

REPORT TO THE PRESIDENT

# RISING TOGETHER

THE PROMISE OF EQUITY,  
JUSTICE, AND OPPORTUNITY FOR  
ASIAN AMERICAN, NATIVE HAWAIIAN,  
AND PACIFIC ISLANDER COMMUNITIES

JANUARY 2025

THE WHITE HOUSE INITIATIVE ON ASIAN AMERICANS,  
NATIVE HAWAIIANS, AND PACIFIC ISLANDERS



REPORT TO THE PRESIDENT

# RISING TOGETHER

*The Promise of Equity, Justice, and Opportunity for  
Asian American, Native Hawaiian, and Pacific Islander Communities*

JANUARY 2025





## WHITE HOUSE INITIATIVE ON ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS

January 7, 2025

The President  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

As Co-Chairs of the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission), we are pleased to transmit to you this final report – *Rising Together: The Promise of Equity, Justice, and Opportunity for AA and NHPI Communities*. This report highlights the historic impact and legacy of WHIAANHPI and the Commission during your Administration to support and strengthen Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) families and communities.

Since Day One, you and Vice President Harris have celebrated the diversity of cultures, breadth of achievement, and remarkable contributions of our nation's vibrant AA and NHPI communities. By signing Executive Order (EO) 14031, and amended through EO 14109, you put forward the most expansive and ambitious mandate to advance equity, justice, and opportunity for AA and NHPIs – leveraging the full force of the Federal Government.

This report illustrates the whole-of-government monumental strides your Administration has taken to substantively improve and invest in the lives of AA and NHPIs, particularly as we navigated from the unprecedented times, including a devastating pandemic and rising hate and violence toward AA and NHPIs. This report also includes the Commission's prolific and powerful body of work totaling 86 recommendations – many of which were implemented in partnership across the agencies and with the AA and NHPI communities. It is our hope this report serves as a roadmap for future Administrations to ensure continued and committed investments in the futures of all AA and NHPIs.

It has been our honor to serve as Co-Chairs to WHIAANHPI and the Commission to empower the more than 24 million AA and NHPIs in our nation – and to ensure the promise of America to all Americans.

Sincerely,



**Secretary Xavier Becerra**  
U.S. Department of Health and  
Human Services



**Ambassador Katherine Tai**  
Office of the U.S. Trade  
Representative



On May 28, 2021, President Joe Biden signed Executive Order 14031, *Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders*, as amended by Executive Order 14109, to establish the White House Initiative and President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders.

*This report is in the public domain. Authorization to reproduce it in whole or in part is granted.*

**THE WHITE HOUSE INITIATIVE ON ASIAN AMERICANS,  
NATIVE HAWAIIANS, AND PACIFIC ISLANDERS**

**Xavier Becerra**, *Co-Chair*  
U.S. Secretary of Health and Human Services

**Katherine Tai**, *Co-Chair*  
U.S. Trade Representative

**Helen Beaudreau**, *Executive Director (2024-2025)*  
**Krystal Ka'ai**, *Executive Director (2021-2024)*

**THE PRESIDENT’S ADVISORY COMMISSION ON ASIAN AMERICANS,  
NATIVE HAWAIIANS, AND PACIFIC ISLANDERS**

**Sonal Shah**, *Chief Commissioner*  
**Sarah Min**, *Deputy Chief Commissioner*

Amy Agbayani  
Teresita Batayola  
Ajay Bhutoria  
Luisa Blue  
Kimberly Chang  
Emily Chen  
Kamana’opono M. Crabbe  
Kerry Doi  
Sameera Fazili  
Grace Huang  
Victoria Huynh  
Mia Ives-Ruble  
Krystal Ka'ai

Michelle Ka’uhane  
Kamal Kalsi  
Daniel Dae Kim  
Kevin Kim  
Vida Lin  
Simon Pang  
Ai-jen Poo  
Naheed Qureshi  
Raynald Samoa  
Smita Shah  
Robert Underwood  
KaYing Yang

# TABLE OF CONTENTS

## EXECUTIVE SUMMARY

### I: FULFILLING OUR HISTORIC MANDATE

- » Interagency Working Group
- » Regional Network
- » President's Advisory Commission

### II: THE POWER OF CONVENING AT THE NEXUS OF POLICY, COMMUNITY, AND THE FEDERAL GOVERNMENT

- » Community-Centered and Policy-Driven Convenings
- » Advancing Equity
- » Uplifting AA and NHPI Visibility
- » Solidarity with Communities in Crisis
- » Strengthening Federal Employment Pathways
- » Capacity Building for AA and NHPI Communities

### III: A WHOLE-OF-GOVERNMENT APPROACH IN ACTION

### IV: CONCLUSION

### V: APPENDICES

- » Appendix A: Executive Order 14031
- » Appendix B: Executive Order 14109
- » Appendix C: White House May 2024 Fact Sheet
- » Appendix D: Federal Agency Progress Reports
- » Appendix E: Final Commission Report
- » Appendix F: Commission Recommendations



Contact [WHIAANHPI@hhs.gov](mailto:WHIAANHPI@hhs.gov) if you have any accessibility issues with the document.



*Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States* to make it clear that acts of racism, xenophobia, and intolerance against AA and NHPI communities have no place in our country. The memorandum instructed executive departments and agencies to ensure that official government actions, documents, and statements do not exhibit or contribute to racism, xenophobia, and intolerance against AA and NHPI communities. It also requested certain departments to work with AA and NHPI communities to identify solutions to combatting anti-Asian hate and bias, and to address cultural competency, language access, and sensitivity toward AA and NHPIs in the nation’s COVID-19 response.

On May 28, 2021, President Biden signed Executive Order 14031, *Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders*, which established the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission). Both entities are co-chaired by U.S. Health and Human Services Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai who work in close collaboration with WHIAANHPI Executive Director Helen Beaudreau, as well as Deputy Assistant to the President and AA and NHPI Senior Liaison in the White House, Erika L. Moritsugu, to advance key priorities for AA and NHPI communities. Prior to Beaudreau, President Biden appointed Krystal Ka’ai to serve as the first-ever Native Hawaiian in the role of WHIAANHPI Executive Director.

Executive Order 14031 returned both WHIAANHPI and the Commission to the U.S. Department of Health and Human Services, where they first originated under the Clinton Administration in 1999. The decision ensured that the Administration could address multiple crises facing AA and NHPI communities that were exacerbated throughout the COVID-19 pandemic, including health, socioeconomic, and educational disparities, along with the surge in anti-Asian hate, discrimination, and violence.

Executive Order 14031, as amended by Executive Order 14109, provided WHIAANHPI with its most expansive and ambitious mandate to date, while also explicitly acknowledging and naming Native Hawaiians for the first time. The President directed WHIAANHPI to coordinate federal interagency policymaking and program development efforts to eliminate systemic barriers to equity, justice, and opportunity, which has put the American Dream out of reach for too many AA and NHPI communities.

This final WHIAANHPI report follows the inaugural January 2023 *National Strategy to Advance Equity, Justice, and Opportunity for Asian American, Native Hawaiian, and Pacific Islander Communities*, and highlights the historic impact and legacy of WHIAANHPI and the Commission during the Biden-Harris Administration to support and strengthen AA and NHPI communities in every facet of life. This report is also intended to serve as a roadmap for future Administrations to ensure continued and committed investments in the futures of all AA and NHPI communities.







PART I.

# FULFILLING OUR HISTORIC MANDATE





# Interagency Working Group

*To support the Biden-Harris Administration’s whole-of-government approach to advancing equity, justice, and opportunity for AA and NHPI communities, WHIAANHPI established a federal Interagency Working Group (IWG) in December 2021. The IWG is comprised of senior-level Executive Branch officials and subject matter experts from 49 federal departments, agencies, and offices who have been designated by their respective agency heads to coordinate WHIAANHPI’s work across the federal government. Thirty-four of these agencies were enumerated in Executive Orders 14031 and 14109, while 15 additional agencies opted to join the IWG to support the Administration’s efforts to better serve AA and NHPI communities.*

The IWG is the backbone of delivering for AA and NHPI communities – driving the legacy of the Biden-Harris Administration’s historic commitment to advancing equity, justice, and opportunity for underserved communities. The breadth of expertise across these federal agencies is wide, spanning multiple topics from health, education, and environmental quality, to labor, commerce, national security, and more. The expanded number of agencies and senior leadership involved in the IWG under the Biden-Harris Administration has enabled WHIAANHPI to coordinate federal interagency policymaking, program development, and outreach efforts to AA and NHPI communities in unprecedented ways. Across the IWG, agencies prioritize the needs of AA and NHPI communities by advancing policies that promote equity; reduce barriers to accessing federal services and programs; build capacity of AA and NHPI businesses and organizations; and center the experiences and resiliency of AA and NHPI communities.

★ Executive Order 14031 tasks each agency within the IWG with preparing an agency plan outlining measurable actions the agency will take to advance equity, justice, and opportunity for AA and NHPI communities, including efforts to:

- ★ **i.** Identify and eliminate any existing institutional policies or barriers within federal programs and services that may disadvantage or burden AA and NHPI communities;
- ★ **ii.** Improve safety, access to justice, and violence prevention for AA and NHPI communities, including by preventing, reporting, addressing, and better tracking acts of hate and bias (such as acts of hate and bias at the intersection of gender-based violence);
- ★ **iii.** Promote inclusion and belonging for AA and NHPI communities, including by expanding public education and knowledge of AA and NHPI people and their diverse cultures, languages, and histories;





Federal officials gather in the Indian Treaty Room of the Eisenhower Executive Office Building on February 16, 2023, for the first in-person meeting of the WHIAANHPI Interagency Working Group at the White House. Photo courtesy of Albert Ting.

- iv. Expand the collection and use of disaggregated data at the federal, state and local level on AA and NHPI communities, and facilitate improved research on policy and program outcomes for AA and NHPI communities, in coordination with the Interagency Working Group on Equitable Data established by Executive Order 13985;
- v. End language access and other barriers faced by AA and NHPI communities in accessing government benefits and services;
- vi. Improve health outcomes, eliminate health disparities, and expand access to quality, affordable, and culturally competent medical and mental healthcare services for AA and NHPI individuals and communities;
- vii. End disparities in educational outcomes for AA and NHPI youth and students of all ages, and address barriers to learning, including bullying, harassment, and other forms of discrimination at school;
- viii. Address the concentration of poverty facing many AA and NHPI communities, including by identifying and addressing disparities in access to safe, affordable housing and homeownership;
- ix. Expand economic opportunity for AA and NHPI families, including by advancing opportunities for AA and NHPI entrepreneurs and small businesses, supporting access to jobs and workforce training for AA and NHPI communities, promoting AA and NHPI participation and success in the private sector, ensuring workplaces are free from race and national origin harassment and other forms of

employment discrimination, and ensuring AA and NHPI communities can access consumer and finance protections;

- x. Increase opportunities for civic engagement, such as electoral participation, within AA and NHPI communities;
- xi. Improve the equitable allocation of federal resources, including through federal funds, contracts, grants, and awards, to AA and NHPI communities and AA and NHPI-serving organizations;
- xii. Support AA and NHPI communities in responding to and recovering from national or regional crises and public health emergencies, including the COVID-19 pandemic and related economic crisis;
- xiii. Secure climate and environmental justice for AA and NHPI communities who are particularly impacted by the climate crisis and are overburdened by environmental degradation; and
- xiv. Identify ways to foster the recruitment, career and leadership development, retention, advancement, and participation of AA and NHPI public servants at all levels of the federal workforce.

In August 2022, WHIAANHPI’s Co-Chairs transmitted the IWG’s inaugural agency action plans to President Biden. On January 17, 2023, 32 federal agencies publicly released their action plans as part of the Administration’s rollout of the *National Strategy to Advance Equity, Justice, and Opportunity for AA and NHPI Communities*. These plans provide a roadmap for ongoing coordination across the federal government to address both immediate challenges and systemic inequities impacting AA and NHPI communities.

Over the past three years, the IWG met regularly to streamline communication and coordination across the federal government. IWG members also reviewed recommendations made by the President’s Advisory Commission and implemented recommendations that were approved by the White House. Additionally, the IWG established three subgroups to enhance federal coordination on three major WHIAANHPI policy priorities, focusing on combatting anti-Asian hate and discrimination; promoting language access; and prioritizing data disaggregation.

1. The anti-Asian hate subgroup created a resource guide to serve as a one-stop shop of all federal resource materials related to combatting hate crimes, bullying, and discrimination.
2. The language access subgroup identified existing gaps and best practices in agency language access plans; reassessed Executive Order 13166 – 20 years later; and compiled guidance for translated materials.
3. The data disaggregation subgroup worked closely with the White House Equitable Data Working Group to incorporate recommendations regarding AA and NHPI communities in the Working Group’s final report entitled *A Vision for Equitable Data*, which in turn urged the White House Office of Management and Budget (OMB) to update Statistical Policy Directive No. 15 (SPD 15) *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*; on March 28, 2024, OMB updated SPD 15 for the first time in nearly three decades. The data disaggregation subgroup also reviewed and discussed updates to existing Obama-Biden Administration guidance on data disaggregation for AA and NHPI communities.



HAWAII PUBLIC RADIO – January 19, 2023

**The White House's equity strategy addresses anti-Asian hate, expands language access**

NBC ASIAN AMERICA – January 17, 2023

**Biden admin releases first plan to support Asian American, Pacific Islander and Native Hawaiian communities**

SPECTRUM NEWS – January 17, 2023

**White House unveils plans for AAPI justice and equity**

## **BUILDING ON OUR PROGRESS:**

The launch of the Biden-Harris Administration's inaugural *National Strategy to Advance Equity, Justice, and Opportunity for AA and NHPI Communities* made headlines across the nation.

THE STRAITS TIMES – January 20, 2023

**Asian advocacy groups welcome White House move to counter anti-Asian hate, prejudice**

THE YAPPIE – January 30, 2023

**Politics briefing: White House unveils national AAPI strategy**

HONOLULU CIVIL BEAT – January 17, 2023

**'Seen and heard': Biden pledges more support for Asian, Hawaiian and Pacific communities**

ASIAN JOURNAL – January 21, 2023

**Biden administration rolls out 'first-ever' extensive AAPI advancement plan**



**THE FEDERAL GOVERNMENT MUST PROVIDE THE  
MORAL LEADERSHIP, POLICIES, AND PROGRAMS  
TO ADDRESS AND END ANTI-ASIAN VIOLENCE  
AND DISCRIMINATION, AND ADVANCE INCLUSION  
AND BELONGING FOR ALL AA AND NHPI  
COMMUNITIES.**

**— PRESIDENT JOE BIDEN**

## MEMBERSHIP

*Interagency Working Group members include representatives from:*

- » the Office of the Vice President;
- » the Department of State;
- » the Department of the Treasury;
- » the Department of Defense;
- » the Department of Justice;
- » the Department of the Interior;
- » the Department of Agriculture;
- » the Department of Commerce;
- » the Department of Labor;
- » the Department of Health and Human Services;
- » the Department of Housing and Urban Development;
- » the Department of Transportation;
- » the Department of Energy;
- » the Department of Education;
- » the Department of Veterans Affairs;
- » the Department of Homeland Security;
- » the Environmental Protection Agency;
- » the Office of Management and Budget;
- » the Office of the United States Trade Representative;
- » the Small Business Administration;
- » the Office of Science and Technology Policy;
- » the National Security Council;
- » the National Economic Council;
- » the Domestic Policy Council;
- » the Gender Policy Council;
- » the Council on Environmental Quality;
- » the Office of the Director of National Intelligence;
- » the Office of the National Cyber Director;
- » the White House Office of Cabinet Affairs;
- » the White House Office of Intergovernmental Affairs;
- » the White House Office of Public Engagement;
- » the White House Office of Presidential Personnel;
- » the Social Security Administration;
- » the General Services Administration;
- » the United States Agency for International Development;
- » the Office of Personnel Management;
- » the Equal Employment Opportunity Commission;
- » the Consumer Financial Protection Bureau;
- » the National Aeronautics and Space Administration;
- » the National Science Foundation;
- » the Federal Communications Commission;
- » the U.S. Commission on Civil Rights;
- » the Federal Deposit Insurance Corporation;
- » AmeriCorps;
- » the Federal Housing Finance Agency;
- » the National Endowment for the Arts;
- » the National Endowment for the Humanities;
- » the Council of Economic Advisers; and
- » the Federal Trade Commission.



# Regional Network

*WHIAANHPI's mandate includes supporting an existing Regional Network of federal officials who facilitate improved communication, outreach, engagement, and coordination between the federal government and AA and NHPI communities across the 10 federal regions. First established in 2013 under the Obama-Biden Administration, the Regional Network was created to ensure there is lasting infrastructure across presidential administrations to connect local AA and NHPI communities with federal resources.*

The Regional Network, inherited by the Biden-Harris Administration, included over 300 federal officials in 10 federal regions representing more than 30 federal agencies. The network has historically consisted predominantly of career civil servants, the majority of whom have been involved with WHIAANHPI on a voluntary basis, rather than as part of their official job duties. However, under the Biden-Harris Administration, the Regional Network was explicitly named in Executive Orders 14031 and 14109 for the first time in history – which allowed WHIAANHPI to formalize the Regional Network's structure and provide greater support to the network's membership.

Over the past few years, WHIAANHPI prioritized working with Regional Network leads based in the 10 federal regions to rebuild the network's infrastructure; expand its federal membership to include over 450 federal officials representing more than 40 federal agencies across all 10 federal regions; and re-engage and fortify relationships between AA and NHPI community stakeholders and the federal government. The WHIAANHPI headquarters team worked with Regional Network leads to craft a Regional Network charter and standard operating procedures; develop internal resources to streamline communications and coordination across regional offices; and ensure that Regional Network members receive support from their respective departments and agencies to prioritize meaningful outreach and sustained engagement with AA and NHPI communities.

Due to the COVID-19 pandemic, most Regional Network engagements during the first year of the Biden-Harris Administration were conducted virtually through webinars, virtual meetings, and listening sessions. These virtual engagements provided an opportunity both to convene regional federal officials and to engage AA and NHPI stakeholders on WHIAANHPI's expanded mission and work. In 2021, hundreds of virtual engagements were held to reach all 10 federal regions on topics ranging from the Administration's pandemic response and efforts to combat anti-Asian hate, to highlighting resources from the American Rescue Plan and the Bipartisan Infrastructure Law. During this time, WHIAANHPI staff also engaged closely with Federal Executive Boards to grow the Regional Network's membership and coordinate with regional offices on ways to better serve AA and NHPI communities across the country.



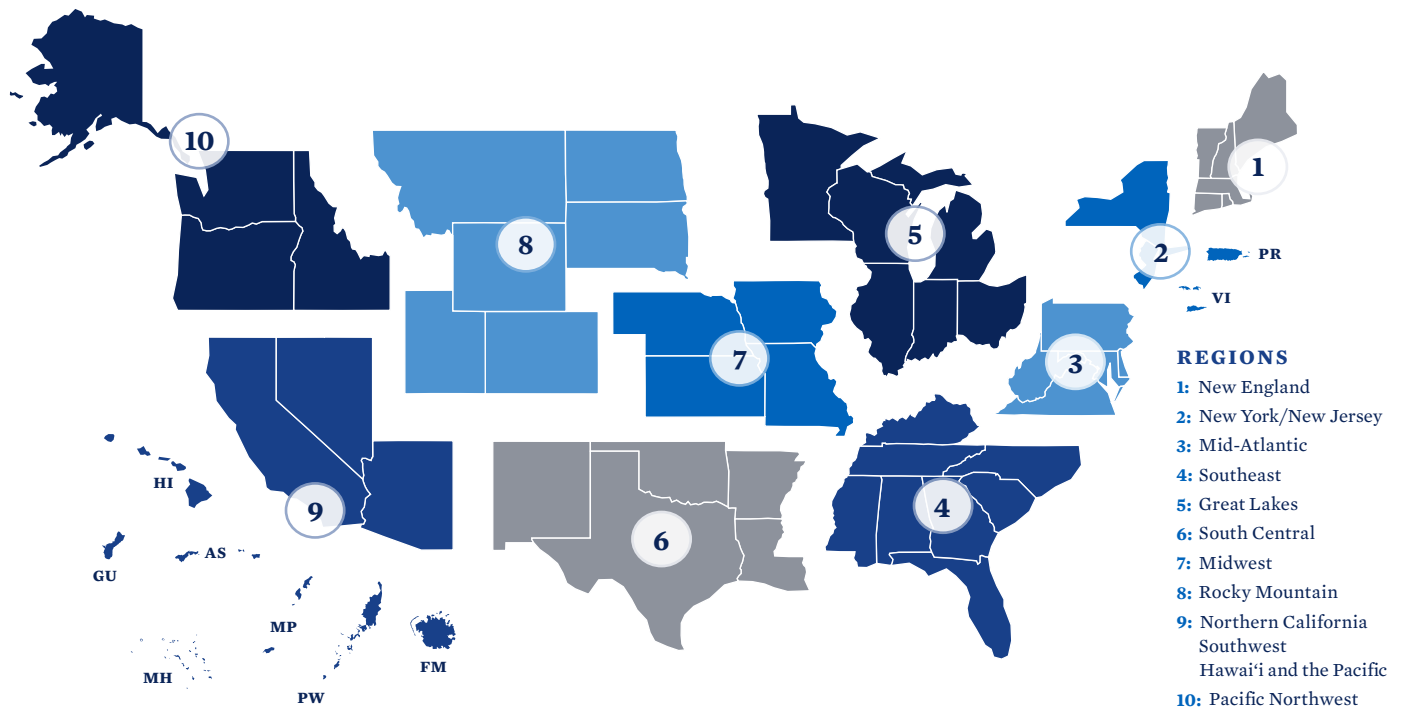
An attendee checks in at a WHIAANHPI Regional Network 3 event at the University of Maryland focused on the federal internship, fellowship, and job opportunities available to students on April 19, 2024. Photo courtesy of Lily Speredelozzi.

“ **THE INITIATIVE SHALL COORDINATE WITH AND SUPPORT THE EXISTING REGIONAL NETWORK OF FEDERAL OFFICIALS WHO FACILITATE IMPROVED COMMUNICATION, ENGAGEMENT, AND COORDINATION BETWEEN THE FEDERAL GOVERNMENT AND AA AND NHPI COMMUNITIES THROUGHOUT THE UNITED STATES.**

*Under the Biden-Harris Administration, WHIAANHPI strengthened its Regional Network after it was explicitly named in Executive Orders 14031 and 14109 for the first time in history.*

WHIAANHPI staff began conducting in-person engagements in Spring 2022. Leveraging the full force of the federal government and the convening power to engage with AA and NHPI communities across a breadth of issue areas, WHIAANHPI traveled to all 10 federal regions, including over

25 states, the District of Columbia, and the Pacific Islands. Since 2022, WHIAANHPI’s Regional Network has hosted dozens of in-person community engagement events, including listening sessions, roundtables, and summits, with a combined reach of tens of thousands of stakeholders.



Key WHIAANHPI Regional Network community engagements include (though the list is not exhaustive):

### Regional Network 1: New England

- » On April 2022, WHIAANHPI Regional Network 1 hosted two separate community listening sessions in Boston’s Chinatown and in Lowell, Massachusetts.
- » On October 27, 2022, WHIAANHPI Regional Network 1 co-hosted an event with the Connecticut Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO) in Hartford, Connecticut. The event included remarks from federal agency representatives and state and local elected officials on efforts to serve AA and NHPI communities in the region.

### Regional Network 2: New York / New Jersey

- » On April 11, 2023, WHIAANHPI’s Regional Network 2 helped to support WHIAANHPI’s Regional Economic Summit in New York City,

New York which brought together federal officials and resources with small businesses and entrepreneurs.

- » On May 2, 2024, WHIAANHPI’s Regional Network 2 hosted a community engagement event in New York City, New York, as part of Asian American, Native Hawaiian, and Pacific Islander Heritage Month that included panel discussions focused on health equity and building inclusive communities through collaborative efforts across federal agencies.

### Regional Network 3: Mid-Atlantic

- » On January 26, 2023, WHIAANHPI’s Regional Network 3 helped to support WHIAANHPI’s launch of its Regional Economic Summit Series in Philadelphia, Pennsylvania. The event was hosted in Philadelphia’s City Hall and included remarks from WHIAANHPI Co-Chair



Ambassador Tai and SBA Administrator Isabel Casillas Guzman.

- » On February 22, 2024, WHIAANHPI's Regional Network 3 hosted a networking opportunity in Washington, DC, for federal officials in the DC/MD/VA region to come together for the Lunar New Year and discuss ways to continue strengthening relationships with AA and NHPI communities across the region.
- » On November 1, 2024, WHIAANHPI's Regional Network 3 hosted a community engagement event in Rockville, Maryland, that focused on fostering inclusion and belonging through deepening public understanding of AA and NHPI cultures, languages, and histories. This event highlighted AA and NHPI authors, providing a platform for them to share their diverse perspectives and experiences through literature. It also included a community listening session to gather feedback directly from participants, as well as a federal resource showcase to connect the AA and NHPI community with valuable support.

#### **Regional Network 4: Southeast**

- » On January 10, 2024, WHIAANHPI's Regional Network 4 helped to support WHIAANHPI's Regional Economic Summit in the Atlanta metropolitan area held at the Gas South Convention Center.
- » On April 11, 2024, WHIAANHPI's Regional Network 4 hosted a meeting in Atlanta, Georgia, where federal officials from across the region held a strategic planning session on how to better engage AA and NHPI communities in the region.

#### **Regional Network 5: Great Lakes**

- » On February 17, 2023, WHIAANHPI's Regional

Network 5 helped to support WHIAANHPI's Regional Economic Summit in Chicago, Illinois.

- » On May 29, 2024, WHIAANHPI's Regional Network 5 convened a roundtable in Cleveland, Ohio. The panel discussions focused on enhancing financial literacy and understanding of legal rights through informative panel discussions and collaborative dialogue.

#### **Regional Network 6: South Central**

- » On September 30, 2023, WHIAANHPI's Regional Network 6 hosted a community engagement event in Springdale, Arkansas that brought together local AA and NHPI communities, including leaders from the Marshallese community, with federal officials in the region.
- » On July 16, 2024, WHIAANHPI's Regional Network 6 hosted a community engagement event in Houston, Texas, which brought together AA and NHPI community and business leaders, federal officials, intergovernmental partners, and private sector and philanthropic organizations in the region.

#### **Regional Network 7: Midwest**

- » On December 8, 2023, WHIAANHPI's Regional Network 7 hosted a community engagement event in Lenexa, Kansas, to introduce WHIAANHPI to stakeholders in the Kansas City metropolitan area and provide a collaborative space for AA and NHPI community and business leaders, federal officials, intergovernmental partners, and private sector and philanthropic organizations to network.

#### **Regional Network 8: Rocky Mountain**

- » On March 31, 2023, WHIAANHPI's Regional Network 8 held a listening session with AA and







NHPI community leaders in Denver, Colorado, to hear about community priorities in the region and share updates on the federal government’s work to advance equity for AA and NHPI communities.

- » On August 1-2, 2024, WHIAANHPI staff held various community engagements in Region 8 to meet with local AA and NHPI community and business leaders in Salt Lake City, Utah, and discuss opportunities to collaborate.

