

# ASIAN AMERICAN POLICY REVIEW

Volume XVIII • 2009

The Urgency of Now



**HARVARD** Kennedy School

JOHN F. KENNEDY SCHOOL OF GOVERNMENT

## INTERVIEWS

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*By Haeyoung Kim and Clarence Tong*

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**Not the Model Minority: How to Address Disparities in Asian American Health Care**

*By Deeanna Jang and Ann Surapru*



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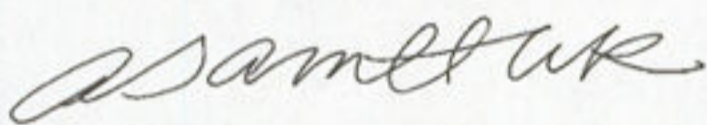
## FROM THE EDITORS

With Barack Obama's presidency now in action, the nation is ripe with hope for change. However, in order to produce substantive change, such hope must be paired with a real, on-the-ground understanding of which issues are the most pressing. It is with such thought that we at *AAPR* produced our 18th volume under the theme "Urgency of Now."

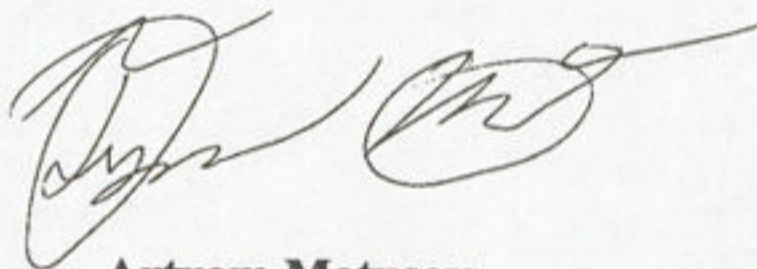
Our aim is to provide the reader with a catalog of a range of policy issues most urgently facing the Asian American community. In this issue, you will find articles and commentaries analyzing policy challenges in the sectors of Asian American politics, economy and wealth, immigration, education, and health care. You will also find interviews with pioneering political leaders such as David Chiu, John F. Kennedy School of Government at Harvard University alumnus and the newly elected president of the San Francisco Board of Supervisors, and Elaine Chao, former U.S. Department of Labor Secretary for the Bush administration, about what drew them to public service and what future challenges lie ahead.

As always, we are honored to serve as a platform and forum for leading academic and activist voices in the Asian American policy community. To better serve that function year-round, this year we added a policy blog to our Web site, where our staff periodically analyzes current policy issues, in addition to our once-a-year publication. Please visit our Web site, [www.aaprjournal.org](http://www.aaprjournal.org), for more information.

We wish to thank our supporters behind the making of Volume XVIII. To our faculty advisor, **Richard Parker**, and our journal publisher, **Jen Swartout**, we thank you for your continued support and feedback. To our managing editors, **Clarence Tong** and **James Nguyen**, and the rest of our staff, we look forward to seeing many more innovations to the journal. Finally, we extend special gratitude to **Fred Wang** and the **Wang Foundation** for the continued support.



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**ANNOUNCES THE RELEASE OF**

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The 2009 issue of the *Asian American Policy Review* is devoted to the theme **The Urgency of Now**.

- Exclusive interviews with pioneering Asian American politicians such as *David Chiu*, current president of the San Francisco Board of Supervisors, and *Elaine Chao*, former Department of Labor Secretary for the Bush administration, about the most pressing issues facing the Asian American community.
- Articles exploring the most immediate policy challenges facing the Asian American community under the Obama administration in the sectors of civic engagement, economy and wealth, health, education, and immigration.
- Commentaries on the need for Asian American health care reform and how affirmative action policies affect Asian Americans in higher education.

Throughout the issue, we uncover important and fascinating insights into the multifaceted, vibrant identity that is Asian America today.

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# **A New Face of Change: The Rise of Newly Elected San Francisco Board of Supervisors President and HKS Alumnus David Chiu**

Interviewed by Haeyoung Kim and Clarence Tong

In January 2009, Supervisor David Chiu was elected and sworn in as president of the Board of Supervisors of San Francisco. He is the first Asian American to hold this position. Supervisor Chiu was elected to his first term on the board in November 2008 to represent District 3, which includes San Francisco's historic Chinatown.

Before joining the board, Mr. Chiu was a founder and chief operating officer of Grassroots Enterprise, an online communications technology company. Prior to Grassroots, he worked as a criminal prosecutor at the San Francisco District Attorney's Office and as a civil rights attorney at the Lawyers' Committee for Civil Rights. In the mid-1990s, he served as Democratic Counsel to the U.S. Senate Constitution Subcommittee and as Senator Paul Simon's aide to the Senate Budget Committee. The eldest child of immigrant parents, Mr. Chiu grew up in Boston and received his undergraduate degree, law degree, and master's degree in public policy from Harvard University.

Mr. Chiu has lived in District 3 for more than a dozen years in the Russian Hill and Polk Street neighborhoods. Before taking office, he was a hands-on leader in San Francisco and in District 3 as a small business commissioner, chair of Lower Polk Neighbors, board president of the Youth Leadership Institute, board chair of the Chinatown Community Development Center, judge-arbitrator for the Polk Street Community Court, and president of the Asian American Bar Association of the Greater Bay Area.

Haeyoung Kim and Clarence Tong interviewed Supervisor David Chiu on 13 March 2009.

## ***AAPR***

Thank you so much for taking the time out to speak with us today, and congratulations to you on your historic election as president of the San Francisco Board of Supervisors. It seems like there has been a lack of strong political leadership among the Asian Pacific American community in San Francisco. And, it is great that you are in such a high-profile role.



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What made you decide on a career in public service and to run for political office? And also, how has your background informed that choice?

**Chiu**

Like every Kennedy School graduate, the desire to serve the community has been part of each career decision I have made. I went to the Kennedy School to obtain an academic training for a career in service. At Harvard, I was very involved in volunteer work and community activism. Afterwards, I worked on Capitol Hill, became a criminal prosecutor and civil rights attorney, and did community work to help folks who never had my opportunities.

*AAPR*

What are the major priorities for your first term as the board president?

**Chiu**

In 2008, I ran for office to address the significant challenges facing San Francisco: homicide rates at a thirteen-year high; city buses late 30 percent of the time; dirty streets; homelessness; significant conflicts about appropriate development; a stalled local economy; lack of affordable housing and open space.

That being said, the most significant challenge facing my city in 2009 is our budget crisis. San Francisco slipped into the largest budget deficit in recent decades—representing a half billion dollars, half of our city’s discretionary fund. This resulted from a dramatic fall in our tax revenues. Trying to address our city’s other challenges is extremely difficult when we don’t have money. It’s a classic Kennedy School case study.

*AAPR*

What do you see as the major issues facing the Asian American community, whether in San Francisco, the state of California, or across the country?

**Chiu**

As a preface, the district I represent includes San Francisco’s Chinatown, the oldest and largest Chinese American community in the country. San Francisco also has the largest Asian demographic of any major city in the country; we’re about one-third Asian. We have an incredibly diverse population of vibrant Asian ethnic communities across the city, including Chinese, Japanese, Filipino, Korean, Southeast Asian, and South Asian populations. The communities’ challenges are varied, depending on which community you’re talking about.

For example, Chinatown is one of the lowest-income neighborhoods in the city. It has a very poor housing stock, and many low-income residents live in SRO [single room occupancy] housing or public housing that is substandard and overcrowded. Years ago, our Chinatown used to be more economically and demographically diverse, with a larger mix of families and young people. That has changed over time, and today’s Chinatown is heavily skewed toward low-income seniors.



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Another challenge we face is that the few available jobs in this recession are low-income entry jobs in restaurants or otherwise minimum-wage employers, and we don't have job opportunities to attract working-class families. We are also plagued with tremendous traffic congestion, a lack of open space, and graffiti, and Chinatown has not received the city resources that we need.

More broadly, in San Francisco, many city government services are not accessible by residents for whom English is not their first language. Whether dialing 911 or accessing many city services, these challenges are made much more difficult by language barriers. I am introducing legislation in this area to hopefully make our city government more accessible.

Also, throughout California, per-pupil spending has dropped dramatically. California used to be among the top ten states in the country for this spending, but we are now in the bottom ten. San Francisco's educational system has serious challenges caused by local educational financing restrictions that make it difficult to raise money for schools and teachers.

### ***AAPR***

Being a native of Boston, having worked in D.C. and New York, and now serving the city of San Francisco, what do you feel are the benefits, challenges, and/or general differences in representing an area with a large Asian American population versus a majority non-Asian American community?

### **Chiu**

In cities with smaller Asian populations, it's much easier to coalesce around agendas because there are fewer folks to create consensus around. And there is a perceived need to band together and put aside internal community differences. In a community like San Francisco, part of the reason we have faced barriers to Asian American political participation is that there are a lot of Asians with disparate political interests, based on generational differences—first-generation immigrants versus second-generation Asian Americans, for example—or based on differences created by income.

I represent a district with many first-generation immigrants. The concerns that I'm trying to address for them are different from the concerns of nonimmigrant, middle-class Asian Americans who live in other parts of my city. These subsets of the Asian community think differently about housing agendas, education agendas, or economic development.

The immigration diversity within our Chinese American community has also created community disagreements over the years. For example, immigrants who emigrated from Hong Kong, from Southern China, or from Taiwan have each brought different homeland politics to Chinatown that has made it more difficult to create political consensus.

### ***AAPR***

What do you see as the major barriers to political participation and, more broadly, electoral success in San Francisco?



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## **Chiu**

Fractures within our Asian communities have hindered community empowerment. Political observers often use the analogy of crabs in a bucket to describe ethnic politics: as one crab tries to climb out of the bucket, crabs below pull it down, and the other crabs don't appreciate that the real threat is outside of the bucket. Oftentimes, community leaders will pull each other down, without focusing on the challenges outside of the bucket.

In San Francisco on 4 November 2008, the Asian American community tripled its representation at the San Francisco Board of Supervisors. I have observed that many of the successful Asian Americans share several things. We were mostly educated in the United States and are second-, third- or fourth-generation Asian Americans. We all had significant records in community service before we ran for office.

A third similarity is that Asian American candidates who have won have had a record of community leadership outside of the Asian American community; in other words, our candidates have been able to build coalitions across racial and ethnic barriers. For example, when I ran in a field of nine candidates, with six non-Asian candidates and two other Asian candidates, I had to build coalitions across diverse communities.

## ***AAPR***

How do you feel the Asian Pacific American community could be better mobilized? And, what role do they particularly play in electing Asian American officials?

## **Chiu**

Chinese and other Asian American communities were instrumental in my race and provided me with significant volunteer, fundraising, and community support. I have to credit the pan-Asian nature of the community support, from South Asian, Korean, Japanese, Southeast Asian, and Filipino communities, in addition to the Chinese community. These communities understood what it meant to have no Asian representation at the political table.

Before 4 November 2008, only one of the eleven San Francisco supervisors was Asian American. Citywide, lack of representation motivated our community to not engage in the infighting and factionalism that caused previous Asian candidates to lose.

In San Francisco, we have an instant runoff voting system that helps to avoid the dilution of votes when there are multiple ethnic candidates in a race. Under our system, voters can cast their votes for up to three candidates and not worry about throwing away a vote if their top preferred candidate does not prevail. While there were several Chinese candidates in my race, this voting system minimized negative politics, since all candidates hope to garner the second- or third-ranked votes of other candidates' supporters.



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*AAPR*

We hear that in San Francisco, there has been a concerted effort to try to register Chinese American voters, especially with four of the eleven districts having pretty sizable Chinese populations. On the East Coast, you certainly don't see that level of sophistication where you can break down where the voters are and figure out who to target. What are your thoughts on that?

**Chiu**

In San Francisco, we have political consultants who are experts at slicing and analyzing every demographic, and the numbers show that we can win the seats of four districts, assuming community efforts to register and engage Asian American voters. And fortunately, in recent years, our community has mobilized in more sophisticated ways. In California, we have a statewide Asian American candidates' training program; there are informal fundraising networks; there are seasoned political activists who provided tremendous support.

*AAPR*

As a Kennedy School alumni, what did you take away from your experience here? What was useful for you in your career in politics?

**Chiu**

While I have an undergraduate degree in political science and a law degree from Harvard, my Kennedy School years were easily the most valuable part of my education. Everything I know about analyzing policy issues, conducting myself as a public official, thinking about political strategy, interacting with the press, or weighing what is right and what is wrong, I first learned at the Kennedy School. There are also many Kennedy School alumni running San Francisco city departments—a wonderful network that helps me to do my job.

I should also mention that the Kennedy School's Asian Student Caucus was a very supportive family. Many of my Asian American classmates moved out to the Bay Area, and we support each other regularly. In fact, there are at least four Asian Kennedy School alumni in public office in the Bay Area. It has been wonderful to see our training put to good use.

As I often say privately and publicly, I cannot say enough good things about the Kennedy School. Throughout my career in the various private, nonprofit, and government sectors, my Kennedy School education prepared me for each step, even the two-page memos that we were trained to write. In fact, when people ask how they can quickly brief me, I ask them to provide the classic Kennedy School two-page memo.

*AAPR*

What are your future plans?



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**Chiu**

I've only been in my job for eight weeks. It has been an enormously rewarding, intense, and fascinating experience. I am focused 1,000 percent on my job and have given no thought to future plans—I'll see how things go in the future. That being said, I am optimistic about the future of Asian American elected officials in California.

***AAPR***

Again, thank you so much for your time and congratulations on your election.



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# Then and Now: Challenges Facing Asian Americans, an Interview with Former Labor Secretary Elaine Chao

Interviewed by Ke Ji and Clarence Tong

On 18 March 2009, Ke Ji and Clarence Tong sat down with the 24th U.S. Secretary of Labor, Elaine Chao, to discuss her experiences in public service and her outreach efforts to the Asian American and Pacific Islander community during her time as the highest-profile Asian American in the George W. Bush administration from 2001-2009. In 2002, Clarence Tong was part of Secretary Chao's internship program at the U.S. Department of Labor.

## *AAPR*

What inspired you to pursue a career in public service?

## **Chao**

I'm an immigrant to this country. My family and I are Americans of Chinese descent. My father was born in Shanghai. My mother was born in Anhui Province. My parents' early lives were fraught with uncertainty, risk, danger, instability. We are very fortunate to be able to live in a country that has peace and stability. When the civil war peaked in China, my father was apprenticing on a ship, to round out his skills. The Port of Shanghai was blockaded, and he was unable to return. So his ship made its way to Taiwan, where my mother also relocated.

In Taiwan, my father and mother were reunited, married, and had three children. When I was about five years old, my father took a national examination in Taiwan, in which he scored number one. Because of his high score, he was offered the opportunity to study in America. At that time, my mother was seven months pregnant with their third child. Yet, she, unhesitatingly, encouraged him to go to America to seek a better life for our family.

My father went to America first, alone. And it took him three years before he was able to save enough money to bring my mother, my two sisters, and me to America. Needless to say, our initial years in this country were very difficult. My parents endured great hardships. But, for us, the children, we never felt that we were in want. We had the love of our parents and the support of a very loving family environment.



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We didn't ever feel that we were disadvantaged. We knew that we had to be very frugal materially, but we never felt that we were disadvantaged in spirit or in aspirations. As I advanced in my career, I was curious about the federal government. At the time, I was working at a bank in New York City. After having worked there for four years, I had an opportunity to transfer to another part of the bank, perhaps in either London or Hong Kong.

Rather than pursue the same kind of work in a basically different environment, I was curious about the federal government. So I applied for the White House Fellowship Program. My initial entry into the public sector was spurred by my desire to contribute to society—to give back to this country the opportunities that I've experienced. I hope to make a difference. The opportunity to make impactful change in the public sector is very special.

### *AAPR*

There are some exit polls showing that the Asian American community voted in very high numbers for Senator Barack Obama, now President Obama. What do you make of this? Do you think that represents a growth of Asian Americans into the Democratic Party?

### **Chao**

When you've been through a number of election cycles as I have, you tend to take a long-term point of view. The Asian American community is not monolithic. There are differences within the Asian American community. Chinese Americans vote differently than Japanese Americans. Japanese Americans vote differently from Vietnamese Americans, Korean Americans, and Filipino Americans, for example. The voting patterns within each group can shift with each election cycle.

What is undeniable is that the Asian Pacific American community is an increasingly important swing vote community and that they're up for grabs. They are the fastest-growing community of color. When I first came to Washington to enter the federal government in the 1980s, Asian Americans comprised only 1 percent of the population. Now they're more than 4 percent of the population. So, our increasing numbers will give us greater political clout. Whether one party can claim this community is still up in the air.

I see a growing number of Asian Pacific Americans who are considering careers in the public sector. I think part of that is due to the fact that our numbers are increasing. We're increasingly financially secure in this country, so we no longer just have to worry about surviving. We can think about expanding outside of our traditional areas of occupation. Also, I think as the younger generation becomes more acculturated, and their communication skills improve, it is easier for them to enter into the public sector as well.



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## **AAPR**

As a high-level appointee in the Bush administration, did you feel that you had a responsibility to serve as a representative of the Asian American community? And are there any work first issues that you feel are particularly relevant as labor secretary for Asian Americans?

## **Chao**

Your readers should know that you cannot establish programs just for Asian Americans or any one racial group. Did you know that? It's against the law and is considered discriminatory. Having said that, I have always been very concerned about the Asian American community. I try to do whatever I can to help increase opportunities for the Asian American community. At the Department of Labor, we initiated many new programs to help Asian Pacific Americans access greater opportunities in mainstream America.

I established the first ever annual Asian Pacific American Federal Career Advancement Summit, which provided workshops to Asian Pacific American federal employees to help them advance within the federal government. Many Asian Pacific American employees felt that they were technically proficient and yet were not able to advance into managerial and executive ranks.

That was why I established this Asian Pacific American career advancement summit to help provide the resources to Asian Pacific American employees to gain skill sets to advance within the federal government. This was also open to non-Asian Pacific Americans to help them gain a greater understanding of Asian Pacific American cultures, so that when they worked with Asian Pacific Americans within their organizations, they would understand some of the issues and be better mentors or employers as well. This was held in May of every year. It was free of charge. Holding this session free of charge was tremendously helpful because a lot of Asian Pacific American employees either did not have the personal resources or could not get their organizations to always sign on to subsidize their participation.

We also held an opportunity conference in October of every year, which gave underserved communities the opportunity to learn about the federal procurement process and network within the African American, Hispanic American, and Asian Pacific American communities. We also established a new Secretary of Labor internship program for underserved communities of which you obviously were a beneficiary. In particular, I hoped that Asian Pacific American youths would take advantage of that program. Throughout my tenure, I have always had two Asian Pacific American noncareer appointees serve as community liaisons in the Office of the Secretary of Labor. In addition to responding to the needs of the community, I also wanted to give some Asian Pacific American young people the opportunity and experience to work at the highest levels of a federal government. When I was growing up, it was unusual to see an Asian Pacific American in the public sector. I wanted to give some Asian Pacific American young people the opportunity of working at the highest level in a federal department so they can gain the experience and confidence in knowing that they can work in any other high office in the federal government and that they have every right to be there.



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In 2003, the Bureau of Labor Statistics, which is part of the U.S. Department of Labor, began to report employment data on Asian Pacific Americans as a separate category.

I also appointed the largest number of Asian Pacific American appointees in the federal government. President George W. Bush appointed over 400 Asian Pacific Americans to the highest level of his administration, the largest number ever recorded in our country's history. I appointed the largest number of Asian Pacific American appointees of any federal government agency. I appointed the first Asian Pacific American [Department of Labor] chief financial officer, Sam Mok. I appointed the first Asian Pacific American director of the [Department of Labor's] Women's Bureau, Shinae Chun. And we had the highest representation of Asian Pacific Americans of all federal departments.

What I hoped to do was to show the community the road map, and then individuals in the community, hopefully, will have the opportunity to explore and to achieve greater heights.

### ***AAPR***

If there is something that you could have done differently while you were labor secretary, what would you have done?

### **Chao**

It has been a great honor to serve the American people for the last eight years. As someone once said, the hours are long, but the days are short. I gave it my best. I've had the unique experience of working in the public, private, and the nonprofit sector. All my past experiences came together in enabling me to be an effective and compassionate secretary of labor. Our department achieved the best health and safety record for workers of any administration in the past. We recovered a record amount of back wages and restored record amounts of pension assets for workers. In addition to protecting the health and safety and retirement security of the workforce, I tried to lead the organization in a different direction. As the first secretary of labor in the 21st century, my focus has also been on maintaining the competitiveness of America's workforce in a globalized economy and updating the decades-old department rules and regulations to more realistically reflect today's workplace and help spur the rate of new job creation. We cannot isolate ourselves from the worldwide economy. It is the reality of the 21st century, and we need to work to maintain the competitiveness of our workforce.

### ***AAPR***

Great. Thank you so much for your time.



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# Asian American Political Participation in the 2008 Presidential Election

by Glenn D. Magpantay

## Introduction

Asian Americans are one of the fastest-growing minority groups in the nation, estimated to number almost twelve million people. More and more are becoming U.S. citizens, and they are increasingly registering to vote. While 66 percent of Asian Americans are citizens, most (53 percent) acquired citizenship through naturalization.<sup>1</sup> Asian American citizens of voting age numbered 3.9 million in 1996 and rose from 4.7 million in 2000 to 6.7 million in 2004. Asian American voter turnout has also steadily increased, from 1.7 million in 1996 to nearly 3 million in 2004 (U.S. Congress 2005).

Asian American voters have been overlooked by the mainstream media and by candidates for political office. Exit polls typically report on election returns and racial breakdowns in the vote for Whites, African Americans, Latinos, and “other.” When they have reported on the Asian American vote, data has been skewed. In the 1996 presidential election, for example, Voter News Service (VNS) surveyed only 170 Asian Americans nationwide out of 16,000 voters polled, and the VNS conducted its poll only in English. It reported that Asian Americans favored Republican candidate Bob Dole over Bill Clinton by 48 percent to 43 percent. But multilingual community exit polls in New York and California found that Asian American voters supported Clinton by wide margins—up to 75 percent in immigrant neighborhoods.<sup>2</sup> When the media neglects the Asian American vote, candidates usually follow suit.

Moreover, while Asian Americans aim to participate in the electoral franchise, they encounter obstacles due to their unfamiliarity with the American electoral process. Many come from Asian countries with very different political systems or that may even lack a tradition of voting. They do not understand basic political procedures, such as the need to register to vote by a certain date or to enroll in a

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political party to vote in a primary, or how to operate voting machines (U.S. Congress 1992; U.S. Senate 1992). Almost half (43 percent) of all Asian Americans over the age of eighteen are limited English-proficient, and 81 percent speak a language other than English in their homes (U.S. Census Bureau n.d., Table PCT62D). Special efforts are needed to help Asian American voters fully participate in elections.

Since 1988, the Asian American Legal Defense and Education Fund (AALDEF) has conducted nonpartisan multilingual exit polls of Asian American voters and monitored elections to document instances of anti-Asian voter disenfranchisement (Magpantay 2004b).<sup>3</sup> AALDEF's multilingual exit polls reveal vital information about Asian American voting patterns that are regularly overlooked in mainstream voter surveys. The polls also provide a snapshot of Asian American voter preferences regarding candidates, political parties, language needs, and other issues of vital importance to their communities.

In 2008, AALDEF mobilized 1,500 volunteer attorneys, law students, graduate and undergraduate students, and community activists to cover 113 poll sites in thirty-nine cities in eleven states and Washington, D.C.<sup>4</sup> The AALDEF conducted its polls in thirteen languages: English, Chinese, Korean, Tagalog, Hindi, Bengali, Urdu, Punjabi, Gujarati, Vietnamese, Khmer, Japanese, and Arabic.<sup>5</sup> Overall, a total of 16,665 Asian American voters were surveyed in states with large Asian American populations: New York, New Jersey, Virginia, Maryland, Pennsylvania, Massachusetts, Michigan, Illinois, Nevada, Louisiana, Texas, and Washington, D.C. It was the largest survey of its kind (AALDEF forthcoming).

### **Exit Poll Findings and Profile of Respondents**

The five largest Asian ethnic groupings surveyed were Chinese (32 percent); South Asian (including Indian, Bangladeshi, Pakistani, and Indo-Caribbean<sup>6</sup>—31 percent); Korean (14 percent); Southeast Asian (including Vietnamese, Cambodian, and Thai—9 percent); and Filipino (5 percent). The ethnic composition of voters differed by locality. For example, Asian American voters surveyed in Massachusetts were mostly Chinese, Vietnamese, and Cambodian. In New Jersey, they were mostly South Asian, Filipino, Korean, and Chinese. In Michigan, the population was mostly South Asian, West Asian, and Chinese. In Virginia, it was a mix of Korean, Vietnamese, and South Asian. And in Louisiana and Texas, surveyed voters were mostly Vietnamese. (See Tables 1 and 2 and Figure 1 for more information on respondents.)

Only 20 percent of respondents identified English as their native language; 27 percent identified Chinese as their native language, 24 percent identified a South Asian language, and 12 percent identified Korean. Thirty-five percent were limited English proficient.<sup>7</sup>

Seventy-nine percent of respondents were foreign-born citizens; only 21 percent were born in the United States. South Asians exhibited the highest rates of foreign-born respondents at 87 percent, followed by Southeast Asians and Koreans, each at 83 percent, and Chinese and Filipinos, each at 74 percent.

Nearly one-third (31 percent) of all those surveyed stated that the November 2008 election was the first election in the United States in which they had voted.



South Asians had the highest percentage of first-time voters (36 percent), followed by Southeast Asians (35 percent), Chinese (29 percent), Koreans (25 percent), and Filipinos (24 percent).

The educational attainment of those surveyed was divided. Asian Americans are often regarded as a highly educated class, and indeed 42 percent had attained college/university educations and 23 percent had attained a graduate-level education. At the same time, 23 percent had no formal U.S. education.<sup>8</sup>

Most Asian Americans enrolled in the Democratic Party, followed by no party at all. A small minority enrolled in the Republican Party. Fifty-eight percent of Asian Americans were registered Democrats, 26 percent were not enrolled in any political party, and 14 percent were registered Republicans. Only 3 percent were enrolled in another political party. There were some variations by ethnic group (see Table 3): South Asians were the most Democratic voters, followed by Koreans. A plurality of Chinese and Filipinos were Democrats. Most Vietnamese were Republicans.

**Table 3: Political Party Enrollments of Asian Americans Surveyed**

<b>Ethnic Group</b>	<b>Percentage Democrats</b>	<b>Percentage Republicans</b>	<b>Percentage No Party Affiliation</b>
South Asians	76%	6%	16%
Koreans	51%	20%	28%
Chinese	48%	11%	38%
Filipinos	45%	25%	26%
Southeast Asians	34%	36%	27%

*Percentages do not include those enrolled in third parties.*

However, the Asian American vote for president did not exactly reflect their party enrollments.

### **Asian Americans and the Presidential Vote**

Asian Americans, especially first-time voters and South Asians, demonstrated strong support for the historic election of the nation's first African American president. By more than a three-to-one margin, Asian Americans favored Democratic candidate Barack Obama over Republican candidate John McCain—76 percent to 22 percent. Only 2 percent voted for another candidate. Support for Obama was consistent among almost every Asian American demographic group. In comparison, as reported by the *New York Times* on its Web site, of the overall electorate, 53 percent voted for Obama, 46 percent voted for McCain, and 1 percent voted for another candidate (New York Times 2008).

First-time voters favored Barack Obama by the greatest margin: 82 percent of first-time Asian Americans voted for Obama, 17 percent voted for McCain. This was more intensive than it was in the overall electorate, where, as ABC News exit polls showed, 69 percent of first-time voters chose Obama, and 30 percent voted for McCain (ABC News 2008).



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Party crossover voting for Obama was three times greater than it was for McCain. Seventeen percent of Asian American Republicans crossed party lines to vote for Obama. By contrast, only six percent of Asian American Democrats voted for McCain. Obama was also the clear choice of Asian American voters not enrolled in any political party (71 percent to 26 percent). Crossover voting for Obama was stronger among Asian Americans than in the overall electorate, where nine percent of all Republicans voted for Obama and ten percent of all Democrats voted for McCain (ABC News 2008).

The most important factors influencing Asian American voters' choices in the presidential race were the economy/jobs (30 percent), followed by health care (19 percent), and foreign policy/war in Iraq (15 percent). Other choices were education (13 percent), civil rights/immigrant rights (11 percent), terrorism/security (6 percent), crimes in neighborhoods (3 percent), and other (3 percent). These top choices were generally the same for both Obama and McCain supporters. These factors mirrored the same concerns for most voters in the overall electorate.

