



June 4, 2021

Chairman Dick Durbin
224 Dirksen Senate Office Building
Washington, DC 20510

Ranking Member Chuck Grassley
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Durbin and Ranking Member Grassley:

We, the National Asian Pacific American Women's Forum (NAPAWF), write to express our support for Tana Lin to be District Judge of the Western District of Washington.

NAPAWF is the only multi-issue, progressive, community organizing and policy advocacy organization for Asian American and Pacific Islander (AAPI) women and girls in the U.S. NAPAWF's mission is to build collective power so all AAPI women and girls can have full agency over our lives, our families, and our communities. Using a reproductive justice framework, we elevate AAPI women and girls to impact policy and drive systemic change in the United States.

The reproductive justice framework is rooted in the human right to control our own bodies, our sexuality, our gender, and our reproduction. Reproductive justice will be achieved only when all people, of all immigration statuses, have the social, economic, and political power and resources to define and make decisions about our bodies, health, sexuality, families, and communities in all areas of our lives with dignity and self-preservation.

Not only will Ms. Lin be the first Asian American district court judge on the federal bench in the state of Washington,¹ but her career demonstrates she would bring unique perspectives as an immigrant woman of color to the bench.

During Ms. Lin's time with the Equal Employment Opportunity Commission, she represented employees who were discriminated against due to their protected status such as race, age, and gender,² and whose wages were stolen or unfairly lowered.³ She also worked for the Michigan Poverty Law Program, which works to represent people without resources to hire attorneys.

The intersection of class with gender and race for many AAPI women is not often talked about. The "model minority myth," or the false idea that all AAPI women are the same--high achieving immigrants with stable incomes--further the misconception that AAPI women do not need support or resources. This is far from true: AAPI women are overrepresented in the most poorly paid jobs in the country and are often subject to wage theft, unsafe working conditions, and workplace harassment.⁴ Currently, the Asian American community is facing a very high rate of long-term unemployment rate, higher than other communities,⁵ especially Asian American women.⁶

¹ News Release, United States Senator Patty Murray, Senator Murray Hails Historic Nomination of former Public Defender and Civil Rights Lawyer Tana Lin and former Immigration Lawyer Judge David Estudillo to Federal District Court (Apr. 29, 2021), <https://www.murray.senate.gov/public/index.cfm/mobile/newsreleases?ID=7DE3B00D-704F-4BB1-8D22-714A774845AD>

² *United States v. N.Y. City Bd. of Educ.*, 85 F. Supp. 2d 130 (E.D. N.Y. 2000); *Volvo GM Heavy Truck Corp. v. United States Dept. of Labor*, 1996 U.S. Dist. LEXIS 13739 (W.D. Va., Aug. 9, 1996); <https://www.latimes.com/archives/la-xpm-2001-jul-11-fi-20881-story.html>

³ *In re Wells Fargo Wage & Hour Empl. Practices Litig.*, 2011 U.S. Dist. LEXIS 159953 (S.D. Tex. Dec. 19, 2011); *Cason-Merenda v. Detroit Med. Ctr.*, 862 F. Supp. 2d 603 (E.D. Mich. 2012).

⁴ National Asian Pacific American Women's Forum, (Oct. 31, 2019), <https://www.napawf.org/our-work/content/2019/10/31/issue-brief-sexual-harassment-in-the-workplace>; National Asian Pacific American Women's Forum (Mar. 9, 2021), <https://www.napawf.org/our-work/content/2021/3/9/aapi-womens-economic-security>; National Asian Pacific American Women's Forum, *Earning a Living Wage* (Feb. 6, 2020), <https://www.napawf.org/our-work/content/2020/2/6/earning-a-living-wage>.

⁵ Robin Bleiweis, Cent. for Am. Progress, *The Economic Status of Asian American and Pacific Islander Women*, (Mar. 4, 2021), <https://www.americanprogress.org/issues/women/reports/2021/03/04/496703/economic-status-asian-american-pacific-islander-women/>. As the study states, the lack of data on Native Hawaiian or Pacific Islander (NHOPI) women make it difficult to gauge the full impact of COVID-19's impact on NHOPI women's employment rate. But it is likely that they are also facing high levels of unemployment; Jasmine Tucker, *Asian American and Pacific Islander Women Lose \$10,000 Annually to the Wage Gap*, (Mar. 2021), <https://nwlc.org/wp-content/uploads/2020/01/AAPI-EPD-2021-v1.pdf>

⁶ *Id.*

Recent polls have demonstrated that a majority of Americans are less comfortable with having Asian Americans as their bosses rather than co-workers,⁷ demonstrating the existence of bias that works to limit opportunities for Asian Americans in the workplace.

The wage disparities within the AAPI community, along with the high long-term unemployment rates many AAPI women currently face mean many live in poverty and Ms. Lin's work on behalf of employees and low-income individuals demonstrates she understands the challenges employees and low-income individuals face.

Ms. Lin was also part of a case that challenged portions of former President Trump's Executive Order 13769, more commonly known as the Muslim Travel Ban.⁸ After a long legal battle, Ms. Lin's work helped to unify the plaintiff with his family.⁹

As the fastest and the third fastest-growing immigrant populations¹⁰ in the country, immigration laws and regulations greatly impact AAPIs' ability to unite with our families. Ms. Lin's work in this case, coupled with her background as an immigrant, demonstrates her understanding of immigration and its impact on families.

At a time when many AAPI women face numerous challenges due to the COVID-19 pandemic, including high unemployment rates and increased overt acts of anti-AAPI racism,¹¹ we need judges like Ms. Lin, who has demonstrated she understands the issues facing the AAPI community. We strongly urge you to support Ms. Lin's nomination. Thank you for your time.

Sincerely,

National Asian Pacific American Women's Forum

⁷ Shawna Chen, Quarter of White Americans Don't View Anti-Asian Racism as a Problem, Report Finds, (May 10, 2021),

<https://theyappie.com/quarter-of-white-americans-dont-view-anti-asian-racism-as-a-problem-report-finds/>

⁸ Jim Brunner, (Jun. 26, 2018), Gov. Jay Inslee, Immigration-rights Advocates Blast Supreme Court Travel Ban Ruling as 'abhorrent'

<https://www.seattletimes.com/seattle-news/politics/immigrant-rights-advocates-condemn-supreme-courts-ruling-upholding-trump-travel-ban/>

⁹ Press Release, American Civil Liberties Union of Washington, Settlement of ACLU-WA Lawsuit Makes Reunification Possible for Hundreds of Families, (Feb. 10, 2020)

<https://www.aclu.org/press-releases/after-aclu-wa-lawsuit-government-agrees-prioritize-processing-refugees-stymied-travel>

¹⁰ Abby Budiman and Neil G. Ruiz, Asian Americans are the Fastest-growing Racial or Ethnic Group in the U.S., (Apr. 9, 2021),

<https://www.pewresearch.org/fact-tank/2021/04/09/asian-americans-are-the-fastest-growing-racial-or-ethnic-group-in-the-u-s/>

¹¹ Shawna Chen, Poll: 1 in 2 AAPI Women Says Racism Has Impacted Their Life, (Mar. 30, 2021),

<https://theyappie.com/poll-1-in-2-aapi-women-says-racism-has-impacted-their-life/>