**Regional Network 9: Northern California / Southwest / Hawai’i and the Pacific**

- » On April 7, 2022, WHIAANHPI’s Regional Network 9 Southwest hosted a roundtable discussion in Southern California, on COVID-19 response and recovery. The event included a listening session to hear community members’ perspectives on community trends and experiences related to the COVID-19 pandemic and included information on the Administration’s COVID-19 response and recovery efforts, including federal resources that are available to AA and NHPI communities.
- » On August 5, 2022, Regional Network 9 Southwest hosted economic summit in Las Vegas, Nevada. The event connected AA and NHPI businesses, labor, and community leaders with federal and state government resources.
- » On August 19, 2022, Regional Network 9 Southwest hosted a health summit in Phoenix, Arizona to connect local AA and NHPI communities with federal resources.
- » On March 21, 2023, WHIAANHPI’s Regional Network 9 Hawai’i and the Pacific hosted a USAJOBS workshop with the National Park Service, the National Oceanic and Atmospheric Administration, Small Business Administration,

Federal Executive Board and the U.S. Fish and Wildlife Service to continue to build capacity and reduce barriers for federal job seekers in accordance with President Biden’s Executive Order 14035, which seeks to foster principles of diversity, equity, and inclusion in the federal workforce.

- » On July 7, 2023, WHIAANHPI’s Regional Network 9 Hawai’i and the Pacific helped to support WHIAANHPI’s Regional Economic Summit in Honolulu, Hawai’i at the Hawai’i State Capitol.
- » On September 7, 2023, WHIAANHPI’s Regional Network 9 Northern California hosted a community roundtable in Sacramento, California, to re-introduce WHIAANHPI to stakeholders in the region and provide a convening space for AA and NHPI community and business leaders, federal officials, intergovernmental partners, and private sector and philanthropic organizations to learn more about the work that is being done to support AA and NHPI communities in this region. The roundtable featured a discussion on various federal programs and resources that are available to them and learn about non-governmental grantmaking opportunities.
- » On May 15, 2024, WHIAANHPI’s Regional Network 9 Northern California gathered federal colleagues and community members to celebrate Asian American, Native Hawaiian, and Pacific Islander Heritage Month in San Francisco, California. Discussions included how to foster community connections, as the event also highlighted challenges faced by vulnerable workers and underserved communities.
- » On December 11, 2024, WHIAANHPI’s Regional Network 9 Southwest hosted a community engagement event in Los Angeles, California, to connect with stakeholders, including AA



*WHIAANHPI and federal agency partners meet with Commonwealth of the Northern Mariana Islands Governor Arnold I. Palacios and Lieutenant Governor David M. Apatang on July 18, 2024. Photo courtesy of Northern Marianas College.*

and NHPI community and business leaders, federal officials, intergovernmental partners, private sector, and philanthropic organizations, to learn more about the work that is being done to support AA and NHPI communities in this region. The event featured discussions on the role of employee resource groups (ERGs) in the government and other sectors as an essential and powerful tool to advance equity, justice, and opportunities for AA and NHPI communities. Additionally, the Small Business Administration regional representatives shared opportunities for small businesses regarding access to federal contracting, business capital, and education.

### **Regional Network 10: Pacific Northwest**

» On June 27, 2022, WHIAANHPI’s Regional Network 10 convened a community engagement in Seattle, Washington at Seattle City Hall to connect local AA and NHPI communities with

federal, state, and local resources.

- » On March 30, 2023, WHIAANHPI’s Regional Network 10 helped to support WHIAANHPI’s Regional Economic Summit in Seattle, Washington held at Seattle City Hall.
- » On November 2, 2023, WHIAANHPI’s Regional Network 10, in collaboration with Oregon’s Commission on APIA Affairs, hosted a community engagement event in Portland, Oregon, to meet with community leaders and learn about the work they are engaged in, while sharing updates from the Biden-Harris Administration on advancing equity, justice, and opportunity for AA and NHPI communities. The event informed attendees about how federal and state agencies and offices are supporting these communities, provide insights into the vision of WHIAANHPI and the activities of the Regional Network.



## CONNECTING WITH OUR COMMUNITIES:

Under the Biden-Harris Administration, the WHIAANHPI Regional Network's federal membership was expanded to over 450 federal officials.

WHIAANHPI staff leveraged the network to significantly increase our engagement with thousands of community members, with visits to all 10 federal regions, including over 25 states, the District of Columbia, and the Pacific Islands.



**August 19, 2022:** WHIAANHPI Regional Network 9 Southwest hosted a health summit in Phoenix, Arizona, convening federal, state, and local leaders to discuss outreach efforts and the health care needs of AA and NHPI communities. Photo courtesy of Paul Chang.



**September 29, 2023:** WHIAANHPI Regional Network 6 convened a roundtable in Springdale, Arkansas, on the challenges faced by the Marshallese diaspora, and joined in celebration of Manit Day to honor the richness of Marshallese culture. Photo courtesy of Kimberly Ly.



**December 8, 2023:** Community leaders from across the Kansas City Metropolitan Area were able to connect with federal officials and access federal resources at a WHIAANHPI Regional Network 7 convening in Lenexa, Kansas. Photo courtesy of Mark Hanson.



**November 6, 2024:** WHIAANHPI Regional Network 3 hosted a community engagement event in Rockville, Maryland with authors, federal officials, and community leaders to celebrate the richness of AA and NHPI stories. Photo courtesy of Tung Tu.

# President's Advisory Commission

*The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission) was established by Executive Order 14031, as amended by Executive Order 14109.*

On February 3, 2022, Vice President Harris swore in the Commissioners, who individually and collectively reflect the rich diversity of AA and NHPI communities throughout the United States. Secretary Xavier Becerra and Ambassador Katherine Tai co-chair the 25-member Commission, which is a two-year federal advisory committee charged with advising the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for AA and NHPI communities.

## COMMISSIONERS UNDER THE BIDEN-HARRIS ADMINISTRATION



In addition to the Co-Chairs, the Commissioners include Sonal Shah (Chief Commissioner); Sarah Min (Deputy Chief Commissioner); Teresita Batayola, Luisa Blue, Dr. Kimberly Chang, Emily Chen, Dr. Kamana'opono M. Crabbe, Kerry Doi, Sameera Fazili, Grace Huang, Victoria Huynh, Mia Ives-Rublee, Krystal Ka'ai, Dr. Kamal Kalsi, Daniel Dae Kim, Vida Lin, Simon Pang, Dr. Raynald Samoa, Smita N. Shah, Dr. Robert A. Underwood, and KaYing Yang. Helen Beaudreau serves as the Executive Director of the Commission.

Dr. Amy Agbayani, Ajay Bhutoria, Michelle Ka'uhane, Kevin Kim, Ai-jen Poo, and Naheed Qureshi also served under the Biden-Harris Administration as Commissioners.

» **Ex-Officio Members:** Amanda Baran, Laureen Laglagaron, Carol Wu

» **Non-Commission Members:** Madihha Ahussain, Deeana Jang, Dr. Joseph Keawe Kaholokula, Dr. Quyen Ngo-Metzger, Dr. Ninez Ponce





*President Joe Biden meets with the President's Advisory Commission on Asian Americans, Native Hawaiians and Pacific Islanders on October 26, 2023, in the South Court Auditorium of the Eisenhower Executive Office Building at the White House. Official White House photo by Adam Schultz.*

In coordination with the Co-Chairs of the Commission and the Deputy Assistant to the President and AA and NHPI Senior Liaison, the Commission is directed to provide advice to the President on:

- i.** The development, monitoring, and coordination of executive branch efforts to advance equity, justice, and opportunity for AA and NHPI communities in the United States, including efforts to close gaps in health, socioeconomic, employment, and educational outcomes;
- ii.** Policies to address and end anti-Asian bias, xenophobia, racism, and nativism, and opportunities for the executive branch to advance inclusion, belonging, and public awareness of the diversity and

accomplishments of AA and NHPI people, cultures, and histories;

- iii.** Policies, programs, and initiatives to prevent, report, respond to, and track anti-Asian hate crimes and hate incidents;
- iv.** Ways in which the federal Government can build on the capacity and contributions of AA and NHPI communities through equitable federal funding, grantmaking, and employment opportunities;
- v.** Policies and practices to improve research and equitable data disaggregation regarding AA and NHPI communities;
- vi.** Policies and practices to improve language access services to ensure AA and NHPI





*Vice President Kamala Harris performs the virtual swearing-in of the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders on February 3, 2022, in the South Court Auditorium of the Eisenhower Executive Office Building at the White House. Official White House photo by Lawrence Jackson.*

communities can access federal programs and services; and

- vii.** Strategies to increase public- and private-sector collaboration, and community involvement in improving the safety and socioeconomic, health, educational, occupational, and environmental well-being of AA and NHPI communities.
- viii.** Ways to expand national awareness of and share information about efforts to advance equity, justice, and opportunity for AA and NHPI communities (*amended through EO 14109*).

During the Biden-Harris Administration, the Commission held four community listening sessions and 10 public meetings where Commissioners

deliberated on and approved 86 recommendations to the President across the following six subcommittees:

- » **Subcommittee 1:** Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination
- » **Subcommittee 2:** Data Disaggregation and Education
- » **Subcommittee 3:** Language Access and Communications
- » **Subcommittee 4:** Economic Equity
- » **Subcommittee 5:** Health Equity
- » **Subcommittee 6:** Immigration and Citizenship Status



The Commission’s efforts closely aligned with the objectives of WHIAANHPI’s federal Interagency Working Group and Regional Network. Commissioners collaborated directly with these entities and engaged with subject matter experts from both within and outside the federal government to create rolling recommendations to the President.

In partnership with the White House, WHIAANHPI, community-based organizations (CBOs), and national leaders, the Commission held in-person community engagements in cities such as Honolulu, Hawai’i; Las Vegas, Nevada; Saint Paul, Minnesota; and the District of Columbia. These events aimed to elevate and better understand the experiences of AA and NHPI communities. Each session included public listening forums where community members shared their perspectives on key policy issues identified by the Commission. The insights gathered significantly shaped the Commission’s strategies and recommendations to the President.

The Commission’s recommendations emphasized addressing longstanding and emerging priorities for AA and NHPI communities. Key areas included improving data disaggregation, enhancing language access, and addressing the shortage of culturally competent health care workers. Notable achievements include hosting the first AA and NHPI Mental Health Summit, which spurred efforts toward a national behavioral health strategy, and the revision of federal race and ethnicity data collection standards under OMB’s Statistical Policy Directive No. 15.

Additionally, recommendations led to improved language access plans across federal agencies and Regional Economic Summits connecting local AA and NHPI small business owners and entrepreneurs with federal resources. These efforts highlight the critical role the Commission played in promoting culturally and linguistically responsive approaches to support diverse AA and NHPI populations.

The recommendations also addressed urgent issues such as combating hate crimes, supporting equitable immigration reform, and preparing for climate-related emergencies. Efforts included prioritizing implementation of the COVID-19 Hate Crimes Act, which President Biden signed into law on May 20, 2021, such as raising awareness of federal resources to address anti-Asian hate, and advocating for investments in local AA and NHPI organizations to foster community trust and safety. Regional Economic Summits underscored the importance of localized engagement to improve access to federal resources. The Commission concluded that sustained investments in data collection, services, workforce development, and community capacity-building are essential for equitable progress.

WHIAANHPI coordinated the implementation of many of the Commission’s recommendations, such as the flagship Regional Economic Summit series, AA and NHPI Mental Health Summit in 2023, the White House AA and NHPI Pride Month Convening in 2024, the White House AA and NHPI Gun Violence Prevention Roundtable, and more.

“ THE COMMISSION SHALL PROVIDE ADVICE TO THE PRESIDENT... ON THE DEVELOPMENT, MONITORING, AND COORDINATION OF EXECUTIVE BRANCH EFFORTS TO ADVANCE EQUITY, JUSTICE, AND OPPORTUNITY FOR AA AND NHPI COMMUNITIES.

— Executive Order 14031 establishing the President’s Advisory Commission



**Minnesota:** On July 1-2, 2024, the President's Advisory Commission held a meeting at the Minnesota State Capitol and a listening session at the Metropolitan State University in Saint Paul to collect comments from community members in the Twin Cities. Photo courtesy of TJ Lor.



**Hawai'i:** The Commission hosted a meeting and a listening session at the Hawai'i State Capitol in Honolulu from July 6-7, 2023. The meeting was the Commission's first in-person convening outside of the continental U.S. under the Biden-Harris Administration. Photo courtesy of Alexandra Kahn.

Historic progress was made in all priority areas. A snapshot of key accomplishments including the following:

- » **Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination:** To implement the COVID-19 Hate Crimes Act, the Administration enhanced efforts to address anti-AA and NHPI violence by revitalizing DOJ's Community Relations Service, issuing hate crimes guidance jointly produced by HHS and DOJ, and launching WHIAANHPI's Innovator Challenge to combat hate and foster healthy communities.
- » **Data Disaggregation and Education:** The Biden-Harris Administration advanced data equity for AA and NHPI communities through initiatives like OMB's updated Statistical Policy Directive No. 15 (SPD 15), disaggregated dataset catalogs, and WHIAANHPI's Data Equity Summit, while also addressing data gaps in U.S. Territories and highlighting best practices at policy summits to improve federal data collection and representation. In response to the

Commission's call for greater federal support for Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), WHIAANHPI organized a Higher Education Summit, hosted listening sessions, and engaged in regional and federal policy discussions to promote targeted outreach, increased funding, disaggregated AA and NHPI student data, and expanded resources from the U.S. Department of Education to tackle educational disparities.

- » **Economic Equity:** In Fiscal Year 2023, Asian American minority-owned small businesses received a record \$9 billion in federal contracting dollars, while the Biden-Harris Administration prioritized AA and NHPI representation through initiatives like regional economic summits, disaggregating SBA and DOL data, workforce training programs, and the WHIAANHPI Federal Employees Leadership Development Conference.



**Nevada:** On February 28, 2024, WHIAANHPI hosted an event in Las Vegas that included a Commission listening session, allowing for Commissioners to connect with small business owners, nonprofit organizations, and local leaders. Photo courtesy of Andrew Peng.



**Washington, DC:** The Commission convened multiple public meetings at the White House and at the Office of the U.S. Trade Representative, and piloted simultaneous translations for livestream viewers in a variety of AA and NHPI languages. Photo courtesy of James Ton.

» **Health Equity:** During National Minority Mental Health Awareness Month in July 2023, WHIAANHPI, HHS, and SAMHSA convened an AA and NHPI Mental Health Summit to advance behavioral health equity for AA and NHPI communities, emphasizing data disaggregation, workforce development, cultural responsiveness, and federal coordination. In 2024, WHIAANHPI worked with the White House and SAMHSA to convene additional discussions focused on mental health, resulting in SAMHSA’s commitment to creating a national strategy to advance behavioral health equity for AA and NHPI communities. The Biden-Harris Administration also expanded health care access through record Affordable Care Act enrollment and strengthened nondiscrimination protections, and through HHS’ intentional outreach to underserved AA and NHPI communities in the Pacific Islands.

» **Immigration and Citizenship Status:** The

Biden-Harris Administration modernized immigration processes by reducing case backlogs, clarifying “public charge” guidelines, renewing the Compacts of Free Association (COFA) and restoring certain federal benefits for COFA migrants, expanding health care access for DACA recipients, streamlining pathways for undocumented spouses, and prioritizing humane enforcement policies, while enhancing language access and employment-based visa rules.

» **Language Access:** The Commission’s recommendations supported significant progress including updated federal agency language access plans; the designation of language access coordinators across USDA, HHS, DOI, DOL, and EPA; interpretation services at WHIAANHPI and Commission meetings; increased language translations of key federal documents; FCC and FEMA’s expansion of language support for emergency alerts; and the revision of the ACA Section 1557 rule.





75 YEARS  
LASTING LEGACIES

LASTING LEGACIES  
AMERICAN OVERSEAS ASSISTANCE



PART II.

# THE POWER OF CONVENING AT THE NEXUS OF POLICY, COMMUNITY, AND THE FEDERAL GOVERNMENT



# The Power of Convening at the Nexus of Policy, Community, and the Federal Government

*From Saipan to New York City, and many places in between, WHIAANHPI traversed the country to meet AA and NHPI communities where they are – bringing together critical federal resources, programs, and personnel to address key policy issues and challenges.*

Through numerous listening sessions and community engagements convened by WHIAANHPI, federal officials heard directly from AA and NHPI stakeholders about the key issues and unique needs of our diverse communities. WHIAANHPI also brought together policy experts and leaders from across federal, state, and local governments and various industries to work with local communities to drive policy forward. These engagements allowed WHIAANHPI to focus on community-centered solutions and to share key federal investments and local resources available to AA and NHPI communities.

These engagements also helped inform the seven strategic priority areas delineated in WHIAANHPI's January 2023 National Strategy, which included both longstanding priorities for AA and NHPI communities, as well as new priorities based on robust stakeholder inputs from AA and NHPI leaders across the country. These seven priorities grounded the implementation of WHIAANHPI's mandate, as well as served as the guiding principles for the 32 agency action plans.

*The seven strategic priorities are as follows:*

1. Promoting belonging, inclusion, and combatting anti-Asian hate and discrimination;
2. Data disaggregation for AA and NHPI communities;
3. Language access for AA and NHPI communities;
4. Promoting equitable and inclusive COVID-19 response and recovery efforts;
5. Capacity building for AA and NHPI communities;
6. Federal workforce diversity; and
7. Outreach and engagement to AA and NHPI communities.



**WHIAANHPI'S MANDATE IS PERSONAL BECAUSE IT SPEAKS TO OUR LIVED EXPERIENCES. THAT'S WHY OUR COMMUNITY-DRIVEN, COMMUNITY-CENTERED WORK IS AT THE CORE OF ALL THAT WE DO.**

**— WHIAANHPI EXECUTIVE DIRECTOR HELEN HYUNJUNG BEAUDREAU**





Vice President Kamala Harris participates a conversation at the White House Forum on AA and NHPis on May 3, 2023, at George Washington University’s Lisner Auditorium in Washington, DC. Official White House photo by Lawrence Jackson.

## COMMUNITY-CENTERED AND POLICY-DRIVEN CONVENINGS

### Asian American, Native Hawaiian, and Pacific Islander Heritage Month Celebrations

In May 2024, the White House and WHIAANHPI hosted *Lasting Legacies* – a landmark celebration of AA and NHPI heritage and history at the Andrew W. Mellon Auditorium in Washington, DC. With in-depth panels, cultural performances, and interactive activities, this historic convening brought together nearly 1,000 AA and NHPI leaders spanning five presidential administrations and marked the 25th anniversary of the establishment of the White House Initiative and the President’s Advisory Commission on AA and NHPis.

In May 2023, the White House and WHIAANHPI hosted *The White House Forum on Asian Americans, Native Hawaiians, and Pacific Islanders*, at The

George Washington University in Washington, DC, under the theme “Visible Together.” Vice President Harris, along with other key Biden-Harris Administration officials, artists, and trailblazers, headlined the marquee event, which drew more than 1,300 AA and NHPI community members from over two dozen states and U.S. territories, making it one of the largest in-person events ever hosted by any Administration during AA and NHPI Heritage Month.

In May 2022, WHIAANHPI held an *AA and NHPI Heritage Month Closing Ceremony* at the U.S. Department of the Interior featuring senior Administration officials, elected officials, and cultural performances. It was the first large, in-person event hosted under the Biden-Harris Administration following the COVID-19 pandemic.





*U.S. Trade Representative Ambassador Katherine Tai speaks at the AA and NHPI Heritage Month Closing Ceremony at the U.S. Department of the Interior on May 29, 2022.*



*A performer prepares for a traditional cultural dance at the White House Forum on AA and NHPIs at The George Washington University on May 3, 2023.*



*U.S. Surgeon General Dr. Vivek Murthy performs with Mark H Taiko Connection at celebration of AA and NHPI History Month on May 13, 2024. Photo courtesy of James Ton.*



*Acting U.S. Secretary of Labor Julie Su writes a message at the White House and WHIAANHPI's 2024 AA and NHPI Heritage Month celebration. Photo courtesy of Alyson Fligg.*

“ YOU MAY FIND WHEN YOU WALK INTO A ROOM THAT YOU ARE THE ONLY ONE WHO LOOKS LIKE YOU OR HAS YOUR LIVED EXPERIENCES. MY MESSAGE IS: WALK IN WITH YOUR CHIN UP, SHOULDERS BACK—**KNOWING THAT YOU ARE REPRESENTING THE VOICES OF SO MANY PEOPLE WHO ARE PROUD THAT YOU’RE IN THAT ROOM.**”

— Vice President Kamala Harris at the White House Forum on AA and NHPIs



*U.S. Secretary of Education Miguel Cardona delivers remarks on student mental health in the Great Hall of the Hubert H. Humphrey Federal Building. Photo courtesy of the U.S. Department of Health and Human Services.*



*Experts, community leaders, and federal officials gather for an AA and NHPI Mental Health Convening at the White House on July 24, 2024. Photo courtesy of Gabriel Young and Maya Vibhakar.*

“ IF WE WANT TO RAISE THE BAR IN EDUCATION, WE MUST ENSURE OUR STUDENTS FEEL SAFE, SEEN, AND SUPPORTED WHILE AT SCHOOL.

**YET THE PANDEMIC LED TO TROUBLING DECLINES IN MENTAL HEALTH FOR ALL STUDENTS, INCLUDING OUR ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER STUDENTS.**

— U.S. Secretary of Education Miguel Cardona

### **Asian American, Native Hawaiian, and Pacific Islander Mental Health Summit**

In July 2023, the White House and WHIAANHPI, in collaboration with HHS and SAMHSA, hosted the first-ever AA and NHPI Mental Health Summit, aimed at improving equity and access to behavioral health care for AA and NHPI communities. The summit, held during National Minority Mental Health Awareness Month, brought together federal officials, mental health professionals, researchers, and community leaders at the HHS Humphrey Building to address mental health challenges within AA and NHPI communities. The summit was borne out of a May 2022 recommendation from the President’s Advisory Commission on AA and NHPs. The event reflected President Biden’s broader national strategy to transform mental health care, emphasizing the urgent need for culturally competent and accessible care. In conjunction with the summit, the White House released a new fact sheet highlight the Biden-Harris Administration’s actions to promote





U.S. Health and Human Services Secretary and WHIAANHPI Co-Chair Xavier Becerra speaks at the White House Initiative AA and NHPI Mental Health Summit on July 20, 2023. Photo courtesy of the U.S. Department of Health and Human Services.

“ THE WELL-BEING OF ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER INDIVIDUALS AND FAMILIES **HOLD TREMENDOUS SIGNIFICANCE IN OUR EFFORTS TO BUILD A HEALTHIER NATION.**

— U.S. Secretary of Health and Human Services Xavier Becerra

access to behavioral health care for AA and NHPI communities.

AA and NHPI communities have faced disproportionate mental health challenges, exacerbated by the COVID-19 pandemic and rising anti-Asian sentiment, which contributed to increases in depression, anxiety, and suicide. Despite these challenges, AA and NHPIs are among the least likely to seek mental health treatment due to

cultural stigma, a shortage of culturally competent providers, and language barriers. The summit aimed to tackle these issues by fostering dialogue and actionable solutions. In July 2024, WHIAANHPI, White House partners, SAMHSA, and community gathered for a listening session at the White House Convening on Mental Health and in September 2024, WHIAANHPI and SAMHSA held listening sessions to begin building out a national strategy on AA and NHPI behavioral health.

### **Native Language Revitalization**

In February 2024, WHIAANHPI and the U.S. Department of Interior (DOI) held a virtual briefing to celebrate a decade of Mahina ‘Ōlelo Hawai‘i (Hawaiian Language Month), and also provided background from DOI on their recently released interdepartmental guidance to honor, elevate, and better integrate ‘Ōlelo Hawai‘i (Hawaiian language) in the federal government. Mahina ‘Ōlelo Hawai‘i, or Hawaiian Language Month, was established in the state of Hawai‘i in 2013 through the signing of Act 28. This annual commemoration aims to elevate and fortify Hawai‘i’s indigenous Hawaiian language. On February 2023, the White House, WHIAANHPI, and DOI also held a virtual engagement listening session for Mahina ‘Ōlelo Hawai‘i where Administration officials heard directly from community leaders and experts on Native Hawaiian language preservation and revitalization. This listening session was specifically relevant to the formulation of the Biden-Harris Administration’s 10-Year National Plan on Native Language Revitalization, which was released in December 2024. The President’s Advisory Commission on AA and NHPIs also included a recommendation for Native Hawaiian language support.

### **Higher Education Leadership Development Summit**

In April 2024, WHIAANHPI convened higher education leaders from across the nation for a historic leadership development summit at the University of California, Berkeley. Co-hosted by the U.S. Office of Personnel Management, the event brought together Biden-Harris Administration officials with higher education leaders, faculty, administrators, and staff to share best practices and address urgent challenges facing AA and NHPIs in higher education. The summit also spotlighted innovative institutions of higher education – including Asian American and Native American

Pacific Islander-Serving Institutions (AANAPISIs) and Native Hawaiian-Serving Institutions (NHSIs) – that have made strides to build inclusive campus communities; create culturally responsive academic support services; and promote student success.

In 2023, WHIAANHPI also launched a national higher education listening tour to deepen community collaborations and strengthen the infrastructure of both AANAPISIs and NHSIs as they prepare students to thrive in the workforce. WHIAANHPI held listening sessions with students, faculty, and administrators at Queens College, City University of New York; the University of Massachusetts Lowell; Metropolitan State University in Minnesota; University of Colorado Denver; and one of the first AANAPISI grantees in history, University of Maryland College Park. WHIAANHPI also joined national convenings with higher education leaders and regional AANAPISI convenings on the East Coast, Midwest, and West Coast.

On September 2023, President Biden also issued the first-ever White House Proclamation to recognize National Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI) Week. In September 2024, the President again issued a Proclamation on AANAPISI Week. In October 2024, the U.S. Department of Education also brought together all current AANAPISI grantees for a two-day AANAPISI Program Director’s Meeting in Washington, DC

On September 2022, in celebration of the 15th anniversary since the establishment of the AANAPISI program, WHIAANHPI and the White House hosted a virtual event to commemorate AANAPISI Week 2022, where Administration officials, students, educators, and advocates convened to celebrate the unique role AANAPISIs played in advancing education equity by supporting thousands of low-income, first-generation AA and NHPI students.

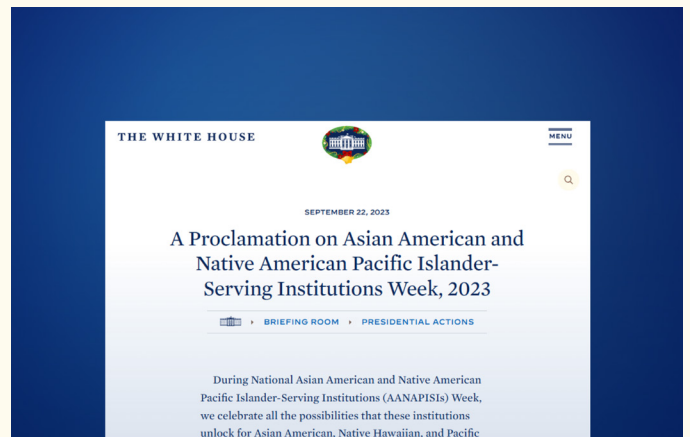




**Supporting Educators:** On April 2, 2024, WHIAANHPI and the U.S. Office of Personnel Management co-hosted a historic higher education leadership development summit at the University of California, Berkeley. The event deepened the Biden-Harris Administration’s collaboration with Minority-Serving Institutions and brought together more than 600 higher education leaders from across the country to share best practices and address urgent challenges facing Asian Americans, Native Hawaiians, and Pacific Islanders in higher education. Photo courtesy of Adam Lau via Berkeley Engineering.



