

United States Senate
WASHINGTON, DC 20510

April 10, 2020

Catherine E. Lhamon
Chair
U.S. Commission on Civil Rights
1331 Pennsylvania Ave., NW, Suite 1150
Washington, DC 20425

Dear Chair Lhamon:

We write to request that the U.S. Commission on Civil Rights (USCCR) issue guidance to federal agencies on preventing and addressing anti-Asian racism and xenophobia related to the coronavirus disease 2019 (COVID-19) pandemic.

The U.S. now has more confirmed cases of COVID-19 than any other country.¹ Researchers and advocacy organizations have reported a spike in physical and verbal attacks against Asian Americans that has been associated with the public health crisis.² There has been a “surge” of reports of incidents of racist and xenophobic verbal attacks and physical assault against Asian Americans to tip lines and news outlets across the country, with reports of many Asian Americans expressing fear for their physical safety and that of their family members and friends.³ In addition, anti-Asian stigma has led to a reported slump in activity in Asian-owned restaurants and businesses.⁴

Alarming, anti-Asian sentiment relating to COVID-19 has been voiced even by certain members of the federal government. President Trump and several members of Congress have

¹ Center for Systems Science and Engineering (CSSE) at Johns Hopkins University (JHU), “Coronavirus COVID-19 Global Cases” April 7, 2020,

<https://www.arcgis.com/apps/opsdashboard/index.html#/bda7594740fd40299423467b48e9ecf6>.

² The New York Times, “Spit On, Yelled At, Attacked: Chinese-Americans Fear for Their Safety,” Sabrina Tavernise and Richard A. Opiel Jr., March 23, 2020, <https://www.nytimes.com/2020/03/23/us/chinese-coronavirus-racist-attacks.html>.

³ *Id.*

⁴ The Hill, “Chinatown restaurants, shops say business is down due to coronavirus fears,” Kaelan Deese, February 18, 2020, <https://thehill.com/homenews/news/483432-chinatown-restaurants-say-business-is-down-due-to-coronavirus-fears>.

insisted on using harmful and stigmatizing language, referring to COVID-19 as “the Chinese virus” or the “China virus,” despite warnings that use of the term would cause harm to Asian Americans.⁵ This approach has contradicted that of public health experts and other officials in the Trump Administration, including the director of the Centers for Disease Control and Prevention (CDC), who agreed that the use of terms was “absolutely wrong and inappropriate.”⁶

The World Health Organization (WHO) has issued guidance discouraging the use of naming diseases based on geographic location, warning that “certain disease names provoke a backlash against members of particular religious or ethnic communities,” adding, “[t]his can have serious consequences for peoples’ lives and livelihoods.”⁷ Instead, WHO recommends using “generic descriptive terms,” saying “[i]f the pathogen that causes the disease is known, it should be part of the disease name (e.g. coronavirus, influenza virus, salmonella).”⁸

On March 20, 2020, USCCR issued a statement condemning the rise in anti-Asian racism and xenophobia, specifically discouraging elected officials from using such terms. In its statement, USCCR wrote: “This latest wave of xenophobic animosity toward Asian Americans should not be normalized or encouraged by public officials characterizing COVID-19 as the ‘Chinese coronavirus’ or ‘Chinese virus.’”⁹

There has not been a concerted effort from federal agencies to prevent and address anti-Asian sentiment related to the COVID-19 pandemic. On March 4, 2020, the U.S. Department of Education issued guidance to schools about their obligation to address and prevent bullying of students of Asian descent related to COVID-19.¹⁰ The Federal Bureau of Investigation (FBI) also announced that it has updated its COVID-19 guidance to note that “investigating hate crimes remain[s] a high priority for the FBI.”¹¹ But there must be more robust efforts across the federal government to respond to hateful actions and discrimination against Asian Americans.

In order to reduce the dangerous and hateful spread of anti-Asian sentiment that is on the rise during this pandemic, we respectfully request that USCCR issue such guidance without delay, and that it take into account language accessibility for Asian Americans with limited English proficiency.

⁵ NBC News, “Trump tweets about coronavirus using term 'Chinese Virus,’” Kimmy Yam, March 17, 2020, <https://www.nbcnews.com/news/asian-america/trump-tweets-about-coronavirus-using-term-chinese-virus-n1161161>.

⁶ The Hill, “CDC chief says it's wrong to call COVID-19 a 'Chinese virus,’” Justin Wise, March 10, 2020, <https://thehill.com/homenews/administration/486920-cdc-chief-says-its-wrong-to-call-covid-19-a-chinese-virus>.

⁷ World Health Organization, “WHO issues best practices for naming new human infectious diseases,” May 8, 2015, <https://www.who.int/mediacentre/news/notes/2015/naming-new-diseases/en/>.

⁸ *Id.*

⁹ The U.S. Commission on Civil Rights, “The U.S. Commission on Civil Rights Expresses Concern Over Growing Anti-Asian Racism and Xenophobia Amid the COVID-19 Outbreak,” March 20, 2020, <https://www.usccr.gov/press/2020/03-20-Racism-and-Coronavirus-Stmt.pdf>.

¹⁰ U.S. Department of Education, “OCR Coronavirus Statement,” March 4, 2020, <https://content.govdelivery.com/accounts/USED/bulletins/27f5130>.

¹¹ The Hill, “FBI says probing hate crimes remains 'high priority' amid coronavirus pandemic,” Tal Axelrod, March 28, 2020, <https://thehill.com/policy/national-security/489994-fbi-says-probing-hate-crimes-remains-high-priority-amid-coronavirus>.

Thank you for your attention to this matter.

Sincerely,

Elizabeth Warren
United States Senator

Mazie K. Hirono
United States Senator

Tammy Duckworth
United States Senator

Maria Cantwell
United States Senator

Edward J. Markey
United States Senator

Bernard Sanders
United States Senator

Chris Van Hollen
United States Senator

Richard Blumenthal
United States Senator

Kamala D. Harris
United States Senator

Cory A. Booker
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Amy Klobuchar
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Jacky Rosen
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