Obama was favored over McCain by nearly every Asian ethnicity, most strongly by South Asians. South Asians voted for Obama over McCain (93 percent to 6 percent); other groups were as follows: Chinese (73 percent to 25 percent); Koreans (64 percent to 35 percent); and Filipinos (59 percent to 38 percent). However, the majority of Vietnamese voters favored McCain, with 32 percent voting for Obama and 65 percent voting for McCain.

Even though Asian Americans come from diverse cultural backgrounds, speaking different languages and bearing different histories of migration to the United States, in the electoral area, they generally demonstrate political voting cohesion. With only one exception, each Asian ethnic group voted as a bloc for Obama and identified the same reasons for its votes. Barack Obama won majorities of the vote from every Asian American demographic group. Asian Americans exhibited political unity. But some variations by age, nativity, citizenship tenure, and English proficiency provide unique insights.

Younger Asian Americans voted for Barack Obama by much greater margins than older Asian Americans. Among eighteen- to twenty-nine-year-olds, 88 percent voted for Obama and 11 percent for McCain. But as voter age increased, support for Obama, though still the majority in each age group, steadily declined. For those over 70, 62 percent voted for Obama and 37 percent for McCain.

Likewise, Obama's support was greatest among U.S.-born Asian American voters, where 87 percent voted for Obama. Yet, native-born Asian American citizens were only 21 percent of all respondents, while foreign-born American citizens of Asian ancestry were 79 percent of those polled. Seventy-four percent of foreign-born Asian Americans supported Obama.

As voters' citizenship tenure lengthened, support decreased. Obama's greatest support came from Asian Americans who became citizens within the past five years before the election. McCain's greatest support came from Asian Americans who had been naturalized for more than ten years. Among those who became citizens within the past two years, 87 percent voted for Obama, while 19 percent voted for McCain. Among those who have been citizens for more than ten years, 69 percent voted for Obama, and 30 percent voted for McCain.



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This trend was consistent with voters' English-language ability. Obama's support was greatest among fully English-proficient Asian American voters, as 82 percent of voters who read English "very well" voted for Obama while 17 percent voted for McCain. The strength of the majority support declined for voters who read English only "moderately" or "not well." Among voters who did not read English "at all," 58 percent voted for Obama, 39 percent for McCain. Younger, U.S.-born, more recently naturalized, and English-proficient Asian American citizens most resoundingly preferred Barack Obama for president. In contrast, older, foreign-born citizens who had been naturalized for more than ten years or were limited English proficient voted in greater proportions for McCain, though still less than a majority.

The lesson here is that President Obama needs to conduct a better outreach to more Asian Americans, particularly older, foreign-born, and limited English proficient voters. Efforts that expand access to the vote, such as bilingual ballots, translated voter registration forms, and interpreters at poll sites, can successfully accomplish this outreach. Other specific efforts are described in the next section and in the conclusion to this article.

### **Anti-Asian Voting Discrimination**

In past elections, Asian American voters encountered a range of barriers when they tried to exercise their right to vote. AALDEF's election monitoring efforts over the years documented several instances of Asian American voter disenfranchisement.<sup>9</sup> Although there was no calamity during the 2008 presidential election, problems still abound (AALDEF 2009). AALDEF poll monitors uncovered several disturbing incidents (U.S. Congress 2009).

Asian American voters encountered poll workers who made inappropriate or racially disparaging remarks. For example, 112 voters complained that poll workers were rude or hostile, and some said a number of poll workers made derogatory remarks and gestures. Some examples include the following:

- At one poll site in Brooklyn, New York, a poll worker remarked that Middle Eastern voters "looked like terrorists to [him]." At another poll site, a poll site supervisor challenged an Arab American voter saying, "We don't trust you; you're not voting. If you want to complain, go to the judge." The voter was not able to vote.
- A voter complained that a poll worker in Long Island City, Queens, New York, made her feel uncomfortable when the poll worker asked, "Why do you have an American name? Are you Japanese?"
- A Sikh voter was made to vote by provisional ballot because his last name (Singh) was very common and the poll workers in Ozone Park, Queens, New York, "couldn't figure out which one he was."

Sometimes Asian American voters were treated with less courtesy than were White voters, or they were simply ignored by poll workers during the 2008 election. Examples include the following:

- In Chinatown, Manhattan, New York, a poll worker made comments complaining about Chinese American voters and was inattentive when these voters



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arrived. The poll worker made an entire line of voters wait while he sent text messages on his cell phone.

- In Ann Arbor, Michigan, a Chinese American voter felt insulted when a poll worker greeted all the White voters in front of her but turned silent when she approached. In Hamtramck, Michigan, several Asian American voters complained about one poll worker yelling at voters.
- In Lowell, Massachusetts, several Asian American voters reported being ignored by poll workers. One particular voter complained that when she came to the front of the line, the poll worker instead turned to the White voter standing behind her. The voter had to go to a different poll worker to vote.

Just like the encounters of African American and Latino voters in the 2000 presidential election debacle in Florida (U.S. Commission on Civil Rights 2001), in 2008, 540 Asian American voters complained that their names were missing or incorrect on the lists of registered voters located at poll sites. Many Asian American voters were simply turned away. AALDEF found that this was often due to the faulty processing or mishandling of voter registration forms by election administrators. The Help America Vote Act was enacted to remedy many of the election problems in 2000, and it allows these voters to vote by provisional ballots. Unfortunately, such ballots were not offered or were even denied to some Asian American voters (HAVA 2002, Section 302, 42 U.S.C. § 15482). For example:

- In Fairfax County, Virginia, poll workers did not know what to do when voters' names were missing. One voter was certain that he was at the correct poll site but was not allowed to vote by provisional ballot.
- In Novi, Michigan, a couple came to the poll site, and the husband voted without incident but the wife's name was missing. The wife asked for a provisional ballot, but poll workers refused to give her one.
- In Lowell, Massachusetts, voters were not permitted to vote by provisional ballot at poll sites. Instead, if names were missing, poll workers either called city hall or directed the voter to city hall to confirm their registration and cast a provisional ballot. Voters were unable to vote on Election Day. AALDEF observed the same problem in the 2004 elections.
- In Philadelphia, Pennsylvania, the main poll site in Chinatown had a limited number of provisional ballots, and poll workers would not distribute the ballots unless voters specifically demanded them. When voters did ask, poll workers requested documentation of their address. But many voters did not know they could ask for a provisional ballot and simply left without voting. Similar problems occurred during the presidential primary election, but in that election, poll workers turned away voters and told them to register for the next election.
- In Ozone Park, Queens, New York, even when voters cast provisional ballots, poll workers did not know what to do thereafter. One poll worker said, "I don't know what to do with this."



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Asian American voters also complained that they were given inadequate notice of their poll sites or were redirected, sometimes incorrectly, to other locations or voting lines inside poll sites. One hundred and sixty-eight voters reported that they were directed to wrong poll sites or precinct voting booths. Another 168 voters complained that poll workers did not know what to do and were poorly trained. One hundred and sixteen voters complained that the voting machine was broken and so they could not cast their votes.

Lastly, Asian American voters reported to AALDEF that they were racially profiled and had to provide identification in order to vote. Poll workers required Asian American voters to prove their identity and verify their address. Identification checks are not typically required to vote in most jurisdictions that AALDEF covered, except only for a very narrow category of first-time voters (HAVA 2002, Section 303, 42 U.S.C. § 15483(b),(d)). In states where identification is not generally required, 2,795 voters were required to present identification. The vast majority of them, 68 percent, were not required to do so under HAVA.

Asian Americans have had to overcome a series of discriminatory barriers to exercise their right to vote. Because of such voting disenfranchisement, special efforts are needed to ensure that Asian Americans have fair and equal access to the ballot, such as language assistance, described in the next section.

### **Asian American Access to the Vote**

Language assistance is needed to preserve access to the vote. Only one in five (20 percent) of Asian Americans polled identified English as their native language; 35 percent said that they were limited English proficient. A number of poll sites were mandated to provide bilingual ballots and interpreters under the federal Voting Rights Act; other jurisdictions voluntarily provided language assistance. In the 2008 elections, 18 percent responded that they preferred to use some form of language assistance to vote.

Korean Americans exhibited the greatest rates of limited English proficiency at 54 percent, followed by Southeast Asians at 49 percent and Chinese at 45 percent. Most South Asians and Filipinos voters were fully English proficient, with only 20 percent of South Asian and 6 percent of Filipinos identifying themselves as limited English proficient. Twenty-six percent of each Chinese and Southeast Asian voters and 21 percent of Korean voters stated that they preferred to vote with language assistance.

The Language Assistance Provisions of the Voting Rights Act, codified at Section 203,<sup>10</sup> has opened up the political process to tens of thousands of Asian Americans. After the 2000 census, sixteen counties in seven states were required to provide assistance in one or more Asian languages. These include counties in Alaska, California, Hawaii, Illinois, New York, Texas, and Washington for Chinese, Korean, Filipino, Vietnamese, or Japanese language assistance.<sup>11</sup>

Section 203 primarily requires covered jurisdictions to provide the following types of assistance:

- (1) Translated written materials, including ballots, voter registration forms, voting instructions, notifications, and announcements



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- (2) Oral assistance such as interpreters, bilingual poll workers, and bilingual/multilingual voter hotlines<sup>12</sup>
  - (3) Publicity regarding the elections and availability of bilingual assistance, such as signs at polling sites, announcements in language minority radio, television, and newspapers,<sup>13</sup> and direct contact with language minority community organizations

The goal is to ensure that covered language minority groups can effectively vote in elections.<sup>14</sup>

Translated ballots have enabled Asian American voters to exercise their right to vote independently and privately inside the voting booth. Having interpreters at poll sites was instrumental for Asian American voters not fully proficient in English. In 1992, when three counties in New York City were first covered under Section 203, more than 54,000 Chinese Americans in Manhattan and Queens benefited from the availability of Chinese language materials.<sup>15</sup> AALDEF exit polls then and now documented that the main beneficiaries were first-time voters, newly naturalized citizens, and voters with no formal U.S. education or less than a high school education.

In jurisdictions covered for bilingual ballots, AALDEF's exit poll found that more than half of the covered language minority groups were limited English proficient. For example:

- 60% of Chinese in New York City (Manhattan, Queens, and Brooklyn)
- 75% of Koreans in Queens, New York
- 51% of Vietnamese in Houston, Texas
- 70% of Chinese in Boston, Massachusetts
- 54% of Vietnamese in Boston, Massachusetts<sup>16</sup>

For each group, about a quarter to a third of all voters required the assistance of interpreters or translated voting materials in order to cast their votes.

Section 203 has also aided grassroots efforts to increase Asian American voter registration. From 2001 to 2004, multilingual voter registration forms required under Section 203 have helped increase Asian American voter registration by 40 percent (Endo 2005). AALDEF's exit poll confirmed this and found that a third of Asian American voters in 2008 were voting for the first time.

Although Section 203 has made the vote more accessible, covered jurisdictions have had several problems in implementation. AALDEF's poll monitoring for compliance with Section 203 uncovered numerous violations (Magpantay 2004a). In New York City, during the 2000 presidential elections, ballots flipped the translated party headings so that Republican candidates were listed as Democrats and Democrats as Republicans (Murphy et al. 2000; Murphy et al. 2001). Repeatedly, in New York City, as well as Los Angeles, Orange, San Francisco, and Alameda counties in California, poll workers kept translated materials hidden and unavailable to voters. On a number of occasions, poll workers never even bothered to open the supply kit containing translated materials. Translated signs were posted in obscure locations or not posted at all. Voters have also complained about too few



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interpreters or interpreters who spoke the wrong language or dialect. These problems persisted in 2008, for example:

- In New York City, many poll sites did not have enough interpreters. Twenty-five percent of all Chinese-speaking interpreters assigned by the board of elections and 28 percent of all Korean-speaking interpreters assigned were missing.
- At one poll site in Jackson Heights, Queens, New York, the poll site coordinator did not even know that a Korean interpreter was available at the site.
- At another poll site in Manhattan's Lower East Side, there was only one interpreter for hundreds of voters. Poll workers tried to get additional interpreters but were told they "didn't need" them. The lone Chinese interpreter was extremely overworked.

The U.S. Department of Justice has dispatched federal attorneys to monitor for Section 203 compliance. The department has filed several lawsuits to remedy these deficiencies.<sup>17</sup> AALDEF has also filed its own cases on behalf of Asian American community groups and voters.<sup>18</sup> All have more forcefully ensured that jurisdictions fully comply with Section 203.

While Section 203 has helped immensely, countless Asian Americans are still denied access to vote. Limited English proficient Asian American voters are growing in many other parts of the country not covered under Section 203. The largest Asian language groups in particular jurisdictions with high rates of limited English proficiency include:

- Bengali-speaking voters in Brooklyn and Queens, New York, and Detroit, Michigan
- Urdu-speaking voters in Brooklyn, New York
- Korean-speaking voters in Bergen County, New Jersey, Cook County, Illinois, and Fairfax County, Virginia
- Gujarati-speaking voters in Middlesex County, New Jersey
- Khmer-speaking voters in Lowell, Massachusetts
- Vietnamese-speaking voters in Falls Church, Virginia, and New Orleans, Louisiana
- Chinese-speaking voters in Philadelphia, Pennsylvania

In AALDEF's survey, 254 voters complained that there were no interpreters or translated materials available to assist them. The lack of assistance created opportunities for certain campaign workers to take advantage of limited English proficient voters for partisan gain. In Annandale, Virginia, limited English proficient Korean American senior citizens had to turn to a Republican campaigner for assistance. This person allegedly not only showed voters how to vote but also who to vote for. AALDEF received and reported similar complaints of improper voter influence during the 2006 elections by the same individual involved.



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To address the greater need for language assistance, advocates have pressed for voluntary assistance, such as bilingual poll workers and translated voter registration forms and voting instructions. Such efforts have helped to increase the accessibility of the voting booth.

## Conclusion

Asian Americans have surged throughout the United States. They are becoming citizens and aim to participate in the nation's political franchise, but they are often overlooked by media exit polls and politicians. Greater outreach is needed, especially to limited English proficient and older Asian American voters. Moreover, Asian Americans have encountered many voting barriers. Section 203 of the Voting Rights Act has helped to expand access to the vote, but there have been some shortcomings in local compliance. Aggressive enforcement by the U.S. Department of Justice is needed to ensure that all Americans fully enjoy the right to vote. Moreover, the Voting Rights Act should be expanded to cover more jurisdictions and Asian language minority groups. President Obama won every demographic of the Asian American vote, but his majority support was lower among older, foreign-born, and limited English proficient Asian American voters. These are the exact populations that would directly benefit from increased enforcement of the Voting Rights Act and expanded language assistance. Such efforts embody the urgency of now.

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## Endnotes

<sup>1</sup> The U.S. Census 2000 identified 11,898,828 individuals who are of Asian heritage. Asian American growth since 1990 was 72.2 percent (U.S. Census Bureau n.d., PHC-T-1, Tables 3, 4, and Summary File 3 "PCT63D").

<sup>2</sup> Voter News Service (VNS) later supplemented its national poll with state polling data and found that 53 percent of Asian Americans supported Clinton, with 40 percent voting for Dole. VNS was disbanded after the 2000 election debacle.

<sup>3</sup> In 2006, AALDEF surveyed 4,726 Asian American voters in nine states; in 2004, it surveyed 10,789 voters in eight states; and in 2002, it surveyed more than 3,000 voters in four states.

<sup>4</sup> Poll sites that had large numbers of Asian American voters and/or a history of voting problems were selected. Poll sites were covered throughout the day from opening to closing. All volunteers were identified with name tags and trained in conducting the exit poll, with special emphasis on nonpartisanship, confidentiality, and anonymity of the exit poll. Volunteers attempted to approach all Asian voters after they had voted and were exiting the site and asked voters to complete a questionnaire.

<sup>5</sup> Pollsters were conversant in these and other Asian languages and dialects including Malayalam, Tamil, Thai, Cantonese, Mandarin, Taiwanese, and Fukienese. Sometimes assistance was provided by translating or reading aloud the questions.

<sup>6</sup> "Indo-Caribbeans" are ethnic Indians who were originally imported as indentured servants to Caribbean nations, such as Guyana, Jamaica, Suriname, and Trinidad. Throughout the 1990s, they made a secondary migration to the United States.

<sup>7</sup> Limited English proficiency is determined by one's ability to read English less than "very well," according to a U.S. Census Bureau, Pop. Div. Letter from Robert Kominski to Paul Siegel, chief of education and social stratification branch, 4 February 1985 (on file with author).

<sup>8</sup> See by way of comparison, the census phrases questions on educational attainment without distinguishing between education completed abroad and education acquired in the United States. U.S. S. Rep. No. 94-295, at 26 (1975).



<sup>9</sup> See, for example, *Diaz v. Silver*, 978 F. Supp. 96, 101 (E.D.N.Y. 1997), *aff'd mem.*, 118 S. Ct. 36 (1997) (citing Affidavit of Michael Shen at ¶ 25 for Defendant-Intervenor).

<sup>10</sup> 42 U.S.C. Sec. 1973aa-1a (2004).

<sup>11</sup> 67 Fed. Reg. No. 144, 48871-77 (26 July 2002) (Notices).

<sup>12</sup> Sometimes assistance must be provided in more than one dialect of the language. For instance, although there is one written form of Chinese, there are several spoken dialects, like Cantonese, Mandarin, Toisan, and others (28 C.F.R. § 55.20).

<sup>13</sup> In 2004, AALDEF found that more than 51 percent of Asian American voters got their news about politics and community issues from the ethnic press.

<sup>14</sup> 28 C.F.R. §§ 55.2, 55.15, 55.19, 55.20.

<sup>15</sup> *Diaz v. Silver*, 978 F. Supp. 96 (E.D.N.Y. 1997), *aff'd mem.*, 118 S. Ct. 36 (1997) (No. 95-CV-2591) (citing affidavit of Michael Shen at ¶ 24 for Defendant-Intervenor).

<sup>16</sup> The bilingual ballots in Boston were mandated through litigation under the nondiscrimination provisions, Section 2, of the Voting Rights Act; *U.S. v. City of Boston, MA*, Civ. 05-11598 WGY (D. Mass. 2005).

<sup>17</sup> See, for example, *U.S. v. City of Rosemead* (C.D. Cal. 2005); *U.S. v. San Diego County* (S.D. Cal 2004); *U.S. v. City of Boston* (D. Mass. 2005). For a full listing of cases filed by the U.S. Department of Justice, Voting Section, see [www.usdoj.gov/crt/voting/litigation/caselist.htm](http://www.usdoj.gov/crt/voting/litigation/caselist.htm).

<sup>18</sup> *Chinatown Voter Education Alliance v. Ravitz*, 06 CV 913 (NRB) (SDNY 23 May 2008).

**Table 1: AALDEF's Multilingual Exit Poll, November 2008: Respondents**

All	First-Time Voter	Foreign Born	No Formal U.S. Education	English as Native Language	Limited English Proficient	Largest Ethnic Groups
Total: 16,665	31%	79%	21%	20%	35%	32% Chinese 31% South Asian 14% Korean 9% Southeast Asian 5% Filipino
Chinese	29%	74%	23%	15%	45%	N/A
Korean	25%	83%	39%	18%	54%	N/A
Filipino	24%	74%	12%	26%	6%	N/A
South Asian	36%	87%	22%	24%	20%	49% Indian 25% Bangladeshi 11% Pakistani 13% Indo-Caribbean
Southeast Asian	35%	83%	20%	9%	49%	70% Vietnamese 18% Cambodian 4% Thai 2% Laotian



**Table 2: AALDEF Multilingual Exit Poll, November 2008:  
Language Minority Groups**

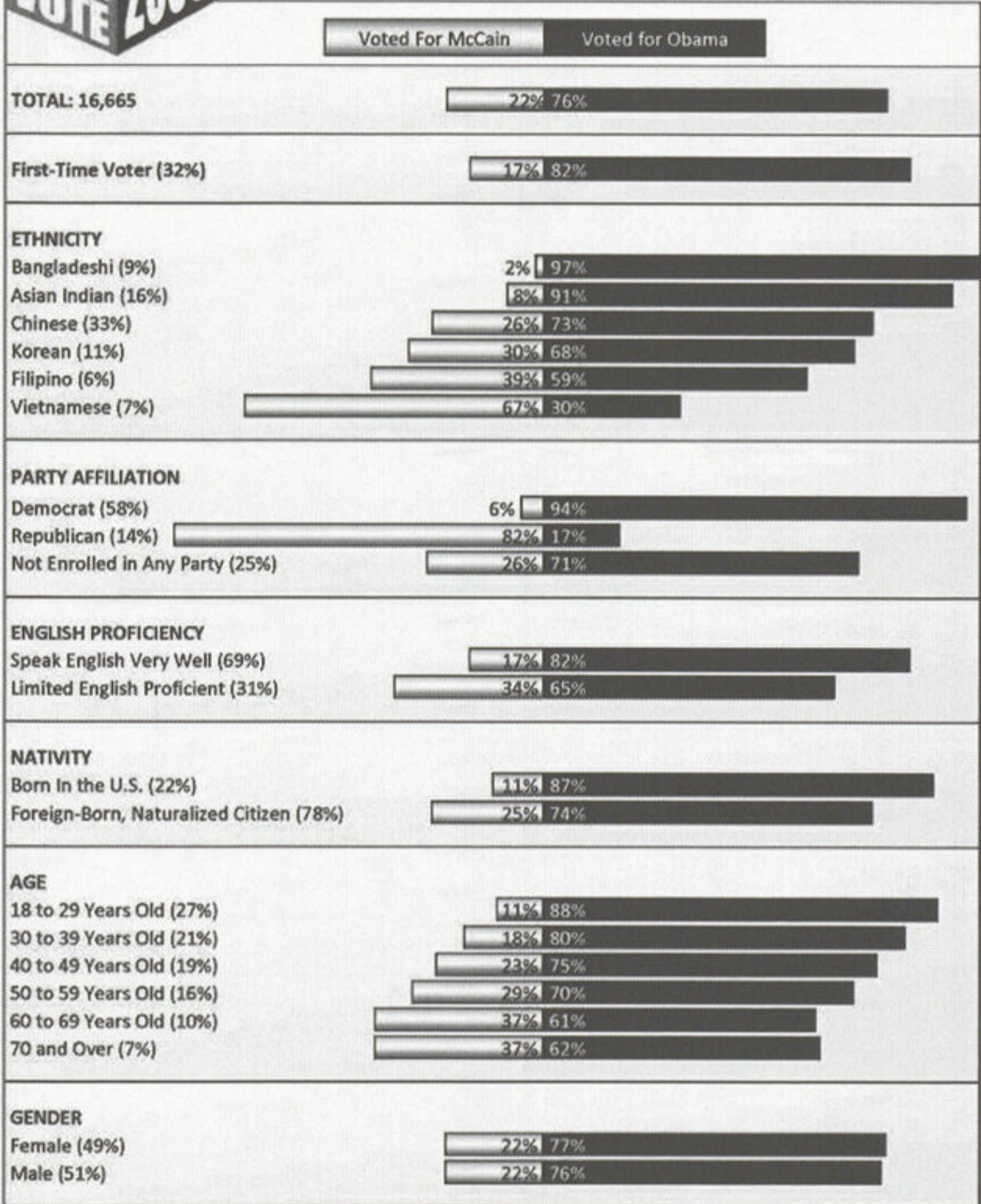
State - Locality	Language Minority Group	Limited English Proficient	Prefers Voting with Assistance	Used Interpreter	Used Translated Materials
<b>New York</b>					
- Manhattan	Chinese	61%	36%	27%	23%
- Queens	Chinese	58%	31%	21%	20%
	Korean	75%	29%	35%	26%
	Bengali	37%	17%	*	*
	Urdu	22%	9%	*	*
- Brooklyn	Chinese	62%	43%	31%	26%
	Bengali	50%	21%	*	*
	Urdu	39%	25%	*	*
<b>New Jersey</b>					
- Bergen Co.	Korean	62%	22%	22%	*
- Middlesex Co.	Gujarati	29%	12%	*	*
	Chinese	25%	9%	*	*
<b>Massachusetts</b>					
- Boston	Chinese	70%	49%	31%	39%
	Vietnamese	54%	32%	20%	23%
- Lowell	Khmer	47%	31%	29%	*
- Quincy	Chinese	38%	15%	*	*
<b>Illinois</b>					
- Chicago/Cook Co.	Korean	81%	43%	35%	34%
<b>Michigan</b>					
- Dearborn	Arab	27%	18%	*	*
- Detroit	Bengali	45%	27%	*	*
<b>Maryland</b>					
- Rockville	Chinese	36%	20%	*	*
- Silver Spring	Korean	45%	10%	*	*
	Vietnamese	43%	13%	*	*
<b>Virginia</b>					
- Centreville	Korean	53%	12%	*	*
- Falls Church	Vietnamese	49%	13%	*	*
- Annandale	Korean	78%	31%	32%	*
<b>Pennsylvania</b>					
- Philadelphia	Chinese	63%	41%	34%	*
- Bensalem	Gujarati	42%	17%	*	*
<b>Texas</b>					
- Houston	Vietnamese	51%	27%	18%	23%
<b>Louisiana</b>					
- New Orleans	Vietnamese	63%	45%	*	*





# THE ASIAN AMERICAN VOTE FOR PRESIDENT

A Multilingual Exit Poll Conducted by the Asian American Legal Defense and Education Fund on November 4, 2008



{ } percent of total polled

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# Asian American Civic and Political Engagement: Patterns, Challenges, and Potentials<sup>1</sup>

by Paul M. Ong and Megan Emiko Scott

## Abstract

This article examines Asian American voluntarism and voting based on an analysis of the U.S. Census Bureau's 2006 Current Population Survey (CPS). The data shows that Asian Americans (including both immigrants and U.S.-born) have lower levels of participation compared with all non-Asians (including both immigrants and U.S.-born). This disparity is partially, but not entirely, explained by the relatively large number of immigrants among Asian Americans. Relative to other immigrants, Asian immigrants have higher participation rates. We also explore future prospects based on the projected 2030 Asian American population by nativity. A majority of Asian Americans in the future will be foreign-born, but U.S.-born Asians will become a majority among youths and younger adults. While these demographic patterns and trends influence the challenges and potential for civic and political engagement, policies and programs can also play an important role in increasing participation.

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## Introduction

Civic and political engagement is more problematic among groups with a significant number of immigrants. Cultural, linguistic, and other differences hinder the incorporation of immigrants into mainstream civil society, due in large part to the fact that many mainstream institutions and programs, along with legal requirements, are not sensitive (or sometimes are hostile) to the needs, norms, and practices in Asian American communities. Bilingual and multilingual services are lacking, most Asian Americans are not a part of the larger informational and social networks, and some in the mainstream believe that immigrants must become fully “Americanized” before being accepted into their ranks. The level of civic and political engagement, consequently, can be low, particularly among newer arrivals who have not acculturated nor gained legal citizenship. There are two major implications. One, the lack of integration of immigrants and nonimmigrants weakens civic cohesion. Without extensive and recurring person-to-person interactions that come inextricably with voluntarism and other forms of civic engagement, social networks across groups are few and less robust. A low level of voting and other forms of political engagement translate into a greater gulf between the state and its people, hardly an outcome one wants for a responsive democratic government. There are also direct implications for the immigrant population. Low participation levels are part and parcel of their alienation from the mainstream. Their inability to fully engage is viewed by nativistic groups as a sign of unwillingness to “become American,” even if the lack of participation for many immigrants is not due to any lack of desire but rather to constraints beyond their control. Moreover, low voting rates (along with other forms of political participation) mean that immigrants have a weak voice in the policy and political arena, thus effectively relegating them to second-class citizens. Given these undesirable implications, it is in the best interest of the mainstream and immigrant groups to promote civic and political engagement among immigrants.

The Asian American population is dominated by immigrants. Immigration has driven and will continue to drive Asian American population growth; therefore it is not surprising that immigrants comprise a large majority of Asian Americans. In 2006, 63 percent of Asian Americans were born abroad, with the figure being 78 percent among Asian American adults.<sup>2</sup> For non-Asians, the percentages were 11 percent and 14 percent, respectively. Among Asian Americans, 23 percent have been in the country ten years or less, and another 17 percent have been in the country from eleven to twenty years. The number of U.S.-born Asian Americans will grow at a faster rate than the foreign-born segment but not fast enough to surpass the number of immigrants. The latter will continue to be a significant majority over the next quarter century. This demographic characteristic has and will continue to shape the nature of Asian American civic and political engagement.

This article provides an empirical analysis of Asian American voluntarism and voting based on data from the U.S. Census Bureau’s Current Population Survey (CPS). The 2006 CPS provides two relevant measures: one on voluntarism (volunteered any time in the year prior to the survey) and one on voter registration and voting (in the November 2006 election). In the next section in this article, we



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define and discuss forms of civic and political engagement. We then examine the current level of civic and political engagement using 2006 data; the statistics show that Asian Americans have lower levels of participation compared with non-Asians. The disparity is partially, but not entirely, due to the relatively larger number of immigrants among Asian Americans. The article concludes by exploring future trajectories, first by presenting population projections for Asian Americans by nativity. The numbers indicate that a majority of Asian Americans in 2030 will be foreign-born, but that U.S.-born Asians will become a majority among youths and younger adults. This shifting composition will influence the challenges and potential for civic and political engagement, but the demographic trajectory is not destiny. Much will depend on the policies and programs supported by the government, foundations, and the steps taken by community leaders and organizations.