**Uplifting Student Voices:** To help strengthen the infrastructure of educational institutions that serve AA and NHPI students, WHIAANHPI launched a listening tour in 2023 to gain insights from students, faculty, administrators, and education leaders. Photo courtesy of Henry Marte via the University of Massachusetts Lowell.



**Acknowledging AANAPISI Week:** In September 2023, President Joe Biden made history by issuing the first-ever White House proclamation celebrating the impact of the Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI) program. The President also issued a proclamation for AANAPISI Week in 2024.





1. Philadelphia, Pennsylvania — January 26, 2023



2. Chicago, Illinois — February 17, 2023



5. Honolulu, Hawai'i — July 7, 2023



6. Atlanta, Georgia — January 10, 2024

### Regional Economic Summit Series

Small businesses are the engines of our economy. As President Biden says, every time someone starts a new small business, it's an act of hope and confidence in our economy. The Biden-Harris Administration has powered a small business boom across the country – with new business creation rates hitting a 30-year high for Asian Americans.

In January 2023, WHIAANHPI launched a series of regional economic summits to connect AA and

NHPI small business owners, entrepreneurs, and community members directly with federal resources – with the inaugural event held in Philadelphia, Pennsylvania. In collaboration with SBA and community partner the National Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship (National ACE), and spurred by a May 2022 recommendation from the President's Advisory Commission on AA and NHPIs, the series built on the Biden-Harris Administration's commitment to empowering underserved communities by connecting them directly with



3. Seattle, Washington — March 30, 2023



4. New York City, New York — April 11, 2023



7. Saint Paul, Minnesota — July 2, 2024



8. Irvine, California — August 8, 2024

“ THESE SUMMITS ARE A PART OF THE BIDEN-HARRIS ADMINISTRATION’S RESOLVE **TO DELIVER REAL RESULTS FOR OUR AA AND NHPI COMMUNITIES AND BUSINESSES** – BY INVESTING IN OUR COMPETITIVENESS AND BY FOSTERING COLLABORATION.

WE WILL CONTINUE TO PUSH AND PULL FOR ONE ANOTHER, TO FIGHT FOR JUSTICE AND ECONOMIC EQUITY, AND TO BUILD A SOCIETY THAT IS FREER AND FAIRER – FOR ALL AMERICANS.

— U.S. Trade Representative Ambassador Katherine Tai





Attendees gather for a group photo at a WHIAANHPI economic summit at the University of California, Irvine in Irvine, California on August 8, 2024. Photo courtesy of Andrew Ge.

“ THE BIDEN-HARRIS ADMINISTRATION IS COMMITTED TO CREATING EQUITABLE PATHWAYS TO THE AMERICAN DREAM OF BUSINESS OWNERSHIP FOR OUR AA AND NHPI COMMUNITIES **TO ENSURE THEIR GREAT IDEAS AND SKILLS CAN CREATE GENERATIONAL ECONOMIC PROSPERITY.**

— SBA Administrator Isabella Casillas Guzman

federal leaders and resources, including contracting and procurement opportunities, as well as federal jobs, grants, and programs.

Language barriers and limited outreach have historically held AA and NHPIs back from applying for federal procurement, jobs, grants, and programs. Although approximately 10 percent of small

businesses in the U.S. are AA and NHPI-owned, only 2.8 percent of federal contracting dollars went to AA and NHPI small businesses in Fiscal Year 2020, according to the U.S. Small Business Administration. Eight regional economic summits were held across the nation – Philadelphia, Pennsylvania; Chicago, Illinois; New York City, New York; Seattle, Washington; Honolulu, Hawai‘i; Atlanta, Georgia;

KHON2 HAWAII – July 7, 2023

**Eye-opening experience at Hawaii AANHPI economic summit**

GOTHAMIST – April 11, 2023

**White House convenes summit for Asian New Yorkers to discuss economics, anti-Asian bigotry**

THE ATLANTA JOURNAL-CONSTITUTION – January 10, 2024

**White House hosts economic summit for Asian Americans in the metro**

CROSSCUT – April 4, 2023

**Seattle summit addresses Asian American, NHPI economic issues**

Saint Paul, Minnesota; and Irvine, California. The economic summits brought together thousands of small business owners, entrepreneurs, community members, non-profit leaders, and private sector companies – with federal resources and officials.

**Virtual Equity Series**

Throughout May 2022, WHIAANHPI and the White House hosted a monthlong “Advancing Equity” virtual webinar series to explore economic, health, and educational equity. Each conversation convened senior Administration officials and community leaders to dive deeper into each of these equity areas.

» **Advancing Economic Equity:** Featuring special remarks by U.S. Department of Treasury Secretary Janet Yellen, the event informed how AA and NHPI communities can navigate traditional and nontraditional sources of capital and financing. Additionally, U.S. Department

of Commerce Secretary Gina Raimondo and the Minority Business Development Agency Acting National Director Miguel Esti n, delivered opening remarks at another May 2022 virtual event hosted by the White House and WHIAANHPI.

- » **Advancing Educational Equity:** Featured a fireside chat with U.S. Department of Education Secretary Miguel Cardona, the event included AA and NHPI educational leaders who discussed a broad range of issues – from keeping students safe from bullying to supporting Native Hawaiian education.
- » **Advancing Health Equity:** The webinar included conversations with senior officials and community leaders on health equity, mental health, data disaggregation, and language access. The webinar explored long faced health disparities that had been exacerbated by the pandemic.





  
*Native Hawaiian  
and Pacific Islander*  
WHITE HOUSE CONVENING  
FRIDAY, SEPTEMBER 6TH, 2024  
WASHINGTON, D.C.



## UPLIFTING AA AND NHPI VISIBILITY

### White House Native Hawaiian and Pacific Islander Convening

On September 6, 2024, WHIAANHPI and the White House made history by hosting the first-ever White House Native Hawaiian and Pacific Islander (NHPI) Convening. Over 100 community leaders, state and local elected officials, and federal officials gathered to celebrate the rich cultures and achievements of NHPI communities, and the Administration’s efforts to support and empower NHPIs. Attendees heard from top leaders in the Biden-Harris Administration, including U.S. Department of Interior Secretary Deb Haaland; USTR Ambassador Katherine Tai; Federal Emergency Management Agency Administrator Deanne Criswell; Assistant to the President and National Climate Advisor Ali Zaidi; Office of Management and Budget Deputy Director Nani Coloretti; and more. WHIAANHPI also worked with the U.S. Mint to feature a replica of the Edith Kanaka’ole Quarter issued in 2023 as part of the U.S. Women Quarter Series.

### Visits to Guam and the Commonwealth of the Northern Mariana Islands (CNMI)

In July 2024, WHIAANHPI held community engagements in Guam and the Commonwealth of the Northern Mariana Islands (CNMI), bringing together over 40 federal officials from across Region 9 to meet with territorial government leaders, non-profit organizations, health centers, and businesses. This was WHIAANHPI’s first trip to these U.S. territories under the Biden-Harris Administration, and marked the first time in over a decade that the Initiative had held engagements in a U.S. territory. The trip helped AA and NHPI communities to establish and deepen relationships with federal leaders, learn more about federal resources, and better inform the federal government about unique challenges faced in the Pacific Island territories.

### First-Ever AA and NHPI Pride Convening

During 2023 Pride Month, the Biden-Harris Administration paid tribute to the generations of LGBTQI+ Americans who have helped to write America’s story. In addition, on June 2023, the White House and WHIAANHPI hosted a historic convening to highlight the unique challenges and experiences of Queer and Trans Pacific Islanders (QTPI) and Asian American LGBTQI+ individuals.

### The White House Inaugural Chuseok Celebration

On September 17, 2024, the WHIAANHPI and the White House hosted the first-ever White House Chuseok celebration, the Korean mid-autumn festival. Over 100 Korean Americans gathered to give thanks and honor the vibrancy, culture, and contributions of the Korean American community to our country. They were joined by key officials and Korean American leaders from across the Biden-Harris Administration.

### WHIAANHPI Asian American Adoptees Virtual Convening

In November 2024, the White House and WHIAANHPI recognized National Adoption Month by hosting an intimate virtual roundtable to uplift Asian American adoptees’ voices and perspectives on Asian intercountry adoption. The convening highlighted the critical experiences of Asian American adoptees. It also followed on a previous WHIAANHPI-hosted roundtable in Minnesota in July 2024 with Asian intercountry adoptees.

### White House Filipino American History Month Celebrations

In 2023 and 2024, the White House and WHIAANHPI, gathered key Filipino American





*President Joe Biden and First Lady Jill Biden host a Lunar New Year Celebration on January 26, 2023, in the East Room of the White House. Official White House photo by Carlos Fyfe.*

leaders from across the nation at the White House to celebrate and honor Filipino American history, including the community's contributions in the arts and entertainment industry, academics, health care, and more. The White House and WHIAANHPI hosted virtual events for Filipino American History Month in 2021 and 2022.

### **Celebrating the 50th Anniversary of Title IX and Honoring the Legacy of Patsy Mink**

In June 2022, the White House and WHIAANHPI hosted a special virtual event commemorating the 50th anniversary of Title IX and the legacy of Representative Patsy Takemoto Mink (D-HI), the first woman of color and first Asian American woman to serve in the U.S. House of Representatives. Senior

Administration officials, members of Congress, national leaders, and beneficiaries of Title IX joined together to highlight the progress made in advancing gender equity over the last 50 years.

### **2022 Lunar New Year Celebration**

In the midst of the ongoing COVID-19 pandemic, the White House and WHIAANHPI hosted a virtual 2022 Lunar New Year Celebration in February 2022. Key White House and Administration officials, along with AA and NHPI community leaders participated in a virtual celebration. The White House also hosted an inaugural Lunar New Year Celebration in January 2023, marking the first time any Administration had formally hosted a public event to celebrate this occasion in the East Wing of the White House.





## HONORING OUR HERITAGE:

Under the Biden-Harris Administration, the White House hosted historic celebrations of our communities. WHIAANHPI staff frequently collaborated with the White House to create meaningful events and engagements.



**Diwali:** The White House joined Hindus, Jains, Sikhs, and Buddhists in celebrating the Festival of Lights, including through diya lighting ceremonies and celebrations in the East Wing and the Vice President's Residence.



**Vesak:** Second Gentleman Douglas Emhoff hosted the White House's Vesak celebrations to honor the most sacred holy day for Buddhists around the world, as part of an annual tradition that began in 2021.



**Chuseok:** The White House hosted its first-ever Chuseok celebration with Korean American community leaders on September 17, 2024. The Biden-Harris Administration has also commemorated Korean American Day every year.



**Filipino American History Month:** The White House and WHIAANHPI welcomed the return of in-person Filipino American History Month celebrations in 2023 after marking the occasion through virtual events.



## INSIDE THE PEOPLE'S HOUSE

*The White House has served as a place to reflect on the rich heritage, legacies, and vast contributions of our nation's AA and NHPI communities.*



*President Joe Biden and Vice President Kamala Harris meet with AA and NHPI civil rights leaders on August 5, 2021 in the State Dining Room of the White House. Official White House photo by Adam Schultz.*



*Dancers perform during a reception in celebration of the Festival of Lights on October 24, 2022, in the East Room of the White House. Official White House photo by Erin Scott.*



*First Lady Jill Biden speaks with members of the Choy Wun Dance Troupe in the Blue Room ahead of a White House Lunar New Year celebration on February 12, 2024. Official White House photo by Erin Scott.*



*Attendees watch a screening of the TV series “American Born Chinese” on May 8, 2023, in the East Room of the White House. Official White House photo by Cameron Smith.*





President Joe Biden delivers remarks at a Rose Garden reception for Asian American, Native Hawaiian, and Pacific Islander Heritage Month on May 13, 2024, at the White House. Official White House photo by Carlos Fyfe.



Vice President Kamala Harris greets vendors participating in night market in honor of AA and NHPI Heritage Month on May 9, 2024, at the Vice President’s Residence. Official White House photo by Lawrence Jackson.



WHIAANHPI and the White House Office of Public Engagement host a special AA and NHPI Pride Month convening at the Eisenhower Executive Office Building on June 24, 2024. Photo courtesy of Gabriel Young.





President Joe Biden meets with survivors and community leaders after Maui's deadly wildfires on August 21, 2023, at the Lāhainā Civic Center on the island of Maui, Hawai'i.

“ WE ARE COMMITTED TO MAKING SURE MAUI HAS EVERYTHING THE FEDERAL GOVERNMENT CAN OFFER TO HEAL AND BUILD BACK BETTER AND AS FAST AS POSSIBLE... **WE REMAIN FOCUSED ON REBUILDING THE WAY THE PEOPLE OF MAUI WANT TO BUILD BY RESPECTING SACRED LANDS, CULTURES, AND TRADITIONS.**

— President Joe Biden

## SOLIDARITY WITH COMMUNITIES IN CRISIS

### Maui Wildfires

The Maui wildfires were one of the deadliest wildfires in United States history. Immediately following the devastating tragic wildfires on Maui, President Biden approved a Major Disaster Declaration mobilizing a whole-of-government emergency response. The President and First Lady Dr. Jill Biden also visited the wildfire-impacted sites and underscored the importance of supporting a community-centered and community-led recovery as part of the federal response.

WHIAANHPI Co-Chairs and Executive Director, and White House AA and NHPI Senior Liaison, along with a number of key Administration officials also visited the impacted sites on multiple occasions in the aftermath of the wildfires to assess the



*White House and WHIAANHPI staff visit the Federal Emergency Management Agency’s (FEMA) Maui Branch after touring an area devastated by wildfires on Lāhainā, Hawai‘i. Photo courtesy of FEMA.*



*President Biden and First Lady Jill Biden pay their respects at the sacred site of Moku‘ula, near Lāhainā’s famous banyan tree, and participate in a blessing ceremony with Native Hawaiian leaders.*

progress of recovery efforts and to reaffirm the Administration’s commitment to Maui.

Throughout the initial response and ongoing recovery efforts, WHIAANHPI played a key role in working with the White House and federal interagency partners to advise on cultural sensitivity and language access issues related to AA and NHPI communities affected by the Maui wildfires. WHIAANHPI also worked in close partnership with the Federal Emergency Management Agency to issue Public Service Announcements and highlight resources for impacted communities.

### **2022 Hunga Tonga Volcano Eruption and Tsunami**

On January 14, 2022, Tonga’s Hunga Tonga-Hunga Ha’apai volcano erupted and triggered tsunami waves that reached Tonga and many other Pacific Island countries. The national disaster affected Tonga’s housing, public infrastructure, and air and water quality. The Biden-Harris Administration

immediately increased its assistance through several coordinated efforts.

Charged with coordinating a whole-of-government approach to advance equity, justice, and opportunity for AA and NHPIs, immediately following the eruption and tsunami, on January 15, WHIAANHPI connected with AA and NHPI community leaders, including those from the Tongan American community, to ensure their voices were included in the federal government’s response. As a result of community requests, the White House and WHIAANHPI hosted a briefing on January 28 featuring speakers from the U.S. Department of State and the U.S. Agency for International Development on the Biden Administration’s response to the humanitarian crises in Tonga, particularly in providing culturally appropriate aid delivery.

### **Monterey Park and Half Moon Bay Lunar New Year Shootings**

Days after the tragic Monterey Park shooting that



occurred during 2023 Lunar New Year celebrations, Vice President Harris attended a memorial for victims of the shooting. President Biden himself traveled to Monterey Park where he spent hours meeting with families who lost loved ones. During his 2023 State of the Union Address, the President recognized Brandon Tsay, who joined First Lady Dr. Jill Biden as a guest of the White House, for demonstrating remarkable courage when Tsay disarmed the shooter responsible for the Monterey Park mass shooting. President Biden also issued an Executive Order containing new actions to crack down on the epidemic of gun violence. The White House launched the first-ever White House Office of Gun Violence Prevention, and the Administration implemented the Bipartisan Safer Communities Act, which President Biden signed into law on June 25, 2022. As the most meaningful gun safety legislation in nearly 30 years, the Bipartisan Safer Communities Act strengthens background checks; expands the use of red flag laws; improves access to mental health services for students dealing with the trauma of gun violence, and more. WHIAANHPI Co-Chairs, as well as other key Administration officials, also visited Monterey Park and met with the survivors and community members.

President Biden also issued a statement on the one-year anniversary of the shootings in Monterey Park and Half Moon Bay.

### Atlanta Spa Shootings

In March 2021, following the horrific Atlanta spa shootings in which a gunman targeted three separate

Asian-run businesses and killed eight people, including six women of Asian descent, the President and Vice President met with AA and NHPI leaders in Georgia to denounce anti-Asian violence and gender-based violence. The President also released new actions to respond to the increase in acts of anti-Asian violence, xenophobia and bias, and to advance safety, inclusion, and belonging for AA and NHPI communities.

In March 2022, White House and WHIAANHPI attended an in-person community vigil in Georgia to mark the one-year anniversary of the murders. WHIAANHPI and the White House also hosted a virtual national Women's History Month event to commemorate the one-year anniversary of the tragic Atlanta shootings. The event brought together senior Administration officials at the White House, WHIAANHPI, and AA and NHPI women leaders from across the country united in combatting hate. Additionally, WHIAANHPI Regional Network of federal officials in regional offices hosted roundtables throughout the month of March, to connect local communities with critical mental health, hate crimes reporting, bystander intervention, and legal resources.

HHS Secretary Becerra and USTR Ambassador Tai, Co-Chairs of WHIAANHPI and the Commission issued joint statements on each of the anniversaries of the Atlanta spa shootings to underscore the Biden-Harris Administration's commitment to combat anti-Asian hate and gender-based violence, especially through historic investments to provide culturally and linguistically appropriate resources.

---

“ AS WE GATHER HERE TODAY, I KNOW YOUR HEARTS ARE BROKEN, BUT I KNOW YOUR SPIRITS ARE STRONG.

— President Joe Biden in Monterey Park, California



**January 25, 2023:** Vice President Kamala Harris visits a memorial outside of a mass shooting at a dance studio on Lunar New Year's Eve in Monterey Park, California. Official White House photo by Lawrence Jackson.



**March 14, 2023:** President Joe Biden greets Brandon Tsay after delivering remarks on his efforts to reduce gun violence and announcing an Executive Order to increase background checks for firearm sales at the Boys & Girls Club of West San Gabriel Valley in Monterey Park, California. Official White House photo by Adam Schultz.



**March 19, 2021:** President Joe Biden and Vice President Kamala Harris participate in a listening session with AA and NHPI community leaders and state lawmakers at Emory University in Atlanta, Georgia. The President and Vice President also addressed the nation. Official White House photo by Adam Schultz.





*Attendees gather for a group photo at the Asian American, Native Hawaiian, and Pacific Islander Federal Employee Leadership Development Conference in Washington, DC on March 7, 2024. Photo courtesy of James Ton.*

## **STRENGTHENING FEDERAL EMPLOYMENT PATHWAYS**

### **AA and NHPI Federal Employee Leadership Development**

In May 2023, the Biden-Harris Administration hosted a historic AA and NHPI Federal Employee Leadership Development Conference focused on supporting AA and NHPI federal employees and cultivating leaders within the federal government. The event marked the first time such an event has been held at this scale by any administration in nearly a decade. More than 1,000 employees representing over 100 federal agencies registered to attend the hybrid conference, which was co-hosted by WHIAANHPI, OPM, and the U.S. Department of Transportation (DOT).

While three members of President Biden’s historically diverse Cabinet are Asian American,

and representation is evident throughout staffing at every level of the Administration—with 14 percent of candidates appointed or nominated to positions within the Biden-Harris Administration identifying as AA and NHPI as of December 2022—the story is different for the federal government’s civil service.

According to OPM demographic diversity data, Asian Americans made up 6.49 percent of the total federal workforce in Fiscal Year 2021, while Native Hawaiians and Pacific Islanders (NHPIs) comprised 0.56 percent. Of federal employees at the Senior Executive Service (SES) level, just 4.68 percent were Asian American, and 0.16 percent were NHPI.

In 2024, WHIAANHPI, OPM, and DOT held a subsequent conference for AA and NHPI federal employees. These conferences reaffirmed the

Biden-Harris Administration’s commitment to promoting federal government services, empowering AA and NHPIs, and attracting and retaining top talent. The conferences also ensured that the contributions and humanity of AA and NHPI federal employees – whose work impacts millions of Americans and future generations – are seen and valued. Furthermore, the conferences built upon WHIAANHPI’s previous partnership with OPM on webinars to help community members jumpstart their federal careers and encourage AA and NHPI students to apply to the Presidential Management Fellows Program, the federal government’s flagship leadership development program for advanced degree holders.

### **Navigating the Federal Security Clearance Process Webinar**

In August 2024, WHIAANHPI and the U.S. Department of Defense’s Defense Counterintelligence and Security Agency (DCSA) co-hosted a webinar to promote understanding of the federal security clearance process for prospective, new, and existing government employees. The purpose of the webinar was to increase the public’s awareness and understanding of the federal clearance process, to promote fairness within the clearance process, and encourage underrepresented people to apply for federal employment.

### **WHIAANHPI Internship Program Webinar**

On November 2023, WHIAANHPI hosted an informational webinar about the WHIAANHPI Internship Program for prospective student applicants. The WHIAANHPI Internship Program offers a unique experience for students to experience public service, skills development, mentoring and special events.

### **White House Fellows Program Webinar**

On December 2023, WHIAANHPI in collaboration with the White House Fellows Foundation & Association (WHFFA), hosted an information webinar about the White House Fellows Program. The White House Fellows program is one of America’s most prestigious programs for leadership and public service. White House Fellowships offer exceptional emerging leaders first-hand experience working at the highest levels of the Federal government.

### **Navigating USAJobs: Finding and Applying for Jobs with the Federal Government Webinar**

On September 2022, WHIAANHPI partnered with OPM to host a webinar on searching and applying for jobs and internships on USAJOBS (usajobs.gov), the federal government’s main employment site.

“ OPM RECOGNIZES THAT WITH EACH UNIQUE PERSPECTIVE IN OUR WORKFORCE, WE ARE BETTER PREPARED TO MEET THE DIVERSE NEEDS OF THE AMERICAN PEOPLE.

**AA AND NHPI FEDERAL EMPLOYEES CONTRIBUTE EVERY DAY TO THE VITAL WORK OF THE FEDERAL GOVERNMENT AND SUPPORT ITS MISSION.**

— *Former Director of the U.S. Office of Personnel Management Kiran Ahuja*





Panelists speak at the Asian American, Native Hawaiian, and Pacific Islander Data Equity Summit at the White House on May 29, 2022. Photo courtesy of Paul Chang.

## CAPACITY BUILDING FOR AA AND NHPI COMMUNITIES

### WHIAANHPI Innovator Challenge to Combat Hate and Promote Healthy Communities

In September 2024, WHIAANHPI launched a rapid response national idea competition for 501(c)3 community-based organizations to propose community-driven efforts to raise greater awareness of hate crimes and address the health consequences, including mental health, of communities burdened by bullying, hate, and bias.

*Over 100 innovative ideas were submitted from across the nation, and three prize winners were chosen:*

- » the Hawai‘i Arts Alliance;
- » the National Asian American Pacific Islander Mental Health Association (NAAPIMHA); and

- » the Vietnamese American Community Center of the East Bay (VACCEB).

### AA and NHPI Environmental Leadership Summit

As part of WHIAANHPI’s mandate to secure climate and environmental justice for AA and NHPI communities who are particularly impacted by the climate crisis and are overburdened by environmental degradation, in August 2024, WHIAANHPI participated in the EPA Regional Roadshow in Salt Lake City, Utah, to support communities in accessing funding opportunities from the Inflation Reduction Act and President Biden’s Investing in America agenda.

Led by WHIAANHPI and EPA, this initiative fostered community-driven partnerships and

provided resources to help disadvantaged communities navigate these historic investments.

Building on this effort, WHIAANHPI and the EPA hosted an Environmental Leadership Summit in Anchorage, Alaska, in October 2024 to connect AA and NHPI and Indigenous leaders with funding opportunities and technical support. The summit strengthened collaboration between federal agencies, non-governmental organizations, and youth leaders to address environmental challenges. These events sought to empower communities most affected by climate change and pollution while supporting individuals committed to leading the fight for environmental and climate justice.

**WHIAANHPI and OMB Webinar on SPD 15**

On May 28, 2024, WHIAANHPI partnered with the White House Office of Management and Budget (OMB) to host a landmark webinar celebrating the historic revisions to Statistical Policy Directive No. 15 (SPD 15). These updates represent a transformative shift in how the federal government collects and analyzes race and ethnicity data, addressing long-standing calls for disaggregated data collection by AA and NHPI leaders over the past three decades.

The event brought together senior White House officials, OMB leaders including Deputy Director Nani Coloretti, and prominent AA and NHPI community voices to discuss the far-reaching implications of these updates for policy development,

resource allocation, and equity-focused initiatives. Attendees engaged directly with OMB officials, posing thoughtful questions about implementation plans and continued community collaboration. The webinar concluded with a call to action for stakeholders to sustain momentum in advancing data equity and ensuring these revisions are fully implemented across federal agencies.

**National AA and NHPI Data Equity Summit**

In May 2022, WHIAANHPI partnered with the National Council for Asian Pacific Americans, AAPI Data, and the CDC Foundation to host a Data Equity Summit at the White House. The summit showcased and discussed federal and community progress made on data and research involving AA and NHPI populations with a focus on racial equity.

**Demystifying Federal Grants Technical Assistance Webinar Series**

In August 2023, WHIAANHPI launched “Demystifying Federal Grants,” a technical assistance webinar series developed in collaboration with the National Science Foundation and The Asian American Foundation that aims to share insights to help nonprofit and community-based organizations better prepare and apply for federal grants.

Building on the Biden-Harris Administration’s efforts to bolster technical assistance outreach to underserved communities, each webinar will bring

“ COMMUNITY-BASED ORGANIZATIONS PLAY AN INSTRUMENTAL ROLE IN ENSURING THAT ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS **HAVE ACCESS TO CULTURALLY AND LINGUISTICALLY APPROPRIATE RESOURCES AND SERVICES.**

— Former WHIAANHPI Executive Director Krystal Ka’ai



together experts from diverse sectors to explore best practices and strategies – and provide insights on the criteria and factors behind funding decisions.

### **CMS and WHIAANHPI Webinar: Healthcare Coverage for AANHPI**

Centers for Medicaid and Medicare Services (CMS) and WHIAANHPI held a webinar on “Healthcare Coverage for AANHPI,” during CMS’ Marketplace Open Enrollment AANHPI Theme Week in 2023, to address healthcare access and equity for AA and NHPI communities. The event highlighted the tools and resources available through Marketplace enrollment, Medicaid, Medicare, and CHIP, while shedding light on the unique challenges AA and NHPI individuals face in accessing healthcare.

