



**Written Statement For the Hearing Entitled, “Discrimination and Violence Against Asian Americans” on March 18, 2021 at 10:00 AM  
Testimony from the National Council of Asian Pacific Americans (NCAPA)**

Dear Chairman Cohen, Ranking Member Johnson, and Members of the Subcommittee on the Constitution, Civil Rights, and Civil Liberties of the House Committee on the Judiciary,

On behalf of our 37 member organizations, the National Council of Asian Pacific Americans (NCAPA) is pleased to submit this written statement to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties of the U.S. House Committee on the Judiciary for the March 18, 2021 hearing titled “Discrimination and Violence Against Asian Americans.”

Established in 1996, NCAPA is a coalition of some of the largest national Asian American, Native Hawaiian, and Pacific Islander (AANHPI) organizations around the country. Based in Washington, D.C., NCAPA serves to represent the interests of the greater AANHPI community, including the East Asian, South Asian, Southeast Asian, Native Hawaiian and Pacific Islander communities. We strive for equity and justice by organizing our diverse strengths to influence policy and shape public narratives. We envision a world where Asian Americans (AA), Native Hawaiians, and Pacific Islanders (NHPI) work together to shape our own future as part of the broader racial justice movement and advance our communities and country towards a common purpose of progress, prosperity, and well-being for all.

NCAPA’s members include organizations that work in civil rights, immigration, health, education, and housing and economic justice, and have constituencies across the diverse AANHPI community. We thank the subcommittee for conducting this hearing to understand the alarming rise in discrimination, harassment, and violence against Asian Americans in the wake of the ongoing COVID-19 pandemic, and we welcome the opportunity to share the experiences of the communities that we serve.

## COVID-19 Anti-Asian Hate

Asian Americans have been facing a dual pandemic of the coronavirus and of racism. Our communities have endured not only health disparities and economic hardships but also racism and xenophobia from being unjustly scapegoated for the spread of the coronavirus. We have experienced tremendous grief, mourning both lives lost to the virus and white supremacist violence.

Attacks against Asian Americans began nearly as soon as COVID-19 arrived in the United States and have not abated since. In March 2020, an Asian American family with two children, ages 2, and 6, was stabbed in Texas. The next month, an Asian American woman in Brooklyn, New York was attacked with a substance that gave her chemical burns.

In January 2021, Vicha Ratanapakdee, an 84-year old Thai American, died after being shoved to the ground while walking in San Francisco. Later in February, Noel Quintana, a 61-year old Filipino American man, was slashed in the face during his morning commute on the New York City subway.

Just this week, six Asian women working at massage parlors in Atlanta, Georgia were killed by a suspected white supremacist. It is painfully clear to us that racist scaremongering and scapegoating is deadly, and it is harming the most vulnerable members of our Asian American communities—elders, immigrants, women, and working-class people.

Over 3,800 hate crimes and hate incidents against Asian Americans were reported to Stand Against Hatred (Asian Americans Advancing Justice | AAJC), OCA - Asian Pacific Advocates, and Stop AAPI Hate from March 2020 to February 2021. Of these almost 4,000 reported incidents, 68% of those who reported were women.<sup>1</sup> In the past year, offenses legally classified as hate crimes against Asian Americans increased by 150% in major cities like Los Angeles and New York City. All these attacks, hate crimes or not, constitute an abhorrent pattern of violence that must end.

It is crucial to note that violence and discrimination against Asian Americans have been startlingly constant throughout the COVID-19 pandemic. It is even more crucial to understand that Asian Americans have experienced structural violence and racism for decades and beyond.

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<https://www.nbcnews.com/news/asian-america/there-were-3-800-anti-asian-racist-incidents-mostly-against-n1261257>

Our communities deserve safety and justice and demand an end to racism and white supremacy that endangers all of us.