### **Forms of Civic and Political Engagement**

There are many definitions and forms of civic and political engagement. Our definition of civic engagement has two main components: voluntary action and the production of public goods. This can take many forms such as serving on a jury, donating to a nonprofit organization, volunteering for a community organization, or discussing neighborhood problems. Civic engagement may involve both individual and collective action and can take place either within civil society or through interactions between civil society and either the market or the state.

Political engagement is a subset of civic engagement that occurs through interaction between civil society and the state. It includes registering to vote, voting, and donating time or money to a political campaign. There have been significant historical barriers to voting in the United States, particularly for immigrants and people of color. Chinese immigrants did not gain the right to become citizens until 1943. Filipinos and Asian Indians gained citizenship rights in 1946 and Japanese Americans in 1952. The state's shift from prohibiting to allowing voting is a necessary but insufficient development in ensuring full political engagement. There are contemporary barriers, some of which are discussed later in the article.

Institutions play an important role in facilitating, hindering, and shaping civic and political engagement. The market, state, and civil society are largely organized through institutions, and an institution is defined as a set of shared norms and values that govern behavior. Institutions such as labor unions, churches, and families can also interact with civil society to influence individual behavior both within and beyond an institution. Ethnicity and culture, though not thought of as formal institutions, clearly have a set of shared norms and values and therefore also fall into this category. The more that an institution distinguishes between members and nonmembers, the less it can be an arena for civic engagement because it is unlikely to produce a public good.

The coverage here is not intended to be comprehensive.<sup>3</sup> Voluntarism is, of course, only one form of civic engagement, but in many ways, it is perhaps the most important. It encompasses the idealism of giving time and effort of one's own volition to benefit others and society as a whole. Registering and voting are also only one form of political engagement, but again they are perhaps the most important. It is the most common way that people can exercise their democratic rights to



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participate in the political arena by expressing their choice of candidates and initiatives. In both cases, there are few incentives and no coercion.

### **Levels of Asian American Civic and Political Engagement**

The available information shows that Asian Americans are less engaged in civic and political activities than non-Asians, and this is understandable given that it is primarily an immigrant population.

The data comes from the Census Bureau's CPS. The CPS is a monthly survey, and its primary objective is to collect information on employment and unemployment for the U. S. Bureau of Labor Statistics. The monthly random sample contains approximately 56,000 to 57,000 households, and Asian Americans are represented roughly proportional to their share of the total population in the sample, which is sufficient to generate statistics on this group as a whole as well as on subpopulations. The CPS also contains information on age, nativity, years in the United States for foreign-born respondents, and citizenship. Each month has a supplementary module (or modules) that collects information on a wide range of issues of governmental and public concern and interest.

The September 2006 CPS includes a Volunteer Supplement, which has questions on whether a respondent (civilians fifteen years and older) volunteered in the previous year (since 1 September 2005), how many and what types of organizations he or she did voluntary work with, and how much time was devoted to voluntary activities (U.S. Census Bureau n.d.a). The Census Bureau used the following to define voluntary work:

“This month, we are interested in volunteer activities, that is activities for which people are not paid, except perhaps expenses. We only want you to include volunteer activities that you did through or for an organization, even if you only did them once in a while.”

The November 2006 CPS includes a Voting and Registration Supplement, which includes questions on whether a respondent (citizens, eighteen years and older) registered to vote and voted in the November 2006 election, the method of registering and voting for those who voted, and reasons for not registering and voting (U.S. Census Bureau n.d.b). The survey has the potential to overestimate the registration and voting rates, perhaps because of a tendency by some respondents to give a positive response even when the situation does not warrant one. To minimize this, the survey posed the question the following way:

“In any election, some people are not able to vote because they are sick or busy or have some other reason, and others do not want to vote. Did (you/name) vote in the election held on Tuesday, November 7, 2006?”

For those who did not vote, there is a follow-up question about whether the individual registered to vote. We use the micro-level data file, which contains individual-level responses, to generate statistics on Asian Americans and non-Asian Americans (the segment of the population that is not Asian American) from both supplementary files. We pooled the September 2006 CPS and November 2006 CPS to examine the degree of overlap between voluntarism and voter registration. Roughly two-thirds of the respondents in one of the surveys were also in



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the other survey. We focus on voter registration because that year was an off election year, that is, it did not involve a presidential election; consequently, voting turnout is lower.

Table 1 reports the results on voluntarism.<sup>4</sup> Overall, Asian Americans were only two-thirds as likely to have volunteered (16 percent versus 24 percent), and among those who did, Asian American volunteers participated on average in slightly fewer organizations. Voluntarism for both populations varies with age, with the middle age group having the highest level. There is a gap for all three age groups, although the disparity between Asians and non-Asians is lowest for the youngest cohort. This is a promising pattern because it suggests that in the future, the gap will be lower for all age groups. There is also a gender difference, with females more likely to volunteer. Proportionately, the gap between Asians and non-Asians is similar for both genders. The bottom panel in Table 1 breaks down the populations by nativity and years in the United States for immigrants. The pattern indicates that voluntarism is correlated with the degree of acculturation (assuming that U.S.-born individuals are the most acculturated and recent immigrants are the least acculturated).<sup>5</sup> What is remarkable is that the level of voluntarism of Asian immigrants is higher than that of their non-Asian counterparts. In other words, the overall lower rate for all Asian Americans hides the fact that Asian immigrants are more likely to participate after accounting for the nativity and years in the United States. There is, however, some concern because U.S.-born Asian Americans participate at a lower rate than do their counterparts, although this may be due to the fact that U.S.-born Asian Americans tend to be younger.

Table 2 reports the results on citizenship and voter registration rates.<sup>6</sup> Overall, Asian Americans were about three-quarters as likely to be a citizen (68 percent versus 92 percent), and there is a noticeable gap between Asian Americans and non-Asians by age group and gender. Interestingly, the gap changes direction when accounting for years in the United States for immigrants. Among the foreign-born who have been in the country fifteen or more years, Asian Americans are much more likely to be naturalized (83 percent versus 61 percent). More recent Asian immigrants also hold a sizeable edge compared with their non-Asian counterparts. Clearly, the data shows that as Asian Americans acculturate (as proxied by time in the United States), they are also acquiring citizenship, and this rate has been increasing over time (Ong and Lee 2007). Despite the high naturalization rates, many remain noncitizens, and this contributes to a significantly lower voter registration rate for Asian Americans compared with non-Asians (34 percent versus 64 percent). Asian Americans are less likely to register across age groups and gender and among U.S.-born adults. There is, however, a relatively higher rate of registration among Asian immigrants relative to non-Asian immigrants, due in part to the former's higher naturalization rate.

Even after achieving citizenship, there are two additional steps required to become fully politically engaged: registering to vote and turning out to vote. According to estimates from the Voter Supplement to the November 2006 CPS, Asian American adult citizens exhibit lower registration rates (U.S. Census Bureau. n.d.b), which can be seen at the top of Table 2. The national registration rate (not shown in the table) among all Asian American citizens (U.S.-born and



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naturalized) is substantially lower than for their non-Asian counterparts (all non-Asian citizens, U.S.-born and naturalized)—a difference of 19 percentage points.

Asian Americans face a number of barriers that help explain their lower rates of voter registration and turnout. Because many Asian American citizens are immigrants, they are likely to encounter language and informational barriers. In the November 2006 CPS, nonregistered Asian American citizens were more likely than nonregistered non-Asian citizens to state that they “did not know where or how to register” (11 percent versus 5 percent) (Ong et al. 2008). They were also more likely to state that they had “difficulty with English” (7 percent versus 1 percent). Asian Americans are, however, less politically apathetic than non-Asians. Only 30 percent of Asian American citizens responded that they did not register because they were “not interested in the election or not involved in politics,” compared to 42 percent of non-Asian citizens.

Table 3 examines the interaction between voluntarism and voter registration, which provides insight into the relationship between the broader phenomena of civic and political engagement. Because the Census Bureau includes a large number of respondents in both the September and November CPS surveys, we are able to directly compare the two outcomes for individuals. The first two lines of Table 3 repeat earlier statistics. The “political only” category represents people who are politically engaged (indicated by registering to vote) but do not volunteer. Among all Asian adults that are registered to vote, approximately two-thirds did not volunteer (34 percent versus 25 percent). Among all Asian adults who volunteer, less than half only volunteer (15 percent versus 6 percent).

The last line of Table 3 shows that Asian adults lag behind non-Asian adults in terms of either volunteering or registering to vote (40 percent versus 69 percent). Among immigrants, Asians are more likely to either volunteer or register to vote than non-Asians (36 percent versus 30 percent). Lower voluntarism and voter registration rates for Asians overall are explained because the majority of the population is immigrants. If we control for nativity, we see a different picture: Asian volunteerism and voter registration rates are higher. The bottom line is that while there is overlap between voluntarism and voting, the relationship is far from perfect.

### **Future Challenges and Prospects**

Ongoing debate and changing demographics highlight the urgent need for much more subtle and refined analysis to deal with the incredible diversity within Asian American communities. As we present in this section, we enhanced Census Bureau data to produce proposed population projections that can possibly impact Asian American civic engagement (see Appendix for details on the analysis process). The most important factors influencing the potential trajectory of Asian American civic engagement are the future size of the group and its composition by nativity.

By 2030, it is projected that the Asian Pacific Islander (API) population will be nearly 24.8 million based on the Census Bureau’s mid-range projections, up from an estimated 11.3 million in 2000. As a percentage of the total population, the API share will increase from 4.1 percent to 7.1 percent. Using the Census Bureau’s



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low-range projections based on more restrictive immigration policies, the API population will be nearly 17.4 million, or 5.6 percent of the total population.

In 2000, an estimated 6.9 million APIs were foreign-born, comprising about 60.9 percent of the total estimated API population. Most adult (eighteen and older) APIs were foreign-born (78.3 percent). Using the mid-projections for 2030, an estimated 13 million APIs will be foreign-born, comprising about 52.2 percent of the total estimated API population. Most adult APIs will continue to be foreign-born (66.4 percent).

Incidentally, using the low projections for 2030, an estimated 7.5 million APIs will be foreign-born, comprising about 44.9 percent of the total estimated API population. However, foreign-born will be a majority of adult APIs (56.3 percent).

An increasing proportion of the foreign-born will be more established immigrants. That greatest growth in absolute numbers will be among older immigrants (forty years and older), and a majority of them will have been in the country for a decade or two. Consequently, they will be more acculturated and more likely to be engaged in civil society. At the same time, the number of U.S. non-Asian Americans will increase both in absolute and relative terms. This too will increase Asian American civic and political engagement. As positive as these demographic trends are, they may not close the racial gap (relative to non-Hispanic Whites) in engagement. As the analysis of the CPS data shows, even the more assimilated Asian Americans lag behind, in part because they face numerous hurdles. There is a need for public policy to eliminate barriers and create more opportunities for community-based organizations to facilitate and encourage greater engagement. Potential policies include greater support for English-language and citizenship classes for adults, stronger enforcement of language-access election materials and polling places, more culturally and linguistically appropriate outreach programs within mainstream institutions, and better use of ethnic networks and media to raise awareness of the importance and opportunity for civic and political engagement.

### **Appendix: Population Projections**

The projection of the Asian American population in 2030 by nativity starts with two sets of projections produced by the Census Bureau. The first data set, the 1996 National Population Projections, uses the cohort-component model to generate U.S. population projections by age, sex, race, and Hispanic origin for the period of 1995-2050. These projections are based on the Census Bureau's 1994 population estimates using 1990 census data and updated with observed fertility and survival rates, as well as net immigration statistics. The Census Bureau used three different sets of assumptions about fertility, mortality, and net immigration to produce a low, middle, and high series of population projections. Net immigration incorporated projected changes in legal, refugee, and undocumented immigration. The projections were created for five race groups: American Indians, Eskimo, and Aleuts; Asian and Pacific Islanders; Blacks; Hispanics; and Whites.

The second data set from the Census Bureau is the 2004 Interim Projections released by the U.S. Census Bureau in March of that year. Similar to the previous data set, the cohort-component method is used to produce national projections by age, sex, race, and Hispanic origin for the period 1999-2100. Compared to the



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demographic assumptions used in the 1996 National Population Projections, the Census Bureau slightly reduced fertility, left mortality unchanged, and slightly elevated immigration rates. The projections were developed for the following race groups: non-Hispanic White alone, Hispanic White alone, Black alone, Asian alone, and all other groups (American Indians and Alaska Natives, Native Hawaiians and other Pacific Islanders, and everyone who reported more than one of the major race categories on the 2000 census).

According to the Census Bureau's 2004 projections, there will be 22.6 million Asian Americans (not including Pacific Islanders) in 2030. This is only slightly lower than the earlier 1996 projection of 24.8 million for APIs in 2030. However, some care needs to be taken in comparing the two numbers because of a change in definition. The two sets of projections are based on different racial classifications. Starting in 2000, individuals could declare one or more race, while earlier decades allowed for only one response. Moreover, 2004 projections do not contain a breakdown by nativity.

To produce a 2030 projection of Asian Americans by nativity, the following approach was used. One, the 1996 National Population Projections for APIs were decomposed into separate projections for Asian Americans and Pacific Islanders. This was done first by making projections of PIs and then subtracting the PI projections from the API projections. Two, the Asian American projections were refined by breaking them down by nativity. The major assumption is that Asian Americans comprise most of the projected immigration assigned by the Census Bureau to its API projections. Three, the projections of immigrants were further refined by decomposing their counts into those who arrived during the decade between projections and those who survived from the start of the decade to the end of the decade. Four, the information from the previous steps was used to estimate the nativity composition of the Asian Americans in the 2004 Interim Projections.

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## Endnotes

<sup>1</sup> See Paul M. Ong (2008) for more information on this topic, particularly the chapter by Karthick Ramakrishnan, entitled "Political Participation and Civic Voluntarism." The content of this article was developed independently of that published chapter.

<sup>2</sup> The estimates by nativity are based on tabulation by the primary author of this article using the 2006 American Community Survey (ACS) Public-Use Micro Sample (PUMS) ([http://factfinder.census.gov/home/en/acs\\_pums\\_2007\\_3yr.html](http://factfinder.census.gov/home/en/acs_pums_2007_3yr.html)). Those born abroad include a relatively small number who are U.S. citizens by birth. The ACS is the U.S. Census Bureau's primary means of collecting detailed socioeconomic, demographic, and housing data on the population. It replaces the "long form" survey conducted as a part of previous decennial censuses. The ACS is an ongoing survey that samples about 2.5 percent of the population per year.

<sup>3</sup> For a more detailed explanation, see Paul Ong and Megan Emiko Scott's chapter in Ong (2008): "Asian American Civic and Political Engagement."

<sup>4</sup> The tabulations were done by the primary author of this article.

<sup>5</sup> The data is for just the one year (2006), but it is likely that the correlation holds for other years. This is a subject that merits future research.

<sup>6</sup> The tabulations were done by the primary author of this article.



**Table 1**

	Volunteered		Number of Organizations	
	Asians	Non-Asians	Asians	Non-Asians
Overall	16%	24%	1.3	1.5
<b>By Age</b>				
15-29 years old	15%	19%	1.3	1.4
30-54 years old	19%	27%	1.3	1.5
55+ years old	13%	25%	1.3	1.5
<b>By Gender</b>				
Male	14%	21%	1.3	1.5
Female	18%	27%	1.3	1.5
<b>By Nativity</b>				
U.S.-born citizens	19%	26%	1.4	1.5
Pre-1991 immigrants	17%	14%	1.2	1.3
Post-1990 immigrants	13%	8%	1.2	1.2

**Table 2**

	Citizenship		Registered	
	Asians	Non-Asians	Asians	Non-Asians
Overall	68%	92%	34%	64%
<b>By Age</b>				
18-29 years old	66%	89%	26%	47%
30-54 years old	63%	90%	31%	61%
55+ years old	77%	96%	43%	74%
<b>By Gender</b>				
Male	68%	91%	33%	61%
Female	68%	93%	35%	66%
<b>By Nativity</b>				
U.S.-born citizens	100%	100%	47%	70%
Pre-1991 immigrants	83%	61%	46%	37%
Post-1990 immigrants	29%	17%	12%	7%

**Table 3**

	All Adults		Immigrant Adults	
	Asians	Non-Asians	Asians	Non-Asians
Political (registered)	34%	64%	30%	23%
Volunteered	15%	27%	14%	13%
Political only	25%	42%	22%	18%
Volunteered only	6%	5%	6%	8%
Both political and volunteer	10%	22%	8%	5%
Either political or volunteer	40%	69%	36%	30%



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# Closing the Asian-White Wealth Gap?

by R. Varisa Patraporn, Paul M. Ong, and Douglas Houston

## Abstract

By a number of traditional aggregate wealth indicators (e.g., income, home ownership, and entrepreneurship) Asian Americans are at or near parity with non-Hispanic Whites. This has led some scholars and policy makers to utilize a new racial dichotomy with Asian Americans and non-Hispanic Whites at the top and Blacks and Latinos at the bottom. However, this dichotomy buries some critical disparities among Asian Americans and may lead policy makers and scholars to dismiss an in-depth analysis of Asian American wealth or to exclude Asian Americans from asset-building policies targeting racial minorities and disadvantaged groups. We use data from two national surveys, the 2000 and 2004 Survey of Income and Program Participation (SIPP) and the 2006 Community Survey Public Use Microdata Sample (PUMS), to show the complexity of Asian American wealth holdings. Results reveal that Asian Americans as a whole have begun to close the wealth gap with non-Hispanic Whites from 2000-2004 largely due to increased home equity. We also find that Asian Americans continue to lag behind

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*Douglas Houston received his doctorate from the University of California, Los Angeles (UCLA) Department of Urban Planning and is currently a postdoctoral fellow in UCLA's School of Public Health. His research focuses on neighborhood socioeconomic and environmental disparities, urban air quality, and transportation.*



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non-Hispanic Whites in terms of net wealth at the highest and lowest ends of the wealth distribution. For instance, after controlling for other factors associated with wealth, the odds of being in the bottom quartile is 1.24 times higher for Asian Americans compared to non-Hispanic Whites. In addition, we find that ethnic differences remain pronounced across all measures of wealth holdings. Further monitoring is needed to determine whether the “mortgage crisis” since 2004 has jeopardized Asian American equity-based wealth gains.

## Introduction

By a number of traditional aggregate socioeconomic indicators (e.g., income, home ownership, entrepreneurship, and educational attainment), Asian Americans are at or near parity with non-Hispanic Whites. This has led some scholars and policy makers to utilize a new racial dichotomy with Asian Americans and non-Hispanic Whites at the top and Blacks and Latinos at the bottom.<sup>1</sup> This dichotomy buries some critical disparities among Asian American subpopulations and may lead scholars and policy makers to dismiss an in-depth analysis of Asian American wealth and the inclusion of Asian Americans in race-based, asset-building policies and those policies targeting those at the bottom of the wealth ladder. Wealth is an important indicator of inequality in our society because it offers the most comprehensive understanding of economic well-being and life opportunities, encompassing both historical and current impacts of class and race (Oliver and Shapiro 1995).

Despite a substantial amount of wealth research on Blacks and growing attention on Latino asset building, there remains a paucity of detailed analysis on Asian Americans. This article builds on our prior work on Asian American wealth patterns in 2000 (Ong and Patraporn 2006) using data from two more recent national surveys to provide refined analyses of the wealth trends among Asian Americans, including an examination of Asian Americans at the bottom of the wealth ladder. Results reveal shifts in Asian American wealth holdings and suggest Asian Americans began to close their wealth gap with non-Hispanic Whites in the early 2000s in large part due to housing appreciation. At the same time, we find a higher proportion of Asian Americans (about one-third) are at or below the 25th percentile level of total net worth for non-Hispanic Whites. After controlling for other factors associated with wealth, the odds of being in the bottom quartile is 1.24 times higher for Asian Americans compared to non-Hispanic Whites.

The results add important insights on Asian American wealth to the literature and inform asset-building policies by demonstrating the complexities of Asian American wealth through analysis of Asian American asset trends relative to non-Hispanic Whites and disparities across Asian American ethnic groups.

We begin with a description of our data and methodology before presenting the results of our analysis in three parts. First, we examine racial differences in wealth holdings and discuss the importance of housing appreciation in closing the Asian American wealth gap with non-Hispanic Whites. Second, we investigate the extent to which Asian Americans fall within the bottom quartile of non-Hispanic White wealth. Third, we compare wealth holdings of Asian American ethnic groups using



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several measures of wealth. We conclude by discussing the potential implications of the current nationwide “housing crisis” for Asian American wealth holdings and stress the need for continued monitoring of Asian American assets.

### **Data and Methodology**

We analyze wealth patterns using data from the U.S. Census Bureau including the 2000 and 2004 Survey of Income and Program Participation (SIPP) and the 2006 American Community Survey Public Use Microdata Sample (PUMS). This data comprises the most comprehensive public-use surveys with a sufficient sample of Asian Americans compared to the other two major national surveys that track wealth: the Survey of Consumer Finance (SCF) conducted by the Federal Reserve Board and the Panel Survey of Income Dynamics (PSID) conducted by the University of Michigan, Institute for Social Research.<sup>2</sup> The SIPP is a longitudinal survey of households regarding the distribution of income, wealth, and poverty and the effects of federal and state programs that promote family and individual well-being. Since it is primarily designed to track entry into and exit from various government programs, it does not accurately account for wealth held by households at the top end of the distribution (Czajka et al. 2004; Cobb-Clark and Hildebrand 2004; Di 2001). We use 2004 SIPP data from the Wave 3 Core microdata, which includes information on household demographic characteristics, family size, and income status. We derive wealth information (i.e., total wealth, total net wealth, total debt, etc.) from the Wave 3 Topical file. We limit the analysis to household heads twenty-five to sixty-five years of age, which results in a sample of 20,000. We derive information on their citizenship status and place of birth from the Wave 2 Topical file. The analysis of SIPP data includes a sample of 652 Asians, 2,399 Blacks, 1,899 Latinos, and 14,383 non-Hispanic Whites.<sup>3</sup>

We use SIPP data to profile the 2004 wealth distribution for Asian Americans, non-Hispanic Whites, African Americans, and Latinos by examining their mean and median household income, net worth, debt, housing equity, and housing debt; we then examine the difference between Asian Americans and non-Hispanic Whites from 2000-2004 to identify potential changes in their relative wealth status based on these measures. We conduct a linear multiple regression model to estimate the factors associated with a respondent’s net wealth. We also estimate a nonlinear model using the log of net wealth as the dependent variable since the dependent variable (net wealth) is not normally distributed, but we do not report the detailed results of this model since it was less significant than the linear model. Independent variables include race/ethnicity, age, marital status, education, and nativity. We also group respondents into U.S.-born, foreign-born (not naturalized), and foreign-born (naturalized). We also specify model iterations including state median home value (SMHV) to examine how wealth is affected by living in metropolitan areas with higher earnings and cost of living. The regression analysis of SIPP data is restricted to the 19,151 households with a net worth less than \$1,586,875 (the 99th percentile point) in order to remove the influence of extreme outliers. We also draw from SIPP data to compare the 2004 distribution of housing and nonhousing wealth among Asian Americans with the distribution among non-Hispanic Whites as well as to develop a logistic regression to identify the



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likelihood that an Asian American would fall in the bottom quartile for wealth compared to non-Hispanic Whites after controlling for factors that influence individual wealth, such as age, education, income, nativity, and marital status.

Since housing wealth trends could be closely related to wealth accumulation patterns, we use the Census Bureau's 2000 Summary File 3 and 2005 PUMS to examine the racial composition, home values, and housing cost burden in metropolitan areas with more than 200,000 Asian Americans in 2005. We also use 2006 PUMS data to examine wealth among the various Asian American ethnic groups since SIPP data is insufficient to examine Asian American subgroups. Although PUMS does not have direct measures of wealth contained in the SIPP, we indirectly measure wealth by using average income, home value, and income generated from interest, dividends, and rental income. We examine patterns for the six largest Asian American groups. These include 7,123 Asian Indians, 10,215 Chinese, 6,792 Filipinos, 3,754 Japanese, 3,882 Koreans, and 3,881 Vietnamese. Due to the smaller sample size of the population as well as similar historical experience as refugees to this country, we group the 1,120 Cambodians, Hmong, and Laotians as "other Southeast Asians."<sup>4</sup> Since information on home equity is not a variable in the PUMS data set, we construct a conservative estimate of home equity assuming a 10 percent down payment and a loan principal that equals the value of the home as reported in 2006 (as opposed to when the property was purchased).<sup>5</sup>

This estimation method has several limitations due to assumptions. For instance, home owners may put down a larger or smaller down payment than 10 percent, or their original 10 percent down payment may no longer be equal to 10 percent of their home's value due to price appreciation.<sup>6</sup> While our estimate may not reflect actual equity, it likely captures the relative amount of equity across Asian ethnic groups if we assume variations (down payment amounts, etc.) exist in all subgroups.

## **Analysis**

### ***Wealth Distribution Among Major Racial Groups***

Consistent with previous research, we find that in 2004 non-Hispanic Whites and Asian Americans had higher incomes and levels of wealth than Latinos and Blacks in the United States (Hao 2007; Ong and Patraporn 2006). However, when we compare asset levels we find that the average net wealth of non-Hispanic Whites exceeded that of other major racial groups (see Table 1). This finding is consistent with prior research that shows that non-Hispanic Whites have higher amounts of assets not held in housing. An Argosy Research study found that "four in ten African Americans with household incomes of \$50,000 or more have no money in stocks, compared to just one quarter of whites" (Sorid 2007). Latinos tended to have higher asset levels than Blacks, but they also had higher debt (housing and nonhousing) than Blacks.

Although Asian American mean net worth is less than that of non-Hispanic Whites, the difference has decreased from about \$42,800 based on 2000 SIPP data (Ong and Patraporn 2006) to about \$27,000 based on 2004 SIPP data (see Table 1 and Figure 1). Asian Americans have surpassed non-Hispanic Whites in terms of median net worth by about \$6,800 in 2004, a substantial shift from 2000 when



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Asian American median net worth was about \$28,100 less than that of non-Hispanic Whites (Ong and Patraporn 2006). The reduction in the gap between Asian Americans and non-Hispanic Whites in total net worth was driven by home equity. Asian Americans had on average about \$17,300 more in home equity than non-Hispanic Whites in 2004, compared to about \$3,200 less in 2000. Although still below non-Hispanic Whites, Asian Americans also closed the median housing equity gap since 2000. As in 2000, Asian Americans had higher average debt than non-Hispanic Whites in 2004 and also surpassed non-Hispanic Whites on average home debt. Although Asian Americans continued to have a lower median level of overall debt and housing debt than non-Hispanic Whites, this gap reduced substantially since 2000.

Much of the closing of the wealth gap between Asian Americans and non-Hispanic Whites can be explained by the rapid appreciation of home values during the first few years of this century. However, while homes owned by Asian Americans were increasing in value, Asian Americans home owners fared worst in terms of income growth. At the national level, the average (mean) household income for Asian American home owners grew by only 7.6 percent, while the average for non-Hispanic White home owners grew by 9.7 percent. In comparison, the average value of homes for Asian American home owners increased by 73 percent, compared to only 60 percent for non-Hispanic White home owners, a difference of 13 percentage points.

This higher increase for Asian American home owners was due in large part to the heavy concentration of Asian Americans in metropolitan areas with a significantly higher appreciation between 2000 and 2005 than the national average. In the fifteen metropolitan areas with the largest absolute number of Asian Americans, which housed about two-thirds (66 percent) of all Asian Americans in the United States, mean values of owner-occupied housing units increased by 78 percent, while the rest of the nation experienced only a 54 percent increase (see Table 2). Because only a quarter of non-Hispanic Whites (25 percent) lived in these fifteen metropolitan areas, far fewer were able to take full advantage of the higher rate of appreciation. This difference in geographic distribution accounts for most of the observed national racial difference in the gains in home values made by Asian Americans relative to non-Hispanic Whites.<sup>7</sup> High home values, however, also increased the financial burden on Asian Americans. In 2005 at the national level, approximately 15 percent of Asian American home owners paid at least half of their household income on housing, compared to only 9 percent of non-Hispanic Whites. This higher burden exposes Asian Americans to greater risk, a topic we discuss in the conclusion.