The webinar reinforced the critical importance of ensuring underserved communities have the knowledge and resources to secure comprehensive coverage.

CMS principals discussed the federal efforts to improve equity in healthcare access, while community leaders offered on-the-ground perspectives on the systemic barriers impacting their communities. Through a robust Q&A session, participants had the opportunity to directly engage with policymakers, emphasizing the urgency of addressing cultural, linguistic, and economic gaps in healthcare systems.

The event concluded with a commitment by

WHIAANHPI and CMS to collaborate on actionable solutions, ensuring the voices of AA and NHPI communities continue to drive meaningful policy and programmatic changes.

### **USDA and WHIAANHPI Webinar: Resources for AANAPISI and ANNHSI**

On February 13, 2024, USDA and WHIAANHPI brought together educators, policymakers, and federal representatives to explore resources for Asian American and Native American Pacific Islander-Serving Institutions and Alaska Native and Native Hawaiian-Serving Institutions (ANNHSIs).

WHIAANHPI opened the session with a call to action, highlighting the transformative role these minority-serving institutions play in providing equitable opportunities for low-income, first-generation students. The event showcased the collaborative potential between federal agencies and educational institutions, emphasizing shared goals of reducing educational disparities and enhancing student success.

Speakers from the U.S. Department of Education and USDA shared vital information about funding designations and programs tailored to AANAPISIs and ANNHSIs. Presentations detailed how these institutions are addressing challenges faced by underserved communities and fostering academic and economic empowerment. Participants engaged in a dynamic Q&A session that provided clarity on funding processes and collaborative opportunities.

---

**Additional photo credits:** *Images appearing throughout this report are courtesy of the following photographers: Kimberly Ly (page 12); Annette Lee (page 22 and 39), Andrew Ge (pages 25 and 33), James Blocker (page 32), Dave Vasudevan (page 32), Alexandra Kahn (page 32), Boon Vong (page 32), Paul Chang (page 33), Tony Ning (page 33), TJ Lor (page 33), Albert Ting (page 36 and 61), and James Ton (page 52). The photos appearing on pages 6, 39, 42, 43, 51, and in the appendices are courtesy of the White House.*











PART III.

# A WHOLE-OF-GOVERNMENT APPROACH IN ACTION





# A Whole-of-Government Approach in Action

*On January 17, 2023, as part of WHIAANHPI's rollout of its National Strategy to Advance Equity, Justice, and Opportunity for AA and NHPI Communities, 32 federal agencies from members of the IWG – including from all 15 executive departments of the President's Cabinet – released comprehensive agency action plans. These agency plans exemplify the Biden-Harris Administration's commitment to deepening collaboration with AA and NHPI communities to achieve the vision of a nation where all people can thrive and live up to their full potential.*

During a special virtual unveiling event, senior Biden-Harris Administration officials outlined the details of the agency plans, which build on the Administration's previous actions to promote safety and equity for AA and NHPIs. Community leaders also discussed additional steps the federal government can take to address critical priorities for AA and NHPI communities, including data disaggregation, language access, and combatting anti-Asian hate.

On February 16, 2023, WHIAANHPI also hosted the first in-person meeting of the IWG at the White House, where more than 40 senior-level Executive Branch officials and leaders gathered to discuss opportunities to strengthen coordination of WHIAANHPI's work.

*The agency plans focused on seven cross-cutting strategic priority areas which are aligned with the Administration's broader equity agenda:*

1. Promoting Belonging and Combatting Anti-Asian Hate
2. Data Disaggregation
3. Language Access
4. COVID-19 Response & Recovery
5. Capacity Building
6. Federal Workforce Diversity
7. Outreach and Engagement to the AA and NHPI Communities

Since the January 2023 release of the agency action plans, there has been significant progress across the interagency focused on the seven strategic priority areas. The full progress reports for each of the agencies can be found in Appendix D.



Vice President Kamala Harris takes a photo with AA and NHPI staff from across the Biden-Harris Administration on the Navy Steps of the Eisenhower Executive Office Building at the White House in May 2023.

The following highlights key accomplishments and investments by the Biden-Harris Administration for AA and NHPI families and communities:

### **Priority 1: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate and Discrimination**

» **Federal Equity Action Plans:** In 2023, federal agencies updated their Equity Action Plans in line with Executive Order 14091 to address barriers faced by underserved communities in accessing agency policies, programs, and activities. The updated plans feature over 100 new commitments and strategies from 23 major federal agencies for 2024 and beyond, alongside actions from smaller agencies, all aimed at advancing racial equity under eight whole-of-government equity objectives. These efforts support the Biden-Harris Administration’s priority of creating a more equitable nation.

» **DOJ’s United Against Hate Program:** DOJ launched the *United Against Hate* program across all 94 U.S. Attorneys’ Offices, holding over 300 events with 10,000+ participants to improve hate crime reporting, educate communities, and build trust with law enforcement.

» **SAMHSA Anti-AA and NHPI Hate Workgroup:** SAMHSA’s *Pathways Forward* workgroup partnered with AA and NHPI community-based organizations and created in 2024 the Asian American, Native Hawaiian, and Pacific Islander Healing, Empowerment, Awareness, & Resilience Toolbox (HEART)– to serve as a resource for communities impacted by anti-Asian hate incidence.

» **Asian American, Native Hawaiian, and Pacific Islander Behavioral Health Center of Excellence (‘Ohana CoE):** The ‘Ohana CoE



is creating *culture cards* to inform providers about AA, NH, and PI communities’ unique cultural needs, hosting webinars, and preparing a podcast series exploring behavioral health from a decolonization perspective.

**Priority 2: Data Disaggregation for AA and NHPI Communities**

- » **OMB SPD 15 Update:** In March 2024, OMB revised Statistical Policy Directive No. 15 to improve federal race and ethnicity data collection. The updated standards require agencies to collect detailed race and ethnicity beyond the minimum categories, including the Asian category and the Native Hawaiian and Pacific Islander (NHPI) categories.
- » **Census Bureau Data:** The 2020 Census released detailed demographic data, disaggregating 47 Asian groups and 35 NHPI groups, providing a more nuanced understanding of these populations.
- » **FEMA’s Cultural Protocol Task Force:** Established to improve cultural competency and integrate cultural protocols in the Maui Wildfires response, enhancing outreach to affected communities.
- » **CFPB Rule Change:** A new rule requires financial institutions to report more granular lending data, disaggregating Asian and NHPI categories to improve credit access analysis for small businesses.
- » **WHIAANHPI Data Equity Summit:** In May 2022, WHIAANHPI hosted a data equity summit at the White House to highlight both the urgent need for greater AA and NHPI data disaggregation, as well as to share best practices and successful models of how federal agencies can better collect and report disaggregated AA

and NHPI data in federal surveys, reports, and research. Data equity discussions were also featured during the White House Forum on Asian Americans, Native Hawaiians, and Pacific Islanders, and WHIAANHPI’s Policy Summit in September 2024.

- » **National Fact Sheets:** WHIAANHPI released the *2024 National Overview: Asian American, Native Hawaiian, and Pacific Islander Communities* fact sheet in collaboration with AAPI data. This resource provides timely insights on AA and NHPI population numbers nationally and across states. It reveals significant community needs related to education, poverty, employment, health insurance, language access, and housing. These differences are often hidden or masked by averaged racial data.
- » In conjunction with the fact sheet, WHIAANHPI also uplifted federal data collections of U.S. Territories, including American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the U.S. Virgin Islands provided through the DOI Office of Insular Affairs, 2020 Island Areas Censuses Data Products and the Economic Census by Island Areas.

**Priority 3: Language Access for AA and NHPI Communities**

- » **Federal Language Access Plans:** Aligned with a Commission recommendation, the U.S. Attorney General issued a memorandum requesting all federal agencies recommit to Executive Order 13166, resulting in updated language access plans and designated language access coordinators at USDA, HHS, DOJ, DOL, and EPA. View all plans at [www.lep.gov/language-access-plans](http://www.lep.gov/language-access-plans).
- » **HHS Section 1557 Rule:** In 2023, HHS finalized a rule under Section 1557 of the Affordable Care Act, enhancing civil rights protections in



Panelists speak about youth mental health at WHIAANHPI's National Policy Summit at the U.S. Department of Transportation's headquarters in Washington, DC on September 26, 2024. Photo courtesy of James Ton.

federally funded health programs and reversing prior limitations. The rule mandates that entities such as hospitals and insurers provide meaningful access to individuals with limited English proficiency by offering free language assistance services and notifying individuals of their availability.

- » **BLS Labor Force Data:** In September 2022, Bureau of Labor Statistics (BLS) began publishing monthly labor force estimates for Native Hawaiians and Pacific Islanders (NHPIs), and in 2023, BLS expanded its labor force estimates for Asian ethnic groups including Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asians from seasonal to monthly publications.
- » **USDOT Listening Sessions:** Since October 2022, the Federal Transit Administration conducted

eight community listening sessions to better understand AA and NHPI perceptions of public transit safety and quality.

- » **HHS/CMS Language Support:** CMS established contracts in 2023 to translate documents into multiple languages, provide telephonic interpretation services, and conduct linguistically tailored outreach, including Medicare-related requirements for multilanguage inserts and provider directories highlighting cultural and linguistic capabilities. During Open Enrollment, CMS conducted outreach to historically underserved communities, including providing translated resources in Chinese (Mandarin and Cantonese), Korean, Vietnamese, Tagalog, and Hindi.

**Priority 4: Promoting Equitable and Inclusive COVID-19 Response and Recovery Efforts**





U.S. Health and Human Services Secretary Xavier Becerra, joined by WHIAANHPI Executive Director Krystal Ka'ai, hosts a roundtable with national AA and NHPI leaders representing health advocacy and civil rights organizations on May 6, 2024, in the Hubert H. Humphrey Building in Washington, DC. Photo courtesy of Amy Rossetti.

» **HHS Resource Guides on Cultural Competency:** In 2023, the HHS Office of Minority Health (OMH) issued three comprehensive guides addressing best practices for cultural competency, language access, and data disaggregation. These guides, developed with community input and expert engagement, aim to improve COVID-19 response activities:

- » *The Language Access Resource Guide provides strategies to meet the linguistic needs of AA and NHPI communities.*
- » *The Community Engagement Resource Guide focuses on fostering partnerships with community organizations to amplify diverse perspectives.*
- » *The Data Disaggregation Resource Guide*

*outlines methods to enhance the collection and reporting of detailed data on AA and NHPI populations.*

» **WHIAANHPI and SAMHSA Partnerships:** SAMHSA, HHS, and WHIAANHPI co-hosted the White House AA and NHPI Mental Health Summit in July 2023, bringing together diverse stakeholders such as behavioral health professionals, policymakers, community leaders, and individuals with lived experience. Discussions centered on improving mental health outcomes for AA and NHPI populations. A month later, SAMHSA convened the “Pathways Forward” meeting, where four workgroups developed action plans on critical topics, including 988 crisis care, behavioral health workforce expansion, language justice, and combating anti-AA and NHPI hate.

- » In September 2024, SAMHSA hosted listening sessions at WHIAANHPI’s Policy Summit to inform a forthcoming national AA and NHPI behavioral health strategy.

**Priority 5: Capacity Building for Asian American (AA) and Native Hawaiian and Pacific Islander (NHPI) Communities**

- » **HUD Native Hawaiian Housing Block Grant (NHHBG) Program Rule Update:** On February 12, 2024, HUD finalized regulations to expand affordable housing options for Native Hawaiian families by allowing tenant-based and project-based rental assistance under NHHBG funds. The Final Rule made changes to the NHHBG regulation to clarify that NHHBG funds may be used for tenant-based or project-based rental assistance, thereby diversifying the types of affordable housing options available for Native Hawaiians.
- » **CFPB Employee Resource Group (ERG) Training:** The Consumer Financial Protection Bureau (CFPB) hosted a three-day training for ERG leaders, including ASPIRE ERG that focuses on API staff, to enhance program management, align ERGs with organizational objectives, and support diversity initiatives.
- » **DHS Indigenous Languages Plan:** The Department of Homeland Security (DHS) released its Indigenous Languages Plan, aligned with the requirements of Executive Order 13166, to enhance communication with limited English proficient (LEP) individuals by addressing critical language barriers for vulnerable populations.
- » **DOL AA and NHPI Hall of Honor Inductees:** El Monte Thai Garment Workers were inducted into the DOL Hall of Honor in September 2023 to recognize their contributions and struggles.

The ceremony was translated into Thai, with AA and NHPI community groups invited to celebrate this milestone. On November 20, 2024, DOL also inducted Filipino labor leaders – Larry Duly Ithiong, Philip Vera Cruz, and Peter Gines Velasco – of the Delano Grape Strike into the Hall of Honor. Family members of the inductees, along with AA and NHPI community leaders celebrated the event.

- » **FTC Maui Wildfires Disaster Recovery Resource:** The Federal Trade Commission (FTC) released “Picking Up the Pieces After a Disaster” in multiple languages, including ‘Ōlelo Hawai‘i, Japanese, Tagalog, and Tongan, to support impacted Maui residents. Resources focused on avoiding scams and financial recovery.

**Priority 6: Federal Workforce Diversity**

- » **Diversity in Federal Appointments:** WHIAANHPI’s whole-of-government approach comprises a mandate to “foster the recruitment, career and leadership development, retention, advancement, and participation of AA and NHPI public servants at all levels of the Federal workforce.”
- » Separately, the President signed Executive Order 14035 in July 2021 to create a government-wide initiative to advance diversity, equity, inclusion, and accessibility in the federal government. Four members of President Biden’s historically diverse Cabinet are Asian American, and AA and NHPI representation is visible across all levels of the Administration, with 14 percent of appointees or nominees identifying as AA and NHPI as of December 2022.
- » **DOT “Leaning into Leadership” Event:** In June 2023, DOT’s Departmental Office of Human Resources Management (DOHRM) and Workforce Equity Team hosted its inaugural



“Leaning into Leadership” event to provide leadership training and deliver resources to support over 200 employees’ professional development with a goal of further cultivating a diverse community of DOT leaders.

- » **FDA AA and NHPI Workforce Diversity Efforts:** U.S. Food and Drug Administration Office of Employment Opportunity’s ERG facilitated increased awareness, learning, and understanding of issues impacting AA and NHPI workforce through initiatives, programs, and events, which focus on cultural awareness as outlined in the FDA DEIA Strategic Plan (2022-2025). Specifically, it supports its Federal Asian Pacific American Council (FAPAC) - FDA Chapter, to increase cultural awareness and engagement.
- » **Federal AA and NHPI Employee Resource Groups (ERGs):** Since its establishment, WHIAANHPI has met with different ERGs across the various agencies to support the AA and NHPI federal workforce.

**Priority 7: Outreach and Engagement to AA and NHPI Communities**

- » **DOT Small Business Matchmaking Event:** In May 2023, DOT’s Office of Small and Disadvantaged Business Utilization (OSDBU)

hosted a business matchmaking event for AA and NHPI small businesses. Over 160 participants attended, learning about DOT resources and building connections with prime contractors to enhance business opportunities.

- » **NOAA’s AI Translation of Weather Alerts:** The National Oceanic and Atmospheric Administration (NOAA) utilized artificial intelligence (AI) to expand language access, translating weather forecasts and warnings into Chinese and Spanish, increasing accessibility for diverse communities.
- » National Weather Service forecasters have been using pilot projects to train AI software to handle weather, water, and climate terminology in Spanish and Simplified Chinese, the most widely spoken languages in the U.S. after English. Next, NWS plans to include Samoan and Vietnamese, with additional languages to be added.
- » **USPTO Innovation and Entrepreneurship Program:** In May 2023, the U.S. Patent and Trademark Office (USPTO) hosted the 2023 Asian American and Native Hawaiian/Pacific Islander Innovation and Entrepreneurship Program, with over 100 participants. The event focused on inspiring innovation and supporting the entrepreneurial spirit within AA and NHPI communities.



**On the next page:** WHIAANHPI Co-Chairs Health and Human Services Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai (center) stand with members of the President’s Advisory Commission on AA and NHPs; Krystal Ka’ai and Helen Beaudreau (far right), the Executive Directors of WHIAANHPI who served under the Biden-Harris Administration; and Deputy Assistant to the President and AA and NHPI Senior Liaison in the White House, Erika L. Moritsugu (far left). Photo courtesy of Albert Ting.

This report was designed by Andrew Peng.









*WHIAANHPI staff and members of the President's Advisory Commission on AA and NHPIs from across five presidential administrations gather on May 13, 2024, ahead of an event celebrating 25 years since the establishment of the Initiative and the Commission. Photo courtesy of James Ton.*

## CONCLUSION

The President's establishment and expansion of WHIAANHPI and the Commission during his first few months in office and during the AA and NHPI Heritage Month in May 2021 was as timely as it was meaningful to AA and NHPI communities. And under the Biden-Harris Administration, the AA and NHPI community has never been more seen and heard.

Empowered by the most ambitious mandate to-date, WHIAANHPI has worked diligently to connect, celebrate, and convene across the diversity of our communities, the interagency, and the nation. From the White House, the IWG, to the Regional Network; from the Commission to the unwavering support of our esteemed Co-Chairs HHS Secretary Becerra and USTR Ambassador Tai; from community members and leaders to state and local partners – WHIAANHPI never stood alone; instead, the invaluable community of partnerships that stretched the span of this nation made the work possible.

It was the honor of a lifetime for the WHIAANHPI team to serve the AA and NHPI community under the Biden-Harris Administration.

The Administration has made monumental strides to strengthen and support AA and NHPI families and communities in every facet of our lives. But the work remains unfinished until every individual has access to equity, justice, and opportunity. It is our hope that substantive federal policymaking – and the relationships, connections, and trust between the federal government and community members built during the Biden-Harris Administration – continues to thrive and ensure the promise of America for all AA and NHPI communities.



THERE IS NO SINGULAR ASIAN AMERICAN,  
NATIVE HAWAIIAN, PACIFIC ISLANDER  
IDENTITY. AND DIVERSITY IN THOSE CULTURES,  
THE BREADTH OF ACHIEVEMENT HAS SHAPED  
THE STRENGTH AND FABRIC OF THIS COUNTRY.  
BUT IT'S NOT ALL THE SAME.

THE FASTEST-GROWING DEMOGRAPHIC IN THE  
UNITED STATES, YOU REPRESENT HOW WE ARE,  
AS A NATION OF IMMIGRANTS, A NATION OF  
DREAMERS, A NATION OF FREEDOM.

**AND THAT'S THE AMERICA WE SHARE.**

— PRESIDENT JOE BIDEN





# THE WHITE HOUSE INITIATIVE ON ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS

REPORT TO THE PRESIDENT

JANUARY 2025

PART V.

# APPENDICES







E PLURIBUS UNUM



APPENDIX A.

# EXECUTIVE ORDER 14031







May 28, 2021

## **EXECUTIVE ORDER ON ADVANCING EQUITY, JUSTICE, AND OPPORTUNITY FOR ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS**

*By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:*

**Section 1. Policy.** Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) individuals and communities are irrefutable sources of our Nation's strength. These communities have molded the American experience, and the achievements of AA and NHPI communities make the United States stronger and more vibrant. The richness of America's multicultural democracy is strengthened by the diversity of AA and NHPI communities and the many cultures and languages of AA and NHPI individuals in the United States.

Asian American, Native Hawaiian, and Pacific Islander communities together constitute the fastest growing ethnic group in the United States and make rich contributions to our society, our economy, and our culture. Yet for far too long, systemic barriers to equity, justice, and opportunity put the American dream out of reach of many AA and NHPI communities. Many AA and NHPI individuals face persistent disparities in socioeconomic, health, and educational outcomes. Linguistic isolation and lack of access to language-assistance services continue to lock many AA and NHPI individuals out of opportunity. Too often Federal data collection practices fail to measure, reflect, and disaggregate the diversity of AA and NHPI experiences. These practices contribute to often painful and enduring stereotypes about Asian Americans as a "model minority" and obscure disparities within AA and NHPI communities.

Our Nation has also seen again that anti-Asian bias, xenophobia, racism, and nativism have deep roots in our Nation. Tragic acts of anti-Asian violence have increased during the COVID-19 pandemic, casting a shadow of fear and grief over many AA and NHPI communities, in particular East Asian communities. Long before this pandemic, AA and NHPI communities in the United States — including South Asian and Southeast Asian communities — have faced persistent xenophobia, religious discrimination, racism, and violence. The Federal Government must provide the moral leadership, policies, and

programs to address and end anti-Asian violence and discrimination, and advance inclusion and belonging for all AA and NHPI communities.

At the same time, many AA and NHPI communities, and in particular Native Hawaiian and Pacific Islander communities, have also been disproportionately burdened by the COVID-19 public health crisis. Evidence suggests that Native Hawaiians and Pacific Islanders are three times more likely to contract COVID-19 compared to white people and nearly twice as likely to die from the disease. On top of these health inequities, many AA and NHPI families and small businesses have faced devastating economic losses during this crisis, which must be addressed.

As I directed in Executive Order 13985 of January 20, 2021 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), the entire Federal Government must advance equity and racial justice for underserved communities, which include AA and NHPI communities. As I established in the Presidential Memorandum of January 26, 2021 (Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States), it is the policy of my Administration to address and confront racism, xenophobia, and intolerance. The purpose of this order is to build on those policies by establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders and the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders. Both will work to advance equity, justice, and opportunity for AA and NHPI communities in the United States.

**Sec. 2.** *President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders.*

(a) There is established in the Department of Health and Human Services the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission).

(b) The Commission shall be led by two Co-Chairs, one of whom shall be the Secretary of Health and Human Services, the other of whom shall be the head of an executive department or agency (agency) designated by the President. The Commission shall provide advice to the President, in close coordination with the Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison, on:

(i) the development, monitoring, and coordination of executive branch efforts to advance equity, justice, and opportunity for AA and NHPI communities in the United States, including efforts to close gaps in health, socioeconomic, employment, and educational outcomes;

(ii) policies to address and end anti-Asian bias, xenophobia, racism, and nativism,



and opportunities for the executive branch to advance inclusion, belonging, and public awareness of the diversity and accomplishments of AA and NHPI people, cultures, and histories;

(iii) policies, programs, and initiatives to prevent, report, respond to, and track anti-Asian hate crimes and hate incidents;

(iv) ways in which the Federal Government can build on the capacity and contributions of AA and NHPI communities through equitable Federal funding, grantmaking, and employment opportunities;

(v) policies and practices to improve research and equitable data disaggregation regarding AA and NHPI communities;

(vi) policies and practices to improve language access services to ensure AA and NHPI communities can access Federal programs and services; and

(vii) strategies to increase public- and private-sector collaboration, and community involvement in improving the safety and socioeconomic, health, educational, occupational, and environmental well-being of AA and NHPI communities.

(c) The Commission shall consist of 25 members appointed by the President. The Commission shall include members who:

(i) have a history of advancing equity, justice, and opportunity for AA and NHPI communities;

(ii) represent diverse sectors, including education, commerce, business, health, human services, housing, the environment, the arts, agriculture, labor and employment, transportation, justice, veterans affairs, economic and community development, immigration, law, and national security;

(iii) are from organizations or associations representing one or more of the diverse AA and NHPI communities;

(iv) have personal or professional experience addressing intersectional barriers faced by AA and NHPI communities, such as discrimination or lack of access to opportunity based on country of origin, immigration status, disability, age, or sex, including based on sexual orientation and gender identity; or

(v) have such other experience as the President deems appropriate.

(d) The Secretary of Health and Human Services shall designate an Executive Director of

the Commission (Executive Director). The Executive Director shall report to the Secretary of Health and Human Services, in coordination with the other Co-Chair of the Commission and the Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison.

(i) The Department of Health and Human Services shall provide funding and administrative support for the Commission to the extent permitted by law and within existing appropriations, and may, as necessary and appropriate under section 1535 of title 31, United States Code, enter into one or more agreements to obtain goods or services from one or more agencies in support of the Commission.

(ii) The heads of other agencies shall assist and provide information to the Commission, consistent with applicable law, as may be necessary to carry out its functions. Each agency shall bear its own expenses of assisting the Commission.

(iii) Members of the Commission shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707). Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the “Act”), may apply to the administration of the Commission, any functions of the President under the Act, except that of reporting to the Congress, shall be performed by the Secretary of Health and Human Services, in accordance with the guidelines issued by the Administrator of General Services.

(e) The Commission shall terminate 2 years from the date of this order, unless sooner renewed by the President.

**Sec. 3.** *White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders.*

(a) There is established the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (Initiative), a Federal interagency working group. The Initiative shall be led by two Co-Chairs, one of whom shall be the Secretary of Health and Human Services, the other of whom shall be the head of an agency designated by the President. The Executive Director of the Commission established in section 2(d) of this order shall also serve as the Executive Director of the Initiative, reporting to the Secretary of Health and Human Services, in coordination with the other Co-Chair of the Initiative and the Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison.

(b) The Initiative shall advance equity, justice, and opportunity for AA and NHPI communities by coordinating Federal interagency policymaking and program development efforts to eliminate barriers to equity, justice, and opportunity faced by AA and NHPI communities, including by advancing policies, programs, and initiatives. In developing and implementing such policies, programs, and initiatives, the Co-Chairs of the Initiative



and the Executive Director shall coordinate closely with the Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison. To support implementation of a whole-of-government approach to equity and racial justice, as established in Executive Order 13985, the Assistant to the President for Domestic Policy and the Director of the Office of Management and Budget shall coordinate closely with the Co-Chairs of the Initiative and the Executive Director to ensure that the needs and voices of AA and NHPI communities are considered in the efforts of my Administration to advance equity and civil rights.

In particular, the Initiative shall advance efforts to:

(i) identify and eliminate any existing institutional policies or barriers within Federal programs and services that may disadvantage or burden AA and NHPI communities;

(ii) improve safety, access to justice, and violence prevention for AA and NHPI communities, including by preventing, reporting, addressing, and better tracking acts of hate and bias (such as acts of hate and bias at the intersection of gender-based violence);

(iii) promote inclusion and belonging for AA and NHPI communities, including by expanding public education and knowledge of AA and NHPI people and their diverse cultures, languages, and histories;

(iv) expand the collection and use of disaggregated data at the Federal, State and local level on AA and NHPI communities, and facilitate improved research on policy and program outcomes for AA and NHPI communities, in coordination with the Interagency Working Group on Equitable Data established by Executive Order 13985;

(v) end language access and other barriers faced by AA and NHPI communities in accessing government benefits and services;

(vi) improve health outcomes, eliminate health disparities, and expand access to quality, affordable, and culturally competent medical and mental healthcare services for AA and NHPI individuals and communities;

(vii) end disparities in educational outcomes for AA and NHPI youth and students of all ages, and address barriers to learning, including bullying, harassment, and other forms of discrimination at school;

(viii) address the concentration of poverty facing many AA and NHPI communities, including by identifying and addressing disparities in access to safe, affordable housing and homeownership;

(ix) expand economic opportunity for AA and NHPI families, including by advancing

opportunities for AA and NHPI entrepreneurs and small businesses, supporting access to jobs and workforce training for AA and NHPI communities, promoting AA and NHPI participation and success in the private sector, ensuring workplaces are free from race and national origin harassment and other forms of employment discrimination, and ensuring AA and NHPI communities can access consumer and finance protections;

(x) increase opportunities for civic engagement, such as electoral participation, within AA and NHPI communities;

(xi) improve the equitable allocation of Federal resources, including through Federal funds, contracts, grants, and awards, to AA and NHPI communities and AA and NHPI-serving organizations;

(xii) support AA and NHPI communities in responding to and recovering from national or regional crises and public health emergencies, including the COVID-19 pandemic and related economic crisis;

(xiii) secure climate and environmental justice for AA and NHPI communities who are particularly impacted by the climate crisis and are overburdened by environmental degradation; and

(xiv) identify ways to foster the recruitment, career and leadership development, retention, advancement, and participation of AA and NHPI public servants at all levels of the Federal workforce.

