ensure that within local communities, the issue of anti-Asian racism, hate, and violence are understood by those in a position to help prevent anti-Asian hate incidents and provide support if and when it occurs. This includes local governments and government services, landlords, businesses, and other places of public accommodation working together with the local advocacy and service organizations that serve these impacted communities. For instance, what reporting and support mechanisms can a property manager offer if a tenant experiences anti-Asian racism? Is information available in Asian languages? Is a bank teller equipped to respond if they see an act of anti-Asian hate? Are employees trained to identify hate incidents and intervene? What is the local government doing to prevent anti-Asian hate incidents and provide support services that are linguistically accessible and culturally appropriate?

Trainings and engagement with Asian American community organizations will be essential to help businesses and landlords understand the issue and equip themselves with the tools to prevent, de-escalate, or provide support when customers, employees, or tenants become targets of hate incidents.²⁹ For larger businesses or financial institutions, they can engage further in and devote resources to practices to support the local Asian American communities they are located in, including providing linguistically accessible staff and services and working directly with and supporting local community organizations, some of whom provide volunteer services to escort elderly Asian Americans to banks or grocery stores, as well as culturally competent victim's advocacy and mental health services.

²⁸ Hate crimes and hate incidents are chronically underreported, which is one of the reasons why we encourage people who have experienced hate and harassment to share their experiences through the StandAgainstHatred.org site and other AAPI community data collection efforts. Lifting up accounts that are shared with us helps us to bring greater visibility to the issue of anti-Asian hate before policymakers, the media, and the general public. The collective data and personal stories of Asian Americans targeted by hate helps Advancing Justice | AAJC in our advocacy to advance laws and policies that address anti-Asian hate, including improvements to hate crimes laws and government data collection, and advocating for increased resources to respond to hate crimes and hate incidents.

²⁹ *E.g.*, Bystander intervention and conflict de-escalation trainings. Advancing Justice | AAJC has partnered with Hollaback! Inc., an organization dedicated to ending harassment in all its forms, to adapt their bystander intervention training to address anti-Asian harassment connected to COVID-19. This training, developed to build the knowledge and capacity of our community partners and ally networks to respond to hate includes a primer on the long history of anti-Asian xenophobia and racism in this country. In addition to this first training module focused on strategies for safe intervention, we developed a second module focusing on direct intervention and conflict de-escalation, and a third module for impacted community members experiencing hate and harassment focused on resilience and healing.

Institutional Change

These awareness, training, and support practices may help stem immediate harm, but we will not see lasting positive impact without broader institutional changes in both the public and private sectors.

Language Access

In accessing essential government services, Asian American communities need to know about services that are available to them and that language support is available to help them access services. In-language outreach and education are critical, as are ensuring that translated materials are readily available and agency staff are trained to assist individuals with limited English proficiency.

Under Executive Order 13166, federal agencies, and entities receiving federal funding, are required to provide “meaningful access” to agency services for LEP individuals.³⁰ While the expectation under this requirement is that federally-funded agencies have robust language access plans and self-monitor for compliance with EO 13166 and their obligation under Title VI to provide meaningful access to LEP individuals, in practice, we have seen significant gaps leaving LEP populations underserved.

Especially during this pandemic, LEP Asian Americans have faced language barriers to accessing financial relief programs. According to an August 2020 report by McKinsey & Company, none of the four financial-relief services offered by the U.S. Small Business Administration provided translations in any Asian languages on their websites.³¹ Only the Paycheck Protection Plan enacted last year offered translated application forms for 7 Asian languages,³² but without sufficient and linguistically accessible outreach to Asian American businesses, Asian Americans lost out on critical business aid. In fact, a survey by the Asian/Pacific Islander American Chamber of Commerce & Entrepreneurship (ACE) found that 61 percent of Asian American businesses did not apply for federal relief because they did not know they were eligible.³³

The federal government must ensure compliance with Executive Order 13166 to ensure that critical government services reach Asian American communities in a linguistically accessible way.³⁴

³⁰ Exec. Order No. 13,166, 65 Fed. Reg. 50121 (August 11, 2000), <https://www.justice.gov/crt/executive-order-13166>

³¹ McKinsey Report at 8.