We used multiple regression analysis to determine associations between total net wealth and race after controlling for factors such as education, age, income, gender, and SMHV and found in 2004 that Asian American total net worth was about \$48,600 less than that of non-Hispanic Whites (see Figure 2). We include SMHV as an independent variable in order to examine how living in areas with higher earnings and cost of living potentially impacts wealth. We replicated these models with nativity status as an independent variable and found that after controlling for



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foreign-born status Asian American total net worth was about \$35,800 less than that of non-Hispanic Whites.

We also estimated a nonlinear model using the log of net wealth as the dependent variable since this functional form is closer to a normal distribution. This nonlinear model has less explanatory power than the linear model (R<sup>2</sup> of .17 vs. .30), and the independent variable for Asian Americans is not statistically significant suggesting that there is no statistical difference in net wealth between Asian Americans and non-Hispanic Whites after controlling for other factors.

### *Asian Americans and the Bottom Quartile of Wealth*

While Asian Americans may have begun closing the gap with non-Hispanic Whites, it is important to understand how the wealth distribution among Asian Americans differs from that of non-Hispanic Whites. Table 3 describes a normalized spread that tells the amount of difference in wealth between those at the extreme ends of the wealth distribution standardized by those at the 50th percentile.<sup>8</sup> We measured the normalized spread between the 75th and 25th percentile and the 90th and the 10th percentile. The normalized spread for the 75th and 25th percentile for Asian Americans is equal to that for non-Hispanic Whites.

Total net worth is spread more unequally among Asian Americans compared to non-Hispanic Whites. The ratio of the 75th percentile value for total net worth to the 25th percentile value for total net worth is 15.0 for Asian Americans compared to 11.0 for non-Hispanic Whites suggesting greater differences among Asian Americans. The values for housing worth suggest that wealth from home value is more unequally distributed among Asian Americans compared to non-Hispanic Whites.

Analysis of 2000 SIPP data indicates Asian Americans lagged behind non-Hispanic Whites at each range (Ong and Patraporn 2006). Our analysis of 2004 SIPP data indicates that Asian Americans continue to lag behind non-Hispanic Whites in terms of net wealth at the highest and lowest ends (see Table 3). The mean total net worth for Asian Americans for the bottom quartile (those that fall between 0 and 24th percentile) was \$24,000 compared to \$31,800 for non-Hispanic Whites.

Analysis of Asian Americans in the lower quartile of wealth suggests that Asian Americans, Blacks, and Latinos lag behind non-Hispanic Whites. When we examined the proportion of Asians, Blacks, and Hispanics that fell equal to or below the 25th percentile level of total net worth for non-Hispanic Whites, we found a higher proportion of racial minorities among the bottom quartile; 28 percent of Asians, 60 percent of Blacks, and 55 percent of Latinos have a total net worth at or below \$31,800, the mean total net worth at the 25th percentile for non-Hispanic Whites.

We use multivariate logistic regression to examine factors associated with the likelihood that Asian Americans will fall into the bottom wealth quartile defined as non-Hispanic White total net worth at the 25th percentile (\$31,800). After controlling for other factors associated with wealth, the odds of being in the bottom quartile is 1.46 times higher for Asian Americans compared to non-Hispanic Whites (see Figure 3). We replicated this model with nativity status as an independent variable and found that after controlling for nativity the odds of being in



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the bottom quartile is 1.24 times higher for Asian Americans compared to non-Hispanic Whites. Also, the odds of being in the bottom quartile is 1.76 times higher for those who are foreign-born and not naturalized compared to those who are native-born.

### *Estimated Wealth Status Among Asian Americans by Ethnicity*

Wealth among Asian Americans varies across ethnic groups and across wealth measures or asset types. Table 4 presents a parity index to compare the relative difference between Asian ethnic groups to the average for all Asians. To calculate the ratios, we took the mean value of each wealth indicator for each Asian ethnic group and divided that by the average for all Asians. For example, the mean home equity value for all Asians is \$104,400. The parity index shows that the other Southeast Asian mean home equity value is 40 percent of \$104,400. While the 2006 American Community Survey does not include an exact measure of home equity, it provides information on home value, which we used as the basis for our estimate of home equity value.<sup>9</sup>

Asian Indians, Chinese, and Japanese were among the Asian ethnic groups with the highest income and assets using the first three measures: mean income, mean interest, dividend, and rental income, and mean home value (see Table 4). This pattern is consistent with comparable analysis of 2000 PUMS data (Ong and Patraporn 2006) and with prior studies that indicate that Chinese and Japanese on average fare better socioeconomically than do other Asian groups. Asian Americans in the Vietnamese, other Southeast Asian, and other Asian groups ranked among the lowest on these first three measures. Interestingly, while Filipinos have a mean income and home value above all Asians, they only have 50 percent of the mean interest, dividend, and rental income compared to all Asians.

These disparate outcomes for the first three measures stress the importance of immigration patterns in Asian American wealth outcomes. Groups that immigrated largely as political refugees, such as Vietnamese and other Southeast Asians, tend to have worse wealth outcomes than those who immigrated under quota policies for more highly educated and skilled workers. The lower outcomes for refugee groups suggest that programs to promote economic self-sufficiency have failed to translate into the wealth of these groups.

The relative size of disparities in the first three measures has remained relatively the same from 2000-2006. Compared to the 2000 results, the gap between the highest and lowest group for the first two measures was relatively the same suggesting the disparities across groups in these income and asset categories remained relatively the same at the extremes. The range of differences across groups for the mean home value measure, however, became noticeably larger suggesting an increased disparity across groups in home values.

Although not included in the earlier 2000 tabulations, results based on 2006 data indicate that our estimated home equity values varies across Asian American ethnic groups (see Table 4). The Japanese had the highest mean home equity of all Asian ethnicities in 2006 followed by Chinese and Vietnamese. The relatively low rank of Asian Indians and the relatively high rank of Vietnamese on the mean home equity measure was particularly interesting and may reflect that relatively



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newer immigration groups such as Asian Indians have not come as far in building assets through home ownership.

## Conclusions

Asian Americans began to close the wealth gap with non-Hispanic Whites between 2000 and 2004 largely due to increased home equity and because they tend to be concentrated in metropolitan areas with higher home appreciation. The observed increase in equity corresponded with a real estate boom, and Asian Americans tend to be concentrated in areas such as Los Angeles, New York, and San Francisco, which experienced higher rates of real estate appreciation in the early 2000s than the nation as a whole. This unequal regional distribution of Asian Americans accounts for much of the improvement in the wealth holdings of Asian Americans.

Further monitoring is needed to examine whether Asian Americans' near parity with non-Hispanic Whites in wealth holding will continue given that the United States has experienced a "mortgage crisis" and corresponding housing depreciation since 2004 that could jeopardize Asian American wealth gains. This crisis has resulted in a substantial loss of housing equity in many large metropolitan areas and demonstrates that the wealth gains of Asian Americans could eventually prove unstable. Therefore, it is important to examine whether the Asian American wealth gap with non-Hispanic Whites reappears. Essentially, the gap between Asian American and non-Hispanic White wealth closed because of increasing home value and equity, and thus the gap could reemerge if Asian American housing value and equity decline in the current crisis. Further research is also needed to understand Asian American assets in retirement and business holdings.

Even as Asian Americans as a whole have begun closing the wealth gap with non-Hispanic Whites in the first years of this century, our analysis indicates that Asian Americans continue to lag behind non-Hispanic Whites in terms of net wealth at the highest and lowest ends of the wealth distribution. A higher proportion of Asian Americans (about one-third) were at or below the 25th percentile level of total net worth for non-Hispanic Whites. After controlling for other factors associated with wealth, the odds of being in the bottom quartile are 1.24 times higher for Asian Americans compared to non-Hispanic Whites. Furthermore, ethnic differences across Asian ethnic groups remain pronounced across all measures of wealth holdings.

Based on the findings from this analysis, it is clear that asset-building programs and policies need to consider Asian American ethnic groups differently. In addition, asset-building policies and programs should address Asian American language and cultural barriers to wealth accumulation. Furthermore, policies should target the most disadvantaged groups among Asian Americans both ethnically (i.e., Southeast Asians) and for those with the least wealth assets (i.e., those in the bottom quartile of wealth).



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## Endnotes

- <sup>1</sup> For example, this dichotomy was used fairly recently in a book by Lingxin Hao (2007).
- <sup>2</sup> Compared to SIPP and PUMS, SCF more accurately accounts for wealth at the high end of the wealth distribution as well as retirement wealth, but public-use SCF data does not identify Asian Americans and Asian American subgroups separately (they are lumped with "other"). Although previous analysis of SCF combined multiple years of data to generate a sufficient sample size of Asian Americans, SCF has not identified Asian Americans separately since 1989. PSID identifies Asian Americans and the nativity status of individuals, but the PSID sample size of Asian Americans and immigrants is too small for inclusion in the analysis.
- <sup>3</sup> Black and Asian racial categories exclude those that are Hispanic Black and Hispanic Asians. Individuals who self-identify as Hispanic as well as another race are included as Hispanic. For purposes of this report, Hispanics are referred to as Latino.
- <sup>4</sup> The "other" Asian sample includes 2,458 Asians who were from other ethnic groups and/or who identify as multiracial.
- <sup>5</sup> To estimate home equity, we first took the midpoint for the home value range available in the PUMS and multiplied it times 0.10 (assuming a 10 percent down payment), then added the value of the estimated equity times 90 percent of the midpoint for the home value range. Home value is not the same as



the price paid for the home, and most home owners appear to have a reasonable sense of the value of their home in the current market. For a standard thirty-year mortgage, it is possible to calculate the balance of the principle and of the equity, which increases nonlinearly by year. For a fixed mortgage with a fixed monthly payment, little equity accumulates in the early years because most of the payment goes to paying interest rather than the principle. Equity accumulates faster in later years because more of the payment is applied toward the principle. Since PUMS reports the number of years that a home owner has lived in his or her residence in year categories, we assume a home owner's equity rate corresponds with the estimated equity rate during the year at the midpoint of his or her year range. Assuming a nonlinear increase in equity, we assigned owners who have lived in their residence less than two years a Year 1 equity rate of .012 (that is, 1.2 percent of the original mortgage); owners with two to four years were assigned a Year 3 rate of .038; owners with five to nine years were assigned a Year 7 rate of .10; owners with ten to nineteen years were assigned a Year 14 rate of .255; owners with twenty to twenty-nine years were assigned a Year 24 rate of .633; and owners with thirty or more years were assigned a Year 30 rate of .95.

<sup>6</sup> Other assumptions include that all home owners have a thirty-year mortgage and that no home owners have refinanced.

<sup>7</sup> We conducted simulations to examine the extent to which differences between Asian Americans and non-Hispanic Whites were due to the distribution of these groups across metropolitan areas. If Asians were geographically redistributed to reflect the non-Hispanic White distribution, then Asian Americans would have been in housing markets where average appreciation would have been 60 percent, which matches the national 60 percent increase in mean home value for non-Hispanic Whites. If non-Hispanic Whites were geographically redistributed to reflect the Asian American population distribution, then non-Hispanic Whites would have been in housing markets where average appreciation would have been 72 percent, which is close to the national 73 percent increase in mean home value for Asian Americans.

<sup>8</sup> We use the normalized spread instead of the Gini coefficient because the SIPP top codes those at the high end of the wealth distribution and has an inadequate sample of the wealthiest households.

<sup>9</sup> See the "Data and Methodology" section for information on how we estimated the home equity value.

**Table 1: U.S. Wealth Distribution, Major Racial Groups, 2004**

	Asian	Non-Hispanic White	Black	Latino
<b>Mean</b>				
Household income	\$85,500	\$80,600	\$49,800	\$51,100
Net worth	\$276,700	\$303,700	\$79,400	\$99,000
Debt	\$124,700	\$110,800	\$63,700	\$72,000
Housing equity	\$128,000	\$110,700	\$43,600	\$63,900
Housing debt	\$95,700	\$80,400	\$44,200	\$55,300
<b>Median</b>				
Household income	\$71,700	\$65,600	\$39,500	\$39,500
Net worth	\$144,000	\$137,200	\$12,000	\$19,300
Debt	\$78,000	\$80,300	\$15,000	\$19,500
Housing equity	\$60,000	\$65,000	\$0	\$8,000
Housing debt	\$55,000	\$59,000	\$0	\$0

Source: Tabulations by authors using SIPP 2004 Wave 3 data.



**Table 2: Asian American Composition, Home Values, Household Income, and Housing Burden for Home Owners in the Metropolitan Areas with >200,000 Asian Americans, 2005**

Metropolitan Area	Area Population as Percent of National Population, 2005	Total AA Population in Area, 2005	Total NHW Population in Area, 2005	Area Total as a Percentage of Total National Population, 2005	Area AAs as a Percentage of AA National Population, 2005	Area NHWs as a Percentage of NHW National Population, 2005	Change in Mean Home Values 2000-2005	Weighted By AA 2000-2005	Weighted By NHW 2000-2005	Change in HHs Paying >50% of Income on Mortgage
<b>Nation</b>	<b>288,378,137</b>	<b>12,471,815</b>	<b>215,333,394</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>64%</b>	<b>71.7%</b>	<b>59.5%</b>	<b>3%</b>
Los Angeles-Long Beach-Santa Ana, CA	4.4%	1,746,622	6,809,383	4.4%	14.0%	3.2%	104%	0.1456	0.0329	5%
New York-Northern New Jersey-Long Island, NY-NJ-PA	6.4%	1,649,502	11,025,599	6.4%	13.2%	5.1%	83%	0.1102	0.0427	6%
San Francisco-Oakland-Fremont, CA	1.4%	892,603	2,251,844	1.4%	7.2%	1.0%	69%	0.0497	0.0073	6%
San Jose-Sunnyvale-Santa Clara, CA	0.6%	504,657	917,320	0.6%	4.0%	0.4%	45%	0.0181	0.0019	5%
Chicago-Naperville-Joliet, IL-IN-WI	3.2%	467,285	6,058,366	3.2%	3.7%	2.8%	50%	0.0187	0.0141	6%
Washington-Arlington-Alexandria, DC-VA-MD-WV	1.8%	425,378	2,959,214	1.8%	3.4%	1.4%	107%	0.0367	0.0148	3%
Honolulu, HI	0.3%	416,194	179,491	0.3%	3.3%	0.1%	65%	0.0217	0.0005	0%
Seattle-Tacoma-Bellevue, WA	1.1%	327,476	2,381,513	1.1%	2.6%	1.1%	47%	0.0123	0.0052	3%
San Diego-Carlsbad-San Marcos, CA	1.0%	295,926	1,927,166	1.0%	2.4%	0.9%	122%	0.0289	0.0109	5%
Houston-Sugar Land-Baytown, TX	1.8%	293,763	3,424,310	1.8%	2.4%	1.6%	36%	0.0086	0.0058	4%
Dallas-Fort Worth-Arlington, TX	2.0%	264,912	3,976,000	2.0%	2.1%	1.8%	31%	0.0066	0.0057	4%
Boston-Cambridge-Quincy, MA-NH	1.5%	245,308	3,494,072	1.5%	2.0%	1.6%	75%	0.0148	0.0122	5%
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	2.0%	234,969	4,002,706	2.0%	1.9%	1.9%	71%	0.0133	0.0131	3%
Sacramento-Arden-Arcade-Roseville, CA	0.7%	227,139	1,346,860	0.7%	1.8%	0.6%	134%	0.0244	0.0084	4%
Riverside-San Bernardino-Ontario, CA	1.3%	203,768	2,420,193	1.3%	1.6%	1.1%	145%	0.0237	0.0163	5%
<b>Rest of Nation</b>	<b>71%</b>	<b>4,276,313</b>	<b>162,159,357</b>	<b>70.6%</b>	<b>34.3%</b>	<b>75.3%</b>	<b>54%</b>	<b>0.1837</b>	<b>0.4035</b>	<b>2%</b>
<b>Metropolitan Areas Combined</b>	<b>29%</b>	<b>8,195,502</b>	<b>53,174,037</b>	<b>29.4%</b>	<b>65.7%</b>	<b>24.7%</b>	<b>78%</b>	<b>0.5139</b>	<b>0.1931</b>	<b>5%</b>

Note: Values are not adjusted for inflation. AA = Asian American; NHW = non-Hispanic White.

Source: Tabulations by authors using Census 2000 Summary File 3 data and ACS PUMS 2005 data.



**Table 3: U.S. Wealth Distribution, Asians and Non-Hispanic Whites, 2004**

	Total Net Worth			Housing Worth			Nonhousing Net Worth		
	Asian	Non-Hispanic White	Asian/ Non-Hispanic White	Asian	Non-Hispanic White	Asian/ Non-Hispanic White	Asian	Non-Hispanic White	Asian/ Non-Hispanic White
Percentile									
75th	\$359,000	\$351,100	1.02	\$212,000	\$160,000	1.33	\$150,800	\$172,500	0.87
50th	\$144,000	\$137,200	1.05	\$60,000	\$66,000	0.91	\$34,900	\$42,800	0.82
25th	\$24,000	\$31,800	0.75	\$0	\$12,000	0.00	\$6,400	\$4,000	1.60
75th-25th difference	\$335,000	\$319,300		\$212,000	\$148,000		\$144,400	\$168,500	
75th-25th ratio	15.0	11.0		NA	13.3		23.6	43.1	
(75th-25th)/50th	2.3	2.3	NA	3.5	2.2	NA	4.1	3.9	NA

Source: Tabulations by authors using SIPP 2004 Wave 3 data.

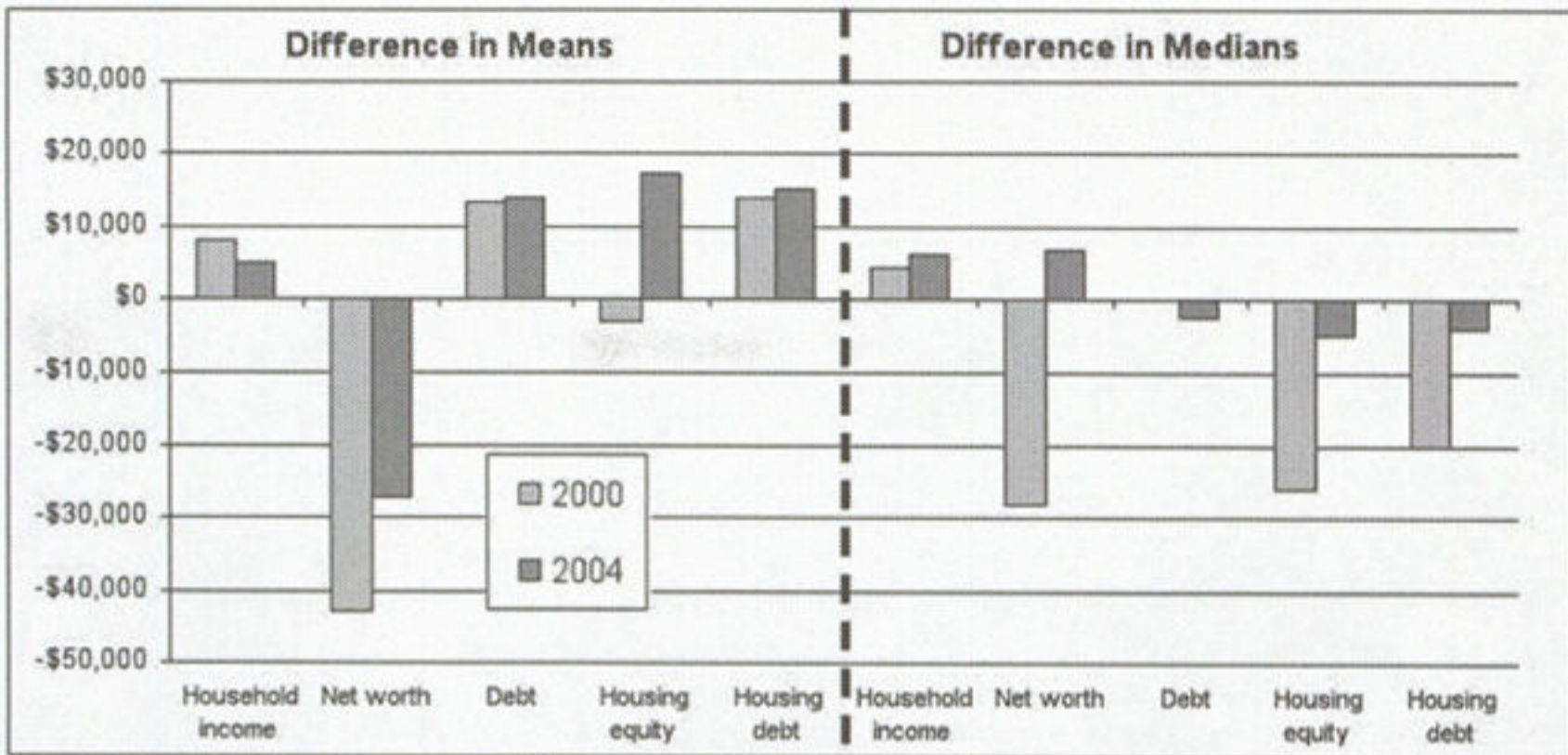
**Table 4: Mean Household Income and Assets in the United States by Asian Ethnicity, 2006<sup>1</sup>**

	Mean Income	Mean Interest, Dividend, and Rental Income	Mean Home Value	Mean Home Equity
All Asians	\$81,500	\$2,000	\$283,300	\$104,400
		<i>Parity Index (relative to all Asians)</i>		
Asian Indian	1.22	1.10	0.93	0.76
Chinese	1.01	1.35	1.14	1.29
Filipino	1.04	0.50	1.09	0.99
Japanese	0.99	1.65	1.18	1.84
Korean	0.86	1.00	0.88	0.68
Vietnamese	0.82	0.45	0.90	1.06
Other Southeast Asian	0.68	0.15	0.53	0.40
Other Asian	0.87	0.65	0.78	0.67

Source: U.S. Census Bureau, American Community Survey 2006 1% Public Use Microdata Sample

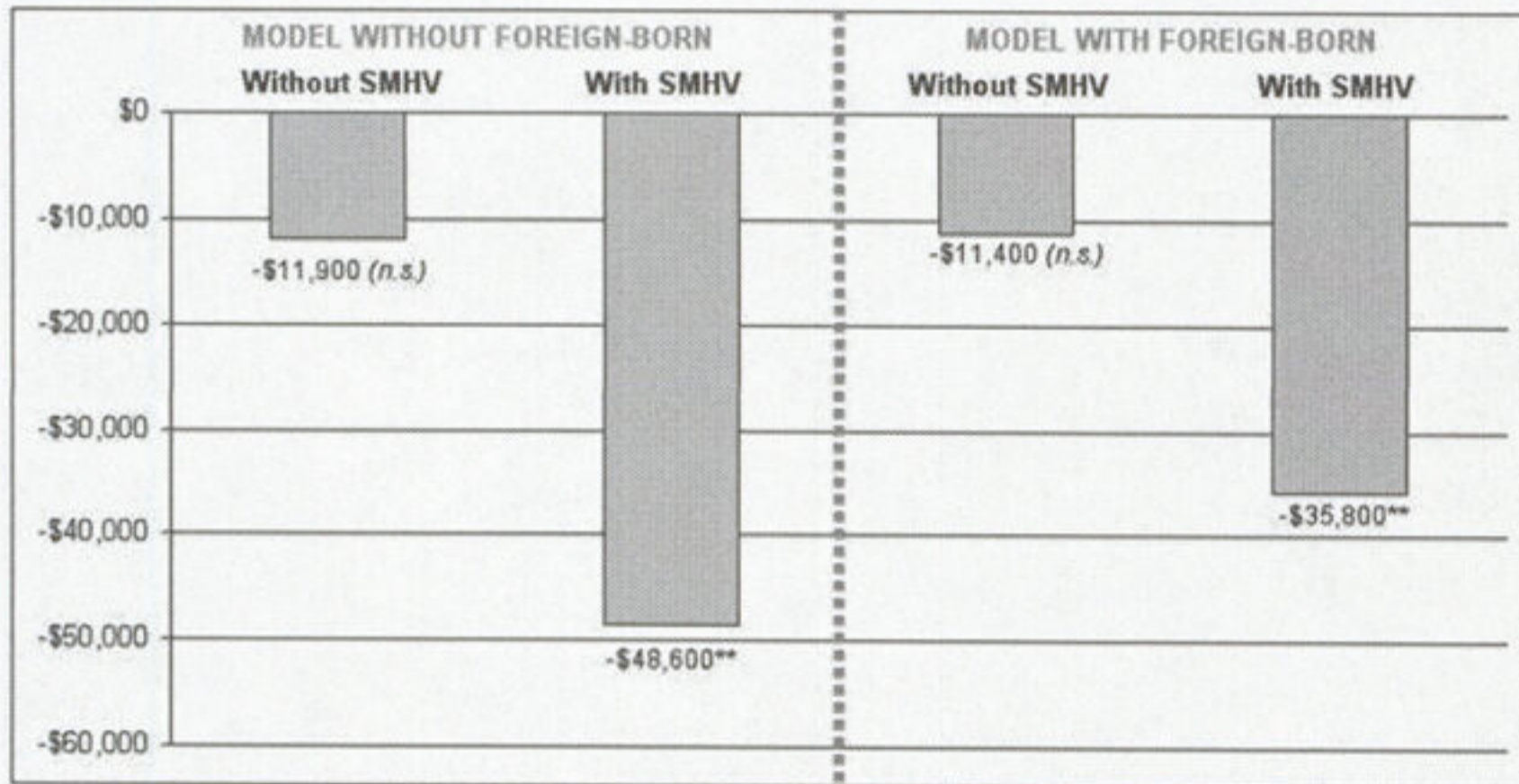


**Figure 1: Racial Wealth Gap in Wealth Distribution Between Asians and Non-Hispanic Whites, 2000 and 2004**



<sup>1</sup> "Mean income" and "mean interest, dividend, and rental income" include negative and zero dollar amounts. "Mean home value" includes those who do not own their own home. For those who do not own their home, home value was considered to be zero.

**Figure 2: Racial Wealth Gap (in mean dollars) Between Asians and Non-Hispanic Whites, 2004**

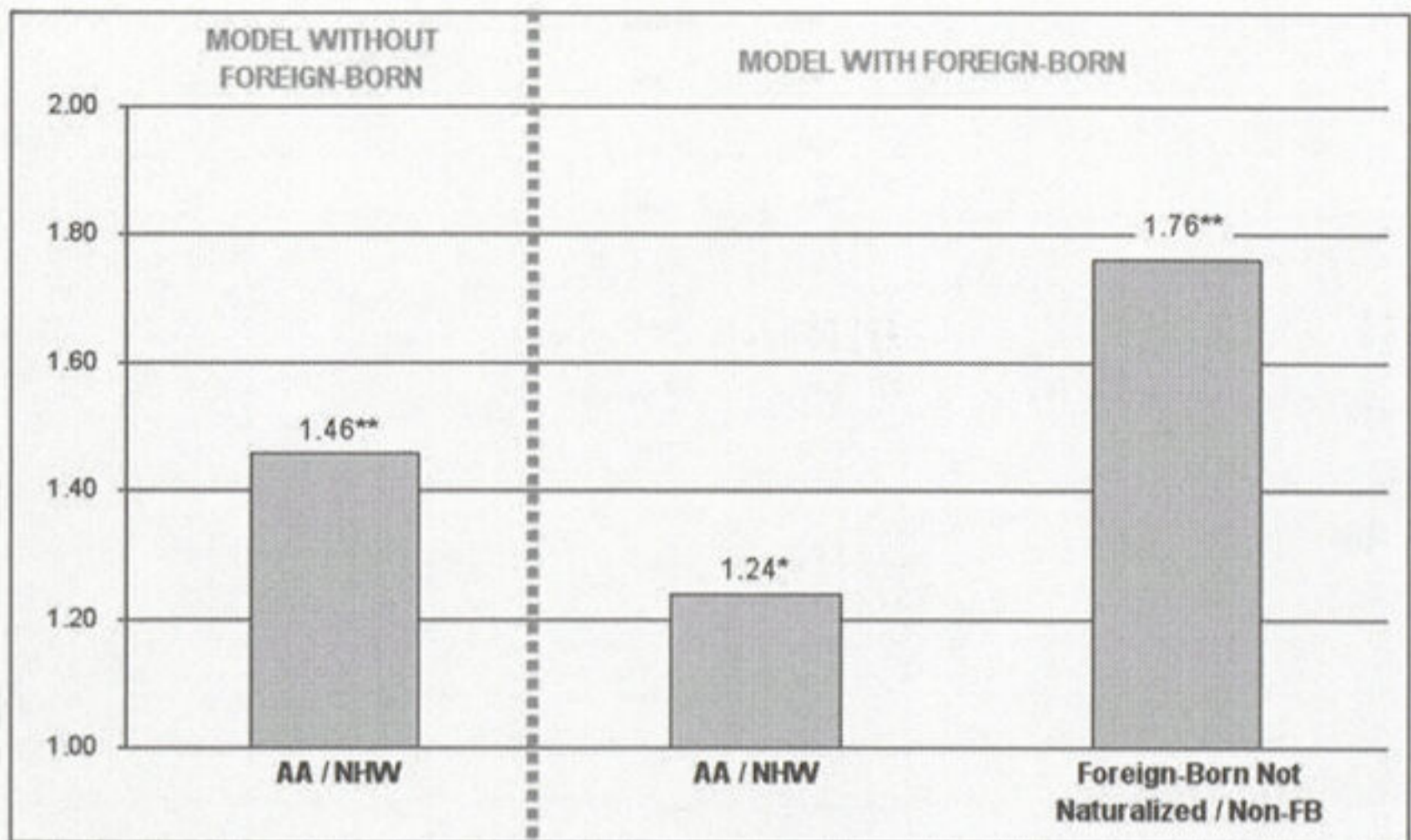


Note: SMHV=State Median Home Value, \*\* denotes statistically significant at <.0001, n.s. denotes not significant.