(c) In addition to the Co-Chairs, the Initiative shall consist of senior officials from the following agencies and offices, designated by the heads thereof:

(i) the Office of the Vice President;

(ii) the Department of State;

(iii) the Department of the Treasury;

(iv) the Department of Defense;

(v) the Department of Justice;

(vi) the Department of the Interior;

(vii) the Department of Agriculture;

(viii) the Department of Commerce;



- (ix) the Department of Labor;
- (x) the Department of Health and Human Services;
- (xi) the Department of Housing and Urban Development;
- (xii) the Department of Energy;
- (xiii) the Department of Education;
- (xiv) the Department of Veterans Affairs;
- (xv) the Department of Homeland Security;
- (xvi) the Environmental Protection Agency;
- (xvii) the Office of Management and Budget;
- (xviii) the Office of the United States Trade Representative;
- (xix) the Small Business Administration;
- (xx) the Office of Science and Technology Policy;
- (xxi) the National Security Council;
- (xxii) the National Economic Council;
- (xxiii) the Domestic Policy Council;
- (xxiv) the Gender Policy Council;
- (xxv) the Council on Environmental Quality;
- (xxvi) the White House Office of Cabinet Affairs;
- (xxvii) the White House Office of Intergovernmental Affairs;
- (xxviii) the White House Office of Public Engagement;
- (xxix) the White House Office of Presidential Personnel;
- (xxx) the Social Security Administration;

- (xxxvi) the General Services Administration;
- (xxxvii) the United States Agency for International Development;
- (xxxviii) the Office of Personnel Management;
- (xxxix) the Equal Employment Opportunity Commission; and
- (xl) other agencies and offices as the President may, from time to time, designate.

At the direction of the Co-Chairs, the Initiative may establish subgroups consisting exclusively of Initiative members or their designees, as appropriate. To the extent permitted by law, members of the Initiative, or their designees, shall devote the time, skill, and resources necessary and adequate to carry out the functions of the Initiative. Each agency and office shall bear its own expenses for participating in the Initiative.

(d) The Department of Health and Human Services shall provide funding and administrative support for the Initiative to the extent permitted by law and within existing appropriations, and may, as necessary and appropriate under section 1535 of title 31, United States Code, enter into one or more agreements to obtain goods or services from one or more agencies in support of the Initiative.

(e) Each agency in the Initiative shall prepare a plan (agency plan) outlining measurable actions the agency is considering or will take to advance equity, justice, and opportunity for AA and NHPI communities, including plans to implement the policy goals outlined in subsection (b) of this section. Agencies shall report their plans to the Co-Chairs of the Initiative and the Executive Director on a frequency established by the Executive Director. In developing such plans, officials participating in the Initiative shall seek opportunities to engage with employee affinity groups or Federal networks representing AA and NHPI public servants.

(i) Each such agency shall assess and report to the Co-Chairs of the Initiative and the Executive Director on its progress in implementing its respective agency plan on a regular basis as established by the Co-Chairs of the Initiative and the Executive Director.

(ii) On an annual basis, the Co-Chairs of the Initiative shall develop and submit to the President a report outlining a Government-wide interagency plan to advance equity, justice, and opportunity for AA and NHPI communities, and progress made in implementing the policy goals outlined in subsection (b) of this section.

(f) The Initiative shall coordinate with and support the existing regional network of Federal officials who facilitate improved communication, engagement, and coordination between the Federal Government and AA and NHPI communities throughout the United



States (Regional Network). Agencies identified as participants in the Initiative shall seek opportunities, consistent with applicable law and available resources, to provide support and resources to the Regional Network through each agency's respective regional offices. The Executive Director shall coordinate the efforts of the Regional Network, and may establish regular reporting and information-sharing activities between the Regional Network and the Initiative.

**Sec. 4. General Provisions.**

(a) This order supersedes Executive Order 13125 of June 7, 1999 (Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs); Executive Order 13339 of May 13, 2004 (Increasing Economic Opportunity and Business Participation of Asian Americans and Pacific Islanders); Executive Order 13515 of October 14, 2009 (Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs); and Executive Order 13872 of May 13, 2019 (Economic Empowerment of Asian Americans and Pacific Islanders).

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

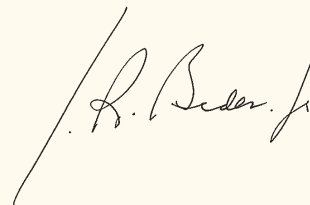
(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) For purposes of this order, references to executive departments and agencies shall not include the agencies described in section 3502(5) of title 44, United States Code. Independent regulatory agencies are strongly encouraged to comply with the provisions of this order.

(e) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,  
May 28, 2021.



APPENDIX B.

# EXECUTIVE ORDER 14109







September 29, 2023

## **EXECUTIVE ORDER ON THE CONTINUANCE OF CERTAIN FEDERAL ADVISORY COMMITTEES AND AMENDMENTS TO OTHER EXECUTIVE ORDERS**

*By the authority vested in me as President by the Constitution and the laws of the United States of America, and consistent with chapter 10 of title 5, United States Code (commonly known as the Federal Advisory Committee Act), it is hereby ordered as follows:*

**Section 1.** Each advisory committee listed below is continued until September 30, 2025.

- (a) Committee for the Preservation of the White House; Executive Order 11145, as amended (Department of the Interior).
- (b) President's Commission on White House Fellowships; Executive Order 11183, as amended (Office of Personnel Management).
- (c) President's Committee on the National Medal of Science; Executive Order 11287, as amended (National Science Foundation).
- (d) Federal Advisory Council on Occupational Safety and Health; Executive Order 11612, as amended (Department of Labor).
- (e) President's Export Council; Executive Order 12131, as amended (Department of Commerce).
- (f) President's Committee on the International Labor Organization; Executive Order 12216, as amended (Department of Labor).
- (g) President's National Security Telecommunications Advisory Committee; Executive Order 12382, as amended (Department of Homeland Security).
- (h) National Industrial Security Program Policy Advisory Committee; Executive Order 12829, as amended (National Archives and Records Administration).

(i) Trade and Environment Policy Advisory Committee; Executive Order 12905 (Office of the United States Trade Representative).

(j) Governmental Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation; Executive Order 12915 (Environmental Protection Agency).

(k) National Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation; Executive Order 12915 (Environmental Protection Agency).

(l) Good Neighbor Environmental Board; Executive Order 12916, as amended (Environmental Protection Agency).

(m) Presidential Advisory Council on HIV/AIDS; Executive Order 12963, as amended (Department of Health and Human Services).

(n) President's Committee for People with Intellectual Disabilities; Executive Order 12994, as amended (Department of Health and Human Services).

(o) Invasive Species Advisory Committee; Executive Order 13112, as amended (Department of the Interior).

(p) Advisory Board on Radiation and Worker Health; Executive Order 13179 (Department of Health and Human Services).

(q) National Infrastructure Advisory Council; Executive Order 13231, as amended (Department of Homeland Security).

(r) President's Council on Sports, Fitness, and Nutrition; Executive Order 13265, as amended (Department of Health and Human Services).

(s) Interagency Task Force on Veterans Small Business Development; Executive Order 13540 (Small Business Administration).

(t) State, Local, Tribal, and Private Sector (SLTPS) Policy Advisory Committee; Executive Order 13549 (National Archives and Records Administration).

(u) President's Advisory Council on Doing Business in Africa; Executive Order 13675, as amended (Department of Commerce).

(v) President's Council of Advisors on Science and Technology; Executive Order 14007, as



amended (Department of Energy).

(w) White House Environmental Justice Advisory Council; Executive Order 14008 (Environmental Protection Agency).

(x) President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders; Executive Order 14031 (Department of Health and Human Services).

(y) President's Board of Advisors on Historically Black Colleges and Universities; Executive Order 14041 (Department of Education).

(z) Presidential Advisory Commission on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics; Executive Order 14045 (Department of Education).

(aa) Presidential Advisory Commission on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans; Executive Order 14050 (Department of Education).

(bb) President's Committee on the Arts and the Humanities; Executive Order 14084 (Institute of Museum and Library Services).

(cc) President's Advisory Council on African Diaspora Engagement in the United States; Executive Order 14089 (Department of State).

(dd) Commerce Spectrum Management Advisory Committee; initially established pursuant to Presidential Memorandum on Improving Spectrum Management for the 21st Century (November 29, 2004) (Department of Commerce).

(ee) Grand Staircase-Escalante National Monument Advisory Committee; Proclamation 6920 of September 18, 1996, as amended (Department of the Interior).

(ff) San Juan Islands National Monument Advisory Committee; Proclamation 8947 of March 25, 2013 (Department of the Interior).

(gg) Bears Ears National Monument Advisory Committee; Proclamation 9558 of December 28, 2016, as amended (Department of the Interior).

(hh) Gold Butte National Monument Advisory Committee; Proclamation 9559 of December 28, 2016 (Department of the Interior).

(ii) Avi Kwa Ame National Monument Advisory Committee; Proclamation 10533 of March 21, 2023 (Department of the Interior).

(jj) Baaj Nwaavjo I'tah Kukveni–Ancestral Footprints of the Grand Canyon National Monument Advisory Committee; Proclamation 10606 of August 8, 2023 (Department of the Interior).

(kk) National Space-Based Positioning, Navigation, and Timing Advisory Board; Space Policy Directive 7, “The United States Space-Based Positioning, Navigation, and Timing Policy” (January 15, 2021) (National Aeronautics and Space Administration).

**Sec. 2.** Notwithstanding the provisions of any other Executive Order, the functions of the President under chapter 10 of title 5, United States Code, that are applicable to the committees listed in section 1 of this order shall be performed by the head of the department or agency designated after each committee, in accordance with the regulations, guidelines, and procedures established by the Administrator of General Services.

**Sec. 3.** Sections 1 and 2 of Executive Order 14048 of September 30, 2021, are hereby superseded by sections 1 and 2 of this order.

**Sec. 4.** Executive Order 14031 of May 28, 2021, is amended as follows:

(a) in section 2(b), by striking “and” at the conclusion of subsection (vi), by striking the period at the conclusion of subsection (vii) and replacing it with “; and”, and by inserting the following new subsection after subsection (vii):

“(viii) ways to expand national awareness of and share information about efforts to advance equity, justice, and opportunity for AA and NHPI communities.”;

(b) in section 2, by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting the following new subsection after subsection (c):

“(d) The members of the Commission shall function as liaisons and spokespersons on behalf of the Commission to relevant State, local, and private entities, and shall share information about the work of the Commission in order to advise the President regarding the development, monitoring, and coordination of executive branch efforts to advance equity, justice, and opportunity for AA and NHPI communities in the United States, including efforts to close gaps in health, socioeconomic, employment, and educational outcomes.”; and

(c) in section 3, by striking subsection (f) and inserting, in lieu thereof, the following:

“(f) The Initiative shall coordinate with and support the existing regional network of Federal officials who facilitate improved communication, engagement, and coordination between the Federal Government and AA and NHPI communities throughout the United States (Regional Network). Agencies identified as participants in the Initiative shall



designate regional agency employees to serve as representatives to the Regional Network and shall seek opportunities, consistent with applicable law and available resources, to provide support and resources to the Regional Network. The Executive Director shall coordinate the efforts of the Regional Network and may establish regular reporting and information-sharing activities between the Regional Network and the Initiative.”.

**Sec. 5.** Executive Order 14084 of September 30, 2022, is amended as follows:

(a) in section 2(b)(i), by striking “25” and inserting in lieu thereof “30”; and

(b) in section 2, by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively, and by inserting after subsection (e) the following new subsection:

“(f) The Executive Director and the members of the Committee may function as liaisons and spokespersons on behalf of the Committee to relevant State, local, and private entities to share information about the work of the Committee in order to advise the President on the implementation of national engagement with Americans necessary to advance the arts, the humanities, and museum and library services.”.

**Sec. 6.** This order shall be effective September 30, 2023.

**Sec. 7. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

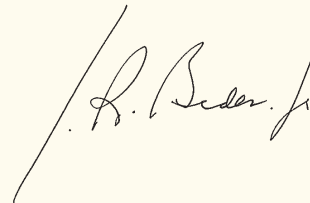
(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,  
September 29, 2023.



APPENDIX C.

# WHITE HOUSE MAY 2024 FACT SHEET







May 9, 2024

## **FACT SHEET: THE BIDEN-HARRIS ADMINISTRATION ADVANCES EQUITY AND OPPORTUNITY FOR ASIAN AMERICAN, NATIVE HAWAIIAN, AND PACIFIC ISLANDER COMMUNITIES ACROSS THE COUNTRY**

President Biden and Vice President Harris celebrate the diversity of cultures, breadth of achievement, and remarkable contributions of Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities, while also recognizing the systemic barriers to equity, justice, and opportunity that still put the American dream out of reach for far too many AA and NHPI people across the United States. For more than three years, the Biden-Harris Administration has leveraged the full force of the Federal Government to ensure the promise of America for all AA and NHPI communities — including by issuing an Executive Order establishing the President’s Advisory Commission and White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI). In the wake of the COVID-19 pandemic, the Biden-Harris Administration has delivered the most equitable economic recovery on record with nearly 15 million jobs created, including historic AA and NHPI small business growth. We are also working to ensure equal access to a high-quality education, expand affordable healthcare for children and families, combat hate, improve disaster recovery, preserve indigenous heritage and lands, and protect civil rights by advancing language access and data equity. The Biden-Harris Administration remains committed to investing in the futures of all AA and NHPI communities.

### **Advancing Inclusion and Opportunity for AA and NHPI Communities**

*Since the President’s Day One Executive Order (EO), the Biden-Harris Administration has worked to advance racial equity and ensure the full and fair participation of all people in American life. This includes improving longstanding federal data collection and reporting practices that historically have lacked appropriate disaggregation, which in turn have too often contributed to painful and enduring stereotypes, obscured disparities within AA and NHPI communities, and failed to measure, reflect, and be responsive to the diversity of AA and NHPI experiences.*

- » **Expanding and building capacity for disaggregated data.** In April 2022, the White House released recommendations for increasing the collection of data to measure equity and better represent the diversity of the American people, including AA and NHPI communities. In March 2024, the White House Office of Management and Budget revised the Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity for the first time in 27 years, helping ensure that AA and NHPI individuals can more fully self-identify by specific ethnicity.

- » **Expanding language access and preserving linguistic identity.** The Biden-Harris Administration is reducing barriers for people with limited English proficiency by strengthening federal language access services and ensuring information on government programs, services, and benefits are provided in multiple languages, including Asian languages. The President’s FY 2025 Budget builds on these efforts with funding to expand federal language access capacity.

### **Combating Anti-Asian Hate, Improving Public Safety, and Protecting Civil Rights**

*The Biden-Harris Administration is advancing and enforcing civil rights to deliver the most just outcomes for underserved communities. Federal agencies are taking steps to protect the civil and constitutional rights of all persons and rooting out identity-based discrimination.*

- » **Confronting the scourge of hate.** President Biden signed the COVID-19 Hate Crimes Act into law in 2021 and issued new guidance to raise awareness of hate crimes during the COVID-19 pandemic, including the rise in incidents targeting AA and NHPI communities. According to FBI data, hate crimes targeting Asian Americans fell by 33 percent from 2021 to 2022. DOJ has also expanded its United Against Hate Initiative, to all 94 U.S. Attorneys’ Offices across the country to improve the reporting of hate crimes and hate incidents. These efforts will support AA and NHPI communities that continue to face barriers and underreport hate incidents.
- » **Rooting out bias and discrimination.** The Biden-Harris Administration has mobilized over \$1 billion in new investments to increase support for programs to bridge divides and counter hate-fueled violence, and established an interagency group to counter antisemitism, Islamophobia, and related forms of bias and discrimination. In November 2023, the White House announced plans to develop the first-ever U.S. National Strategy to Counter Islamophobia, a whole-of-society effort to address all forms of hate, discrimination, and bias against Muslim, Sikh, South Asian, and Arab American communities.

### **Growing Economic Opportunity for AA and NHPI Families and Communities**

*Through two historic equity Executive Orders, the President’s landmark Investing in America agenda, and the implementation of key legislation, the Biden-Harris Administration is addressing longstanding economic inequities and delivering security, mobility, and prosperity for AA and NHPI families and communities.*

- » **Increasing federal contract awards to small disadvantaged businesses.** In 2021, President Biden set a bold goal to increase total federal contracting dollars to small disadvantaged businesses (SDBs) to 15% by 2025, including AA and NHPI-owned small businesses. In 2023, federal agencies awarded SDBs a record-breaking \$76.2 billion – or 12.1% of all contract dollars. This represents the third consecutive year of record-breaking awards to SDBs under President Biden, and puts the Administration on track to reach the President’s goal of increasing federal contracting dollars to SDBs by 50% by 2025. Last year, awards to Asian American-owned businesses totaled more than \$20 billion, an increase of \$2.7 billion over the previous year.
- » **Supporting AA and NHPI small business owners.** In FY23, the U.S. Small Business



Administration backed 7,500 loans to AAPI-owned businesses, which total to more than \$6.4 billion. That means total loans are up 44% under the Biden-Harris Administration, and total loan dollars are up 36%.

- » **Improving engagement with AA and NHPI businesses and entrepreneurs.** In January 2023, WHIAANHPI – in collaboration with the Small Business Administration, the National Asian / Pacific Islander American Chamber of Commerce & Entrepreneurship, and federal, state, and local partners – launched a series of regional economic summits to connect AA and NHPI business owners, entrepreneurs, and community leaders directly with federal resources such as contracting and employment opportunities.
- » **Closing gender and racial wage gaps.** AA and NHPI women are overrepresented in the Nation’s front line and low-wage workforces. The Biden-Harris Administration is taking new actions to combat occupational segregation and advance women’s economic security, such as expanding access to good-paying jobs and apprenticeships, increasing access to affordable care and support for caregivers, and advancing pay equity and pay transparency. The Department of Labor announced new funding to protect underserved and marginalized women workers from gender-based violence and harassment and also finalized a new rule to restore and expand overtime protections to millions of workers, including AA and NHPI workers.
- » **Tackling AA and NHPI childhood poverty.** President Biden signed and implemented the American Rescue Plan (ARP) – legislation that has powered a historic and equitable recovery from the COVID-19 pandemic, including record low AA and NHPI child poverty in 2021 driven by the expansion of the Child Tax Credit (CTC). The President’s FY 2025 Budget would restore the expanded CTC, lifting an estimated three million children out of poverty, including in AA and NHPI communities which experience disproportionately higher rates of child poverty.

### **Advancing Educational Excellence for AA and NHPI Students and Institutions**

*The Biden-Harris Administration has made great progress to ensure that a high-quality education is an accessible and attainable promise of the American Dream for all. From over \$160 billion in historic student debt relief for more than 4.6 million borrowers through various actions, to securing the largest investment of \$130 billion for public education, President Biden is committed to educational equity, including for AA and NHPI students.*

- » **Strengthening capacity of AANAPISIs.** In September 2023, President Biden issued the first-ever White House proclamation to recognize National Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), which confer almost 50% of associate degrees and nearly 30% of baccalaureate degrees upon all people who are AA and NHPis in the United States. The Biden-Harris Administration delivered \$5 billion in ARP funds to support AANAPISIs.
- » **Advancing educational equity.** Under ARP, Title I schools received \$130 billion in funding with Maintenance of Equity requirements to protect high poverty schools from reductions in State and local education funding. In 2021, 60% of Pacific Islander and

35% of Asian American public school students participated in Title I programs or public targeted assistance programs.

- » **Supporting low-income college students.** The President secured the largest increase in Pell Grants in a decade, and has expanded eligibility for the maximum Pell Grant to 1.7 million more Americans, helping low-income students afford their dream of pursuing postsecondary education. According to the latest public data, nearly 30% of AA and NHPI students are federal financial aid recipients and receive an average award of over \$5,000 per student.

### **Improving the Health and Well-Being of AA and NHPI Communities**

*The Biden-Harris Administration has taken action to advance health equity to meet the needs of underserved communities, including AA and NHPI communities.*

- » **Expanding access to high-quality, affordable, and culturally-inclusive healthcare.** Over 45 million people are now covered through the Affordable Care Act’s Marketplaces and Medicaid expansion – 14 million more than when the President took office in 2021. In September 2023, the Department of Health and Human Services (HHS) also announced \$8 million in grants to train medical professionals in providing culturally and linguistically appropriate care for individuals with limited English proficiency, including those from AA and NHPI communities.
- » **Protecting AA and NHPI communities from harmful pollution.** The Biden-Harris Administration has invested billions of dollars to rid the Nation’s drinking water, air, soil, and food supply of toxic PFAS, which are linked to cancer, organ damage, and developmental issues in children. A 2023 study found that AA and NHPI Americans have significantly higher exposure to PFAS than other ethnic or racial groups. In April 2024, the Environmental Protection Agency issued the first-ever national drinking water standard for PFAS, which will protect 100 million people from exposure, prevent tens of thousands of serious illnesses, and save lives.
- » **Restoring access to federal benefits for certain Pacific Islanders residing in the U.S.** President Biden signed into law the Consolidated Appropriations Act of 2024, which restored eligibility for federal public benefits to Compacts of Free Association (COFA) citizens living in the United States.

### **Honoring and Preserving Native Hawaiian and Pacific Islander Culture**

*The Biden-Harris Administration is committed to preserving the traditions, cultures, languages, and lands Native Hawaiians and Pacific Islanders have called home for centuries.*

- » **Providing a whole-of-government response after the devastating Maui wildfires.** The Biden-Harris Administration has deployed federal resources across multiple agencies in response to the disastrous wildfires. Relief efforts include preserving cultural artifacts and deploying cultural advisors to assist with the ongoing recovery process.
- » **Ensuring equitable engagement with Native communities.** For the first time, the



Department of Interior (DOI) now requires formal consultation with Native Hawaiians; and in February 2024, DOI announced new guidance on the use of the Hawaiian language in commemoration of Mahina ‘Ōlelo Hawai‘i or Hawaiian Language Month. In December 2023, The White House Council on Native American Affairs completed a Best Practices Guide for Tribal and Native Hawaiian Sacred Sites; and DOI issued a final rule to provide a process for returning human remains and sacred or cultural objects to Tribal Nations and Native Hawaiian Organizations.

- » **Fostering Native language revitalization and the preservation of Indigenous knowledge.** In October 2023, the Department of Education released more than \$11 million to preserve Native languages and increase Native teacher retention.
- » **Fortifying cultural heritage and resilience.** In September 2023, the National Endowment for the Humanities announced the Pacific Islands Cultural Initiative, and committed \$1.3 million in initial funding to fortify cultural heritage and resilience in American Samoa, Guam, Hawaii, and the Commonwealth of the Northern Mariana Islands (CNMI). Since 2021, the National Endowment for the Arts has also distributed nearly \$6 million in federal funding in Hawaii.
- » **Strengthening housing programs for Native Hawaiian families.** In April 2023, with the support of the Department of Housing and Urban Development (HUD), the Department of Hawaiian Home Lands (DHHL) launched a tenant-based rental assistance program for kupuna (elders). In February 2024, HUD announced a final rule to provide more affordable housing options to Native Hawaiians, allowing more families to reside on the Hawaiian home lands.

### **Rebuilding the Immigration System and Supporting New Americans**

*Although Congress has failed to advance President Biden’s comprehensive proposal to reform our immigration laws and provide more border resources, the Biden-Harris Administration has taken numerous actions to reverse the damage that was done to our immigration system and address the unprecedented levels of global migration.*

- » **Restoring faith in the U.S. immigration system.** President Biden issued an Executive Order to restore faith in our Nation’s legal immigration system and re-establish the White House Task Force on New Americans to welcome and support new immigrants, including refugees, and catalyze State and local integration and inclusion efforts.
- » **Supporting individuals seeking protection and safety.** The Biden-Harris Administration has provided continued protection through Temporary Protected Status (TPS), including to individuals from Nepal and Afghanistan; the President designated certain residents of Hong Kong for Deferred Enforced Departure.
- » **Supporting Dreamers.** In May 2024, HHS published a final rule to extend healthcare benefits to Deferred Action for Childhood Arrivals (DACA) recipients. The Administration continues to vigorously defend DACA against legal challenges.
- » **Protecting children from aging out of green card eligibility.** The Biden-Harris

Administration issued new policy guidance to protect more children who entered the U.S. lawfully and are waiting with their parents in the immigrant visa backlogs from aging out of green card eligibility.







## APPENDIX D.

# FEDERAL AGENCY PROGRESS REPORTS

Per Executive Order 14031, agencies from the Interagency Working Group assessed and reported to WHIAANHPI their respective agency plans, which collectively represent the Biden-Harris Administration's government-wide *National Strategy to Advance Equity, Justice, and Opportunity for Asian American, Native Hawaiian, and Pacific Islander Communities*. Through December 2024, 29 federal agencies publicly released their progress reports.

### EXPLORE UPDATES FROM:

- » U.S. Department of the Treasury
- » U.S. Department of Defense
- » U.S. Department of the Interior
- » U.S. Department of Agriculture
- » U.S. Department of Commerce
- » U.S. Department of Labor
- » U.S. Department of Health and Human Services
- » U.S. Department of Housing and Urban Development
- » U.S. Department of Transportation
- » U.S. Department of Energy
- » U.S. Department of Veterans Affairs
- » U.S. Department of Homeland Security
- » U.S. Environmental Protection Agency
- » Office of the U.S. Trade Representative
- » U.S. Small Business Administration
- » White House Office of Science and Technology Policy
- » U.S. Social Security Administration
- » U.S. General Services Administration
- » U.S. Agency for International Development
- » U.S. Office of Personnel Management
- » U.S. Equal Employment Opportunity Commission
- » U.S. Consumer Finance Protection Bureau
- » National Science Foundation
- » U.S. Federal Communications Commission
- » U.S. Commission on Civil Rights
- » U.S. Federal Housing Finance Agency
- » National Endowment for the Arts
- » National Endowment for the Humanities
- » U.S. Federal Trade Commission





# U.S. Department of the Treasury

*The U.S. Department of the Treasury (Treasury) maintains a strong economy and creates economic and job opportunities by promoting the conditions that enable economic growth and stability at home and abroad, strengthens national security by combating threats and protecting the integrity of the financial system, and manages the U.S. government’s finances and resources effectively.*

## **Action 1: COVID-19 Response and Recovery**

**Goal:** *Treasury will continue to actively seek feedback from rental assistance beneficiaries in the AA and NHPI communities by meeting with advocacy groups, associations, and other stakeholders. In addition, Treasury will continue to monitor developments in the implementation of Homeowner Assistance Fund (HAF) programs, elevate innovative practices that support equity, and proactively offer technical assistance regarding program stand-up and the development of innovative strategies to effectively support vulnerable homeowners.*

**Progress:** In April, 2023, Treasury convened a roundtable of tenants and local and national organizations to discuss the impact of the American Rescue Plan’s Emergency Rental Assistance Program (ERA) on Asian American, Pacific Islander, and Native Hawaiian renters and communities. During the roundtable, tenants shared how they have benefited from ERA-funded programs and initiatives in their respective communities. Tenants and organizations also discussed ways to continue reducing barriers to accessing affordable housing services and best practices for keeping people in their homes.