### **COVID-19 Impact on Asian American and Pacific Islander Communities**

COVID-19 has exposed and exacerbated deep inequities in our society and within AANHPI communities as well. Those most affected by the health and economic impacts of COVID-19 were made already vulnerable through long-standing structural issues. These issues must also be confronted in order to address the full scope of challenges faced by Asian Americans and Pacific Islanders.

One of the ways that the AANHPI community was disproportionately harmed during the pandemic is through health disparities. Even before the pandemic, AA and NHPs have faced persistent health disparities due to unequal access to quality health care services and a lack of understanding regarding communities' unique health needs. When looking at disaggregated data of AA and NHPs, significant disparities become apparent. For example, Asian Americans accounted for 52 percent of deaths and about 14 percent of COVID-19 cases in San Francisco.<sup>2</sup> Native Hawaiians and Pacific Islanders have the highest COVID-19 infection rates out of all ethnic groups in several states like Hawaii and California.<sup>3</sup> In addition, AA and NHPs, many of who are fighting in the front lines, are experiencing disproportionate health impacts, all while fighting hate and discrimination.<sup>4</sup> While Filipino nurses make up just 4 percent of the nursing population nationwide, they make up 31.5 percent or nearly a third of the nurses who have died of COVID-19.<sup>5</sup> Despite being disproportionately impacted by COVID-19, for many in the AANHPI community, the health impacts are only a part of the challenges that the pandemic has brought.

COVID-19's impact on AANHPI workers has received little national attention, likely driven by the myth that the AANHPI community as a whole are relatively economically well-off. A 2021 Federal Reserve Board report indicated that there had been a 450 percent increase in the Asian American unemployment rate between February to June 2020.<sup>6</sup> In fact, while national unemployment rates dropped in May 2020, Asian American and Black unemployment rates rose by 0.5 percent and by 0.1 percent respectively, indicating slower recoveries from the

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<sup>2</sup>

<https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-advancing-asian-american-recovery>

<sup>3</sup> <https://www.vox.com/2020/12/14/22168249/pacific-islanders-native-hawaiians-covid-19-pandemic>;  
<https://www.civilbeat.org/2020/11/hawaii-pacific-islanders-are-twice-as-likely-to-be-hospitalized-for-covid-19/>

<sup>4</sup> <https://www.washingtonpost.com/business/2020/05/19/asian-american-discrimination/>

<sup>5</sup>

<https://www.businessinsider.com/filipinos-make-up-disproportionate-covid-19-nurse-deaths-2020-9?op=1>

<sup>6</sup> <https://www.bls.gov/news.release/empsit.t02.htm>

unemployment shock created by the pandemic. While national unemployment rates showed a weak recovery, local data suggest clear economic devastation. In California, 83 percent of Asian Americans with high school degrees or less filed unemployment claims, compared to 37 percent for non-Asians.<sup>7</sup> In a similar vein, unemployment claims by Asian Americans in New York grew faster than any other group; in May 2020, Asian American unemployment rose by more than 25 percent, compared to the jobless rate of 3.4 percent in February 2020— the largest increase in all major racial groups.<sup>8</sup> In fact, by the fourth quarter of 2020, almost half of jobless Asian Americans had been out of work for at least 27 weeks, a bigger share than other groups.<sup>9</sup> Statistics on Native Hawaiian and Pacific Islander are visibly absent from these reports, highlighting the need for disaggregated data on the AANHPI community.

The pandemic has incurred major harm to many AANHPI small businesses and homeowners. 79 percent of Asian American owned small businesses described financial conditions as "fair" or "poor," compared to 54 percent of white-owned businesses.<sup>10</sup> A New York Federal Reserve report found the number of overall U.S. small business owners plummeted by 22 percent between February and August.<sup>11</sup> But there were massive racial disparities. Black-owned businesses dropped by 41 percent, Latino-owned businesses fell by 32 percent and Asian American owned businesses decreased by 25 percent. Furthermore, according to a study by McKinsey, 91 percent of Native Hawaiian or Pacific Islander owned businesses and 75 percent of Asian American owned businesses "have little chance of obtaining a Paycheck Protection Program (PPP) loan."<sup>12</sup> Additionally, 14 percent of Asian American borrowers are not current on their mortgage payments, compared to 8 percent of white borrowers.<sup>13</sup>