Source: Tabulations by authors using SIPP 2004 Wave 3 data.



**Figure 3: Likelihood of Being in Bottom Wealth Quartile After Controlling for Other Factors, 2004**



*Note: \* denotes statistically significant at <.1, \*\* denotes statistically significant at <.0001. AA = Asian American; NHW = non-Hispanic White.*

*Source: Tabulations by authors using SIPP 2004 Wave 3 data.*



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# Future Family Immigration Policies? Economic Focus Is Flawed and Without Meaning for Immigrant Families

by Tuyet Duong and Van Luong

## A Story of Two Sisters

*Tina Nguyen and Lan Nguyen were two of seven sisters. Their parents died after the fall of Saigon. They had lived next to each other in the town of Nha Trang, Vietnam, all of their adult lives. Tina had been an administrative assistant for the South Vietnamese government; she in turn lost her house and her business to the newly victorious Communist Party and was sentenced to three arduous months in a labor camp. Desperate to protect herself and her young son from further persecution, she began making plans to escape Vietnam in a boat. Her sister, Lan, sold all of her gold bars (the reliable currency at that time) and the family home to pay for passage for the mother and son. The sisters bade a tearful and emotional farewell. Tina promised Lan she would sponsor her sister at the earliest opportunity. This was in 1989. It has been more than nineteen years since the two have seen each other and since Lan made her sacrifice so that her sister Tina and her nephew could have a free life in America.*

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## Introduction

Tina Nguyen's escape from a war-torn country did not simply end with her and her son finding peace in America. She lived for two years in a refugee camp before she was sponsored to enter the United States, and when she did, she experienced homelessness and was without a comprehensible social network of family or friends to help her and her son. She found a job housekeeping in a hotel, struggled to teach herself English, and finally in 2000, passed her U.S. citizenship test and became a citizen, whereupon she immediately filed a petition to sponsor her sister, Lan. More than nineteen years have passed since she last saw her sister, but each day Tina has thought about Lan and Lan's sacrifices, which made it possible for her and her son to live a life free of political persecution and full of American opportunities that come with education and hard work. As of December 2008, the United States was processing applications for persons who applied in 1998 to sponsor their siblings. Under this schedule, it is possible that in 2010 Tina may be able to sponsor Lan to come to the United States, twenty-one years since she left Lan in Vietnam.

The family-based immigration system allows U.S. citizens and lawful permanent residents to sponsor into the United States their spouses, minor children, adult married and unmarried children, parents, and siblings. The sibling category of sponsorship is one of the most backlogged categories; the wait times in this category can be more than two decades for some siblings coming from countries like the Philippines (U.S. Department of State 2009). This category represents another broken cog in our immigration system, a flash point in the immigration debate, and the failure of immigration laws to reflect future immigration flows that mirror our national values, especially a core value for many Americans: family.

### **The Broader Context of U.S. Immigration: Family-Based Immigration Is Lost in a Border-Focused Debate**

Attempts at reforming the U.S. immigration system over the last twenty years have been marked by a series of partial and enforcement-focused solutions that do not solve the considerable backlog in family-based immigration. The 1986 Immigration Reform and Control Act (IRCA) passed by Congress and signed into law under former U.S. President Ronald Reagan legalized the presence of 2.7 million individuals but failed to truly reform legal immigration channels and instead encouraged a new tide of individuals willing to risk having undocumented status in order to seek opportunities and reunite with families (U.S. Citizenship and Immigration Services 1986). The IRCA failed to put in place truly transformative policies that could have modernized legal immigration channels and shortened wait periods. To address this shortfall, between the years 2005 to 2007 Congress introduced a series of failed bills, namely the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005 (H.R. 4437) and the Comprehensive Immigration Reform Act of 2006 (S. 2611). H.R. 4437, introduced by then-Judiciary Chairman James Sensenbrenner, lit a firestorm and sparked a series of marches within the immigrant advocacy community due to its enforcement-heavy provisions, one of which would render all undocumented individuals and those



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who assisted them felons. The Senate bill increased border security at the U.S.-Mexico border, legalized long-term unauthorized individuals, and increased guest worker numbers. Neither of the bills substantially tackled the backlogged family immigration system.

The imagery evoked by these border-focused legislative battles and debates eclipses the challenges of the Asian American community, whose stories have been far less visible, and therefore assumed far less relevant and problematic, to the media and policy makers. While Asian American organizations have built a significant body of work around immigration advocacy and provided social services for immigrants from Southeast Asia, South Asia, and East Asia, these immigrants still have outstanding needs yet to be met. The media has focused, and therefore the American public has focused, almost solely upon the U.S.-Mexico border in the immigration discussion. The challenge of giving voice to the Asian American immigrant narrative for the media, the public, and particularly among members of the U.S. Congress has been significant. During the last two years, national media personalities with tremendous exposure such as Lou Dobbs have cast pro-immigration policies as anti-American and have demonized the Latino population.<sup>1</sup> In addition, the insular conversations that take place among D.C. policy makers, members of Congress, and Capitol Hill staff within the Beltway are far removed from the urgent realities that family sponsors face; the conversations are often characterized by internal wonky deliberations and disagreements. The fractures between immigration stakeholders such as the U.S. Chamber of Commerce, labor federations, immigrant rights organizations, corporations, and ethnic organizations are well-known but D.C.-focused.

Asian American communities, now more than ever before, need to advocate even more strongly for addressing the serious flaws within the family immigration system and prospective immigration flows that prioritize family ties. The historic election of Barack Obama as the 44th president of the United States has given immigration reform advocates and even members of Congress passionately dedicated to the issue the political space to ask for the enactment of a comprehensive and progressive immigration reform bill by Thanksgiving 2009 (CAPAC 2009). President Obama's election platform articulated a desire for progressive immigration (Organizing for America n.d.), and current signals from his administration suggest that he is in fact dedicated to this issue and is willing to tackle a bill within his first term in office (Associated Press 2009). With this newly expanded political space to achieve true immigration reform, it becomes even more urgent for advocates and policy makers to quickly develop a viable body of research and consensus around legislation that best serves the interests of all immigrant communities. Specifically, there is an increasingly compelling case that can be made during this pivotal point in immigration policy that there is real opportunity to address prospective immigration flows, especially family immigration flows.

### **Asian American Stake in Reforming Family-Based Immigration Policies**

Asian Americans comprise 3 percent of the voting bloc in America overall (U.S. Census Bureau 2008), representing critical voting blocs in areas such as Los Angeles and New York City. Addressing the family immigration system is an



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important voting issue, with recent polls showing that faster processing of family immigration applications is the most important immigration-related issue to Asian American voters (Asian American Institute 2008). In 2008, 83,561 total family preference visas were issued to individuals in countries from Asia; 74,955 immediate relative visas, whose recipients are defined as spouses, children, and parents of U.S. citizens, were issued to immigrants from Asia (U.S. Department of Homeland Security 2008). In total, 162,686 family immigrant visas were issued to individuals from Asia (immediate relative visas plus family preference visas).

Asian Americans generally utilize almost 40 percent of family-based visas available for issuance in the United States in one fiscal year. There are more than four million individuals in the family-based immigration backlog, with two million of them representing spouses and children of lawful permanent residents (Meissner and Kerwin 2009). Changes to the architecture of the family immigration system will impact a significant portion of the Asian American community eligible to vote and waiting for family members to join them. The number of Asian Americans immigrating through the sibling category is particularly staggering. During fiscal year 2008, 46,165 visas out of the 61,860 total visas available in the sibling visa category were issued to individuals from Asian countries (U.S. Department of State 2008). This particular statistic merits special attention due to the consistent efforts by various members of Congress and policy makers to eliminate the sibling category from the family preference system. Eliminating this category would mean that an important immigration channel for Asian Americans would be eliminated. The ethnic and racial implications of this policy are wide-ranging and sobering even as members of Congress and other policy makers and advocates justify eliminating family categories using economic reasons. Economic reasons will also mask the feeling, even among advocates, that in a hypothetical comprehensive immigration reform bill that would legalize millions of individuals and allow more employees and workers, the immigrant rights movement would have to compromise and barter away a positive policy vital to immigrants. Most often, this has meant that advocates would have to accept cuts to the family immigration system.

This article will examine three approaches to reforming family immigration policies. The first is based on a report by the U.S. Commission on Immigration Reform and a report issued by the Independent Task Force on Immigration and America's Future. The third approach was articulated within the colloquy on the U.S. Senate floor during the explosive immigration debate in the summer of 2007. An examination of these three identified frameworks illuminates some of the challenges and opportunities that lay ahead for Asian Americans who have a stake in immigration reform. This article is a mere starting point for what we hope will be a robust conversation about research and policy studies to follow among the broad community of immigration advocates and policy makers.



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## Comprehensive Immigration Reform Debates and the Misplaced Focus on the Economics of Immigrants

Immigration reform discourse over the last twenty years has focused on value-added policies and the economic value that is to be weighed against each immigrant seeking entry into the United States, thus using an economic calculus, but in effect, marginalizing the real value for immigrant families and their networks.

### *Approach One: The U.S. Commission on Immigration Reform*

The bipartisan U.S. Commission on Immigration Reform was mandated by the Immigration Act of 1990 to examine U.S. immigration policies related to undocumented immigration, family immigration, employment-based immigration, refugee policies, and integration issues. The commission was tasked to issue findings and recommendations based on its research, interviews, field studies, and consultations with various institutions and individuals. While the commission's study is more than a decade old, an examination of its proposal is important because it represents the most recent government-mandated examination of the national immigration system, and furthermore, the members of the commission are still active in Congress and amongst policy makers and have a continuing role in shaping the modern immigrant debate.<sup>2</sup>

Between the years 1995 to 1997, the commission released several interim reports, including one detailing the impact of undocumented immigration and one examining the legal immigration system and proposals for reform.<sup>3</sup> In 1997, the commission released a report entitled "Becoming an American: Immigrant and Immigrant Policy," which compiled the commission's research projects, interim papers, and overall findings and recommendations (U.S. Commission on Immigration Reform 1997).

The section on legal immigration, which includes employment-based immigration and refugee policy, is entitled "A Credible Framework for Immigration Policy." This paper proposes a major reform of the family immigration system by prioritizing family categories and shrinking the available amount of family-based immigration categories from six to three. The three eliminated categories include siblings, unmarried adult children, and married adult children (U.S. Commission on Immigration Reform 1997, 80). The categories that are left intact are visas for spouses, minor children of U.S. citizens and lawful permanent residents, and parents of U.S. citizens (U.S. Commission on Immigration Reform 1997, 81). The commission proposed that overall levels of family immigration be reduced over time, with a transition period of increased immigration and an infusion of additional visas to eliminate the current family immigration backlog.

The recommendations were based on an assessment and data on skill level, economic viability, education levels, and employment levels of immigrants in the family-based immigration system. The commission felt that the immigration of siblings, unmarried adult children, and married adult children was not as urgent or as compelling as the other family categories because they were not significant to the main functions of a core family (U.S. Commission on Immigration Reform 1997, 65). The commission reasoned that prioritizing the reunification of lawful



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permanent resident spouses and children would improve family immigration flows and that the long wait times in the sibling category no longer yielded viable immigrants, as the average age of a sibling immigrating through the category at that time was 45 (U.S. Commission on Immigration Reform 1997, 66).

The commission then suggested that persons in the eliminated categories should then prove their economic value if they wished to immigrate to the United States and therefore apply for immigration under the highly skilled labor visa categories. The commission put a premium on highly skilled immigrants who would raise the productivity of the nation (U.S. Commission on Immigration Reform 1997, 82). The commission reasoned that employment-based immigrants would then sponsor spouses and children who had comparable skills, and they in turn would bring additional value into the economic system (U.S. Commission on Immigration Reform 1997, 82). This type of logic in immigration policy is called the "future flow" of immigration. The future flow concept as a body of logic should be addressed in separate papers and data sets, but its mention in the commission report is significant. It confirms that some immigration experts and analysts believe that the family-based immigration system, as it currently exists, does not contribute enough value to our system to justify its continued existence, and that a sibling, an unmarried adult child, or a married adult child by his or herself, does not per se qualify as economically viable enough to be accounted for in future immigration flows.

While this linear reason and bottom-line view of immigrants as economic units may be easy for policy makers to bring back to constituents, it dehumanizes immigrants seeking a better life in the United States; this seeking of a better life is just what many of our American ancestors did during earlier periods in our history. What is even more dangerous is that this view allows immigration restrictionists during times of economic crisis to turn the immigration debate into a numbers game. They can make oversimplified arguments about how the resources in our country do not match the numbers of immigrants entering the country and thus subtract family-based immigration as a liability in the economic equation. Pragmatic politicians and policy makers could feasibly use this logic in order to support slimming down the family immigration system, when, in fact, such a policy would represent a step back for immigrants and American immigration policy.

#### *Approach Two: The Independent Task Force on Immigration and America's Future*

The Migration Policy Institute, an entity that is, as stated on its Web site, an "independent, nonpartisan nonprofit think tank dedicated to the study of the movement of people worldwide," convened an immigration task force in May 2005. The task force included former members of Congress, immigration experts, academics, and advocates and was tasked to set a broad vision for immigration reform serving the best interest of the nation. Unlike the U.S. Commission on Immigration Reform, the panel did include minority and immigrant representation. Renowned Asian American immigration expert Professor Bill Ong Hing from the University of California at Davis was a member of this task force. The task force also included prominent individuals in the field of immigration policy, including Doris Meissner (who served as commissioner of the legacy Immigration and



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Naturalization Service in the Clinton administration), former Senator Spencer Abraham (R-MI), Senator John McCain (R-AZ), Senator Edward Kennedy (D-MA), Janet Murguia, current president and CEO of the National Council on La Raza, and Alexander Aleinikoff, former general counsel of the Immigration and Naturalization Service during the Clinton administration. With the Obama administration paying special attention to the policy positions of individuals who previously served in the Clinton administration, it is especially relevant to examine the position of the task force's report regarding family immigration policies.

The task force's report issued in 2006 provided a broad dissection of immigration policies and proposed a tripartite immigration policy that permits the entry of family members, professional and skilled workers, and refugees as well as other categories of humanitarian admissions (Meissner et al. 2006). The report laid out the landscape of legal immigration, with a primary focus on examining employment-based immigration and how numerical caps, available visas, and visa system structures do not meet current demand (Meissner et al. 2006, 35-37). While the report acknowledged that there is an overlap between family-based immigration and employment-based immigration, it summarily concluded that the "immigration policy crisis turns on labor market issues" (Meissner et al. 2006, 39) and proposed future flow-type mechanisms to regularize legal immigration channels. For example, it increased employment-based visas, streamlined visa categories, and eliminated the diversity visa category altogether (Meissner et al. 2006, 40). The report noted tremendous backlogs for family members waiting in China, India, and the Philippines. The task force recommended a one-time solution to the long backlogs for immediate family members of U.S. citizens and lawful permanent residents because "the [current immigration] system cannot, by definition, be effective or credible in delivering timely family unification if all the current family preference categories are retained" (Meissner et al. 2006, 41). The task force subsequently dealt a serious blow to the family preference system by recommending the elimination the sibling category. The task force reasoned that siblings of U.S. citizens would be able to immigrate to the United States through new employment-based visas that they proposed Congress should create (Meissner et al. 2006). However, acquiring an employment-based visa under the immigration system requires specialized skills and formalized educations, both of which are not likely to be available in most developing countries. The task force's rationale for this proposed system, similar to that of the U.S. Commission on Immigration Reform, focused on the immigrant and his or her deliverable economic value:

Difficult tradeoffs may have to be made. . . . Yet, the Task Force proposal suggests that it would be prudent to reexamine the continued viability of the current category of siblings of U.S. citizens. In practice, many of those who qualify for this category may be able to immigrate faster to the United States through the new and expanded provisional and permanent employment-based categories. Since employment-based immigration is largely shaped by informal social networks, many employment-based immigrants through the provisional and permanent systems are likely to be family members of those already here. Organized employment-based immigration around greatly



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expanded opportunities for employer-sponsored immigration is a sound way to ensure efficient matching of immigrant workers with labor market needs. (Meissner et al. 2006, 41)

In a passionate dissent, Professor Hing defended the continued existence of the sibling category and documented that the task force's proposal to eliminate the sibling category was added on the eve of publication and without prior discussion by the entire task force. Professor Hing stated that a system that utilized family ties would still help the economy thrive and that those who drafted the document did not share a similar vision (Meissner et al. 2006, 151). He noted that the debate should not begin from a starting point of skills-based criteria, but from a values-based discussion on what it really means to prioritize family ties in future immigration (Meissner et al. 2006, 152). Professor Hing's commentary zeroes in on a problem plaguing the immigration debate: too often, policy makers and even advocates have fallen into the frame of anti-immigrant lobbyists who make their living by striking a tough, hard, and sometimes cruel stance against additional immigration. In the heat of the policy debate, many policy makers talk less and less about how decision making and policy making should take into account values, what is right, and what is compassionate.

The task force's report and its last minute inclusion of the proposal to eliminate the sibling category made without the consensus of Professor Hing and his fellow task force members such as Janet Murguia and Oscar Gonzalez should sober advocates, immigrants, and policy makers alike. The report continues the trend that began with the U.S. Commission on Immigration Reform, which is to discount and eliminate family categories, primarily the sibling category, assuming that they have lesser intrinsic and economic value than other categories of immigrants. This approach disregards the multidimensional and emotional journey that every immigrant makes and simply seeks to match up a new immigrant with his or her place in the labor market without recognizing that the real and sustaining success of any immigrant is his or her ability to replicate in the United States the systems of support that individual had in his or her country of origin.

#### *Approach Three: The Comprehensive Immigration Reform Act of 2007*

The policy debate over family-based immigration continued to unfold in S. 1348, the Comprehensive Immigration Reform Act of 2007, and this real-life debate is especially interesting because of its dialogue between the White House and Senate "Grand Bargainers," which included, among others, Senator Kennedy, Senator Robert Menendez (D-NJ), Senator Ken Salazar (R-CO), Senator McCain, and Senator Patrick Leahy (D-VT). S. 1348, among other things, also proposed to eliminate the sibling, unmarried adult child, and married adult child categories from the family immigration system.<sup>4</sup> The bill proposed a cap and waiting time for parents of U.S. citizens as well. In clear articulation of the faulty concept of the immigrant as an economic unit, the bill created a point system that would assign points to those seeking immigration based on skill, education, and other so-called desirable factors that would presumably make the individual valuable to the American economy.<sup>5</sup> A provision in S. 1348 proposed to take the extra step of pun-



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ishing those who had filed applications as required by law by eliminating from the system all applications filed before May 2005 in an attempt to wipe clean any reported processing backlogs. Members of both sides of Congress were sharply divided on this proposal, and commentaries on the Senate floor were wide-ranging.

Some of the most passionate debate regarding family immigration occurred over several amendments introduced by certain senators to ameliorate some of the more destructive family immigration provisions. Senator Menendez and Senator Chuck Hagel (R-IA) introduced an amendment that would move up the cutoff date for family petitions that could still be processed. Senator Lindsey Graham (R-SC) actually supported this amendment on principles of fairness but ultimately argued that the entire scope of the family immigration system would have to be replaced, in the end, by a merit-based system. The most interesting part of his remarks included an admission that partially implied that his parents would not have made it through a pure merit-based system:

In the future, we are going to have a new system. There is going to be a strong family component, but I make no apologies about this, in the future we are going to have immigration based on the global economy and merit. We need to start looking at where we are in the world and making sure people come into our country under a merit-based system. Neither one of my parents graduated high school. There is a way forward for the semiskilled and low-skilled workers to come into our country in the future. But the family component in the future will be spouses and minor children, freeing up thousands of green cards for merit-based employment. They are not going to bring in their adult children unless they have a way to get in on their own. They are not going to bring in their third cousin. Nobody else does that. They are going to come in as a nuclear family, and we are going to do it based on merit, and merit is not a degree.<sup>6</sup>

One of the strongest opponents against strengthening family immigration policies and eliminating family-based immigration altogether is Senator Jeff Sessions (R-AL). He also led the charge that ultimately led to the defeat of the comprehensive immigration reform bill. Senator Sessions subscribes to many of the chain migration arguments that anti-immigrant lobbyists bring forth in order to deter policy makers from protecting or expanding the family immigration system:

If a person comes, then you can bring your brother and sister. If your brother is married, the wife comes with your brother. If they have three children, those come. If she moves forward to a green card or citizenship, she can also bring in her relatives. Then the wife can bring in her brothers and sisters. So that is how this system works. It is unrelated to skills and the productivity of the person intending to come. It is unrelated, therefore, to the national interests of the United States. It is unconnected to them. It is their interest they are concerned about and not the national interest, which is to make sure the persons who come are honest, hard-working, decent people with skills and capabilities to be successful in America. So if a brother applies to come to the United States with a wife and child, because they have a brother here who is a citizen, they apply, and they are put on a list. This is non-skill-based immigration. It is purely based on kinship.<sup>7</sup>



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Senator Sessions's remarks epitomized the most toxic elements of the immigration debate, the scorn that conservative lawmakers feel for immigrants coming to America for opportunity, as well as the belief that the pursuit of this opportunity does not serve a national interest because it is an individual interest. This logic is similar to that of the U.S. Commission on Immigration Reform in terms of the commissioners examining policies in light of a compelling "national interest." However, America has long been guided by individual interest and individual opportunity, and applying the argument to every policy guided by individual interest would render all policies benefiting any individual null.

Former Senator Hillary Rodham Clinton (D-NY) proved to be a champion for preserving and reforming the family immigration system and worked with immigrant advocates to introduce an amendment that would reclassify lawful permanent resident spouses and children as immediate relatives. This reclassification would result in the immediate processing of these petitions just like those of citizens. Senator Clinton's remarks echoed some advocates' views about the struggle to craft an immigration bill that could receive broad consensus and also capture the core values of the immigrant rights movement and immigrant families across the country:

Our immigration system is in crisis. I have concerns about this underlying bill, but we all do. This is not the bill any of us individually would have written and produced for the Senate's consideration. But I commend the primary sponsors for bringing this to the floor of the Senate so we can debate the issues it raises and try to craft a solution that simultaneously honors our nation's strong immigrant heritage and respects the rule of law. As a nation, we place a premium on compassion, respect, and policies that help families. But our immigration laws don't reflect that. In fact, our current laws tear families apart. As a nation, we place a premium on compassion, respect, and policies that help families. But our immigration laws don't reflect that. In fact, our current laws tear families apart. For lawful permanent residents and their spouses and minor children, this bill not only fails to help them, it actually makes matters worse. It is time to take all the rhetoric about family values and put it into action and show that we mean what we say when we talk about putting families first. That is what my amendment does.<sup>8</sup>

Former Senator Clinton showed true leadership by asking her fellow senators to reexamine what it truly means to prioritize our values and families. Senator Menendez proved to be one of the fiercest advocates for family immigration, introducing several amendments to move forward the cutoff date, allow parents to immigrate, and ensure that families have more points in the proposed point system. His floor remarks were compelling in the imagery they evoked. As Senator Menendez attacked the core arguments around chain migration, he also illustrated its dehumanizing aspects with a clever analogy to paper clips:

When I hear chain migration—how dehumanizing. Chain migration, it makes me think of a bunch of paper clips hanging together. Chain migration, is that what we have come to? Parents are part of a little chain? There is this concern that they will be able to claim someone else. Who can they claim if they are



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being claimed by their son or daughter? That's it. You can't claim anybody else. Chain migration. How easy it is to try to take something that has so much significance in our lives and dehumanize it. Chain migration? No, this is about family reunification. It is the core of what our society is all about. It is what we hear speeches about all the time in terms of strengthening families. Families will be strengthened when they are together, not torn apart.<sup>9</sup>

Senator Menendez's remarks powerfully highlight how merit-based arguments and economic arguments can strip away all that is human about law and policy. Had it passed, S. 1348, supported by the Bush administration, would have destroyed the dreams of many families who have waited patiently and silently for their family member to join them in America. By following the lead of misguided policy makers since the days of the U.S. Commission on Immigration Reform and the Independent Task Force on Immigration and America's Future, policy makers kept the conversation about immigration reform circumscribed around the "perfect" immigrant: an individual without a face with easily assignable economic value. Somehow, our community should have a role in changing the starting frame for the debate and making sure our voices humanize this debate.

### **The Analysis: The Search for the Perfect Immigrant Is the Wrong Path for Policy Makers**

While one of the primary aims of this article is to lay out the landscape for changing the conversation about immigration in the Asian American community and to evoke a more vocal policy response from our community, we must also examine what alternative frames we should adopt that could be palatable to a broad range of policy makers and thinkers. The climate for immigration reform has only become more difficult considering the economic downturn that began in 2007. Policy makers distracted by the crisis and its immediate problems will be less likely to examine progressive immigration policy frames that really tackle the core issues of legal immigration. They are also less likely to understand the intersections between unauthorized immigration and legal immigration: that individuals will continue to risk and sacrifice their lives in their home countries so long as waits to join close family members such as siblings and spouses are inhumane and protracted. These individuals live quiet lives of economic productivity and are staunch community contributors, and their immigration symbolizes the continuation of a long tradition of family immigration that should not be stemmed by dehumanizing mathematics.

While the legal framework for family immigration started in 1965 with the creation of the family immigration system, individuals were able to bring siblings and other close family members since the beginning of the 1900s (Hing 2009). The fact that the family immigration system was created in the wake of the civil rights movement, with individuals, such as Former President John F. Kennedy and Senator Ted Kennedy, championing the repeal of quota systems (Hing 2004, 94-95), means that the roots of family immigration lie in a basic legislative need to eliminate the nativistic origins of the older immigration laws.



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However, as Professor Hing astutely noted in his book on immigration policy, as soon as visible and larger numbers of Latinos and Asians appeared in cities, the movement toward restricting immigration also increased (Hing 2004, 111). This direct correlation demonstrates that technical arguments to decrease family immigration, including national interest arguments, economic arguments, and social/merit-based arguments, can be traced back to anti-immigrant and nativist feelings about large influxes of foreigners coming to our shores.

We would be remiss if we did not also address the small body of work that has, in response to the pressure to economize the immigration conversation, sought to shed light on the economic value of family-based immigrants. However, it is important to note that this body of work may sadly only be a short-term tool to blunt anti-immigrant attacks on family immigration. Proponents of legalization still encounter deaf ears when they try to tout the economic value of unauthorized immigration. The same dilemma also plagues family immigration proponents.

Harriet Duleep and Mark Regets are both academics who have done the most in-depth research on family immigration. While they and only a couple of other academics have examined the economic value of legal immigrants, the work of Duleep and Regets is of particular value because of the care in which they examine earnings growth, educational background, and integration indicators of individuals immigrating through the sibling category. Through samples of census data they are able to make some general conclusions about siblings immigrating to America and their earnings growth (Duleep and Regets 1996). Their work generally resolves that individuals immigrating through the sibling category may initially have low earnings but have the highest potential for earnings growth. The authors attribute the potential to the high index of independent entrepreneurialism and the high likelihood that many coming through this category have higher occupation levels and resources to start businesses. Duleep and Regets point out ethnographic studies of individuals such as Madhulika Khandelwal that document the rise of immigrant family-owned businesses such as the Indian jewelry business in New York:

Closeness of family and kin is apparent in yet another Indian concentration in New York City ethnic businesses—the jewelry trade. In a quiet but systematic process of over two decades, immigrants from families engaged in the jewel business traditionally in the western Indian state of Gujarat (and actually originating from a small town called Palanpur), have become the second largest ethnic group in the diamond district in New York City. . . . Applying their business acumen and drawing on family and kin resources, they have captured the American part of the worldwide trade in small cut diamonds (Khandelwal 1996).

One example of interesting research tangentially involving family immigration is a sampling of census data by the Small Business Administration, which has released a white paper on the contributions of immigrant-owned businesses. The data indicates that immigrant-owned businesses make up a large share of the economy and in fact stimulate local economies where native-born persons are in the majority (Fairlie 2008). In addition, survey findings from the new National Immigrant Survey show that those who immigrate through family-based channels



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are able to attain high levels of job quality due to the family support networks and, over time, attain jobs equal to or higher than jobs in their home countries (Batalova and Fix 2008).