**Next steps:** Looking ahead: Research findings through the HUD partnership are due this fall. Given the data available to researchers, Treasury expects to gain more insights into how ERA funds have reached AA and NHPI stakeholders across the country.

## **Action 2: Data Disaggregation**

**Goal:** *The Community Development Financial Institution (CDFI) Fund will explore expanding the list of Other Targeted Populations (OTPs) to include qualifying Asian American subgroups and compile available research to support organizations seeking approval to serve Asian American communities as an OTP in specific geographic areas. Expanding the list of OTPs*

*will allow organizations who serve Asian American communities to certify under the OTP designation, rather than certify under the Low-Income Investment Area and Low-Income Targeted Population, which may expand the reach of their product and services.*

**Progress:** Treasury has implemented programmatic improvements that aim to help CDFIs make capital and services available to AA and NHPI populations. The new Community Development Financial Institution (CDFI) Fund certification and reporting process revises specifications to the “Other Targeted Populations” category to include underserved Vietnamese and Filipino populations, as well as Native Hawaiians and other Pacific Islanders living in the continental United States, allowing CDFIs to receive credit for providing financial products and services to these specific populations that experienced hardship in obtaining financing, according to verifiable data.

Additionally, the State Small Business Credit Initiative (SSBCI) program aims to better track and report demographic information of business owners that receive financing through the program. This includes providing an option to the AA and NHPI beneficiaries to report on their ethnicity in more detail, to better understand how SSBCI is serving the diverse business needs within the AA and NHPI community. 14 Individual ethnicities that can be reported include Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, Guamanian or Chamorro, Native Hawaiian, and Samoan.

Finally, two capital access programs authorized under the Consolidated Appropriations Act of 2021, ECIP and CDFI Equitable Recovery Program, will also collect information on race and ethnicity from awardees, including from the AA and NHPI communities. ECIP has used early data to highlight particularly impactful ECIP investments, with more demographic data expected once reporting on demographic information of beneficiaries becomes a

program requirement in summer 2024.

**Next steps:** The Treasury’s Equity Hub will continue to report on progress in disaggregated race and ethnicity data collected via Treasury programs, while continuing to produce its own disaggregated analyses in fact sheets and blog posts such as the one produced for the Treasury AA and NHPI economic summit in May 2024.

As part of the government-wide effort to implement the updated SPD-15 statistical guidelines on disaggregating data by race and ethnicity (of particular relevance to data on AA and NHPI populations), Treasury is preparing an action plan to be finalized by September 2025.

### **Action 3: Language Access**

**Goal:** *In keeping with the Treasury-wide Language Access Plan (LAP), the IRS will continue to translate vital documents, notices, and applications into the top AA and NHPI languages. IRS will also develop and execute a multilingual hiring strategy to include bilingual AA and NHPI speakers and strengthen existing employee training programs focused on multilingual resources. Additionally, the IRS will host Multilingual Stakeholder Engagement Councils, Hearing All Voices Events, and the Office of Equity, Diversity, and Inclusion (EDI) Virtual Outreach Events for multilingual communities.*

**Progress:** The Internal Revenue Service (IRS) offers tax help in a variety of languages through the IRS.gov website. Currently, languages of Asian origin include Chinese (Traditional), Chinese (Simplified), Vietnamese, and Korean. Webpages translated into these languages are available throughout the IRS site. In addition, the IRS offers a summary information page on federal tax filing in several other languages, including Tagalog (Philippines), Farsi (Middle East/Central Asia), Japanese, Gujarati (India), Punjabi (Pakistan/India), Khmer (Cambodia), Urdu



(Pakistan), and Bengali (Bangladesh/ India). The number of Asian-language page views on IRS.gov in Calendar Year 2023 exceeded 3.5 million.

**Next steps:** Continue providing multilingual services through stakeholder engagement and multilingual resources, and monitor use. The departmental LAP will be updated by end of FY2024.

#### **Action 4: Federal Workforce Diversity**

**Goal:** *Treasury established an agency-wide Barrier Analysis Working Group (BAWG) tasked with identifying barriers for female employment in the GS-13 and above grade levels, including AA and NHPIs. The goal of the BAWG is to assist Treasury's bureaus in identifying the root causes of employment opportunities and take action to remedy the policies, procedures, and practices that lead to such disparities.*

**Progress:** In FY 2023, Treasury bureau EEO Offices continued efforts surrounding female participation rates in the GS-13 and above grade levels. From FY 2022 to FY 2023, Treasury saw an increase in female participation rates, specifically in the GS-14 and GS-15 grade levels.

At the end of FY 2023, the participation rate for female Native Hawaiian/Other Pacific Islander (NHOP) permanent Treasury employees was 0.12%. The overall permanent Female NHOP participation rate exceeds the Relevant Civilian Labor Force (RCLF) availability rate of 0.07% and the National Civilian Labor Force (NCLF) availability rate of 0.08%. The participation rate for NHOP permanent new hires in FY 2023 was 0.23%, exceeding both the RCLF and NCLF availability rates.

At the end of FY 2023, the participation rate for female Asian American (AA) permanent Treasury employees was 3.75%. The overall permanent Female AA participation rate exceeds the RCLF availability rate of 2.54% and the NCLF availability rate of 2.18%.

The participation rate for AA permanent new hires in FY 2023 was 3.37%, exceeding both the RCLF and NCLF availability rates.

From FY 2022 to FY 2023, the permanent female NHOP SES/Other Senior Pay participation rate increased from 0.16% to 0.31% and the permanent female AA SES/Other Senior Pay participation rate increased from 1.46% to 2.03%.

Among the Department's Major Occupations reported to EEOC via the annual MD-715 report, in FY 2023, participation rates for NHOP met or exceeded the Occupational Civilian Labor Force (OCLF) availability rate in nine of the 11 Major Occupations. In FY 2023, participation rates for AA met or exceeded the OCLF availability rate in eight of the 11 Major Occupations.

#### **0110 – Economist**

NHOP participation rate of 0.00% matches the 0.00% OCLF availability rate.

AA participation rate of 8.63% exceeds the 3.00% OCLF. AA participation at the GS-14 and GS-15 grade levels exceeds the workforce availability rate.

#### **0301 – Miscellaneous Administration and Program**

NHOP participation rate of 0.17% exceeds the 0.10% OCLF availability rate. NHOP participation at the GS-13 and GS-15 grade levels exceeds the workforce availability rate.

AA participation rate of 3.03% falls below the 3.50% OCLF availability rate. AA participation at the GS-14, GS-15, and SES grade levels exceeds the workforce availability rate.

#### **0340 – Program Management**

NHOP participation rate of 0.15% exceeds the

0.00% OCLF availability rate. NHOPI participation at the GS-15 and SES grade levels exceeds the workforce availability rate.

AA participation rate of 1.88% falls below the 1.90% OCLF availability rate. AA participation at the GS-15 grade level exceeds the workforce availability rate.

#### **0343 – Management and Program Analyst**

NHOPI participation rate of 0.04% exceeds the 0.00% OCLF availability rate. NHOPI participation at the GS-13 grade level exceeds the workforce availability rate.

AA participation rate of 2.84% falls below the 3.20% OCLF availability rate. AA participation at the GS-14 and GS-15 grade levels exceed the workforce availability rate.

#### **0501 – Financial Administration and Program**

NHOPI participation rate of 0.13% exceeds the 0.10% OCLF availability rate.

AA participation rate of 2.66% exceeds the 2.30% OCLF availability rate. AA participation at the GS-14 and GS-15 grade levels exceeds the workforce availability rate.

#### **0511 - Auditing**

NHOPI participation rate of 0.00% falls below the 0.10% OCLF availability rate.

AA participation rate of 7.48% exceeds the 5.70% OCLF. AA participation at the GS-14 grade level exceeds the workforce availability rate.

#### **0570 – Bank Examiner**

NHOPI participation rate of 0.04% falls below the 0.10% OCLF availability rate.

AA participation rate of 3.31% exceeds 2.30% OCLF availability rate. AA participation at the GS-13 and GS-14 grade levels exceeds the workforce availability rate.

#### **0905 – General Attorney**

NHOPI participation rate of 0.09% exceeds the 0.00% OCLF availability rate. NHOPI participation at the GS-15 and SES grade levels exceed the workforce availability rate.

AA participation rate of 5.86% exceeds the 2.10% OCLF availability rate. AA participation at the GS-14 grade level exceeds the workforce availability rate.

#### **1169 – Revenue Officer**

NHOPI participation rate of 0.10% exceeds the 0.00% OCLF availability rate.

AA participation rate of 3.24% exceeds the 2.80% OCLF availability rate.

#### **1811 – Criminal Investigating**

NHOPI participation rate of 0.04% exceeds the 0.00% OCLF availability rate. NHOPI participation at the GS-14 grade level exceeds the workforce availability rate.

AA participation rate of 1.85% exceeds the 0.50% OCLF availability rate. AA participation at the GS-13 and GS-15 grade levels exceeds the workforce availability rate.

#### **2210 – Information Technology Management**

NHOPI participation rate of 0.10% exceeds the 0.00% OCLF availability rate. NHOPI participation at the GS-13 and GS-15 grade levels exceeds the workforce availability rate.



AA participation rate of 6.66% exceeds the 2.60% OCLF availability rate. AA participation at the GS-13 and GS-14 grade levels exceeds the workforce availability rate.

**Next steps:** Treasury bureaus have continued analysis relating to female employment in the GS-13 and above grade levels, depending on the individual needs of the bureau.

In FY 2024 through Q2 FY 2025, OCRE will conduct an initial review and analysis of the workforce to determine new focus for Treasury-wide barrier analysis efforts, to include those for AA and NHPI.

OCRE will continue to encourage bureaus to utilize working groups consisting of members from the bureau's EEO, Human Resources (HR), Diversity, Equity, Inclusion, and Accessibility (DEIA) Offices, as well as hiring managers and senior leaders as appropriate.



### **Progress on Recommendations from the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

#### **Economic Equity**

**Goal:** *Recommendation to host forums in several cities across the country, entitled WHIAANHPI and White House AA and NHPI Economic Summits.*

**Progress:** The month of May 2024 paid homage to the generations of Asian American, Native Hawaiian, and Pacific Islanders (AA and NHPI) who have contributed to our nation's economic achievements, technical advancements and social changes through their ingenuity and creativity. The 2024 national theme for AA and NHPI Heritage Month was "Advancing Leaders Through Innovation". The

theme honored visionaries and trailblazers who have shaped our AA and NHPI history and continue to influence the future.

On May 7, 2024, the White House and the Treasury Department hosted the inaugural 2024 Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) Economic Summit at the Treasury Department to celebrate the AA and NHPI community and spotlight the important role the AA and NHPI community plays in our economy. The Summit marked a milestone for the Administration and the Treasury in its support for the AA and NHPI community and its efforts to build a stronger and more inclusive economy for all Americans.

The summit convened AA and NHPI community and business leaders, activists, and stakeholders to discuss economic challenges and opportunities faced by AA and NHPI communities and explored Administration and Treasury's initiatives that have contributed to the success and vitality of these communities. Participants had the opportunity to share insights and recommendations on ways to strengthen community and public sector engagement on pressing economic development issues most relevant for AA and NHPI communities.

On May 22, 2024, Treasury celebrated AA and NHPI Heritage Month with a virtual fireside chat with Dilawar Syed, Deputy Administrator of the Small Business Administration.

**Next steps:** Planning for the AA and NHPI economic forums/summits to be recurring events.

**Goal:** *Recommendation to increase the share of federal contract dollars that go to small disadvantaged businesses (SDBs) to 15% by 2025.*

**Progress:** Contract awards to Asian-owned businesses have been consistently high relative to their representation in the vendor community. In

FY 2021, there were 1,310 awards to AA and NHPI-owned businesses, totaling \$367M and representing nearly 4% of all Treasury contract actions. Through the second fiscal quarter of FY 2022, AA and NHPI contracting is on a similar proportionate track as the prior year, with 3.2% of contracts awarded to AA and NHPI-owned businesses (recognizing that most contract awards are made in the fourth fiscal quarter). Asian-owned businesses have received an average of \$375 million annually in Treasury contract funds over the past 5 years. In Fiscal Year 2023, they received \$512 million from Treasury contracts or 5% of all Treasury contracts.

**Language Access**

**Goal:** *Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.*

**Progress:** *See Action 3.*

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



**WHIAANHPI Interagency Working Group**

**Subgroup: Anti-Asian Hate/Inclusion and Belonging**

**Deliverable:** *In collaboration with other federal financial services agencies, the Treasury Office of Minority and Women Inclusion hosted a virtual event entitled “Unmasking Anti-Asian Violence, Xenophobia, and Bias,” featuring Dr. Steve Robbins.*

**Progress:** This event originally was held live on 4.15.21 and the rebroadcast of this event remains available to all Treasury employees for viewing on-demand.

**Next steps:** The Office of Minority and Women Inclusion (OMWI) will continue to promote training opportunities for employees that increase DEI competencies and promote an inclusive workplace.

**Subgroup:** Language Access

**Progress:** *See Action 3.*

**Subgroup:** Data Disaggregation

**Progress:** *See Action 2.*





# U.S. Department of Defense

*The U.S. Department of Defense (DoD) is America’s largest government agency. With our military tracing its roots back to pre-Revolutionary times, the DoD has grown and evolved with our nation. DoD’s mission is to provide the military forces needed to deter war and ensure our nation’s security.*

## **Action 1: Federal Workforce Diversity, Outreach, and Engagement**

**Goal:** *The Department of Defense (DoD) workforce data trends reveal Asian Americans, Native Hawaiians, and Pacific Islanders (AA and NHPI) are not represented in certain DoD civilian programs and grade levels. The Diversity Management Operations Center (DMOC) will host both outreach and in-reach activities to strengthen AA and NHPI participation rates in civilian grades, occupations, and leadership including senior executive-level positions.*

**Progress:** DMOC hosted both outreach and in-reach activities to strengthen AA and NHPI participation rates in civilian grades, occupations, and leadership including senior executive-level positions.

- ★ In 2023, DMOC established a STEM CHATS initiative to focus on high school students in grades 9 – 12. Throughout an academic year, students can learn about various DoD STEM pathways, careers, and internships.
- ★ Throughout the year, ODEI leadership participates in various speaking engagements in honor of the AA and NHPI community and its contributions to our nation, while providing messaging to bring awareness of AA and NHPI issues and to promote equity and opportunity for increased advancement to senior leader positions within the Department.
- ★ **Next steps:** DoD will continue to advance Diversity Equity Inclusion and Accountability (DEIA) to ensure historically marginalized employees, students and their communities have opportunities to advance in DoD. In addition, these efforts will continue to target gaps in the current workforce and pipeline. Finally, DoD will continue to partner with minority affinity groups to connect with and pursue economically disadvantaged institutions to ensure they remain key to DoD’s mission.

## Action 2: Federal Workforce Diversity

**Goal:** DoD will identify initiatives to address barriers to retention and advancement to promotion at significant touchpoints of an AA and NHPI employee's career. Key programs are underway to include conducting trainings to address unconscious bias and creating the curriculum for critical conversations across DoD.

**Progress:** The DoD Office for Diversity, Equity, and Inclusion hosts monthly forums with key Military Departments and DoD Components leaders to moderate discussions with the intent of identifying operational issues/challenges and best practices, to support fact-based decisions impacting access and opportunities for the AA and NHPI community.

**Next steps:** DoD will continue to advance DEIA to ensure historically marginalized employees, students and their communities have opportunities to advance in DoD. In addition, these efforts will continue to target gaps in the current workforce and pipeline. Finally, DoD will continue to partner with minority affinity groups to connect with and pursue economically disadvantaged institutions to ensure they remain key to DoD's mission.

## Action 3: Capacity Building

**Goal:** The DoD is committed to remaining on the cutting edge of innovation through a diverse, representative, and highly skilled civilian workforce. The Science, Mathematics and Research Transformation (SMART) Program will continue to implement its Historically Black Colleges and Universities and Minority-Serving Institutions (HBCU/MI) Initiatives through the recently established Creative Research & Engineering Advancing Technical Equity in STEM (CREATES) Grant, which is a competitive funding opportunity for SMART scholars underrepresented in STEM fields. CREATES grants allow eligible scholars to address a

self-defined DoD technical challenge while working alongside an established member of the DoD S&T community during their SMART service commitment phase.

Additionally, in 2023, in response to Section 1083 of the fiscal year (FY) 2023 NDAA, the SMART Program expanded the scholarship program eligibility by introducing the Ronald V. Dellums Memorial SMART Scholarship, which aims to increase participation of underrepresented students in the DoD STEM workforce by expanding the SMART opportunity to rising college freshmen with no prior college credits, which includes high school seniors. The Dellums SMART Scholarships will be awarded in any of the 24 SMART STEM disciplines with at least 50% attending a HBCU or MI. These new and continued activities aim to diversify the SMART Program's application pool to include AA and NHPIs.

**Progress:** The SMART Program received 3,061 applicants for consideration in the 2023 cohort. 284 applicants attend an Asian American and Native American Pacific Islander-Serving Institution (AANAPISI) and 4 attended Alaska Native and Native Hawaiian-Serving Institutions (ANNH). Among all applicants (irrespective of institution), 9.7% identified as Asian and 0.2% Native Hawaiian or Other Pacific Islander.

482 individuals were ultimately awarded a SMART scholarship as part of the 2023 cohort, with 21 awardees attending AANAPISI and 1 attending an ANNH. Among all awardees (irrespective of institution), 8.9% identified as Asian and 0.1% as Native Hawaiian or Other Pacific Islander.

In Fall 2023, SMART participated in 86 engagements: including 41 university events, 7 webinars, and 6 conferences.

The SMART Program received 6,127 applications for the 2024 cohort (more than double the amount from



last year), making it the largest and most diverse set of applicants in SMART program history. Of the 2024 applicants,

623 attended an AANAPISI and 12 attended an ANNH. Among all applicants (irrespective of institution), 9.8% identified as Asian and 0.15% Native Hawaiian or Other Pacific Islander. Within our newly expanded Ronald V. Dellums Memorial SMART Scholarship, SMART received a total of 950 Dellums SMART applications. The CREATES Grant generated 23 proposals and ultimately 5 awards. Awardees for the 2024 cohort will be announced April/May 2024.

**Next steps:** The SMART Program has created University Liaison (UL) positions that will focus on building relationships with HBCUs, and MIs, to include AANAPISIs and ANNHs, to strengthen and expand SMART’s academic partnership opportunities. Outreach efforts by the ULs led to significant increases in applications from targeted schools.

SMART Outreach will continue to support a broad range of diversity and inclusion initiatives targeted towards unrepresented groups through university visits, targeted marketing, webinars and by building and sustaining relationships with influencers at HBCUs/MIs.

The SMART Program will continue executing its diversity initiative in response to Sections 242 and 250 of the FY 2021 National Defense Authorization Act (NDAA). This includes focused outreach and recruiting to support a broad range of diversity and inclusion initiatives targeted towards underrepresented groups through university visits, targeted marketing, webinars, and by building and sustaining relationships at underserved institutions.

**Action 4: Federal Workforce Diversity**

**Goal:** *The SMART Program will continue to implement its Diversity Initiative to include the Creative Research & Engineering Advancing Technical Equity in STEM (CREATES) Grant the DoD S&T community during their SMART service commitment phase. Similarly, SMART will continue to support a broad range of diversity and inclusion initiatives targeted towards unrepresented groups along with promotion of the Ronald V. Dellums Memorial SMART Scholarship to create new activities and approaches to diversify its application pool to include AA and NHPIs.*

**Progress:** As of the fall 2023 academic semester, 25% of SMART scholars currently in degree pursuit identify as a minority race or ethnicity, with 268 scholars identifying as Asian and 7 as Native Hawaiian or Other Pacific Islander

*Program Recruiting Goals:*

- » At least 45% of SMART Program applicants identify as a minority race or ethnicity.
- » At least 25% of SMART Program applicants attend a HBCU, MI, or Tribal Colleges and Universities; and
- » At least 15% of SMART Program applicants attend a HBCU or MI specifically.

**Next steps:** In response to Sections 242 and 250 of the NDAA for FY 2021, the program is continuing to modify policies and procedures to reduce barriers, ensure equitable evaluations and selection processes, and provide easier pathways to a SMART scholarship award for underrepresented populations.

The program continues to work with sponsoring facilities to ensure that the SMART scholar cohorts match the recruiting goals and maintain the same diversity as the applicant pool from which they are selected.

### **Action 5: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** *DoD is integrating AA and NHPI researchers' voices when crafting research protection policies and working to ensure that current and future policies do not alienate AA and NHPI researchers at U.S. universities. DoD will continue to listen to AA and NHPI scientific organizations and researchers and communicate their concerns to leadership within DoD and other federal scientific funding agencies.*

**Progress:** On October 3, 2022, the Under Secretary of Defense for Research and Engineering (USD(R&E)), Honorable Heidi Shyu, invited prominent attendees from the Asian American community to meet with her and DoD science leadership to discuss the impact of research protection policies on Asian American faculty at U.S. universities. Basic research leaders from the Army, Navy, and Air Force along with science leaders in the Office of the Under Secretary of Defense for Research and Engineering were also in attendance.

The attendees presented data from two surveys of Asian American faculty showing that there is widespread fear in the Asian American community of the Federal Government and its potential actions against Asian American researchers. Especially concerning, was that the survey showed that Asian American researchers are considering avoiding Federal grants and leaving the United States. Attendees then shared representative anecdotes from their own experience.

Attendees highlighted the loss to the DoD if Asian American researchers no longer work on DoD priority areas because research protection policies dissuade them from applying for DoD grants.

The attendees ended with suggestions for how DoD can improve its research protection policies to ensure transparency and avoid alienating Asian American researchers and recommended that DoD set up a

program to recruit and retain foreign-born students and researchers.

The Department of Defense engaged the AA and NHPI researcher community when developing its policy on reviewing fundamental research proposals selected for award for conflicts of interest and conflicts of commitment arising from foreign influence. The policy implements National Security Presidential Memorandum 33.

On June 30, 2023, the Under Secretary of Defense for Research and Engineering released the policy which included a “Decision Matrix” describing academic behaviors from key personnel on fundamental research proposals that may require mitigation measures prior to funding.

Before releasing the policy, the Department shared the draft policy with the Asian American Scholar Forum (AASF) and select AA and NHPI faculty to collect their feedback. The AASF and the AA researchers provided insightful feedback on how the policy as written could impact the AA and NHPI researcher community. Based on the feedback, the Department modified the draft policy to ensure that it would not alienate the AA and NHPI researcher community. Notably, the Department modified the factors that would require mitigation to not penalize professional activities with foreign countries of concern that were encouraged prior to October 2019. The Department also changed the terms it used to describe behaviors that may constitute conflicts of commitment and conflicts of interest to “mitigation factors” rather than “risk factors” and from “Risk Matrix” to “Decision Matrix” based on feedback on how the AA and NHPI research community would respond to characterizing academic behaviors as “risks.”

After the policy was released, the Department asked AASF to host a virtual listening session to explain the policy and answer questions from the community. During the listening session, Dr. Bindu



Nair, Director of Basic Research, explained the policy highlighting the key principles including it being non-discriminatory and preserving international collaboration and participation of foreign students and researchers in DoD-funded fundamental research. Dr. Nair then answered questions from the community collected by AASF and from participants in the listening session.

The Department continued to engage with AASF by participating in two roundtable discussions hosted by AASF. During these roundtables, the Department shared its research protection policies and foreign talent retention efforts while collecting feedback from AA and NHPI researchers.

The Department communicates to other Federal agencies that engaging with AA and NHPI researchers is necessary when developing policies impacting the academic community. For example, it advised the National Science Foundation to engage with AASF as they develop their research security policies.

The Department also engaged with AA and NHPI researchers and student during site visits to universities including a visit to Princeton University. During the visit, the Department learned about issues impacting the AA and NHPI community including immigration issues for students and early career researchers.

**Next steps:** The USD(R&E) is committed to highlighting the issues discussed within the Department and to mentioning the contributions of Asian American researchers publicly. The USD(R&E) is also committed to ensuring that the Department has consistent messaging and policies pertaining to research protection and that those policies do not target or alienate the Asian American community.

The Department will continue engaging with AASF and AA and NHPI researchers as it drafts

and updates policies impacting the AA and NHPI researcher community. It continues to advocate to other Federal agencies that engagement with the AA and NHPI community is a necessary step in developing policies impacting the academic community.



### **Progress on Recommendations from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

#### **Belonging and Inclusion**

**Goal:** *Recommendation that all branches of the U.S. military adopt a standardized uniform policy that presumptively allows for religious articles of faith.*

**Progress:** There are no new updates for this recommendation.

**Next steps:** DoD will continue to advance DEIA to ensure historically marginalized employees; students and their communities have opportunities to advance in DoD. In addition, these efforts will continue to target gaps in the current workforce and pipeline. Finally, DoD will continue to partner with minority affinity groups to connect with and pursue economically disadvantaged institutions to ensure they remain key to DoD’s mission.

#### **Economic Equity**

**Goal:** *Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.*

**Progress:** The Secretary of Defense signed the Department’s Small Business Strategy in January 2023. The strategy aims at promoting a strong, dynamic, and robust small business industrial base by

reducing barriers to entry, increasing small business set-aside competitions, and leveraging small business programs to grow the small business industrial base. To ensure the Department is aligned with increasing small, disadvantaged businesses (SDBs) to 20% by 2025, the strategy will harness the full potential of small businesses by strengthening engagement and support of AA and NHPI small businesses. That support includes increased awareness of DoD business opportunities across the small business community, increase utilization of small businesses from socioeconomic categories and underserved communities, and ensure domestic industrial capacity is “Defense Industrial Base ready” and can be leveraged for national security priorities.

**Next steps:** As part of ongoing equity in procurement actions, DoD’s Office of Small Business Programs (OSBP) continues to engage AA and NHPI small businesses at various events sponsored by chambers of commerce, industry groups, and trade associations. The DoD also continues to utilize the OSBP Mentor Protégé Program and APEX Accelerators to close gaps in small business participation. The Department’s APEX Accelerators continue to help the AA and NHPI communities expand access to procurement, and they will serve as an axis for existing and new businesses to strengthen the defense industrial base by accelerating

innovation, fostering ingenuity, and establishing a resilient and diverse supply chain.