³² *Id.*

³³ Press Release, National Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship, Survey: Largest Survey focused on AAPIs Business Owners Show More Businesses Face Closures and Employee Layoffs, (February 5, 2021), <https://www.issuewire.com/survey-largest-survey-focused-on-aapis-business-owners-shows-more-businesses-face-closures-and-employee-layoffs-1690887698538157>

³⁴ The challenges facing the AAPI community in language access needs is not limited to government services. In fact, this “dual pandemic” of COVID and anti-Asian hate has had a significant impact on the Asian American community’s mental health. However, many are unable to access mental health services as many providers do not offer services in Asian languages. (McKinsey Report at 6)

Investments in Local Asian American Community Organizations

Long term solutions cannot take hold without fully engaging and increasing the capacity of local Asian American community organizations working directly with impacted communities. Federal agencies must engage in outreach and community education focused on Asian American communities, including investing in community resources and working directly with community-based organizations for both prevention and response to anti-Asian hate incidents.

We lift up this recommendation in particular in the implementation of the recent Presidential Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States.³⁵ In supporting state and local efforts to prevent discrimination, bullying, harassment, and hate crimes against Asian Americans, federal agencies should engage fully with national Asian American advocacy organizations and AAPI-serving local community-based organizations, to ensure approaches are culturally competent, linguistically accessible, and reflect the diverse and specific needs of the local communities.

For all government programs, whether it is the Community Relations Services of the U.S. Department of Justice that is tasked with community outreach, or the Office of Justice Programs which may offer grant opportunities for local communities, or the many others tasked with engaging diverse communities, these agencies should be proactive about outreach to and engagement with AAPI communities to share information about the work they do and the services they provide. In light of the Biden Administration's commitment to equity and better supporting underserved communities, we would expect greater effort to ensure that AAPI communities receive vital information that is linguistically accessible so that they are aware of key programs and funding, and that they are provided support in order to better access government programs and services. It is important that federal agencies hold community roundtables, listening sessions, and other engagements focused on AAPI communities – and it is equally important that these programs are accessible for LEP individuals.

Calling Out Hate Across Platforms

Just as anti-Asian hate was fomented across multiple media and governmental platforms, moving forward, we must call out anti-Asian hate on all of these platforms. That includes the continued good work of journalists who have covered this issue in recent weeks, and the longstanding work of the Asian American Journalists Association issuing guidance against the use of language fueling xenophobia and racism from the outset of the pandemic³⁶ and calling on the prioritization

³⁵ Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States, 86 Fed. Reg. 7485, (January 26, 2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-condemning-and-combating-racism-xenophobia-and-intolerance-against-asian-americans-and-pacific-islanders-in-the-united-states/> [*hereinafter* “AAPI Presidential Memorandum”]

³⁶ Press Release, Asian American Journalists Association, Joint Statement Denouncing Anti-Asian Racism During Coronavirus Outbreak, (March 19, 2020), <https://aaja.org/2020/03/19/joint-statement-denouncing-anti-asian-racism-during-coronavirus-outbreak/>

of coverage of anti-Asian racism and violence.³⁷ This includes the welcome efforts of the Biden Administration in condemning anti-Asian hate and violence in no uncertain terms.³⁸ This also includes the participation of industry and celebrities, calling out anti-Asian hate from the platforms they hold. And this includes, in particular, the cooperation of online platforms in developing and enforcing policies against content fomenting racism, xenophobia, and violence.

CONCLUSION

Given the immense diversity of the AAPI community, and the extreme disparity in needs across socioeconomic status, language, geography, and much more, any efforts to address racial and economic inequities in this nation must address the true needs of the AAPI community that are masked by the model minority myth. The other myth is that of “perpetual foreigner” – that we, no matter the centuries of American history we have been part of building – do not belong. These dual myths have, in this moment of the COVID-19 pandemic, resulted in a lack of access to critical government services for many AAPIs across this country at the exact time we are suffering from vicious acts of racist and xenophobic hate. While we urgently work with communities, businesses, and government to raise awareness, provide trainings, and create support systems for our communities targeted by anti-Asian hate, we also call on policymakers to enact long-term institutional change to address not only the crises at hand, but to focus on changing the systems and environment that have allowed these inequities to thrive.

³⁷ Press Release, Asian American Journalists Association, AAJA Condemns Anti-Asian Racism and Challenges Newsrooms to Prioritize Coverage of Anti-Asian Violence, (February 11, 2021), <https://aaja.org/2021/02/11/aaja-condemns-anti-asian-racism-and-challenges-newsrooms-to-prioritize-coverage-of-anti-asian-violence/>

³⁸ AAPI Presidential Memorandum, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-condemning-and-combating-racism-xenophobia-and-intolerance-against-asian-americans-and-pacific-islanders-in-the-united-states/>