All of the above work is laudable, including useful data for advocates to compile as talking points and report language for policy makers. However, the most intrinsic points of the debate that have led researchers and advocates to a defensive position on family immigration still remain. A certain sector of members of Congress, anti-immigrant lobbyists, and government officials will continue to push an economic frame for the immigration debate that does not align with the values at stake in this debate. As Asian American Justice Center President Karen K. Narasaki has stated in relation to the economic arguments, "Immigrants are not widgets." The immigration lobbying and policy industry use business calculus to push legislation that impacts real human lives.

Another issue is that new policy makers need to bring forth bold new thinking about immigration and family immigration that can turn the debate around from cutting immigration based on family ties to truly rethinking how we can make it better and more reflective of the immigrant story.

## Conclusion

This article should only begin an important policy and community conversation. There are many fronts to fight in this battle to preserve and improve our family immigration system. There is an innate policy battle in terms of rethinking the broad scope of our admissions policies and the flawed search for the perfect immigrant. There is the values debate about what are our priorities. And there is a broader dialogue that needs to happen amongst community members on how we impress upon public officials and members of Congress the importance of continuing and strengthening family-focused immigration. Through the media, through personal interaction with political figures, and through organizing our community, we need to find a path by which a conversation about compassion and family is strongly grounded in the symbolism of our immigration system and what it means to the rest of the world. Only then can policies be driven by those who truly benefit from them, and then we can achieve progressive and complete immigration reform.

## Still Waiting

*During quiet moments, Tina Nguyen opens her kitchen drawer and pulls out a worn sheet of paper. She carefully rereads the contents of the letter on U.S. Citizenship and Immigration Services letterhead, approving her petition for her sister Lan. This piece of paper connects her to the last living family member that she has, her best friend, and her ally, as she remembers the sacrifice of one sister for another many years ago. They talk on the phone about starting a home day care business. They dream and hope for the day where they can be physically reunited on one soil and able to celebrate the accomplishments of a family once torn by war and brought together by a country that continues to allow the rich story of immigrants to carry on across oceans.*



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## Endnotes

<sup>1</sup> The National Council of La Raza (n.d.) site elucidates media commentators' demonization of Latinos and provides tools for advocates to educate the public about media hate directed at immigrants.

<sup>2</sup> Commission members include former lobbyists, members of Congress, and other prominent policy figures and can be found at the following link: [www.utexas.edu/lbj/uscir/commem.html](http://www.utexas.edu/lbj/uscir/commem.html). Former commission members still lobby in Congress to this day on various immigration issues.

<sup>3</sup> Reports are available at [www.utexas.edu/lbj/uscir/reports.html](http://www.utexas.edu/lbj/uscir/reports.html).

<sup>4</sup> S. 1348, 110th Cong. S. 503 (2007).

<sup>5</sup> S. 1348, 110th Cong. S. 502 (2007).

<sup>6</sup> 154 Cong. Rec. S 7136 (daily ed. 6 June 2007) (statement of Sen. Graham).

<sup>7</sup> 154 Cong. Rec. S \_\_\_\_ (daily ed. 6 June 2007 (statement by Sen. Sessions).

<sup>8</sup> 154 Cong. Rec. S 7150 (daily ed. 6 June 2007) (statement by Sen. Clinton).

<sup>9</sup> 154 Cong. Rec. S \_\_\_\_ (daily ed. 6 June 2007) (statement by Sen. Menendez).



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# Review of English Education Policy for Language Minority Students in the United States: A Critical Race Theory Perspective

by Heekyong Teresa Pyon

## Abstract

According to the U.S. Department of Education, in 2003, the number of school-age Asian/Pacific Islander students age five to seventeen who spoke a language other than English at home was 1.2 million, which is 64.7 percent of Asian/Pacific Islander students. Also, 18.2 percent of Asian/Pacific Islander students experienced difficulty with English whereas only 1 percent of both White-alone and Black-alone and 21 percent of Hispanic children had the same problem. The educational policy for these students, who are more likely to be recent immigrants, is tightly linked to the social, economic, and political climates of the nation, and it often speaks to the general public's attitude toward the new immigrants. This article examines how the current English education policy for language minority students has been developed in the United States and critiques it from a critical race theory perspective in order to understand how the policy impacts the lives of Asian American language minority students.

## Introduction

Despite the successful image of Asian Americans, racism, discrimination, and a sense of alienation still deeply impact Asian Americans' lives today. How these problems are expressed and perceived, as well as how they affect these individuals, varies among different Asian American groups. For example, the Asian

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American student population is not a homogeneously successful group as it is generally portrayed to be. The students come from various socioeconomic, linguistic, cultural, and educational backgrounds, and there are many of them who do not fall into the high-achiever category.

### **Asian American Language Minority Students**

One of the Asian American student populations that deserves more attention is language minority students who are also classified as English Language Learners (ELLs) or Limited English Proficient (LEP) students. Although bilingual education and special English programs are often considered as an issue only for Latino students, there are many Asian American students who are recent immigrants and English learners. For example, according to the U.S. Department of Education, in 2003, the number of school-age Asian/Pacific Islander students age five to seventeen who spoke a language other than English at home was 1.2 million, which is 64.7 percent of Asian/Pacific Islander students. Also, 18.2 percent of Asian/Pacific Islander students experienced difficulty with English whereas only 1 percent of both White-alone and Black-alone and 21 percent of Hispanic children had the same problem (U.S. Department of Education 2005, 115; Childstats.gov 2005). Considering the number the Department of Education provides is more conservative than that of other reports, the actual number of Asian American students who have difficulty with English could be even greater.<sup>1</sup>

Many of these language minority students are also likely to be recent immigrants, and they may be more prone to racial discrimination and alienation because they are not as consciously aware of the racial problems they encounter. For example, compared to second-generation Hmong immigrant students, 1.5-generation<sup>2</sup> Hmong immigrant students are less aware of racism in school and are more likely to believe that hard work in school will help them achieve the American dream (Lee 2001). Even if they are aware of racism, with limited understanding of culture and English ability, they do not know how to resist it and are more likely to suffer from racial discrimination and alienation.

An important aspect that needs more careful evaluation in order to understand these students' lives is the educational policy, especially the English education policy for language minority students in the United States, which mandates with what program and how these students should be educated. The educational policy for LEP students, who are more likely to be recent immigrants, is tightly linked to the social, economic, and political climate of the nation, and it often speaks to the general public's attitude toward newcomers. This leaves language minority students vulnerable in terms of getting quality educational experiences in school, and these experiences will affect how they understand the American life and develop their sense of personal and cultural identities. However, what these students face in school and the challenges they go through under the current English educational policy are often neglected. Instead, because of the model minority image of Asian American students, the Asian American language minority students often do not receive the attention and assistance that they need.

In this article, I examine how the current English education mandate has been developed and in what context it has been changed, and for what purpose, from a



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Critical Race Theory (CRT) perspective. I begin with a brief review of the history of English education policy for language minority students in the United States. I then examine how CRT can be used to evaluate English education mandates such as Proposition 227 (described later) and No Child Left Behind (NCLB) and why understanding these policies in racial context is necessary. I conclude by examining the continuing educational inequities minority students experience today.

## **History of English Education Policy in the United States**

### *Early History*

Contrary to the popular belief that bilingual education is a recent educational concern, the United States actually has a long history of bilingual education. In fact, bilingual education has been a part of U.S. education since colonial times, and historical records indicate that bilingual education was practiced to educate early immigrant children in the United States (Cavanaugh 1996).<sup>3</sup> English education for immigrant students was noticed as a major problem after the 1800s, especially between the years from 1890 to 1920 when new immigrants came from Southeastern European countries (Montero-Sieburth and LaCelle-Peterson 1991). Many of these new immigrants were poor and illiterate, and this led Americans to view that they needed to “educate” and “Americanize” these immigrants by teaching them a new language and culture; through mandatory public education, they wanted to teach immigrants the new language—English—and the new rules of the nation (Cavanaugh 1996, 41).

The decline of bilingual education was caused by various reasons. First, though the heavy political influence of German Americans made the German-English bilingual education possible in places like the Chicago public schools in the 1870s, as their political power diminished, English-only instruction was soon mandated by 1889 (Cavanaugh 1996). Second, as many new immigrants brought vast linguistic diversity into the United States, more restrictive language legislation—“English-only” restriction—took place and prohibited public instruction in any language other than English (Salazar 1993, 4-5). The two World Wars also influenced the development of nationalism in the United States and discouraged people from pursuing bilingual education (Salazar 1993).<sup>4</sup> Speaking a language other than English was viewed as “un-American,” and bilingual education was discouraged and slowly disappeared (Salazar 1993, 5).

### **Bilingual Education Act of 1968**

Bilingual education started to get attention again in 1959 as public schools in Miami began the English-Spanish bilingual program for Cuban refugee children (Salazar 1993). The revolution in Cuba brought many Cuban refugees to Florida in the 1950s, and the English-Spanish bilingual program in Miami was evaluated positively by educators and policy makers in terms of its program effectiveness and program cost (Escamilla 1989).<sup>5</sup> Many social changes in the United States in the 1950s and the 1960s also affected the new development of bilingual education. Both *Brown v. Board of Education* in 1954 and the Civil Rights Act of 1964, for example, indirectly influenced the practice of bilingual education in the United



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States, since these prevented the legal segregation of schools and promoted equal education opportunities for everyone including LEP students (Mendoza 1984). Most importantly, the new flux of immigrants from Asia and Latin America after the Immigration and Nationality Act of 1965 and the growing number of Southeast Asian refugees increased the need for bilingual education (Gifford and Gillett 1986; Keely 1986).

By 1967, there were thirty-five individual bills brought into the U.S. House of Representatives to approve bilingual and bicultural education programs. In December 1967, the Committee on Education and Labor decided to add the Bilingual Education Act (BEA), Title VII, to the Elementary and Secondary Education Act (ESEA) of 1965 in order to provide necessary bilingual education to children with limited English-speaking ability (U.S. Congress 1968, 816).

The House recognized that in order to assist three million children whose primary language was not English, bilingual and bicultural education programs were necessary. It is important to recognize that the House made the distinction between the English as a Second Language (ESL) and bilingual education programs. The House report stated that the English as a second language program was not a real bilingual program because "Bilingual programs proposed by this legislation would improve the child's native language as well as English" (U.S. House of Representatives 1967). The House report focused on the importance of keeping the children's native language in their instruction as well as teaching them their cultural heritage in order to assist these children best. The use of foreign languages and cultures was considered to be an asset for U.S. national unity, according to the House report in 1967. For example, the report stated that "One Congressman said he no longer thought of the country as a melting pot, which tends to homogenize all the various elements, but instead as a mosaic which gains its beauty and strength from variety and diversity" (U.S. House of Representatives 1967).

### **Lau Decision and the BEA**

Another important milestone in the history of English education policy for language minority students is the *Lau v. Nichols* decision in 1974. Because of this decision, a sink-or-swim, or submersion, program for limited English language students was no longer legally permitted in any school district (Crawford 1999). The *Lau* case started as non-English speaking Chinese American students in the San Francisco Unified School District (SFUSD) filed a class action lawsuit against officials of the SFUSD seeking equal educational opportunity in 1973 (*Lau v. Nichols* 1974). Out of 2,856 Chinese American students who did not speak English fluently, only about 1,000 students were given "supplemental" English language instruction (*Lau v. Nichols* 1974).<sup>6</sup> In 1974, the Supreme Court ruled that the SFUSD, even though it received federal funding, violated the Civil Rights Acts of 1964 by not providing the necessary supplemental English instruction to these students. The *Lau* decision also broadened the statutes of the BEA by mandating the special education for any school district that had LEP students (Escamilla 1989).



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## Changing Public Attitudes and the Amendments of the BEA

In the 1980s, bilingual education was heavily reviewed by the public and policy makers, and the questions about its effectiveness that emerged in the late 1970s became intensified. Under the Reagan administration—which cut down the federal funding for various educational programs—the expense of bilingual education programs was inevitably challenged for its legitimacy (Lugg 2000). William J. Bennett, the U.S. Secretary of Education during the 1980s, criticized that the goal of bilingual education had not been clear. According to Bennett, bilingual education had been used to keep minority students' cultural pride "at the price of proficiency in English, our common language" (Bennett 1986, 220). This comment mirrored the general public's understanding of bilingual education in the 1980s. Many people viewed bilingual education as an attempt to maintain the language and the culture of an ethnic minority, not as a teaching method that promotes LEP children's educational success (Sundberg 1988). Instead of using the children's native language, Bennett proposed alternative instructional methods such as "English as a Second Language" or "structured immersion" programs, which is also referred to as an English-only program, to be used to teach LEP students (Bennett 1986, 218). Some clearly supported the "English-only" policy because they believed that English is the common language in the United States, and this would promote social unity in the nation (Sundberg 1988).

The question of and the challenge to the effectiveness of bilingual education continued throughout the 1990s. The Bilingual Education Act was amended in 1994; in 1998, California passed Proposition 227, which restricts the special English program for LEP students to only a one-year immersion program (Felton 1999). In 2002, as the Bush administration launched the No Child Left Behind school reform movement, the BEA was terminated and transformed into the English Language Acquisition, Language Enhancement, and Academic Achievement Act with wide bipartisan support (Crawford 2002). As the title of the new act indicates, the focus of language policy has been shifted to enhance "skills in English only," and native language instruction or developing native language skill is no longer encouraged (Crawford 2002). As James Crawford lamented, "this marks a 180-degree reversal in language policy" (2002).

## Critical Race Theory and English Education Mandates

### *Understanding CRT*

One of the basic notions of CRT is that "racism is normal, not aberrant, in American society" (Delgado 1999, xvi). Because it is so deeply instilled in people's minds and every aspect of our society, it is accepted as an ordinary way of life (Ladson-Billings 1998). CRT also views race as "central to the law and policy of the U.S. ... [and as] part of the structure of legal institutions" (Harris 2001, xx). Critical Race theorists argue that the law ignores the voice of the minority and is used as a tool to continue existing social injustice based on race (Delgado and Stefancic 2000; Ladson-Billings 1998; Tate 1997; Yamamoto 1997).

For example, Eric Yamamoto (1997) criticizes that the United States has a long history of legalizing racial oppression. Permitting slavery in the 1700s, removing



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Native Americans from their territory, banning interracial marriage, and excluding Chinese and Japanese immigration are just a few of countless examples of how racial discrimination in the United States was legally supported (Delgado and Stefancic 2000).

To control the number of Chinese immigrants, the United States passed the Chinese Exclusion Acts in 1882 and developed a special immigration station on Angel Island near San Francisco (Chang 1993). As new immigrants from China arrived on Angel Island, they were held for several months for thorough examinations before they were allowed to enter the United States, and many were sent back to China for various reasons (Chang 1993). Also, the law did not allow non-White people, except African Americans, to be naturalized citizens until the passage of the McCarran-Walter Act in 1952 (Lopez 1997).<sup>7</sup>

In each of these cases, the law was used as a powerful tool to exclude racial minorities and justify racial discrimination in the United States. It is important to note that these policies were developed and implemented based on clear and logical arguments of the legal authority and support from mainstream society, even though many of them are evaluated as discriminatory actions now. Many of today's policies and legal decisions may also be developed logically by the legal authority, and supported by mainstream society, but still may later be evaluated as discriminatory acts. This argument can be applied to the English education policy for language minority students, especially in the case of Proposition 227 and NCLB.

### *CRT and Language Policy*

It is estimated that there are more than 4.6 million LEP children in public schools in the United States (Gándara et al. 2003). This number denotes that 10 percent of all students in the United States are LEP students, and in the state of California, one in four students is an LEP student (Gándara et al. 2003, 1-2). Although English education mandates such as Proposition 227 and NCLB do not address the race issue directly, they still need to be evaluated in racial context because the recipients of these mandates are language minority students, most of whom are also racial minorities (Gullixson 1999).

Yamamoto argues that race and culture are closely interconnected and cannot be easily separated. "When we talk about race in the U.S.," Yamamoto states, "we are talking not just about skin color but also about the cultural shape and content of our polity" (1997, 848). Race and culture together control what language and customs are allowed in a society, who gets educational and employment opportunities, who gets imprisoned, and who is allowed in the political system (Yamamoto 1997, 848).

For example, the recent NCLB policy changed the focus of special English education for LEP students from teaching both English and the native language to teaching English only (U.S. Department of Education 2002, 20). By making such changes, NCLB legally authorized the superior status of English in the United States and stated that language minority children need to be Americanized by being immersed in English and by achieving English proficiency (Sekhon 1999). It indirectly declares the superiority of White culture in the United States and asks non-White people to follow the dominant culture by speaking English only (Sekhon 1999, 1409).



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## Understanding Proposition 227 and NCLB from a CRT Perspective

In the state of California, even though bilingual education was not ruled as a mandated special English program for LEP students by the Supreme Court, bilingual-bicultural education had been implemented very widely since the 1970s. California created its own Bilingual-Bicultural Education Act in 1976 to encourage English and native language instruction (Johnson 1999). Although this act expired on 30 June 1987, the state kept using it as the main frame of the state policy. In 1998, the Alpert-Firestone Act was introduced to give local school districts more choices of special English programs such as transition bilingual education, sheltered content instruction, and ESL programs for its students depending on the need of students (Felton 1999). However, California, which welcomed and widely implemented bilingual education programs for many years, changed its attitude toward bilingual education and passed a new proposition. Proposition 227 was passed on 2 June 1998, and it restricted the special English program to a one-year immersion program (Ferrin 1999).

### *Learning English and Losing Native Language*

Robert Chang (1993) explains today's racism in the United States as nativistic racism that is connected with the concept of foreignness. Nativistic racism claims that following "the American way" is important in order to live in the United States, and if you do not follow the American way, you will be considered "foreign" and cannot be fully a part of the United States (Chang 1993, 1247). In terms of language, it means you have to speak English well, and the fluency of your English determines how American or foreign you are (Chang 1993, 1245).

Nirej Sekhon (1999) points out that the American identity or being an American is often related to White culture. The dominant culture in the United States that is not questioned or named is White culture, and it is considered normal. Speaking English is considered normal, and English fluency is the tool to achieve social mobility in the United States because English is a part of the cultural property of White Americans (Sekhon 1999, 1409-1410). Proposition 227 mostly targeted many Asian and Latino populations who seemed to deviate from this rule by bringing their own language into American society (Sekhon 1999, 1914). The language and culture of Asian and Latino minority groups and other non-White immigrants were viewed as a threat to American or White culture. Through Proposition 227, the existing social authority states that English is the most important language and teaching English needs to be through English-only programs (Sekhon 1999, 1410, 1420).

Also, from the *Lau* decision to the creation of Proposition 227—except the few years in the beginning stage of bilingual education in the 1960s—the focus of bilingual education in the United States has mostly been to teach English well to LEP students, not to develop both English and minority children's native language (Sekhon 1999). In America, speaking English is considered normal and desirable. For example, the polling result before Proposition 227 indicates that 73 percent of those who were going to vote for Proposition 227 made their decision because they thought that if one lives in the United States, he or she needs to speak English (Sekhon 1999).



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By claiming English is the only language that is worthy to be studied, Proposition 227 also sent a message to minority students and minority communities that it is not good to keep one's native language. Historically in the United States, bilingualism has been considered less desirable as well as deteriorating to one's cognitive development, and the use of a second language other than English is considered a "sign of inferiority" (Ferguson and Heath 1981, xxviii). Proposition 227 chastised minority communities, especially Asian and Hispanic communities, for speaking their native language in the United States and said that if they want to be successful in the United States, they "should be eager to learn English" for "English fluency allows for upward mobility" (Sekhon 1999, 1423).

The argument here is not just to learn English but also to forget your native language. S.L. McKay and S.C. Wong (1996) claim that language learning is often related to power and identity. Many immigrant students, especially non-White immigrant students, often face the power problem in the second language (English) classroom where colonialist/racialized discourses are common. By colonialist/racialized discourse, McKay and Wong mean the strong "Euro- and Amerocentric attitude and superiority" of Americans toward the rest of the world (1996, 583).

In the ESL classroom they observed, McKay and Wong noticed that English-speaking ability was used as a standard to measure the students' cognitive ability, personal worth, and the stage of Americanization (1996, 583). For example, as new ESL students entered the program, the teachers did not review the students' previous academic abilities such as students' level of native language literacy skills. Rather, regardless of their previous literacy ability, because of their limited English proficiency and immigrant status, the ESL students were considered "ignorant, pitiful, and infantile" (McKay and Wong 1996, 590). Sekhon also argues that the term "Limited English Proficient (LEP) student" for children whose first language is not English focuses on their English skill only and ignores their ability to speak their native language (1999, 1433-1434). "Both bilingual and English-only education schemes tend to emphasize English's centrality while demonizing primary fluency in a non-English language" (Sekhon 1999, 1410).

### *The Problems of English-Only*

The message of English-only in the United States also creates other problems. First it creates a division among the American people. According to English-only philosophy, the concepts of "us" and "them" are created based on people's English ability (Sekhon 1999, 1409). Proposition 227 uses the phrase "English learners" for those who need immersion programs, and by classifying English learners as immigrant students, Proposition 227 brings the division between people who need to learn English and people who do not need to learn English. The "we" created by Proposition 227 are the people who speak and know English as their "birthright" (Sekhon 1999, 1407, 1421). They do not need to "learn" English because it is already their language as they were born in the United States. The "others," on the other hand, are the people who do not know English well and who need to "learn" it in order to be considered as a part of "we" (Sekhon 1999, 1420). This assumption, however, forgets the fact that many LEP students were also born in the



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United States, and they also have rights to be an American and to be a part of “we” regardless of their English fluency (Sekhon 1999, 1425).

The second problem of the English-only message is the negative impact on minority children’s identity and self-esteem. As the entire society prefers English and puts down the value of minority students’ native language, the minority students will feel inferior about their own language and culture (Ferrin 1999). For example, many Native American students have experienced loss of culture and language as they were forced to be like Americans and required to learn and speak English for more than 200 years. This not only caused Native Americans’ loss of many of their tribal languages, but also damaged their sense of self-worth and identity, which is expressed in many social problems Native Americans have today (Ferrin 1999, 13-14). The case of Native American students proves that English-only policy does not always create English proficiency or social success (Ferrin 1999, 16).

Noticing the problems of Native Americans, Congress passed the Native American Languages Act in 1990 in order to preserve the Native American tribal languages (Ferrin 1999). The act states: “there is convincing evidence that student achievement and performance, community and school pride, and educational opportunity [are] clearly and directly tied to respect for, and support of, the first language of the child or student” (U.S. Congress 1990, 25). It needs to be questioned why this statement cannot be applied to other language minority students, who are often racial minority students, and why Proposition 227, which states something quite opposite from the above statement, was passed and implemented in California.

#### *Who Voted for Proposition 227?*

Although many proponents of Proposition 227 argued that Proposition 227 was started by Hispanic parents who were dissatisfied with Spanish bilingual education and the proposition was intended to support these parents and LEP students, the polling results showed that the proposition was supported mostly by conservative White males (Sekhon 1999, 1415). The majority of Latino identified voters and 63 percent of parents of language minority students actually opposed the proposition (Felton 1999).

This allows us to conjecture that Proposition 227 was passed by the White majority, not for the best benefit of the language minority students but for the interest of the majority. For example, many White majorities did not appreciate the fast increase of the Hispanic population in California, and they, as in the case of Proposition 187, indirectly used Proposition 227 as an anti-immigrant measure (Gullixson 1999). By controlling the language use of the minorities and requiring them to be English-speaking people, the White majority tried to keep English as the powerful language of the state. Proposition 227 was the way the White majority chose to be the best in order to educate language minority children regardless of the true interest of language minority children (Gullixson 1999). Kirsten Gullixson states: “How is it that the inexperienced voters are given the authority to set the educational method for the state’s LEP children and abandon all other methods?”



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Leaving the state's educational policy to the voters to decide is questionable, at best" (1999, 528).

### *The Problems of NCLB for LEP students*

As many scholars and educators were concerned and worried about the negative impacts and consequences that Proposition 227 would bring to LEP students, the Bilingual Education Act itself was terminated in 2002 under the current NCLB school reform movement (Crawford 2002). The new legislature requires LEP students to reach English fluency within three years, and schools need to be accountable for LEP students' yearly English achievement through standard testing (U.S. Congress 2001, 3001). NCLB also mandates English instruction for LEP students after three consecutive years of school (White House n.d.). The major goal of NCLB is stated as "to help ensure that children who are limited English proficient, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English," and the importance of learning native language and culture is no longer addressed (U.S. Congress 2001, 3102).

Under NCLB, schools are required to set the performance objectives to assure LEP students' English development and academic achievement. However, problems arise when these students, with their limited English proficiency, are asked to take the standardized tests in English (Crawford 2004). Many critics argue that the tests are not valid to assess students' true ability (Peterson 2002). Although the current measures generally cannot distinguish the "language errors from academic errors," LEP students are required to take the test "in mathematics from day one and in reading/language arts after just 10 months in American schools" (Crawford 2004, 2). Though the native language tests or simplified English versions of the tests are allowed to be used for LEP students, these still do not accurately measure the students' ability, and often they are not available for many LEP students (TESOL 2003).

At the same time, most teachers and principals in U.S. schools do not know much about the appropriate measures and procedures to assess LEP students, and they do not have enough resources and staff to identify and implement accurate measures for LEP students (TESOL 2000). Rather, many teachers, principals, and schools are pressured to improve the English standardized testing scores and to speed up the English instruction for LEP students neglecting the fact of whether these students are really learning what they need to learn (Dawson 2003).

Reviewing the goal and the requirements of NCLB, and the existing school conditions for LEP students, it is questionable if this policy is truly interested in creating the best learning environment for language minority students or if it only wants to push them to learn English as soon as possible. As Crawford points out, although NCLB does not *require* English-only instruction, the heavy emphasis on Adequate Yearly Progress (AYP) on English-language standardized tests creates the same result in schools (2004, 6). It would not be an overstatement to say that thirty-five years after the birth of the Bilingual Education Act, the language policy for LEP students in the United States has gone back to English-only.



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### Limited Resources and Continuing Struggles

The problem of NCLB is not just the unrealistic expectation of students' academic achievements and harsh sanctions upon the unmet standards. NCLB creates more problems because though it has required higher academic performance from every student, it failed to provide the necessary educational resources to assist students and educators to reach the mandated goals (Crawford 2004, 1). This discrepancy between the academic mandates and the available resources hurts the students of color, low-income students, and the language minority students the most because public schools have already been systemically neglecting these students' needs throughout history (Delgado and Stefancic 2000).

In the past, not only were racial minority students forbidden to attend schools with White students, but the segregated schools for racial minority students also struggled with unequal and inadequate educational funding and resources to meet their needs (Delgado and Stefancic 2000, 1559).<sup>8</sup> For example, in 1859, superintendent James Denman closed down the first Chinese school in Stockton, California, calling it "a waste of taxpayer's money," because the students he saw in school were full of "caste, idolatry, and bad character" (Delgado and Stefancic 2000, 1561). Also, Richard Delgado and Jean Stefancic note that by 1974, in the state of California, Mexican American students were more segregated than Black students, and the schools these students were attending suffered from a lack of adequate educational resources and proper school buildings (2000, 1575). The striking news is that these problems observed in 1974 are still the reality for many racial and linguistic minority students today.

The case of *Williams v. State of California* proves this fact the best. In May 2000, *Williams v. State of California* was filed by plaintiffs who represented millions of children who were mostly low-income, immigrant, and children of color (Oakes 2004). They claimed that the state of California failed these students' constitutional rights to be educated on equal terms (Oakes 2004, 1891). The plaintiffs argued that the state did not provide them the basic educational resources and tools, mainly qualified teachers, instructional materials, and adequate facilities such as school buildings, and by not providing the "essential resources," the state "systematically disadvantaged California's low-income children of color and those still learning English" (Oakes 2004, 1893-1894).

To provide a report for the case, Russell W. Rumberger and Patricia Gándara studied the achievement gap between English learners, another term for LEP students, and English-speaking peers in California and the educational inequities English learners experience in schools (2004). Overall, the study states that the English learners' academic achievement was consistently lower than that of their English-speaking peers. Interestingly enough, however, the study reports that the greatest achievement growth for English learners happened in schools that provided bilingual instruction before Proposition 227 or continued to provide bilingual education even after Proposition 227. Furthermore, it informs no achievement growth of English learners in schools that never provided bilingual education (Rumberger and Gándara 2004, 2034-2036).