### **Language Access**

**Goal:** *Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.*

**Next steps:** There are no new updates for this recommendation.

*\*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



### **WHIAANHPI Interagency Working Group**

#### **Subgroup: Anti-Asian Hate/Inclusion and Belonging**

**Deliverable:** *See Action 5.*





# U.S. Department of the Interior

*The U.S. Department of the Interior (DOI) protects and manages the nation’s natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, Native Hawaiians, and affiliated Island Communities.*

## **Action 1: Language Access**

**Goal:** Standardize the use of Native Hawaiian language (‘Ōlelo Hawai‘i) by DOI.

**Progress:** DOI’s Office of Native Hawaiian Relations (ONHR) finalized the Hawaiian language (‘ōlelo Hawai‘i) Departmental Manual (DM) chapter, in consultation with the Native Hawaiian Community (NHC). The ‘ōlelo Hawai‘i chapter will ensure that bureaus and offices across DOI use ‘ōlelo Hawai‘i consistently and will serve as a model for other federal agencies to follow. Announcement published February 2024.

**Next steps:** Development of the 10-Year National Plan on Native Language Revitalization, which is ongoing, will continue to include input from the NHC.



## **Action 2: Outreach and Engagement**

**Goal:** Codifying DOI’s policy and process on consultation with the NHC.

**Progress:** DOI is reviewing NHC proposed edits to the consultation policy DM chapter.

**Next steps:** Finalize revisions to the DM chapter.

## **Action 3: Capacity Building**

**Goal:** Improve access to, and awareness of, Tribal discretionary grant funding available to NHOs. Improve capacity building and grants management in the insular areas and for Pacific Islander non-government organizations in the United States – this goal has been prioritized in OIA grant funding announcements.

*The Department's Kapapahuliau Climate Resilience Program goal is to enhance the ability of the Native Hawaiian Community to navigate the effects of climate change in ways that maintain the integrity and identity of the Native Hawaiian people while also maintaining their capacity for coping, adaptation, and transformation. To help meet this goal, the Department offered pre-proposal technical assistance to the Kapapahuliau applicants.*

**Progress:** More than 70% of the Kapapahuliau applicants used the technical assistance provided. The total amount of funds requested by applicants was \$72,880,000, the highest amount for any Native Hawaiian Community grant ever offered by the Department. This amount is well above the \$20 million in grant funding made available by Congress for the program. Those Native Hawaiian organizations who are not awarded a Kapapahuliau grant will be offered technical assistance to improve future applications by the organization.

**Next steps:** Kapapahuliau grant application reviews start the week of April 22, 2024.

#### **Action 4: Promoting Belonging, Inclusion, and Addressing Anti-Asian Hate/Discrimination**

**Goal:** *Promote equity and inclusion by ensuring the history of Asian American and Pacific Islanders, along with the NHC as a part of telling America's story.*

**Progress:** Secretary Haaland formally established Amache National Historic Site in Colorado in 2024, just ahead of the Day of Remembrance of Japanese American Incarceration During World War II. President Biden signed the Amache National Historic Site Act in March of 2022.

**Next steps:** The National Park Service will continue to work with Amache survivors and their descendants, the Town of Granada, the Amache Preservation Society, and other groups and entities to

preserve Amache and expand scholarship and public awareness of its history.

**Goal:** *Protect cultural and natural resources as a part of the Maui fire recovery efforts.*

**Progress:** Senior Advisor to the Secretary on Native Hawaiian Affairs is currently mission assigned to FEMA from the Department to assist their leadership in understanding NHC concerns and serving as a liaison with Maui's multi-cultural AA and NHPI community. DOI's Senior Advisor leads FEMA's first-ever Cultural Protocol Task Force (CPTF) to:

1. Strengthen and improve cultural competency among FEMA personnel deployed to the Maui Wildfires response;
2. Increase the affected populations' awareness of FEMA assistance and processes; and
3. Integrate cultural protocols and considerations into the planning and execution of FEMA-funded/facilitated services, operations, and programs.

Since August 20, 2023, CPTF provides daily executive cultural guidance, support, and subject matter expertise to FEMA leadership on multicultural protocols, Native Hawaiian history, and culturally competent community outreach and engagements to Maui's survivor community.

**Next steps:** DOI personnel will continue to assist with assessment and recovery operations, and remain in close contact with AA and NHPI community leaders and organizations to coordinate the availability of services, information, and culturally sensitive opportunities for engagement and healing.

#### **Action 5: Capacity Building**

**Goal:** *Ensure that the U.S. Pacific Territories*



*(American Samoa, Commonwealth of the Northern Mariana Islands, Guam) can successfully compete for funding made possible by the Bipartisan Infrastructure Law and Inflation Reduction Act.*

**Progress:** The Office of Insular Affairs (OIA) announced that the dates for the 2024 Territorial Climate and Infrastructure Workshop (TCIW) will be rescheduled to July 30-August 2, 2024, in Honolulu, HI. This year's TCIW is the third annual event hosted by OIA. TCIW brings together federal partners and territorial agency representatives to discuss projects and priorities in the territories and identify BIL/IRA funding opportunities that could serve priority needs in the territories.

**Next steps:** OIA continues to work on execution of the 2024 TCIW, to include venue procurement, finalizing the agenda, and compiling the list of planned federal and territorial participants.

**Goal:** *DOI Office of Environmental Policy and Compliance is assisting the Native Hawaiian and Asian American communities with identifying their needs and assisting in resourcing potential project funding after the Hawaii Wildfires declared disaster*

*(DR-4724-HI)*

**Progress:** As the lead for the Natural and Cultural Resources Recovery Support Function (NCR RSF), DOI has a field coordinator assigned to the disaster assisting the Native Hawaiian and Asian American communities with identifying their needs and assisting in resourcing potential project funding with them. The field coordinators are conducting information calls weekly with the State and County leads to inform the community of timelines and recovery actions and requesting input from the local community on prioritizing natural and cultural resources recovery projects. For example, at the request of the field coordinators, the Smithsonian Institution (a partner in recovery) deployed four staff members to Maui the week of March 11, 2024, to assist with capacity building with local NHOs and museum professionals as requested by the Hawaii i Museums Association. Site visits included the Lahaina Jodo Mission, an historic Buddhist temple complex damaged by the fires.

**Next steps:** Continue to work to identify and source project access to grants and programs offered by DOI.

*This page was intentionally left blank.*





# U.S. Department of Agriculture

*The U.S. Department of Agriculture (USDA) provides leadership on food, agriculture, natural resources, rural development, nutrition, and related issues, based on public policy, the best available science, and effective management. USDA provides economic opportunity through innovation, helping rural America to thrive; promotes agriculture production that better nourishes Americans while also helping feed others throughout the world; and preserves our Nation's natural resources through conservation, restored forests, improved watersheds, and healthy private working lands.*

## **Action 1: Improve Language Access for AA and NHPIs by Providing Translation and Interpretation Services**

**Goal:** *USDA will provide meaningful access to its programs and services—online, over the phone, and in-person—and ensure every agency develops, budgets, and provides appropriate language access services. This includes identifying which languages require translation and periodically refining USDA Limited English Proficiency (LEP) plans and budgets. Moreover, staff will be trained on tools and policies related to interpretation and translation, cultural sensitivity, and civil rights.*

**Progress:** *USDA has completed a comprehensive data call to gather information to assess the level of LEP service that the USDA provides.*

**Next steps:** *USDA will hire a Language Access coordinator.*

## **Action 2: Expand AA and NHPI Survey Participation**

**Goal:** *The Census of Agriculture is a complete count of U.S. farms and ranches and the producers who operate them. Prior to the USDA 2022 Census of Agriculture data collection period, USDA performed targeted outreach to increase participation of AA and NHPI community by working with community-based leaders and organizations and creating translated materials when needed. USDA will also evaluate surveys and other methods to better utilize disaggregated data internally to support program administration and outreach.*

**Progress:** The 2022 Census of Agriculture was released in February 2024. The 2023 Census of Agriculture for Outlying Areas, conducted in the Pacific Islands, is underway and will be published in early 2025.

USDA has conducted qualitative testing on the method of collecting race and ethnicity data after new standards were issued by OMB in 2024, and as part of content review for the 2027 Census of Agriculture.

**Next steps:** USDA analysis of Census of Agriculture participation from AA and NHPI communities is underway. Race, ethnicity and Gender profiles will be released on June 28, 2024.

### **Action 3: Sustain a Diverse Workforce and Support AA and NHPI Employees**

**Goal:** *USDA will hire and integrate a Chief Diversity and Inclusion Officer and implement its new diversity, equity, inclusion, and accessibility (DEIA) strategy, which incorporates best practices and standard guidance related to recruitment, hiring, and retention.*

*By refocusing on DEIA, USDA will ensure that job applicant pools more fully reflect the rich diversity of the U.S., and that we achieve a workforce that is representative of Americans and best situated to develop innovative ideas and best practices. USDA will work to ensure that AA and NHPI employees are supported, given the tools needed to be successful, and encouraged to contribute their ideas and perspectives to tackle challenges at USDA.*

**Progress:** On March 2, 2023, USDA announced the appointment of its first permanent Chief Diversity and Inclusion Officer (CDIO), L'Tonya Davis. Ms. Davis has led USDA efforts to improve workforce diversity, equity, inclusion, and accessibility (DEIA) and is overseeing implementation of USDA's first ever DEIA Strategic Plan.

OPPE hired a full-time and permanent AA and NHPI Program Coordinator, Lihan Wei. Ms. Wei is dedicated to increasing outreach and engagement to the Pacific Islands, AANAPISIs (Asian American and Native American Pacific Islander Serving Institutions) and, AA and NHPI communities. In April 2024, she conducted a webinar featuring staff from USDA and the U.S. Department of Education to highlight AANAPISI and AANHPI funding opportunities.

**Next steps:** USDA will continue implementation of the DEIA Strategic Plan, which includes six focus areas:

- » Build a culture that drives trust, belonging, transparency, accountability, and employee empathy.
- » Achieve a workforce representative of Americans that inspires development of innovative ideas and best practices.
- » Foster a workplace environment that is physically, mentally, and emotionally safe.
- » Establish leadership and governance structures to support long-term and sustainable DEIA efforts.
- » Promote empowerment, responsibility, and accountability for DEIA through developing the workforce.
- » Demonstrate a commitment to a diverse, equitable, inclusive, and accessible USDA through accountability, data collection, analysis, and effective policymaking.



# U.S. Department of Commerce

*The U.S. Department of Commerce (DOC) creates the conditions for economic growth and opportunity for all communities. Through its 13 bureaus, DOC works to drive U.S. economic competitiveness, strengthen domestic industry, and spur the growth of quality jobs in all communities across the country. DOC serves as the voice of business in the federal government, and at the same time, touches and serves every American every day. DOC fosters the innovation and invention that underpin the U.S. comparative advantage. Its scientists research emerging technologies such as quantum computing and artificial intelligence (AI). Companies use NIST and NTIA laboratories to conduct research and development (R&D). NOAA advances R&D of the commercial space industry and climate science. USPTO’s intellectual property (IP) protections ensure American innovators profit from their work. EDA works directly with communities and regions to help them build the capacity for innovation and economic competitiveness based on local business conditions and needs. MBDA promotes the growth of minority owned businesses through the mobilization and advancement of public and private sector programs, policy, and research.*

## ★ **Action 1**

★ **Goal:** *DOC will continue efforts aimed at the collection, analysis, and dissemination of disaggregated data with considerations for culture, geography, language, and group-size to allow for detailed reporting, accuracy, and privacy for AA and NHPI groups.*

★ **Progress:** *The Census Bureau’s American Community Survey 2017-2021 Selected Population Tables were released in June 2023 and include the greatest level of statistical detail for detailed Asian Native Hawaiian and Pacific Islander (NHPI) groups published thus far. Statistics are provided for demographic, social, economic, and housing characteristics.*

★ *The 2020 Census Detailed Demographic and Housing Characteristics File A (Detailed DHC-A) was released in September 2023 and include disaggregated data for 47 detailed Asian groups and 35 detailed NHPI groups. This release included data for several detailed*



Asian and NHPI groups that had previously never been included in Census data products. For the Asian population, data was included for the Kazakh, Kyrgyz, Tajik, Turkmen, Uzbek, Sikh, Sindhi, Bruneian, Mien, Buryat, Kalmyk, Kuki, Lahu, Malay, Mizo, Pashtun, Tai Dam and Timorese populations for the first time. For the NHPI population, data for the New Caledonian, Nauruan, Cook Islander, Easter Islander, French Polynesian, Maori, Niuean, Rotuman, Tuvaluan, and Wallisian and Futunan populations was included for the first time.

**Next steps:** The 2020 Census Detailed Demographic and Housing Characteristics File B (Detailed DHC-B) is planned for release in September 2024 and will include household type and tenure information for the same detailed Asian and NHPI groups included in the Detailed DHC-A.

## Action 2

**Goal:** *The Department of Commerce (DOC) will ensure information about funding opportunities, opportunities for MOUs/strategic partnerships, and services are delivered in a targeted way to stakeholders, including AA and NHPI community-based organizations, chambers of commerce, and Minority Serving Institutions (MSIs). Additionally, the DOC will explore how it can strengthen its tracking of AA and NHPI applicants, recipients, clients, and participants of DOC programs and services.*

**Progress:** The U.S. Department of Commerce (DOC) works to drive U.S. economic competitiveness, strengthen domestic industry, and spur the growth of quality jobs in all communities across the nation. DOC serves as the voice of business and economic development activities in the federal government. Through its 13 bureaus, DOC programs, funding, and activities have impact throughout the nation in most areas of economic activities. Five bureaus (EDA, MBDA, NIST, NOAA, and NTIA) out of 13 reported progress regarding outreach, funding, and

other activities up to May 2024 that are relevant to capacity building for stakeholders across the nation that also included AA and NHPI stakeholders.

### ***Economic Development Agency (EDA)***

Through EDA's place-based grants, EDA's aim is to ensure that investments are serving all communities, which is reflected in EDA's top investment priority: equity. In enacting this priority, EDA is investing in economic development planning or implementation projects that advance equity across America through investments that directly benefit:

1. One or more traditionally underserved populations, including but not limited to Indigenous and Native American persons, Asian Americans, and Pacific Islanders; or
2. Underserved communities within geographies that have been systemically and/or systematically denied a full opportunity to participate in aspects of economic prosperity such as Tribal Lands, Persistent Poverty Counties, and rural areas with demonstrated, historical underservice.

To ensure that EDA has a strong pipeline of applicants that are inclusive of all underserved groups, including the AA and NHPI community, EDA has conducted outreach to all its eligible entities, including through events like the Territorial Climate and Infrastructure Workshop in Hawaii in May 2023. EDA also employs Economic Development Representatives (EDRs) who work within each state and territory to connect directly with communities, evaluate their economic development needs, support holistic economic development planning efforts, and provide technical assistance to submit complete, responsive applications. EDA's Tribal EDR and its state EDRs work throughout AA and NHPI communities to provide these services and help prepare these applicants for success.

**Minority Business Development Agency (MBDA)**

MBDA has hosted (1) roundtables, (2) listening sessions, (3) summits, (4) consultations, and (5) fireside chats with the AA and NHPI community to ensure that their respective enterprises are receiving the services needed to advance their businesses.

There have been hundreds of AA and NHPI organizations that have been reached by MBDA's outreach efforts. Although difficult to quantify, there are no less than 200 organizations that have/and will be touched.

For its awardees, which includes those within the AA and NHPI community, MBDA annually hosts a National Training Conference and the Capital Readiness Implementation Summit. These two events provide the grantees with the technical assistance/guidance needed to counsel their clients, update-to-date information within the enterprise ecosystem, and access to networks within the federal government.

MBDA also annually hosts MED Week, which is often shared with the National Minority Supplier Diversity Council, and includes listening sessions, workshops, keynotes from influential entrepreneurs, and fireside chats from and for underserved entrepreneurs. All these engagements provide training to entrepreneurs, including AA and NHPI entrepreneurs, and equips them with the tools to be successful business enterprises.

*MBDA has 3 programs that include outreach to the AA and NHPI community. The programs are:*

- » *MBDA Business Center and Specialty Programs:* Provides technical assistance to SEDI enterprises to better access capital, markets, and networks.
- » *Capital Readiness Program:* Utilizes incubators and accelerators to help SEDI enterprises grow

and scale their businesses.

- » *National Institute of Standards and Technology (NIST)*

To encourage competition and promote transparency, accountability, and integrity for the award of government contracts, all contract opportunities above the Simplified Acquisition Threshold (SAT) will follow the Competition in Contracting Act (CICA), whereby every socio-economic status will be provided a chance to compete for the contracting opportunities. Actions below the SAT are by regulation set -aside for small businesses regardless of socio-economic status.

As required by the Federal Acquisition Regulations, the contracting opportunities will be posted at the Government Point of Entry (sam.gov or E-bay) for all to bid.

NIST will continue its outreach efforts, including for business from AA and NHPI communities, by holding one-on-one meetings with industry and participating in department-wide industry days.

The NIST Strategic Recruitment Program has identified 3 AA and NHPI-focused organizations with whom NIST will continue to develop relationships. They are the Asian American Architects and Engineers Association, the Korean American Scientists and Engineers Association, and the National Association of Asian American Professionals. NIST will continue to expand to outreach.

**National Oceanic and Atmospheric Administration (NOAA)**

NOAA's capacity building activities for the AA and NHPI community includes improved language access to weather service advisories and co-stewardship of land/water with Native Hawaiians.

*Co-stewardship:* In October 2023, NOAA hosted tribal consultations and Native Hawaiian engagement sessions on advancing co-stewardship as outlined in the Joint Secretarial Order 3403. NOAA is producing a legal review on advancing co-stewardship that includes a list of current land and water treaty responsibilities and authorities that support co-stewardship. Release is TBD.

*Language access:* Through a series of pilot projects over the past few years, NOAA's National Weather Service (NWS) forecasters have been training artificial intelligence (AI) software for weather, water, and climate terminology in Spanish and Simplified Chinese, the most common languages in the United States after English. <https://www.noaa.gov/news-release/noaa-uses-artificial-intelligence-to-translate-forecasts-warnings-into-spanish-and-chinese>. This effort was supported by the House Appropriations Committee in NOAA's fiscal year 2023 Congressional budget.

The language translation project will improve NOAA's service equity to traditionally underserved and vulnerable populations that have limited English proficiency. By providing weather forecasts and warnings in multiple languages, NOAA's NWS will improve community and individual readiness and resilience as climate change drives more extreme weather events. Phase one of the project is the launch of an experimental language translation website that NWS is seeking public comment on through September 29, 2024. Public review and feedback on the translations will inform future expansion of this project and assure that NWS is providing the best possible translation services to our customers

NWS will add Samoan and Vietnamese next, and more languages in the future.

### ***National Telecommunications and Information Administration (NTIA)***

NTIA's Office of Minority Broadband Initiatives (OMBI) works to ensure focused outreach and engagement to underserved groups, including the AA and NHPI community, to promote their awareness of and participation in NTIA's broadband and digital Equity programs. The Connecting Minority Communities (CMC) pilot program provides grants to Minority Serving Institutions (MSIs), including those focused on the AA and NHPI MSIs. The BEAD and Digital Equity Act Programs also are focused on underrepresented populations, including the AA and NHPI community.

NTIA conducted outreach to underrepresented populations, including AA and NHPI, about its broadband and digital equity programs. This has occurred through webinars, newsletter features, email blasts, presentations, in person events, etc. In 2023, NTIA had 35 engagements with organizations attached to the AA and NHPI community and well as 14 grants to AA and NHPI MSI's through the CMC Pilot Program. NTIA will continue to track its engagements, including grant awards and subawards to AA and NHPI organizations to quantify its engagement.

In 2023, NTIA has conducted 35 engagements with groups identified as AA and NHPI organizations. In addition, NTIA has targeted engagement for its programs with the Hawaiian Homelands and the Pacific Territories.

NTIA conducts regular outreach through monthly newsletters and webinars and email communications. OMBI runs a Connecting Minority Communities (CMC) Learning Network that meets monthly so that grantees can collaborate and share. This includes the AA and NHPI MSI grantees.

OMBI/CMC funded 14 AA and NHPI institutions thorough the Connected Minority Communities pilot program. In addition, the Department of Hawaiian Homelands received a Tribal Broadband



Connectivity Grant (TBCP) Round 1 of over \$17 million dual Broadband Use and Adoption and Planning, Engineering, Feasibility and Sustainability Studies Project to assist in rural areas with high concentrations of Native Hawaiians.

NTIA conducts outreach to AA and NHPIs through its BroadbandUSA platform as well as through its OMBI. For its CMC program, NTIA conducted specific outreach (webinars) to AA and NHPI institutions during the application phase. NTIA's OICG office does not track how many of each underrepresented population attends our events, but the CMC program funded 14 AA and NHPI institutions and TBCP funded the Department of Hawaiian Homelands.

The CMC program awarded almost \$35 million dollars to AA and NHPI institutions and the TBCP program awarded over \$17 million to the Department of Hawaiian Homelands for a total of 15 new grantees across NTIA grant programs. See below CMC table for grantees and amounts.

### ***United States Patent and Trademark Office (USPTO)***

USPTO hosted its 2023 Asian American and Native Hawaiian/Pacific Islander Innovation and Entrepreneurship Program: *Inspiration for innovation* on May 31, 2023, with over 100 participants. The program offered opportunities for independent inventors, entrepreneurs, and small business owners to learn about resources available to the AA and NHPI innovation community.

### **Action 3**

**Goal:** *The department will conduct listening sessions with employees, including AA and NHPI employees and employee resource groups, to understand their experiences navigating the promotion process. (DOC has lower rates of AA and NHPI employees at the GS-*

*13, 14, 15 and SES levels.) DOC will use the information to assess, develop and/or modify policies, practices, and procedures related to promotions to ensure processes are equitable.*

### **Progress**

#### ***Office of Civil Rights (OCR)***

- » The Office of Civil Rights (OCR) worked with the Census Bureau's Center for Behavioral Science Methods (CBSM) to conduct a series of four 90-minute focus groups with the AA and NHPI community with the aims of: (1) identifying and capturing perceptions of the promotion process in the Department; and (2) understanding employee experiences navigating the promotion process.
- » OCR is working to evaluate preliminary results from the focus groups, survey data and FEVS data.

#### ***Economic Development Agency (EDA)***

- » Economic Development Administration (EDA) centralized information and knowledge related to promotional policies and processes for all staff on its intranet. EDA targets outreach about this information to supervisors for integrating into their discussions with their direct reports.

#### ***Minority Business Development Agency (MBDA)***

- » To collect information and understand employees/supervisors' experiences/perceptions of the DOC promotion process, MBDA provides several open forums with its staff to discuss and address triumphs and challenges endured by both the agency and Department. MBDA utilizes its all staff meetings, management/leadership meetings, and unit-specific meetings to discuss everyone's thoughts on the promotion process

and other key initiatives.

- » MBDA has increased the number of SES slots and institute a process for employees to attend SES training.
- » MBDA also utilizes award ceremonies to recognize the work of nominated employees in each unit.

***National Institute of Standards and Technology (NIST)***

- » Since FY22, the National Institute of Standards and Technology’s (NIST) Strategic Recruitment Program team recruited at eight conferences and expos that include all diverse backgrounds, including AA and NHPI. These conferences include TAPIA, the Emerging Researchers National (ERN) Conference in STEM, the Great Minds in STEM (GMiS) Conference, and the Annual Biomedical Research Conference for Minoritized Scientists (ABRCMS).
- » In 2021, NIST conducted an AAPI Workforce data review of federal employees at NIST. The review included hiring data of federal employees identifying as AA and NHPI and barriers they face in the workplace. The data presentation found that AA and NHPI staff are often regarded as technically capable but were not often promoted to leadership. Focus groups and listening sessions were conducted at different levels of the organization. The focus groups were directed towards the AA and NHPI workforce to determine inclusion and equity issues at NIST.
- » Steering Group for Equity in Career Advancement (SGECA) were created to identify inequities in promotions at NIST for women and minority staff. The staff also made recommendations.

- » NIST conducted a workshop titled Communication and Negotiation skills aimed towards AA and NHPI staff to enhance confidence in approaching meetings with supervisors (latest in 2023 “A Little Give a Little Take: Negotiation Basics”).
- » NIST’s ANAPA (Association of NIST Asian Pacific Americans) conducted sponsored presentations for career development.
- » Several NIST Laboratories communicated internal promotion criteria and processes on the intranet to promote equity, openness, and transparency with employees. Several laboratories developed a “Code of Conduct” to establish standards of professional conduct and protection against retaliation. Material Measurement Laboratory (MML) and OHRM conducted salary and promotion data analysis to provide managers with data and tools to make more equitable decisions regarding promotions.

***United States Patent and Trademark Office (USPTO)***

- » USPTO held its annual SES-prep bootcamp series in April 2023 specifically advertised to our AA and NHPI and other employee resource groups.
- » USPTO surveyed SES-prep bootcamp attendees and conducted barrier analysis specific to the AA and NHPI attendees.
- » USPTO has a high rate of AA and NHPI representation 27% of the workforce. (GS-13, 26% GS-14, 33% GS-15, 24%).

**Next steps:** *Plans to complete by May/June 2024):*

Completion of the analysis work already begun to address the findings and potential barriers/inequities

to advancement via the Department’s promotion process to include:

- » Review/evaluation the following Departmental initiatives, policies, practices and procedures (by bureau):
  - » *Promotions*
  - » *Reassignments*
- » Review/evaluation of the remainder of the qualitative and quantitative data collected

**Future Work**

Consider assessing/analyzing additional Departmental initiatives, policies, practices and procedures, in the areas of:

- » Training/Professional Developmental Opportunities
- » Performance Management
- » Awards and Recognition

Development and implementation of strategic recommendations based on findings from qualitative and quantitative analyses as part of a final report to agency leadership and identified stakeholders on this project.

Exploration of launching training programs and/or other initiatives specifically designed to address the needs of AA and NHPI employees in the Department.

**Minority Business Development Agency (MBDA)**

- » Conduct more surveys and interviews on the DOC promotion process.
- » Continue to be innovative to strengthen its

promotion policies as the agency and staff grows.

**Action 4**

**Goal:** *The Department will establish, expand, promote, and resource career development programs/ opportunities, such as the Emerging Leaders Career Development Program (CDP) which focuses on developing professionals at grades below GS-14 or equivalent. The OHRM will establish a cross-bureau working group to identify specific steps the Department needs to take, as well as any barriers, to standing up a Departmental career development program, to include required resources. This working group will seek input from ERGs, including AA and NHPI groups.*

*The findings will be shared with the Chief Human Capital Officer and Civil Rights Director, who in turn will brief the senior leadership for approval. ERGs, including AA and NHPI groups, will be asked to help promote participation in the various career development programs among their community/ members to increase the applicant pool.*

**Progress**

In May 2023, the Office of learning and Development (OL&D) and the Office of Civil Rights (OCR) formed a joint Asian American, Native Hawaiian, and Pacific Islanders (AA and NHPI) Career Development Working Group. Its purpose was to ensure that the Department could execute the White House Initiative on AA and NHPI Agency Action Plan’s Goal 4 - *Promote career development opportunities and programs to ensure all employees including AA and NHPI employees, as it related to employee training and professional development opportunities. The group meets monthly to address employee career development concerns and align developmental priorities for this population.*

In November 2023, OL&D expanded its new Harvard



Business School sponsored emerging leaders’ program, called the *Secretary’s Leadership Seminar*, to focus on developing professionals at grades GS-13 through GS-15. This program will run from July 2024 through March 2025, and will be open to all eligible DOC employees.