## Historical and Ongoing Structural Racism Against Asian Americans

These attacks on Asian Americans are unjust and unacceptable, but they are not new. Our communities have experienced violence and racism—interpersonal, institutional, and

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<sup>7</sup>

<https://newsroom.ucla.edu/releases/report-shows-major-effects-of-covid-19-on-asian-american-labor-force>

<sup>8</sup>

[https://aafcovid19resourcecenter.org/unemployment-report/?mc\\_cid=6ffdf5cf0b&mc\\_eid=ddd4d683c8](https://aafcovid19resourcecenter.org/unemployment-report/?mc_cid=6ffdf5cf0b&mc_eid=ddd4d683c8).

<sup>9</sup> [https://www.bls.gov/web/empsit/cpsee\\_e18.htm](https://www.bls.gov/web/empsit/cpsee_e18.htm)

<sup>10</sup> <https://www.reuters.com/article/usa-fed-smallbusiness-idUSW1N2JB01R>

<sup>11</sup>

<https://www.msn.com/en-us/money/smallbusiness/minority-owned-businesses-at-end-of-the-line-for-ppp-loans-thousands-ignored-or-denied/ar-BB1cr3WR>

<sup>12</sup>

<https://www.mckinsey.com/industries/public-and-social-sector/our-insights/covid-19-and-advancing-asian-american-recovery>

<sup>13</sup> <https://www.census.gov/data/tables/2021/demo/hhp/hhp24.html>

structural—for centuries. We must be able to recognize and end all forms of anti-Asian discrimination and violence.

Racist perceptions of Asian Americans as inferior, filthy, and dangerous threats to white society originated in the 19th century with the concept “yellow peril” that scapegoated Chinese immigrant laborers. White supremacist fears and hostility forced Chinese immigrants out of businesses and housing, barred them from employment, prevented them from naturalization, escalated to murders like the Chinese Massacre of 1871, and resulted in the Chinese Exclusion Act of 1882. This act was the first of its kind to restrict the entry of a specific ethnic group—and thus paved the way for more racist, discriminatory measures like the immigration quotas of the 20th century and the Muslim Ban of the last four years.

The internment of Japanese Americans during World War II was another painful, inhumane reminder of how Asian Americans have been treated and continue to be treated as unassimilable outsiders and threats to the United States. This same logic of white supremacy is alive today in the US’s cruel immigrant detention and deportation system that targets vulnerable immigrants, refugees, asylum seekers, children, and undocumented folks.

It is this same system that since 1998 has issued final orders of removal to 16,000 Southeast Asian American refugees who were displaced from Cambodia, Laos, and Vietnam after US wars in the 1970s.<sup>14</sup> Anti-Asian racism and violence is the 279% increase in deportations of Cambodian Americans since 2017.<sup>15</sup> Anti-Asian racism and violence is the deportation of 33 Vietnamese refugees this week in the middle of a global pandemic.<sup>16</sup>

South Asian, Muslim, Sikh, Hindu, Middle Eastern, and Arab communities have been profiled, surveilled, harassed, and attacked in the two decades since 9/11. White supremacist, xenophobic, and Islamophobic violence has taken the lives of people like the seven Sikh Americans shot at a Wisconsin Sikh temple in 2012 and Srinivas Kuchibhotla who was killed in a Kansas restaurant in 2017. Furthermore, the targeting of Hindu Americans in New Jersey during the fall of 1987 is proof that such anti-Asian discrimination and violence is rooted deep in our society and has existed long before even 9/11.