The study also reports seven educational inequities that may have caused the academic achievement gap between English learners and English-speaking peers



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(Rumberger and Gándara 2004, 2036-2049). First, English learners do not have access to many trained teachers who are specialized in teaching English learner students. Rather, these students are more likely to be taught by teachers who are not fully credentialed. Second, English learner teachers, though they face extra challenges in teaching students from different linguistic and cultural backgrounds, do not receive adequate professional development opportunities. For example, after the passage of Proposition 227, many English learner teachers were left confused about the new requirements under the new law. Third, there are not appropriate measures in place to accurately assess English learners' academic and linguistic needs. The fact that these students have to take exams in English even though they cannot understand English makes the entire testing process invalid. However, many times, these tests they are taking are high-stakes tests such as the High School Exit Exam, which determines the eligibility of high school graduation. Fourth, English learners lack enough instructional time. For instance, English learner students make up about 50 percent of students who have a Concept 6 schedule, which requires fewer school days (163 days) than the regular school calendar (180 days). With less time in school, English learners have less time to spend on their instruction overall. Besides the factors listed above, English learners also suffer from not enough instructional materials and curriculum, inadequate school facilities, and intense segregation from the English-speaking peers. The findings suggest that today's language minority students not only suffer from the ideology that continuously separates them from mainstream society but also from the lack of basic educational resources.

## **Conclusion**

There is no doubt that educating language minority students is a very difficult task. However, the history of bilingual education in the United States tells us that the heart of the debate is not always about what works the best for the students. Instead of considering the educational needs of the LEP students, many times the language policy was established for political reasons and, more importantly, based on American hostility against immigrants. The idea of Americanizing new immigrants was evident throughout the history of the United States, and whenever a flux of new immigrants enters the United States, there has always been antagonism against new languages and new cultures and attempts to keep the "American way" such as the English-only movement.

Douglas Massey comments that the U.S. public fears "whether or not the new immigrants will assimilate into the Euro-American society of the United States and how that society and its culture might change as a result of this incorporation" (Massey 1995, 631-632). In American society, new immigrants were always expected to assimilate, losing their unique ethnic identity and culture, and be a part of the host society. Recent immigrants after 1965 such as Asian Americans have been criticized for not being successfully assimilated as the "old immigrants" were before (Massey 1995, 631).

Therefore, the English education policy for language minority students must be understood in the context of race and the social climate against immigrants in our



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society. Under the heavy emphasis of preserving American culture, including English, language minority students receive a message that says English is the only valuable language in the United States and in order to live as respected members of U.S. society they need to acquire English even at the cost of losing their native language. However, as we witnessed in the case of Native American students, enforcing English-only programs without respecting minority students' native language and culture can harm their sense of self-worth and cause other problems (Ferrin 1999). It is also important to remember that students will not learn English just because they are required to do so but instead when they receive quality instruction under appropriate learning conditions. For example, without providing the necessary resources, such as proper instructional materials, qualified teachers, adequate facilities, and accurate assessment measures, requiring them to achieve English fluency will stay as an unattainable goal that will result in more sanctions and loss of school funding under NCLB.

George Sanchez (1997) points out that at the end of the 19th century anti-immigrant sentiments were rampaged and expressed as anti-Catholicism and racial nativism. Today the same opposition against immigrants is manifested through the strong hostility against non-English languages (Massey 1995). Keith Aoki, by telling the story of F. Scott Fitzgerald's *Great Gatsby*, explained how crossing the "class-ethnic boundaries" is difficult even for a White northern European immigrant (1999, 961-964). For non-White minorities, becoming a part of "we" in America may mean crossing additional barriers of race and language. It is doubtful if the ideology of Proposition 227, which is still present in society, and NCLB will help these minority students overcome these barriers. Under such a circumstance, educating language minority students, including many Asian American language minority students, becomes a greater yet more important challenge. The educational experiences and the needs of these students under the current education policy, which is very easily hidden behind the successful image of Asian American students, surely call for more attention from Asian American scholars and educators in all fields.

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## Endnotes

<sup>1</sup> For example, the U.S. Department of Education report listed the total number of students who spoke English with difficulty as 2.9 million whereas reports from others have estimated the number to be 4.4 to 4.6 million (Gándara et al. 2003; Peterson 2002).

<sup>2</sup> The term 1.5 generation refers to people who have immigrated to a new country before their early teen years.

<sup>3</sup> During the 18th and 19th centuries, especially, bilingual education and sometimes even trilingual education, mostly done in German, French, and the Scandinavian languages, was not uncommon in the United States (Escamilla 1989).

<sup>4</sup> For example, during World War I, the German-American community could not advocate German language education (Cavanaugh 1996).

<sup>5</sup> For example, the U.S. House of Representatives report (HR 915) on the Bilingual Education Act recorded that the bilingual and bicultural program in the Coral Way Elementary School in Miami, Florida, spent as little as \$25 per pupil and expected less expenditure for secondary school students (U.S. House of Representatives 1967). The program in Miami also encouraged different states such as Texas, New Mexico, and California to facilitate bilingual education programs for mainly Spanish-speaking students by the early 1960s (U.S. House of Representatives 1967).

<sup>6</sup> The students argued that not meeting the special needs of English language instruction for these students violated the equal educational opportunity right of these students and therefore the fourteenth Amendment (414 U.S. 563,564).

<sup>7</sup> African Americans were permitted to be naturalized since 1878.

<sup>8</sup> For example, one Black teacher was paid \$60 a month while a White teacher received \$75.



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## Haunted by Negative Action: Asian Americans, Admissions, and Race in the “Color-Blind Era”

by Oiyen A. Poon

In the 1980s, the University of California, Los Angeles (UCLA), and the University of California, Berkeley (UC Berkeley), were found to be discriminating against Asian Americans in their admissions process.<sup>1</sup> Although the facts of the case showed that quotas against Asian American applicants favored White applicants, conservatives manipulated the facts in the case to shift the debate over affirmative action in favor of their anti-affirmative action agenda (Robles 2006; Takagi 1993). They argued that affirmative action was detrimental to Asian Americans and unfairly favored African Americans and Latinos (Kim 1999). However, the truth was that the two campuses were practicing “negative action.” Jerry Kang (1996, 3) states, “negative action against Asian Americans is in force if a university denies admission to an Asian American who would have been admitted had that person been White.”

On 4 February 2009, the University of California (UC) Board of Regents unanimously approved a new UC eligibility policy to begin in the fall of 2012; at the eleventh hour before the regents’ vote, Asian American voices from the political left raised concerns about the policy (Jaschik 2009). With the quota controversy from the 1980s still haunting the Asian American community, political leaders were wary of the perceived significant increase of Whites at the UC at the expense of Asian Americans, with marginal gains by other students of color—a negative action policy impact. Some reports about the new policy, however, have been inac-

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curate and even misleading in representing the new policy and may be causing more anxiety than is necessary.<sup>2</sup>

Given that the UC policy must meet the restrictions of Proposition 209 (California Secretary of State n.d.), could the UC be practicing negative action again, with the new university eligibility<sup>3</sup> policy? This article provides a summary of the new policy and discusses concerns raised by Asian American leaders, providing a critical analysis of the new policy's impact on Asian American and Pacific Islander (AAPI) applicants. The article concludes with a commentary on the need for a sustained AAPI education advocacy organization to provide proactive analysis and leadership on education policy.

### **UC Eligibility Policy**

At the heart of all admissions debates is the construction of the definition of "merit." Although Proposition 209 made race-conscious admissions policies illegal, the debate over race, equity, and college access is far from over. Each revision in the University of California's admissions eligibility policy since Proposition 209 has originated with a desire to increase fairness in defining merit and eligibility in admissions. The latest UC eligibility policy amendment originated from the results of a two-year comprehensive research study by the UC Regents Study Group on University Diversity about the impacts of Proposition 209.<sup>4</sup> One of the most alarming findings was that under the current policy, 49.1 percent of the admissions went to students from high schools that produce only 20 percent of the state's high school graduates, indicating the persistent and severe inequalities between high schools in the state. At the center of the policy change and debate is the amendment of criteria determining which students constitute the top 12.5 percent of California's high school graduates. The California Master Plan for Higher Education (University of California n.d.) guarantees UC admission to the top 12.5 percent of the state's graduating high school students but does not dictate how the university should define the top 12.5 percent.

### *Current Policy*

The current policy determines the top 12.5 percent through three sets of criteria. In the state context, students become UC eligible if they are in the top 12.5 percent of the state based on an index of grade point average (GPA) and tests. A second group of students is considered eligible in local context if these students rank in the top 4 percent of their graduating high school class. Both of these groups must complete the required set of college preparatory coursework, have a weighted GPA of at least 3.0, and have completed the ACT writing test or SAT reasoning test (SAT-R) and two SAT subject tests (SAT-S). A third group of students is identified as UC eligible by examination alone. Currently, all students deemed eligible for UC admission are guaranteed admission, but not to the campus of their choice. Students who are denied entry at the campuses to which they applied are still guaranteed a spot in the university through a process of referral to one of the nine undergraduate campuses in the system. Therefore, the entire top 12.5 percent of the state's high school graduates is offered admission to the UC system.



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Once the UC-eligible applicant pool is identified, the applications are distributed to the campuses to which the students applied. Each campus selects students using its campus-specific comprehensive review criteria and process. Comprehensive review allows each campus to “look beyond the required test scores and grades to evaluate applicants’ academic achievements in light of the opportunities available to them and the capacity each student demonstrates to contribute to the intellectual life of the campus” (University of California Admissions n.d.). At present, comprehensive review<sup>5</sup> is not used in identifying the top 12.5 percent.

### *UC Eligibility Policy, Beginning Fall 2012*

With the unanimous vote by the regents to approve the new policy, significant changes will be made to the criteria defining eligibility for admissions, but not admissions to any particular UC campus. First, applicants will no longer be required to take the SAT-S, but if they choose to take this test and submit it in the application process, the UC will consider the scores as additional information just as it does with Advanced Placement (AP) test scores. Unlike the current policy, not all entitled to review (ETR) students will be guaranteed admission. All high school graduates who have completed the required coursework, maintained a minimum weighted GPA of 3.0, and submitted scores from the ACT writing test or the SAT-R will be deemed ETR in the UC admissions process. About 21.7 percent of California high school students are projected to be ETR under these requirements, but less than half will be guaranteed admission. In order to be in the “guaranteed” admission pool, students would need to fall into one of the two following categories: be in the top 9 percent of California high school graduates as determined by an index of grades and test scores (ETR in statewide context), or be in the top 9 percent of their graduating high school class in the state (ETR in local context). Together, these two groups of guaranteed students are predicted to make up about 10.1 percent of the state’s high school graduates. As in the current policy, these students will be guaranteed UC admission, but not to the campus or major of their choice. The remaining 11.6 percent of ETR high school graduates will be reviewed but not guaranteed admission at campuses to which they apply. Selected students from this second pool would make up the additional 2.4 percent of the top 12.5 percent. Slightly under half (46.5 percent)<sup>6</sup> of ETR students will be guaranteed admission, while the other 53.5 percent will be in the other nonguaranteed pool.

The comprehensive review process at each campus remains unchanged by the new policy. All ETR students who submit an application will have their application forwarded to the campuses to which they applied. Each campus, using its own comprehensive review criteria and process, will select students from the total ETR pool of applicants, including students in both the “guaranteed” and “not guaranteed” pools. To meet the admissions guarantee extended to 10.1 percent of the state’s high school graduates, the eventual UC-wide admitted group of students will consist of approximately 80.8 percent<sup>7</sup> from the “guaranteed” pool and about 19.2 percent from the other pool. Between students guaranteed UC admission and the additional students admitted from the pool of applicants not guaranteed admission, the UC would still fulfill the 12.5 percent target. Figure 1 illustrates the new policy.



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## Addressing AAPI Concerns: Negative Action Impact?

Shortly before the regents' vote on the policy, the Asian Pacific Islander (API) Legislative Caucus submitted a letter to the board, calling for a delay in the vote and further studies on the impact of the policy change. Also, a group of prominent AAPI leaders in San Francisco staged a press conference on the day of the board vote. Both groups raised concerns over the possible negative action impacts on eligibility and admissions of AAPI applicants. This section reviews the policy in light of their concerns. All data was obtained from the UC.

### *Eligibility Concerns*

Figure 2 compares the UC's projected ETR numbers to the 2007 eligibility numbers under the current policy. AAPI leaders raised concerns over the significant decrease in the AAPI *proportion* of UC eligible students, from a 32.6 percent AAPI share of currently UC eligible (and guaranteed admissions) to 30.5 percent of the "guaranteed" pool and to 25.2 percent of the total ETR pool under the new policy. With the exception of American Indians, every population's actual number of "guaranteed" students decreases from their current numbers of UC eligibility. This may logically be due to the overall decrease from 12.5 percent of the state's high school graduates guaranteed admissions to 10.1 percent. While the AAPI guaranteed numbers drop by 29 percent, Latinos experience a similar decline of about 28 percent. African Americans are predicted to have the sharpest decline in guaranteed admissions with a 36 percent drop.

However, every population experiences increased numbers of UC eligible students. Overall UC eligibility increases from 46,795 to 76,141. About 30,000 more students will have the opportunity to apply to the UC under the new policy, including about 5,686 who attend low-performing high schools (Hurtado 2009b). For AAPI applicants, 3,922 more students will be permitted to apply to the UC. Of these newly ETR students, 1,090 of these are Filipino, and another 438 are Pacific Islanders (Hurtado 2009a). The elimination of the SAT-S requirement accounts for 2,488 out of the additional 3,922 AAPI students.

The increase in UC eligible students is largely explained by the abandonment of the SAT-S requirement. During the July 2008 regents meeting, members of the academic senate, which proposed the new policy after vetting it at each UC campus, showed that the elimination of the SAT-S would significantly increase the number of UC eligible students, many of whom are high achievers (Regents of the University of California 2008). Some do not take the SAT-S because they are pursuing other opportunities, and the SAT-S is a rare requirement for other institutions. By requiring the SAT-S, the UC eliminated itself from contention for many high-performing students.

Despite the increase of AAPI students who are ETR, AAPI leaders point to the change in the racial distribution from UC eligibility, with the White eligibility proportion increasing to a stable 46 percent in each category. The *proportion* of AAPI ETR students decreases relative to the overall increase to about 76,000 students of those who are ETR, with White students accounting for about half of the increase in the overall denominator. Here, the college choice process may be influencing the denominator. One hypothesis explaining the large increase in White ETR is



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that affluent Whites may be pursuing elite college opportunities, while low-income Whites may be choosing to enter community colleges or the California State University system, thus choosing not to take the SAT-S (McDonough 1997). Similarly, Latino eligibility nearly doubles and may be explained by the propensity of these students to pursue the more affordable community college route into the UC (Carnavale and Fry 1999).

However, AAPI community leaders also point to research (Geiser 2008) claiming that SAT-R scores are more tied to socioeconomic differences among tests takers. But, Mark M. Rashid et al. (2009) astutely critique Saul Geiser's arguments, finding some of them to be misleading.<sup>8</sup> Moreover, recent research conducted by the UC showed that of AAPI students that scored higher on the SAT-S than the SAT-R, only eight-six of them would have become UC eligible based on their SAT-S scores. Thus, the SAT-S requirement does not significantly help AAPI students, especially compared to the 2,488 AAPI students who are currently barred from being considered for UC admissions because of the SAT-S requirement (Hurtado 2009a).

### *Admissions Concerns*

While eligibility affects who gets admitted, it is highly problematic to project admissions statistics under the new policy. However, the UC did release data predicting the number of students admitted under the new policy, summarized in Figure 3. Looking at these numbers, it is clear why AAPI leaders would call attention to the possibility of a negative action effect, with AAPI admits decreasing and Whites increasing. However, these figures depend on projections of a new policy not yet implemented, using data on California public high school students from 2007. As the public is educated on the policy changes, students, counselors, families, and school districts are expected to change behaviors and decisions. Given that data used in this projection will be five years old by the time the new policy is implemented, this table should be considered irrelevant. Moreover, comprehensive review policies—which are left untouched by the new policy—at the nine UC campuses are always evolving and will be what ultimately impacts the demographics of admitted students. However, AAPI leaders concerned with college access and equity should continue working with the UC and remain vigilant over the possibility of AAPI numbers dropping in favor of White students as fall 2012 approaches.

### **Discussion and Policy Recommendations**

The experience with negative action in the 1980s contributed to a collective memory for AAPIs that has naturally made community leaders wary of possible quotas on AAPI students, even under Proposition 209. Two decades later, AAPI political power has increased significantly, but sustained infrastructure for leadership representing AAPI interests in education policy is still not developed. While AAPI leaders have raised important points of debate, the lack of an AAPI organization functioning to conduct ongoing education policy analysis and to facilitate engagement in education policy led to last-minute lobbying of the regents by the API Legislative Caucus and a missed opportunity for an important discussion between the UC and the AAPI community.



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The API Legislative Caucus raised five main points, with primary criticism focused on eligibility and admissions predictions. The first concern was over projected admissions numbers. However, these projections are statistically immaterial, as discussed earlier. The second issue was the perceived decline in AAPI student eligibility, with the White proportion of ETR students increasing. However, the decline is in AAPI *proportion* of UC eligibility, reflecting the White increase in the denominator, and not a real decrease in ETR for AAPI students. It is also important to remember that not all eligible students apply to the UC.

Third, given the perceived drops in AAPI students in admissions and ETR, the caucus wanted to know which AAPI students would be most affected. Would these AAPI students be low-income, first-generation college goers? Unfortunately, available data from the California Postsecondary Education Commission (CPEC) is not fully disaggregated and also does not provide information on economic class backgrounds of students. Given the success of a campaign (Vázquez 2007) to require the UC to further disaggregate AAPI data, it may be worthwhile for AAPI leaders to pressure CPEC to disaggregate its data.

While available data is not ethnically disaggregated for Southeast Asians, Professor Sylvia Hurtado, chair of the academic senate committee on undergraduate admissions and a noted scholar in racial equity in college access, confirms that the increase in AAPI eligibility is benefiting many Filipinos and Pacific Islanders (Hurtado 2009a). Moreover, in the process of comprehensive review, AAPI low-income and first-generation college goers have greatly benefited. Since the beginning of comprehensive review, the number of AAPI admitted students to the UC has continued to increase. Fourth, the AAPI community leaders criticized the elimination of the SAT-S requirement over the SAT-R. However, it seems their concerns over the elimination of the SAT-S are based on misinformation (Rashid et al. 2009). Overall, the new policy significantly opens opportunities to many more California high school graduates.

Finally, AAPI leaders criticized the UC for not conducting outreach to AAPI communities and leaders with enough time to have a productive dialogue about the potential impacts of the policy change. Although a negative action policy impact has not been confirmed, it is still important that AAPI community leaders protested what seemed like a sudden policy change. They are now very visible to the UC, which realizes that AAPIs cannot be ignored. However, this episode makes it clear that there needs to be a sustained organization advocating for AAPI interests in education policy and not just on issues of admissions (Park and Chang 2008).

While there is the Asian Pacific Americans in Higher Education, the organization is unsustainable with its membership dominated by high-ranking institutional leaders. Moreover, AAPIs should participate in education policy debates outside of college admissions and higher education affairs. In K-12 policy making, AAPIs are also left out of important debates because of the lack of a sustained, progressive AAPI education organization. Issues such as the upcoming reappropriation of No Child Left Behind, bilingual education, school desegregation, and other discussions would greatly benefit from such an organization. With a proactive organization advocating for AAPI interests in education policy, it would be more difficult for people like Stephan Thernstrom (2009) to pretend to represent Asian



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American interests in education and racial equity. Finally, an organization functioning to facilitate education policy engagement by AAPIs could help make the contributions of AAPI leaders in education debates less episodic and reactionary.

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## Endnotes

<sup>1</sup> For a detailed history and discussions about the University of California admissions controversy in the 1980s, see Don T. Nakanishi (1995) and Dana Y. Takagi (1993).

<sup>2</sup> The complex nature of the new eligibility policy has led some news reports, like the one by Scott Jaschik (2009), to be inaccurate in their representation. It has been an opportunity for others like Stephan Thernstrom (2009) to instigate racial conflict between Asian Americans and other minorities.

<sup>3</sup> It is important to remember that the new policy is reforming eligibility criteria and not campus admissions policies.

<sup>4</sup> Background about and reports completed by the UC Regents Study Group on University Diversity can be found at: [www.universityofcalifornia.edu/diversity/reports.html](http://www.universityofcalifornia.edu/diversity/reports.html).

<sup>5</sup> Former UC Regent John Moores (2004) criticized comprehensive review, calling it a means for the UC to discriminate against Asian American applicants. Moores (2004) did not agree with including "factors like disabilities, low family income, first generation to attend college, need to work, disadvantaged social or educational environment, difficult personal and family situations," in campus selection processes. Moores and other opponents of policies that broaden the definition of "merit," conveniently neglect significant research that shows noncognitive factors as significant predictors of college success (Sedlacek 2004). Ironically, they also ignore statistics showing that considerable proportions of Asian American students come from low-income families, are first-generation college goers, and come from disadvantaged or difficult personal and family circumstances. Mitchell J. Chang et al. (2007) reported that nationally, almost one-third of Asian American college freshmen had a parent with a high school education or less, and almost half were from low-income households.

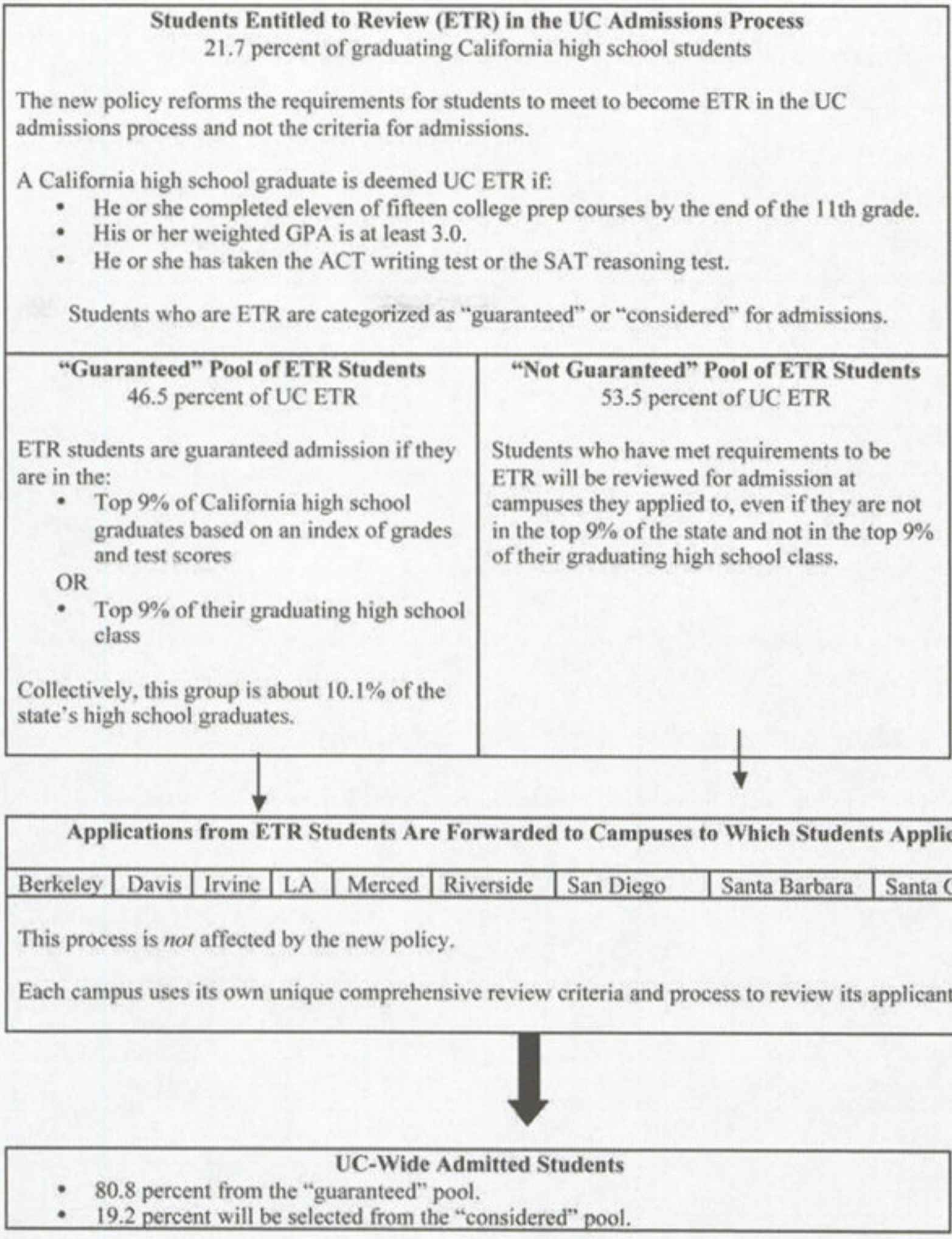
<sup>6</sup>  $(10.1 \text{ percent of California high school graduates guaranteed admissions}) / (21.7 \text{ percent of UC eligible California high school graduates}) = 46.5 \text{ percent}$ .

<sup>7</sup>  $(10.1 \text{ percent of California high school graduates guaranteed admissions}) / (12.5 \text{ percent of California high school students admitted to UC}) = 80.8 \text{ percent}$ .

<sup>8</sup> Mark M. Rashid et al. (2009) provide an extensive discussion regarding the function of tests in admissions and the reasons for eliminating the SAT subject test requirement, including the 2006 changes in SAT-R making the SAT-S a largely redundant requirement.



**Figure 1: New UC Eligibility and Admissions Process**



*Source: University of California Board of Regents, notes from Committee on Educational Policy meeting 4 February 2009.*



**Figure 2: Comparison of Current UC Eligibility to Projected UC ETR Numbers**

Currently Eligible Under Existing Policy			Projected UC ETR Pool: New Policy					
	%	# Students	Total # ETR Students		Pool Guaranteed Admissions		Pool Considered for Admission	
			%	# Students	%	# Students	%	# Students
Total		46,795		76,141		35,475		40,666
Black	3.3%	1,560	4.4%	3,350	2.8%	993	5.8%	2,357
Latino	18.7%	8,731	21.4%	16,294	17.5%	6,208	24.8%	10,086
Am. Indian	1.0%	88	0.4%	305	0.3%	106	0.5%	199
AAPI	32.6%	15,266	25.2%	19,188	30.5%	10,820	20.6%	8,368
White	42.7%	19,996	46.5%	35,406	46.9%	16,638	46.2%	18,768
Other	2.5%	1,153	2.2%	1,675	2.1%	745	2.3%	930

Source: University of California Board of Regents, notes from Committee on Educational Policy meeting 4 February 2009.

**Figure 3: UC Predicted Admitted Students by Race/Ethnicity; Low-Performing High School**

Race/Ethnicity	2007-2008 % of admits	2007-2008 # admits	Predicted % change	Predicted-low # change	Predicted-high # change
Black	4%	2,050	0-25%	0	+513
Chicano/Latino	19%	10,496	0-16%	0	+1,657
American Indian	1%	*	*	*	*
AAPI	36%	19,656	(19)-(11)%	-3,822	-2,184
White	34%	18,199	21-29%	+3,747	+5,353
Low-performing high schools	14%	*	29-50%		
*Data was not available.					

Source: University of California Board of Regents, notes from Committee on Educational Policy meeting 4 February 2009.



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# **Not the Model Minority: How to Address Disparities in Asian American Health Care**

by Deeanna Jang and Ann Surapruik

## **Introduction**

In 1985, the Secretary of the U.S. Department of Health and Human Services (HHS) published a report on Black and minority health that for the first time documented the extent of excess deaths experienced by Blacks and other minorities. Although the report assessed the extent of health disparities among Asian Americans, African Americans, Hispanics, and Native Americans, it used limited and inaccurate data on Asian American, Native Hawaiian, and Pacific Islander<sup>1</sup> health, which led to the finding that Asian Americans as a group are healthier than other racial groups in the United States. By presenting Asian American and Native Hawaiian and Pacific Islander (NHPI) data as an aggregate, with methodological challenges such as small sample sizes and surveys conducted only in English, the report failed to give a true picture of the health needs of Asian American and NHPI communities. Concerned that the report would reinforce the “model minority” myth and that health issues impacting Asian Americans and NHPIs would continue to be neglected by the federal government, Asian American and NHPI health professionals and advocates began to push at the national level for better data, policies, and programs that would improve the health and well-being of Asian Americans, Native Hawaiians, and Pacific Islanders. One result of these efforts was the formation of national Asian American health organizations including the Asian American Health Forum, now the Asian & Pacific Islander American Health Forum, and the Association of Asian Pacific Community Health Organizations.

A major focus of Asian American and NHPI health advocacy has been and continues to be the improvement of data collection and research on Asian American, Native Hawaiian, and Pacific Islander health. Asian American and NHPI advocates have also worked in coalition with other racial and ethnic minority health advocates to highlight racial and ethnic disparities in health status and health care access. This article provides an overview of disparities in health care and health status experienced by Asian Americans, Native Hawaiians, and Pacific Islanders and highlights policies at the federal level that would help address these disparities and promote health equity.



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### **Disparities in Health Coverage**

As a group, Asian Americans, Native Hawaiians, and Pacific Islanders are more likely to be uninsured than non-Hispanic Whites. Specific Asian American and Native Hawaiian and Pacific Islander groups face extremely high uninsured rates; from 2004-2006, 24 percent of NHPIs and 31 percent of Korean Americans were uninsured (Kaiser and APIAHF 2008).

The high rate of uninsured in several Asian American communities is related to their employment in small businesses that do not offer health insurance benefits. For example, more than half of Korean Americans work in businesses with less than twenty-five employees. Yet, only half of employees in such firms are provided coverage through their employer. As a result, Korean Americans have one of the lowest rates of employer-sponsored health coverage among Asian Americans and NHPIs (49 percent) and the highest rate of uninsured (31 percent) (Kaiser and APIAHF 2008).

Improving coverage among Asian Americans and Native Hawaiian and Pacific Islanders will require strategies that reach those who fall through the gaps of our current health insurance system. Low-income and immigrant Asian Americans and Pacific Islanders are significantly more likely to be uninsured and less likely to receive coverage through their job. For example, immigrant Asian Americans and Pacific Islanders are three times more likely than Asian Americans and Pacific Islanders who are citizens to lack health insurance. Nearly a quarter of Southeast Asians, Native Hawaiians, and Pacific Islanders are poor, and only 15 percent of poor Asian Americans and NHPIs have employer-based coverage, according to unpublished data from the Kaiser Family Foundation and the Asian & Pacific Islander American Health Forum.

Public programs such as Medicaid and the Children's Health Insurance Program (CHIP) play an important role in reducing the uninsured in Asian American and Native Hawaiian and Pacific Islander communities. Gains in coverage by these programs, between 1997 and 2004-2006, helped protect Asian Americans and NHPIs from declines in job-based coverage. This helped decrease the number of uninsured Asian Americans and NHPIs from 21 percent to 19 percent over that same period (Kaiser and APIAHF 2008). However, gaps in eligibility prevent many Asian Americans and NHPIs from qualifying for these programs. An expansion of public programs is critical for individuals who do not have access to affordable coverage through an employer or the private market.

### **Disparities in Access to Care**

Health insurance coverage is an important predictor of access to health care in Asian American and NHPI communities. From 2004 to 2006, uninsured Asian Americans were more than four times as likely as insured Asian Americans to lack a usual source of care (Kaiser and APIAHF 2008). However, disparities in access to care remain regardless of health coverage. Nonelderly Asian Americans and Native Hawaiian and Pacific Islanders were more likely to lack a usual source of care than non-Hispanic Whites (18 percent versus 14 percent) (Kaiser and APIAHF 2008). Similarly, 52 percent of nonelderly uninsured Asian Americans and Native Hawaiian and Pacific Islanders lacked a usual source of care, compared to



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46 percent of non-Hispanic uninsured Whites. Factors such as language and cultural barriers prevent many Asian Americans and NHPs from accessing quality care.

### **Disparities in Quality of Care**

In its landmark report, "Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care," the Institute of Medicine (IOM) found significant disparities in the quality of health services received by minorities, even when insurance status, income, age, and severity of condition were comparable (2003). Subsequent research suggests that these disparities continue to this day for both minorities and women.

The National Healthcare Disparities Report in 2006 found that Asians receive lower quality of care compared with Whites for one-third of the core measures tracked in the report; for 75 percent of those measures, the gaps in quality were not improving over time (AHRQ 2006). Another recent study published in *Health Affairs* found that, although there were some variations related to geography and socioeconomic status, overall, Asian Medicare beneficiaries were less likely than Whites to receive mammography and colorectal cancer screening services and all three diabetic services (Moy et al. 2008).

Findings from The Commonwealth Fund's 2001 Health Care Quality Survey concluded that Asian Americans experience poor access to quality care on a range of measures (Collins et al. 2002). Asian Americans reported greater communication difficulties and lower levels of satisfaction during their health care visits (Collins et al. 2002). They were also "the least likely to feel that their doctor understands their background and values, to have confidence in their doctor, and to be as involved in decision making as they would like to be" (Collins et al. 2002).

Despite having higher rates of certain health conditions, many Asian Americans and Native Hawaiian and Pacific Islanders do not receive the recommended levels of prevention, counseling, or care that they need. The 2001 and 2006 Health Care Quality Surveys revealed that Asian Americans were significantly less likely to receive preventive services such as cancer screenings or cholesterol checks, in addition to counseling about smoking cessation, diet, weight, exercise, and mental health (Collins et al. 2002; Beal et al. 2007). Less than half of Asian Americans with chronic conditions received the care they needed to manage their conditions (Beal et al. 2007).

### **Disparities in Health Outcomes**

The lack of health coverage, limited access to health care, and the lack of culturally and linguistically competent services can manifest in harmful, and even fatal, ways as the following shows:

- Cancer deaths are increasing at a faster rate among Asian Americans and Native Hawaiian and Pacific Islanders than any other racial and ethnic population. For example, the risk of death for Asian American women with breast cancer is 1.5 to 1.7 times higher than that for White women (Chappell 2007). This is due in part to the relatively low screening rates and late-stage diagnoses that occur among Asian American and NHPs women.



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- Although statistics on the overall prevalence of diabetes in Asian American and NHPI communities are unavailable, it is the fifth-leading cause of death among Asian Americans and Native Hawaiian and Pacific Islanders. In Hawaii, Asian Americans and NHPIs aged twenty and older are more than two times as likely to have diagnosed diabetes as Whites after adjusting for population age differences. In California, Asian Americans are 1.5 times as likely to have diagnosed diabetes as non-Hispanic Whites. Despite the importance of managing diabetes, nearly half of Asian American and NHPI adults with diabetes in California had not received a foot exam in the past year, compared with less than 30 percent of Whites and African Americans (CDC 2005).
  - Asian American women aged fifteen to twenty-four and over sixty-five have the highest suicide rates across all racial and ethnic groups (CDC 2003). Furthermore, Asian American girls have the highest rates of depression across both race/ethnicity and gender (NCHS 2003).

### **Strategies to Address Disparities in Coverage, Access, and Quality**

There are five important strategies that address disparities in coverage, access, and quality:

1. Improving the collection, analysis, and reporting of data on race, ethnicity, and primary language in an accurate and appropriate manner.
2. Ensuring that effective communication takes place between provider and patient through the provision of competent language assistance.
3. Removing barriers to enrollment in public health programs based on citizenship status.
4. Promoting a diverse and culturally competent health care workforce.
5. Increasing investment in community-based health promotion programs.

### **Improving the Collection of Data on Race, Ethnicity and Primary Language**

Accurate, timely, disaggregated data by race, ethnicity, and primary language on Asian Americans, Native Hawaiians, and Pacific Islanders is vital to developing and monitoring programs and policies aimed at improving health equity.

In 1999, Congress requested that the IOM assess the extent of health disparities, explore factors that may contribute to inequities in care, and recommend policies and practices to eliminate them. To help close the disparity gap, the IOM recommended that the federal government: (1) collect and report data on health care access and utilization by patients' race, ethnicity, and socioeconomic status; (2) include measures of disparities in performance measures; and (3) monitor progress toward the elimination of health care disparities. In 2001, The Commonwealth Fund went a step further by recommending that quality measurement and reporting tools, such as the Health Plan Employer Data and Information Set, collect and report health data by race, ethnicity, and primary language.

While some actions have been taken to implement these recommendations, a number of policies and practices continue to serve as barriers to the collection and reporting of race, ethnicity, and primary language data.



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### *OMB Revised Standard on the Collection of Race and Ethnicity Data*

In 1997, the Office of Management and Budget (OMB) revised its standards for the collection of data on race and ethnicity by the federal government. This policy was of great significance to Asian American and NHPI communities because it included a major change that required that data on Asian Americans be collected separately from data on Native Hawaiians and other Pacific Islanders. OMB specified these new categories for race and ethnicity, but it did not require the collection of this data. Following OMB's revision, HHS adopted a "Policy Statement on Inclusion of Race and Ethnicity in DHHS Data Collection Activities" (U.S. Department of Health and Human Services 1997). That policy clarified that even though the OMB standard was not a mandate for the collection of race and ethnicity data, HHS "required the collection and reporting of racial and ethnic groups in HHS data collection activities."

Unfortunately, this policy has never been fully implemented, and most HHS recipients, including states and private industry, are not required by HHS funding agencies to collect or report this data. The policy also does not require HHS programs to collect data on the primary languages spoken by beneficiaries of HHS services and programs, which is critical to monitoring access to and quality of care for immigrants. At a minimum, federally supported programs should be required to comply with the OMB standards and collect data on additional ethnic subgroups, where possible. In addition, data on race, ethnicity, and primary language should also be collected by region and state. In areas where Asian American and NHPI populations are concentrated in the United States, such as the West Coast, the Pacific, the Midwest, and major cities on the East Coast, more granular data may be more readily available.

### *Health Insurance Portability and Accountability Act*

As part of the 1996 Health Insurance Portability and Accountability Act (HIPAA), Congress included provisions for the development of standards for electronic data interchange. Under the HIPAA rule implementing this provision, HHS could adopt a standard set by a standard-setting organization accredited by the American National Standards Institute (ANSI) or adopt another standard if it will reduce costs for health plans and providers. If no standard has been adopted by an ANSI-accredited organization, HHS may act on the recommendation of the National Committee on Vital and Health Statistics. With respect to standards for the collection of data on race, ethnicity, and primary language, ANSI did not adopt a standard requiring that race and ethnicity data be collected but designated it as a "situational" standard in its claims data set.

However, with the passage of the American Recovery and Reinvestment Act in 2009 and its infusion of funds to develop health information technology infrastructure, HHS is required to include data on race, ethnicity, and primary language in the data standards developed for inclusion in electronic health records.



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## *Medicare Data*

Medicare data has provided a rich source of information about racial, ethnic, and socioeconomic disparities in health and health care among Medicare beneficiaries. And while there have been some improvements in the quality of data collected on race and ethnicity, there remains much more that needs to be done to improve the quality and accuracy of data. For example, an analysis of 2002 Medicare administrative data shows that only 52 percent of Asian beneficiaries and 33 percent of both Hispanic and American Indian/Alaska Native beneficiaries were identified correctly (McBean 2006). Medicare's data on race and ethnicity comes from Social Security's administrative records and is collected on a consistent basis when an individual applies for a Social Security number. The way the data is collected was not (and has not been) updated when the OMB revised the standards for collection of race and ethnicity data in 1997. In addition, since the late 1980s, most applications for Social Security numbers are made through the Enumeration at Birth process, and questions regarding race and ethnicity are not included.

Finally, 12 percent of Medicare beneficiaries are enrolled by Medicare health plans (McBean 2006). In July 2008, Congress passed the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA), which included a provision that granted authority to the secretary of HHS to require Medicare plans and providers to report race, ethnicity, and gender-specific data as part of the quality measures they are currently required to collect and report. This data will help identify and eliminate disparities in the quality of health services that minorities and women enrolled in the program receive.

## *Data for Smaller Populations*

More needs to also be done to improve data collection on smaller populations including Asian American and Pacific Islander subgroups. Important health and surveillance data on Asian Americans and NHPs continues to be collected and reported at the federal and state level as "other/unknown," or the data is not collected, reported, or analyzed. This lack of data is made even more acute by the growth and diversification of Asian American and NHP communities over the last twenty years. It is still difficult to know the health status of specific Asian American and Pacific Islander ethnic groups such as Hmong, Laotians, Asian Indians, or Micronesians. It is also difficult to disaggregate socioeconomic groups such as new immigrants or the poor.

Policies that improve the collection, analysis, and reporting of data on Asian Americans and NHPs include the translation of survey instruments, the use of bilingual interviewers, over sampling of smaller populations, bridging of data sets, pooling of data over a number of years, increased funding for community-based participatory research, and greater resources for the collection of data at regional, state, and community levels.



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## **Ensuring Effective Communication Between Providers and Patients Through the Provision of Competent Language Assistance**

Language barriers can reduce access to health care, jeopardize the quality of care, lower patient satisfaction and adherence, increase the risk of medical errors, and lead to other adverse outcomes. More than one-third of Asian Americans and 12 percent of Pacific Islanders speak English less than very well. The rate of limited English proficiency is even higher for specific groups: more than half of Vietnamese, Hmong, Cambodian, Laotian, Bangladeshi, and Taiwanese are limited English proficient (LEP). Research also indicates that the use of trained interpreters and especially the use of language-concordant health providers can improve access to and quality of care for persons with limited English proficiency (Green et al. 2005; Flores 2005; Ngo-Metzger 2007). Research also shows that Medicare beneficiaries who are limited in English proficiency are less likely than those who are proficient in English to have access to a consistent source of care and less likely to receive important preventive care, including cancer screening tests (Ponce et al 2006).

### *The Need for More Research*

However, more research is needed to determine the impact of language services on the health and health care of LEP populations. For example, additional research is needed to understand the barriers to health, mental health, and behavioral health services faced by LEP individuals, the impact of cultural and language services on the health status and quality of health care of LEP individuals, the attitudes and knowledge of health care providers and administrators regarding these barriers, and the most effective means of providing language assistance. Research is also needed to assess federal efforts to ensure meaningful access to LEP persons through the provision of culturally and linguistically appropriate health care services.

### *Ensuring Meaningful Access to the Medicare Program*

Under Title VI of the Civil Rights Act of 1964, all recipients of federal financial assistance are required to provide meaningful access to its programs, services, and activities, including those that are not directly federally funded, to persons with limited English proficiency. But, not all Medicare programs are considered federal financial assistance. While Medicare Part A providers are considered recipients of federal financial assistance, not all providers (e.g., individual physicians who only receive Medicare Part B and no other form of federal financial assistance, such as Medicaid) are obligated to comply with federal civil rights law (U.S. Department of Health and Human Services 2003). This has caused some confusion as new Medicare programs have been initiated with a mixture of Part A and Part B funds, for example, Part C, and other sources so that determining whether participants in some Medicare programs are required to comply has become more complex.

Furthermore, Executive Order 13166 requires that all federal agencies develop plans to ensure that programs conducted by the federal government are accessible to persons with limited English proficiency (U.S. Department of Justice 2000). Therefore, outreach and enrollment in the Medicare program conducted by the



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Centers for Medicare & Medicaid Services (CMS) should be accessible for persons with limited English proficiency. Although CMS translated much of the outreach materials for enrollment in the Medicare Part D program, there remain issues of inaccessibility to telephone assistance and enrollment materials. In addition, Medicare informational materials, applications, and beneficiary notices are not available in languages other than English and Spanish.

*Federal Reimbursement for the Provision of Language Assistance in the Medicare, Medicaid, and CHIP Programs, plus Technical Assistance to Providers*

Health care providers from across the country have reported inadequate funding of language services to be a major barrier to LEP individuals' access to health care and a serious threat to the quality of the care they receive. Statistics show that 63 percent of hospitals encounter patients with LEP daily or weekly; an additional 17 percent encounter LEP patients at least monthly; and 65 percent of internal medicine physicians have active patients who are LEP (American College of Physicians 2007).

Almost every major health organization<sup>2</sup> supports government payments for language services as necessary to ensure quality health care. More than 100 organizations have endorsed the Language Services in Healthcare Statement of Principles, which supports funding mechanisms to ensure language services are available where and when they are needed. According to a recent article in *Pediatrics* discussing results from a survey of pediatricians supported by the American Association of Pediatrics, reimbursement for language services is associated with greater use of professional interpreters (Kuo et al. 2007). The American Hospital Association stated that resources should be targeted to improving language services for all patients with LEP.

The American College of Physicians recommends that Medicare should pay for the added expense of language services and the additional time in providing clinical care. Although the regulations for Medicare Advantage require managed care plans to "ensure that services are provided in a culturally competent manner to all enrollees, including those with limited English proficiency or reading skills, and diverse cultural and ethnic backgrounds,"<sup>3</sup> it is unclear whether and how Medicare Advantage plans are paying for language services and if they need or should have additional payments. Most managed care plans pass on the requirement to their contracted providers without specific funding or incentives. So while the managed care plans may have contractually agreed to provide language assistance, their payment policies may in fact create a disincentive for providers to participate and use language services. Determining the best methodology and structure to provide reimbursement in the Medicare program will be complex given the payment structure of the various providers, including in- and outpatient hospital care, physician care, and managed care.

Although CMS has clarified that states can get federal matching funds for the provision of language services in their Medicaid and State Children's Health Insurance Program (SCHIP), according to the National Health Law Program, only about a dozen states have taken advantage of this option. An increase in the federal match provided to states for language assistance services in the Medicaid and



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CHIP programs would provide a much greater incentive for states to take action to pay for interpreters and translators. The Children's Health Insurance Program Reauthorization Act (CHIPRA) passed in 2009 provided for an increased federal matching rate of 75 percent or 5 percent above the state's existing federal match, whichever is greater, for the cost of language services for children in CHIP and Medicaid.

While obtaining more federal support to pay for the cost of language services is essential, many providers remain in need of technical assistance to develop their language access plans and policies and to implement them. Federally assisted health providers are obligated to provide language assistance services to everyone who wishes to access their services regardless of whether they are covered by Medicaid, SCHIP, or Medicare.

### **Barriers to Participation in Federal Health Care Programs Must Be Removed for Immigrants and Other Noncitizens**

In order to ensure coverage and access to health care for all, federal programs including Medicare, Medicaid, and CHIP must remove barriers to eligibility for immigrants and other noncitizens such as some Pacific Islanders.

Coverage of Asian Americans and Native Hawaiian and Pacific Islanders in public programs grew in part as a result of federal and state efforts over the last decade to reduce barriers faced by minority and immigrant communities. Many Asian Americans and NHPs qualify for public programs but remain uninsured because of language and cultural barriers in the enrollment process, misinformation about eligibility, and other family hardships such as food and housing insecurity. There are others who do not qualify even if they are low-income and legal immigrants. Since 1996, legal immigrants in low-income families have been barred from receiving Medicaid or SCHIP during their first five years in this country, even if they meet all other requirements for the programs.

Citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau are ineligible for public programs as well, even though they are allowed to work and travel in the United States. Many of these Pacific Islanders have health issues for which they are unable to access care. For example, approximately 6,000-8,000 Marshallese live in Northwest Arkansas. As a group, they have a higher propensity for diabetes, high blood pressure, cancer, and related complications because they delay seeking care, yet they are ineligible for most federally funded programs (Lyon 2007).

To address these disparities in coverage, many states developed strategies to help enroll individuals with limited English proficiency in Medicaid and CHIP (Youdelman et al. 2007). States also took additional steps to simplify enrollment and renewal procedures for children (Kaiser 2008). And, nearly half of states have continued to provide coverage for legal immigrants during their first five years in the country through state-funded programs (Ku 2007).

The reauthorization of CHIP in 2009 included passage of the Immigrant Children's Health Improvement Act (ICHIA), which allows states to provide health coverage to lawfully present immigrant children and pregnant women under Medicaid or CHIP, with a five-year waiting period; however, more must be done.



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At a minimum, policy makers should remove the five-year bar and sponsor deeming requirements for lawfully residing immigrants, as well as allow Pacific Islanders to qualify for federally funded health care programs. Other barriers such as excessive citizenship documentation in the Medicaid and CHIP programs must also be repealed.

### **Ensuring a Diverse and Culturally Competent Health Care Workforce**

A diverse health care workforce is critical to improving access to quality care, access to culturally and linguistically appropriate care, and patient choice and satisfaction for minority, Asian American, and Native Hawaiian and Pacific Islander communities.

Although statistics suggest that Asian Americans as a whole are well-represented among physicians, a comprehensive look at the health care workforce reveals that many groups are poorly represented (Ro forthcoming). For example, findings from a survey conducted by the California Medical Board indicate that there are shortages of many Asian American and Pacific Islander subgroups in California's physician workforce. Less than 0.05 percent of California's physicians, or an estimated 90 of the 61,861 physicians in the state, are Cambodian, Laotian, Hmong, or Samoan (CCHWS 2008a). In 2005, the Association of American Medical Colleges reported 3,111 Asian American medical school graduates nationally compared to forty-five Native Hawaiian or Pacific Islander medical school graduates (AAMC 2004).

Even less progress has been made in reporting data on the diversity of Asian Americans and Native Hawaiian and Pacific Islanders in other health professions, such as nursing, dentistry, and allied health, which include many frontline health care workers, such as community health workers, health educators, and outreach workers. This limited data suggests that Asian Americans and NHPs are underrepresented as nurses, psychologists, and health services researchers (Ro forthcoming).

Fortunately, academic institutions and state medical associations are taking steps to address the lack of data on Asian American and NHP subgroups in health professions. The California Medical Association sponsored legislation, which was enacted in 2001, requiring the California Medical Board to survey physicians when they renew their licenses. Every two years, physicians are asked to identify their ethnicity from a list of twenty-eight ethnicities and to indicate if they speak any of thirty-four languages listed (CCHWS 2008b). In 2007, the University of California became the first public higher education institution to collect and report data on Asian American and NHP subgroups through its undergraduate application (Ro forthcoming).

The shortage of Asian Americans and Native Hawaiian and Pacific Islanders in the health profession is a serious concern because many of these communities continue to be medically underserved, with little or no access to culturally and linguistically appropriate primary and mental health care, and because the needs of Asian Americans and Native Hawaiian and Pacific Islanders are often not considered in broader health research agendas. The U.S. Surgeon General noted in 2001 that nearly half of Asian Americans and Native Hawaiian and Pacific Islanders have problems accessing mental health services because of the lack of providers with appropriate language skills (U.S. Surgeon General 2001). From 1986 to 2000,



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only 0.01 percent of Medline articles mentioned Asian Americans and Pacific Islanders (Ghosh 2003).

Efforts to increase the diversity of Asian Americans and Native Hawaiian and Pacific Islanders in the health care workforce are also limited by the lack of a standard definition and process for determining underrepresentation in the various health professions (Ro forthcoming). Because public and private agencies and academic institutions use different definitions and this determination serves as the basis for allocating funds from numerous programs, Asian American and NHPI communities are often excluded from programs that seek to increase diversity in the health professions. For example, the Health Resources and Services Administration, within HHS, uses a definition of underrepresented minorities that includes Native Hawaiians and Pacific Islanders but excludes Chinese, Filipino, Japanese, Korean, Asian Indian, Thai, and Vietnamese/Southeast Asians.

The shortage of Asian Americans and Native Hawaiian and Pacific Islanders in health careers is also closely linked to the inequalities in educational opportunities that face many Asian American and NHPI communities. Ten Asian American and NHPI groups have lower than average rates of high school completion, and three groups have the lowest rates among racial and ethnic groups (AAJC and APALC 2006). Funding for financial resources, such as scholarships and loan repayment, and pipeline programs are critical to advancing minorities who are underrepresented in the health care workforce.

Workforce diversity must also be extended to frontline health care workers, interpreters, and bilingual and bicultural providers. Strategies could include the recruitment and training of bilingual and bicultural members from underrepresented communities, the provision of ESL and job training, as well as changes in health profession programs that include cross-cultural education and training on how to work with interpreters.

### **Increasing Investment in Community-Based Health Promotion Programs**

Many community-based organizations have developed model programs that address health disparities in Asian American and Native Hawaiian and Pacific Islander communities by providing culturally appropriate health education, prevention, and quality care. With increased resources, these programs could be expanded to reach additional communities.

For example, the Racial and Ethnic Approaches to Community Health (REACH) 2010 program, within the Centers for Disease Control and Prevention, funds forty grantees to develop and evaluate strategies that reduce health and health care disparities. Currently, only six of the forty grantees address disparities faced by Asian American and Native Hawaiian and Pacific Islander communities. In Santa Clara County, California, a coalition funded by the REACH 2010 program is working to increase awareness and use of breast and cervical cancer screening among Vietnamese women, who face a rate of cervical cancer that is five times the rate of cervical cancer in White women. Despite the importance of regular Pap tests in detecting cervical cancer, more than 25 percent of Vietnamese women have never had a Pap test. After receiving assistance from a lay health worker, 48 percent of women who had never had a pap test received one, 52 percent of women received



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a second pap test within eighteen months, and 4,187 women enrolled in a reminder system (VRHI Coalition n.d.).

The evaluation of this program, as well as many others, demonstrates the impact that community health workers can have on health promotion and prevention in Asian American and Native Hawaiian and Pacific Islander communities. Funding for community health workers, whose roles and skills still remain largely unrecognized and underfunded (Witmer et al. 1995), is another important strategy for increasing the ability of communities to conduct health promotion and address health disparities.

Additional resources are also needed to address health conditions such as cancer and HIV/AIDS that continue to have a disproportionate impact on racial and ethnic minority communities. For example, cancer deaths have increased at a faster rate among Asian Americans, Native Hawaiians, and Pacific Islanders than any other racial and ethnic population. Although Asian American and NHPI communities account for 1 percent of AIDS cases in the United States, Asian Americans, Native Hawaiians, and Pacific Islanders experienced the highest percentage increase in HIV infection and AIDS cases among racial and ethnic groups over the most recent four-year period (Centers for Disease Control and Prevention 2007).

## **Policy Recommendations**

### *For Improving Data*

1. Increase the collection, analysis, and reporting of data on race, ethnicity, and primary language by federally supported programs, using at minimum the OMB standards, but also collecting data for additional ethnic subgroups. This data should also be collected and reported by region and state.
2. Improve the quality and accuracy of Medicare data on race, ethnicity, and primary language by: (1) requiring the Social Security Administration to collect race, ethnicity, and primary language data for all applicants of Social Security numbers or benefits, and (2) requiring the collection of race, ethnicity, and primary language data for each applicant and recipient of Medicare benefits.
3. Improve data on Asian Americans and Native Hawaiian and Pacific Islanders by translating survey instruments and using bilingual interviewers, over sampling smaller populations, bridging data sets, pooling data over a number of years, increasing funding for community-based participatory research, and providing resources for more data collection at regional, state, and community levels.

### *For Improving Language Access*

1. Expand research on the barriers to health care faced by LEP individuals and the most effective means of providing language assistance to LEP individuals. Establish a grant program to promote innovations in culturally competent and linguistically accessible health care programs. Assess federal efforts to ensure that all individuals have meaningful access to culturally and linguistically appropriate health care services.



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2. Require compliance by Medicare Part B providers with federal civil rights laws.
  3. Require all federal agencies that conduct health care–related activities to prepare a plan to improve access to federally conducted health care–related activities by LEP persons.
  4. Provide federal reimbursement for language assistance services by: (1) enhancing the federal match provided to states for language assistance services in the Medicaid program, and (2) establishing demonstration projects that provide Medicare payment for language services in different settings.
  5. HHS should provide technical assistance to health providers including translated documents, glossaries, and links to language service providers.

#### *For Reducing Barriers*

1. At a minimum, remove the five-year bar and sponsor deeming requirements for lawfully residing immigrants and allow Pacific Islanders to qualify for federally funded health care programs.
2. Repeal other barriers including excessive citizenship documentation in the Medicaid and CHIP programs.

#### *For Increasing Workforce Diversity*

1. Improve health care workforce data by requiring health and allied health profession schools to collect and report data on the race, ethnicity, and language proficiency of their students.
2. Adopt a standard definition of “underrepresented minorities,” particularly within HHS, that considers the inclusion of Asian American and Native Hawaiian and Pacific Islander subgroups that are underrepresented in the various health professions.
3. Reauthorize and increase funding for programs that provide financial assistance, mentorship, and support to minorities who are underrepresented in the health care workforce.

#### *For Increasing Community Investments*

1. Invest in evidence-based health programming and the elimination of health disparities in communities by codifying the REACH 2010 program and increasing funding for the Minority AIDS Initiative and cancer prevention and treatment for racial and ethnic minorities.
2. Establish grants to promote positive health behaviors in women and children through the use of community health workers.



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## Endnotes

<sup>1</sup> The Native Hawaiian & Pacific Islander (NHPI) Alliance and the Asian & Pacific Islander American Health Forum (APIAHF) recommend the use of “Asian Americans, Native Hawaiians, and Pacific Islanders” when referring to the broad grouping and “AA and NHPI” as the acronym of the broad grouping. The evolution of referring to Native Hawaiians and Pacific Islanders as NHPI is a cultural construct and reflects the preference of the NHPI community (APIAHF and NHPI Alliance 2008).

<sup>2</sup> Including the American Medical Association; American Hospital Association; American Nurses Association; American Academy of Pediatrics; American Academy of Family Physicians; American College of Physicians; American Public Health Association; American Psychological Association; National Association of Community Health Centers; National Association of Public Hospitals and Health Systems; National Association of Social Workers; National Medical Association; and National Hispanic Medical Association.

<sup>3</sup> 42 C.F.R. 422.112(a)(8).



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