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<sup>14</sup>

<https://www.searac.org/wp-content/uploads/2018/04/The-Devastating-Impact-of-Deportation-on-Southeast-Asian-Americans-1.pdf>

<sup>15</sup>

<https://www.searac.org/immigration/asian-american-organizations-denounce-deportations-of-over-30-cambodian-americans-at-beginning-of-2020/>

<sup>16</sup>

<https://aldianews.com/articles/politics/recent-deportation-33-vietnamese-refugees-shows-how-far-us-still-must-go-progress>

In 1982, Vincent Chin was murdered by two white men, who blamed the loss of their jobs on Japanese automotive competition and attacked Chin, a Chinese man. His attackers received a slap on the wrist, exposing the failure of the criminal justice system to deliver justice for many Asian Americans. The deaths late last year of Angelo Quinto and of Christian Hall both by the hands of police officers and both who were experiencing mental health crises are yet more tragic examples of how police brutality also impacts our communities and how more policing is not the answer.<sup>17</sup> It is increasingly clear that we need solutions to violence and discrimination that don't rely solely upon our flawed criminal justice system and law enforcement.

### **Recommendations for the Subcommittee on the Constitution, Civil Rights, and Civil Liberties to Consider**

In January, President Biden issued a Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States,<sup>18</sup> which was a much-needed first step in addressing the harm and traumas our communities have faced. However, we need tangible, community-centered solutions in order to keep our communities safe and ensure justice.

We urge lawmakers to prioritize solutions that invest in communities first, rather than focusing on policing and increased criminalization that ultimately harms people of color, and especially Black people. Local community-based organizations have called for more investment in education, housing, food assistance, and other social services that keep people warm, safe, fed, and supported.

Below are additional recommendations:

- Federal agency collection of data and enforcement of non-discrimination policies
- Passage of the Jabara-Heyer NO HATE Act
  - Support the Jabara-Heyer NO HATE Act to fight against hate crimes, harassment, and discrimination of people of color, including Asian Americans.
- Language access
  - Ensure that local, state, and federal hate crimes reporting and related resources are translated and accessible for Limited English Proficient (LEP) communities. This includes in-language and culturally competent outreach efforts.

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<sup>17</sup> <https://www.nytimes.com/2021/02/25/us/angelo-quinto-death-police-kneel.html>;  
<https://www.inquirer.com/news/christian-hall-shot-pennsylvania-state-police-20210213.html>

<sup>18</sup>

<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/>

- Data disaggregation
  - Federal data collection standards that separately collect and tabulate data on sub-categories of Asian Americans and of Native Hawaiians and Pacific Islanders. Disaggregated data is crucial in not only adequately accessing the scope of hate incidents but all other structural issues that disproportionately impact different members of AANHPI communities.
- Leadership in denouncing harmful stereotypes, rhetoric, and representations of Asian Americans
  - Unequivocally denounce anti-Asian racism as a response to the COVID-19 pandemic. This includes meaningful investment in paid media or other public facing platforms to carry this message. The American people need to hear from leaders that this behavior is unacceptable and won't be tolerated.
  - Unequivocally condemn harmful but normalized representations of Asian American women that oversexualize and infantilize them, ultimately exposing them to sexual violence and racial misogyny.

## **Conclusion**

NCAPA thanks the Subcommittee on the Constitution, Civil Rights, and Civil Liberties for highlighting the violence and discrimination Asian Americans have been enduring during the pandemic. We urge members of this subcommittee to bear in mind that anti-Asian racism has existed long before the pandemic and that without decisive action will continue to plague our nation. We also ask members of the subcommittee to recognize anti-Asian racism in all its forms—including institutional and structural racism and violence.

Many advocates and community members have been speaking out for decades and even longer about systemic racism against Asian Americans, Pacific Islanders, and other communities of color. We need to be heard. We ask that our leaders do not wait for another national emergency to have a conversation about violence against communities of color like ours. Finally, we hope you will continue to use the power of this subcommittee to address the specific needs of not only Asian Americans but also Native Hawaiian and Pacific Islanders and all other communities of color that have borne the brunt of the pandemic and centuries of racism and violence.

Sincerely,

Gregg Orton  
National Director  
National Council of Asian Pacific Americans (NCAPA)