In January 2024, OL&D expanded the curriculum for its new enterprise-wide *Women’s Leadership Development Program* (WLDP) to include a section about cultural stereotyping and biases, and ways to combat them. This program targets mid-career GS-12/13 women employees and will run from July through August 2024.

In March 2024, OL&D and OCR collaboratively held a career development listening session for the AA and NHPI’s employee resource groups (ERGs) within the U.S. Department of Commerce. The event was hosted by the Department’s Chief Learning Officer (CLO) to solicit and collect ERGs responses regarding their developmental training needs. The data collected will be used to identify any perceived gaps in professional development opportunities offered enterprise wide.

***Economic Development Agency (EDA)***

- » EDA is now providing centralized information and knowledge across all staff related to professional development programs on offer from the Department and targets outreach to supervisors to integrate into their discussions with their direct reports.

***National Institute of Standards and Technology (NIST)***

- » The NIST Office of Human Resources Management (OHRM) manages the NIST-wide Mentoring Program each year. All eligible NIST federal employees are welcome to apply. This program provides an opportunity for NIST

staff to find their niche in the organization, build strategic relationships, and gain a broader perspective of NIST. Mentoring is built on the sharing of ideas and experiences. It is widely recognized as playing a vital role in helping employees enhance their career development. The program matches, trains, and supports mentee-mentor pairs to engage their supervisors.

- » NIST is currently piloting a peer group mentoring program with newly hired federal staff. Working together in small learning groups of fewer than ten, new staff members will become more familiar with NIST and be able to engage with the NIST community in their ongoing development.
- » The Leadership for All (L4A) program creates content from the formal NIST leadership development programs and makes it available to all federal staff. Greater access to this content encourages a shared knowledge of leadership skills and concepts and fosters a NIST learning community. L4A helps to ensure that all NIST employees are fluent in the NIST Core Leadership Competencies, which promotes an environment of inclusivity and shared perspectives.

- » The NIST PMLP and NLP Program provides development for new professional and technical leaders.

***United States Patent and Trademark Office (USPTO)***

- » USPTO attended the 2023 AA and NHPI federal employee leadership development conference.

***Next steps***

- » The Department’s learning management system (LMS) is used by the 13 bureaus’ 52,000+

employees and contractors. The platform contains more than 20,000 on-demand courses, e-books, videos, micro-learning activities, and career development leaning paths, as well as the Department’s library of mandatory employee training courses. OL&D proposes to host a series a career-development webinars on how employees can better use the LMS for their individual career growth.

- » The Department’s strategic employee talent and career development initiatives are managed through the Chief Learning Officer’s Council (CLOC). Serving more than 52,000+ employees and contractors, each bureau has a voting member on the CLOC which meets monthly and is chaired by OL&D. In April 2024, OCR will brief the CLOC on the Department’s DEIA initiatives, including those outlined in the WHIAANHPI Agency Plan.
- » OL&D was established in May 2023, and was charged with developing and launching the Department’s strategic career development priorities and programs. Over the last 11 months, OL&D has been expanding its services to best meet the needs of the enterprise. In early 2025,

OL&D anticipates launching a new intranet training resources site which is house and show all the Department’s career development opportunities and resources. The AA and NHPI Career Development Working Group will be consulted for the new site.

- » A Senior Executive Service Candidate Development Program (SESCDP) is a succession management tool agencies use to identify and prepare aspiring senior executive leaders. It is designed to further develop SES candidates’ competencies in each of the Executive Core Qualifications. The Department has not hosted a SESCO since 2018. In December 2023, the Deputy Secretary of Commerce made an enterprise-wide decision to relaunch this opportunity in early 2025 and charged OL&D will its development and execution. OL&D has consulted the AA and NHPI Career Development Working Group, as well as other ERGs on the program’s curriculum and design.

***Minority Business Development Agency (MBDA)***

- » Create programs to develop employees at the GS-14 or below levels.

*This page was intentionally left blank.*





# U.S. Department of Labor

*The U.S. Department of Labor (DOL) fosters, promotes, and develops the welfare of the wage earners, job seekers, and retirees of the United States; improves working conditions; advances opportunities for profitable employment; and assures work-related benefits and rights.*

## **Action 1: Data Disaggregation**

**Goal:** Bureau of Labor Statistics (BLS) will evaluate the quality of monthly and/or quarterly data on labor force estimates for Asian American (AA) ethnic subgroups and Native Hawaiian and Pacific Islanders (NHPIs). This will include data on key economic metrics, such as the unemployment rate, employment–population ratio, and the labor force participation rate. If BLS determines the data meet quality standards, BLS will start publishing monthly or quarterly data.

**Progress:** In September 2022, BLS published for the first time monthly labor force estimates for NHPIs regarding the unemployment rate, the employment–population ratio, the labor force participation rate, and other key metrics.

- » With the release of the Employment Situation report on September 2, 2022, monthly data for NHPIs are available going back to January 2003.
- » These disaggregated monthly data for Native Hawaiians and other Pacific Islanders enable us to have a more accurate picture of labor market conditions for NHPIs.
- » BLS will be publishing monthly labor market data for NHPIs going forward. This type of real time information allows policymakers and community stakeholders to know exactly who needs assistance particularly during hard economic times and where to focus resources.

In September 2023, BLS began publishing for the first time monthly not seasonally adjusted labor force estimates for Asian ethnic groups including Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asians. As data for each group meet evaluation criteria, BLS publishes the unemployment rate, the employment–population ratio, the labor force participation rate, and other key statistics.

- » With the release of the Employment Situation report on September 1, 2023, monthly and quarterly data for these disaggregated Asian groups will be available in the BLS time-series database going back to January 2013.

*DOL has published several blogs that highlight AA and NHPI data.*

- » For AA and NHPI Heritage month in May 2022, BLS published a blog looking at the national labor market experience of Asian Americans, including detailed Asian groups, and of Native Hawaiian and Other Pacific Islanders.
- » In July 2022, the Office of Disability Employment Policy (ODEP) released Disability Data Snapshot: Asian Americans and Pacific Islanders. ODEP worked with the Asian Americans with Disabilities Initiative on this blog.
- » For AA and NHPI Heritage month in May 2023, BLS published a blog looking at the national labor market experience of Asian Americans, including detailed Asian groups, and of Native Hawaiians and Other Pacific Islanders.
- » In May 2023, ODEP released a Data Spotlight on AA and NHPI workers working in skilled trade positions.
- » In the September 2023 blog, BLS announced publication of monthly and quarterly labor force data for detailed Asian groups.

**Next steps:** BLS is focused on promoting existing AA and NHPI data and making it more accessible from the BLS website.

BLS continues to be an active co-lead with the Census Bureau of the WHIAANHPI IWG Data Disaggregation Sub Working Group.

## Action 2: Language Access

**Goal:** *DOL will strengthen our language access policy and increase access to our services and programs for limited English proficient (LEP) individuals, including AA and NHPI workers. The Department will update our existing language access plan to strengthen Department-wide standards for ensuring equitable access for LEP workers, including AAs and NHPIs, to our programs and services.*

**Progress:** The Civil Rights Center (CRC) in the Office of the Assistant Secretary for Administration and Management (OASAM) is leading this work for the Department.

- » In November 2023, the Department published the updated version of its Language Access Plan. To develop the Plan, DOL agencies conducted a comprehensive survey to assess their existing language access practices and pinpoint areas to improve access for workers and other external departmental stakeholders. The Plan was translated into Simplified and Traditional Chinese, Arabic, Korean, Tagalog, and Vietnamese. The DOL Language Access Plan and plans of other Federal agencies are posted on the DOJ Limited English Proficiency website.
- » DOL established a Centralized Office of Language Assistance (COLA) within CRC to provide technical support to ensure that activities, programs, and services conducted by DOL are accessible to LEP individuals. COLA is dedicated to addressing the language assistance needs of DOL agencies to promote equitable access to services and resources for LEP workers, including developing department-wide policies and procedures to enhance language access efforts.
- » COLA established the Department’s Language Access Working Group to coordinate agency

efforts to improve language access. The Working Group meets on a regular basis to monitor outreach to LEP individuals and implementation of language access activities.

- » DOL established enterprise-wide contract vehicles to support the Department’s efforts to improve access to DOL-conducted programs and activities for LEP individuals.

**Next steps:** DOL agencies will continue to implement their outreach and engagement strategies and translate vital documents into additional languages.

- » The Office of the Assistant Secretary for Policy (ASP) is working to translate Worker.gov into five additional languages, including Simplified Chinese, Traditional Chinese, Vietnamese, Arabic, and Korean. ASP is also working to translate Employer.gov into additional languages, including Simplified Chinese, Traditional Chinese, Vietnamese, Korean, and Hindi.
- » CRC continues to provide technical assistance to DOL agencies as they develop their own language access plans. These agency-specific plans will provide a more focused and robust assessment of current services and outline how each agency will improve their language services moving forward.

### Action 3: Outreach and Engagement

**Goal:** *DOL agencies will work closely with the WHIAANHPI Regional Network to build and strengthen partnerships with community organizations to more effectively reach the most vulnerable AA and NHPI workers.*

**Progress:** The Office of Public Engagement (OPE) has expanded its stakeholder lists to more AA and NHPI organizations and included these groups in

regular stakeholder calls and events.

In 2023, the Department held events with stakeholder groups to lift up the experiences and accomplishments of AA and NHPI workers.

- » In September 2023, DOL inducted the El Monte Thai Garment Workers into the DOL Hall of Honor. AA and NHPI community groups were invited to attend the induction ceremony. The event was translated into the Thai language.
- » In August 2023, DOL held a roundtable with national AA and NHPI organizations and WHIAANHPI to better understand the needs of AA and NHPI workers. The roundtable was intended to build and strengthen partnerships between DOL and AA and NHPI community organizations to more effectively reach vulnerable AA and NHPI workers.
- » In May 2023, DOL organized an event with National Domestic Workers Alliance, Asian Pacific American Labor Alliance, and workers with UNITE HERE / Adhikaar, and Service Employees International Union (SEIU) to highlight the impact of AA and NHPI organizing and stories of AA and NHPI workers. The event included simultaneous translation for Mandarin and Cantonese and consecutive translation for Nepali.

The Acting Secretary has met with AA and NHPI community groups, workers, and local officials on her travels and at events in Washington, D.C. For example:

- » In January 2024, as part of the Acting Secretary’s visit to Las Vegas, she visited with AA and NHPI community groups at an event organized by the Asian Community Development Council (ACDC).

DOL representatives participate in the WHIAANHPI



Regional Network and in WHIAANHPI Economic Summits and Community Events. DOL agencies also conduct outreach to AA and NHPI groups.

**Next steps:** OPE will continue to build relationships with national and networked AA and NHPI organizations through individual introductory and follow-up conversation to inform policy priorities and exchange important information.

DOL agencies will continue to embed into their work engagement with AA and NHPI organizations on the ground.

#### **Action 4: Capacity Building**

**Goal:** *DOL grant-making agencies will seek to advance equity and improve access, particularly among underserved communities including AA and NHPI communities, to their competitive grant programs, where allowable under program statutory authority and in consultation with the Office of the Solicitor (SOL). DOL, led by the Office of the Secretary in close coordination with OPE, will conduct increased outreach to AA and NHPI organizations to ensure accessibility of DOL grants and funding program materials.*

**Progress:** DOL grant-making agencies began incorporating Good Jobs Principles into their funding opportunity announcements to advance equity and improve access to competitive grant programs.

DOL held public webinars on grant opportunities and encouraged AA and NHPI groups to participate.

In early 2023, the webinar focused on FY 2023 grant opportunities.

- » DOL shared its FY 2023 Grant Forecast with WHIAANHPI for distribution through the WHIAANHPI newsletter. This Forecast provides

an overview of each grant program, along with descriptive information on who the program serves, what entities are eligible to apply, and the projected timeline of when applications will open.

- » DOL conducted virtual webinars in August 2022 and February 2023. Department leadership and staff from grant-making agencies and program offices provided information on grant programs and funding opportunities, including tips on how to prepare, partner, and apply for funding. We conducted outreach to community, civil rights, and worker organizations, including AA and NHPI organizations, to inform them about the grants webinar and to encourage their participation.

**Next steps:** DOL grant-making agencies should continue to incorporate Good Jobs Principles into their funding opportunity announcements to advance equity and improve access to competitive grant programs.

DOL plans to hold a public webinar on grant opportunities in spring 2024 and distribute the FY 2024 Grant Forecast with WHIAANHPI.

#### **Action 5: Federal Workforce Diversity**

**Goal:** *DOL will expand outreach and recruitment to underserved communities, including, AANAPISIs, professional associations, labor unions and other worker organizations, and community organizations that serve potential AA and NHPI candidates; conduct a barrier analysis to identify potential barriers at each point in the lifecycle of an employee's career; and engage regularly with DOL affinity groups, including its Asian Pacific American Council (APAC).*

**Progress:** The Office of Human Resources (OHR) in the Office of the Assistant Secretary for Administration and Management established

a Diversity, Recruitment and Outreach (DR&O) Branch in May 2022 that is focused on building strong partnerships, including with underserved communities. This Branch has expanded the Department's point of contact directory. The network currently consists of 61 national organizations serving AA and NHPI including members from the Federal Interagency Working Group.

In 2022 and 2023, OHR engaged with key organizations and colleges and universities to promote DOL opportunities and provide resources on the hiring process. These groups include OCA – Asian Pacific American Advocates, University of Texas San Antonio, Virginia Polytechnic Institute and State University, Asian American Dream, Rutgers University Camden, University of Chicago, Northeastern Illinois University, Salisbury University, and University of California San Diego.

In September 2022, OHR announced a partnership with Cornell University to offer five expert-led courses on topics including building diverse talent pools, adopting inclusive hiring practices, promoting inclusive onboarding and employee success, countering unconscious bias, and fostering an inclusive work environment. All DOL managers and supervisors were required to enroll and attend one course. This training requirement was intended to encourage a diverse and inclusive workplace for all DOL employees, including AA and NHPI employees.

OHR regularly engages with the Department's Asian Pacific American Council (APAC) affinity group.

- » In February 2024, OHR and APAC collaborated on a Lunar New Year email message to DOL employees and a virtual event, which featured a recorded message from the Acting Secretary.
  - » In May 2024, OHR and APAC will collaborate on an email message to DOL employees and internal events for AA and NHPI Heritage Month.
- Lastly, each DOL agency conducted a barrier analysis to identify potential barriers in the lifecycle of an employee to understand barriers for AA and NHPI and all DOL employees.

**Next steps:** OHR will continue to engage with organizations that serve AA and NHPI potential DOL job candidates, including by ensuring that these groups are invited to the Department's virtual career fair, job shadow day, and outreach and recruiting sessions.

OHR will coordinate with the DOL APAC during AA and NHPI Heritage Month events and on internal messaging.

DOL agencies will use the results of their barrier analysis to adjust internal practices and implement solutions.

*This page was intentionally left blank.*





# U.S. Department of Health and Human Services

*The U.S. Department of Health and Human Services (HHS) enhances the health and well-being of all Americans by providing for effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services.*

## **Action 1: Increase Actionable Data on AA and NHPI Populations Across HHS Programs**

**Goal:** *Enhance the availability, quality, collection and use of disaggregated vital statistics, health survey, administrative, and other health and human services data on AA and NHPI populations across HHS programs through both Department-wide and division specific scan of data assets and the identification and closing of data gaps.*

### **HHS Data Council**

**Goal:** *The Equity subcommittee of the HHS Data Council will conduct a survey of HHS service programs about availability and use of vital statistics, health survey, and administrative data. The group will use this survey to develop department wide recommendations to address challenges faced by HHS-funded service programs in collecting, using, and reporting equity-related data elements in program evaluation. Several Divisions will be champions in acting on the recommendations related to data collection and disaggregation related to AA and NHPI communities.*

**Progress:** The issue brief is complete and is undergoing final approval for posting on the HHS website. Anticipated publication by May 2024.

**Next steps:** The Data Council started a follow-on working group to develop a brief to improve the analysis of variables that allow respondents to select all that apply. The example being used is with the analysis of race/ethnicity data to show how different analytic approaches result in very different population numbers which affects the accuracy and usefulness of disparities research.

### **Centers for Medicare and Medicaid Services (CMS)**

**Goal:** *On July 5, 2022, CMS released the “Model Individual Enrollment Request Form to Enroll in a Medicare Advantage Plan (MA) or Medicare Prescription Drug Plan (Part D), and Advance Announcement of January 2023 Software Release – Addition of Race and Ethnicity Data Fields on Enrollment Transactions” memorandum via the Health Plan Management System (HPMS) to announce the addition of race and ethnicity data fields on the model Medicare Advantage (MA) and Prescription Drug Plan (PDP) enrollment form, OMB No. 0938-1378. MA and Part D plans were expected to use the new form for all enrollment requests received on or after January 1, 2023. The addition of race and ethnicity data fields included AA and NHPI categories and expanded the collection of disaggregated data on AA and NHPI communities.*

**Progress:** The model Medicare Advantage and Part D enrollment form with race and ethnicity data fields including AA and NHPI categories has been effective since January 1, 2023. The form’s current expiration date is July 31, 2024.

**Next steps:** The race and ethnicity data collected through this enrollment form may be used to: 1) Explore the response rate to race and ethnicity questions as a whole and how it intersects with other beneficiary demographics; 2) Continue to test and improve upon CMS’ race and ethnicity imputation models by adding additional race and ethnicity data to the data CMS already has; and 3) Determine the data necessary for sufficient samples sizes to conduct analyses of disaggregated race and ethnicity categories.

We are currently seeking OMB approval to continue collecting data through this enrollment form.

### **Office of Civil Rights (OCR)**

**Progress:** The challenge here is the U.S. Census Bureau does not ask what language someone reads,

only what they speak, so we do not have data on who reads Traditional vs. Simplified characters. The prior HHS list of the top 15 languages was based on this U.S. Census data and listed “Chinese” but did not distinguish between Traditional vs. Simplified characters.

**Next steps:** Provide guidance to all HHS to list Chinese as one language: “Chinese (Simplified and Traditional).” The parentheses would indicate that written materials or digital content need to be translated into both characters. Possibility of providing guidance on addressing mutually unintelligible dialects of relevant languages based on language preference of individuals with LEP.

### **Food and Drug Administration - Oncology Center of Excellence**

**Goal:** *The Oncology Center of Excellence (OCE) Project ASIATICA is an initiative to bring focus and awareness to Asian American, Native Hawaiian, and other Pacific Islander (AA and NHPI) patients with cancer.*

*Project ASIATICA’s research efforts are focused on the disaggregation of demographic data of patients with cancer enrolled on clinical trials.*

**Progress:** Project ASIATICA has submitted an abstract to the 2024 American Society for Clinical Oncology (ASCO) Annual Meeting looking at the enrollment of NHPI patients with cancer in cancer clinical trials of FDA-approved therapies over the past 10 years of cancers common in AA and NHPI populations.

**Next steps:** NHPI enrollment in clinical trials is low. Project ASIATICA is waiting to hear from ASCO about the abstract, and is also preparing a manuscript that will examine NHPI enrollment in cancer clinical trials of FDA-approved therapies over the past 10 years across almost all cancer disease types.

### **Food and Drug Administration (FDA) - Oncology Center of Excellence**

**Goal:** *The Oncology Center of Excellence (OCE) Project ASHA is an initiative that aims to improve cancer care in India with an emphasis on oncology trials access.*

*Enrollment of Asian patients from India in oncology clinical trials may provide important data regarding intrinsic and extrinsic factors impacting the etiology of cancer as well as response to anti-cancer treatment in Indian Americans.*

*Project ASHA conducted an analysis of the representation of Indian Americans and Indians in cancer clinical trials.*

**Progress:** Project ASHA has submitted an abstract to the 2024 American Society for Clinical Oncology (ASCO) Annual Meeting that analyzed the enrollment of Asians (AA vs. Asians outside of US) and specifically, patients from India in oncology clinical trials that led to an FDA approval for breast, colorectal, lung, liver, gastric, head and neck and cervical cancer indications from 2010-2022.

**Next steps:** Project ASHA is waiting to hear from ASCO about the acceptance abstract. Plan to submit a prospective piece on Oncology clinical trials in India.

### **Health Resources and Services Administration (HRSA)**

**Goal:** *The HRSA Health Center Program uses a standardized reporting system known as the Uniform Data System (UDS). Beginning with data reported to HRSA in February 2024, UDS updated reporting requirements include sub-group reporting categories for Asian and Other Pacific Islander, as well as a broader selection for ethnicity including Hispanic sub-categories. The sub-group categories under Asian include Asian Indian, Chinese, Filipino, Japanese,*

*Korean, Vietnamese, and other Asian. In addition to Native Hawaiian and other Pacific Islander categories, Samoan, and Guamanian or Chamorro have been included as data reporting options.*

**Progress:** Health centers are in the final stages of reviewing and submitting their UDS data to HRSA.

**Next steps:** UDS data submitted to HRSA will undergo a series of validation and production procedures. Once cleared, UDS data will be published on HRSA's webpages in August 2024. Data will be made available to the public at: [bphc.hrsa.gov/data-reporting](https://bphc.hrsa.gov/data-reporting).

**Goal:** *The 2022 Health Center Patient Survey included racial and ethnic subcategories for Asian and Other Pacific Islanders to include Samoan, Tongan, Marshallese, Asian Indian, Chinese, Filipino, Japanese, Korean, and Vietnamese. The survey instrument was translated into Chinese, Tagalog, and Vietnamese and oversampled for patients who identified themselves as Asian or Native Hawaiian/Pacific Islander.*

**Progress:** The 2022 Health Center Patient Survey was conducted in January 2021 through July 2021. The sample size of the survey (n=4,414) was smaller than anticipated due to the COVID-19 pandemic and disaggregated race/ethnic data are limited to the Restricted Use File. The Public Use File was made available in 2023 at [data.hrsa.gov/topics/health-centers/hcps](https://data.hrsa.gov/topics/health-centers/hcps).

**Next steps:** HRSA is in the planning stages of developing the next iteration of the Health Center Patient Survey, with a targeted sample size of 10,000 patients, anticipated for 2027.

### **Substance Abuse and Mental Health Services Administration (SAMHSA)**

**Goal:** *Increase actionable data on AA and NHPI*



populations across HHS programs.

**Progress**

- » SAMHSA released race and ethnicity specific slide decks and a race and ethnicity highlights document on behavioral health data from the most recent National Survey on Drug Use and Health (2022 NSDUH). This included separate slide decks for “Asian” and “Native Hawaiian and Other Pacific Islander” category.
- » SAMHSA’s ‘Ohana CoE has provided webinars and information on this topic via their website: [aanhpi-ohana.org](http://aanhpi-ohana.org).
- » SAMHSA provided input as requested by HHS and OMB to the Race/Ethnicity Interagency Technical Working Group focused on updating the OMB Race/Ethnicity Data Standards.
- » Next steps: SAMHSA has not yet released additional reports where AA and NHPI subgroups disaggregated data are available. SAMHSA is internally exploring the feasibility to do specific disaggregated data analysis on the Asian and NHOPI racial categories.
- » SAMHSA’s ‘Ohana CoE will continue to provide information on the importance of data disaggregation for AA, NH, and PIs as described in the grant’s scope of work.
- » SAMHSA will stay abreast of progress in the update of OMB Race/Ethnicity Standards.

**Action 2: Increase Language Access Across HHS Federally Conducted and Assisted Programs for AA and NHPI Communities**

**Goal:** HHS will focus on addressing barriers that individuals with limited English proficiency (LEP) face in obtaining information, services and/or benefits

from HHS federally conducted programs (e.g., the 1-800-MEDICARE number where the services are provided directly by CMS) and federally assisted programs (e.g., Medicaid, where federal and State funding allows a beneficiary to receive health care services from a provider). HHS will address the following items:

- » Access to in-language content through webpages, listserv announcements, and public outreach materials;
- » Telephonic interpreter services;
- » Program and benefit information in other languages; and
- » Federal funding for recipients of HHS funds to provide language access services.

*Title VI requires recipients of HHS federal financial assistance to take reasonable steps to provide meaningful access to their programs by individuals with LEP. In its federally conducted programs, HHS aims to model the same level of language access as that required of those who receive HHS funds. Although Title VI does not apply to programs conducted by federal agencies, under current regulations implementing Section 1557 of the Affordable Care Act (ACA), programs conducted by the Department under Title I of ACA must take reasonable steps to provide meaningful access to their programs by individuals with LEP. The scope of this requirement may change in future Section 1557 rulemaking.*

*While this action is incorporated broadly in HHS’s equity action plan, HHS will pay particular attention to language access for AA and NHPI communities and demonstrate progress from division champions.*

**Office for Civil Rights (OCR)**

**Progress:** The Office for Civil Rights convenes the

HHS Language Access Steering Committee.

In May 2023, OCR published its Annual Language Access Progress Report, which provides the HHS Secretary an update on progress HHS is making toward overcoming language access barriers.

In November 2023 the HHS Language Access Plan was published. The plan provides guidance on best practices for HHS agencies to address language access needs and calls on components to update their own language access plans. The OCR Language Access Team has been providing technical assistance to all operating and staff divisions regarding the plans' 10 elements. Agency-specific language access plans, including OCR's, are due to be published in May 2024. All agencies have the opportunity to submit their language access plans for review by OCR. A 30 questions analysis is conducted and technical reviews of helpline telephone menus and agency websites.

Both the Annual Progress Report and the HHS Language Access Plan, including press releases, were translated into AAPI languages.

On Feb 2, 2024, OCR, through the Language Access Steering Committee, convened a listening session for health and human service partners to address barriers to participation for limited English proficiency persons and to share insights, comments and best practices. There were over 80 participants active in the discussion including many representatives from AA and NHPI advocacy groups.

**Next steps**

- » Implement agency-specific language access plans.
- » Finalize the final rule for Section 1557 of the Affordable Care Act, which includes extensive language access provisions.

- » Translate and make available on OCR's website notice of Sample Notice of Availability of Language Assistance Services and Auxiliary Aids and Services into several AAPI languages.

***Administration for Children & Families (ACF)***

**Progress:** ACF Office on Trafficking (OTIP) in Persons notes that all grant-funded activities must adhere to the National Culturally and Linguistically Appropriate Services (CLAS) standards, including providing case management assistance in the preferred language of the beneficiary and hiring staff able to communicate in clients' preferred languages to not over-rely on language lines.

**Next steps:** OTIP will publish an information memo on the assessment of language access needs and implementation of language access practices

**Progress:** ACF's Office of Refugee Resettlement (ORR) Family Reunification Packet (FRP) is available in Dari and Pashto. This can be found on the UC Portal (the case management database for the UC network of service providers) and the ACF/ORR website (public-facing). If ORR staff are working with Dari and Pashto speaking sponsors and families, these materials are shared directly with them.

ORR National Call Center materials are available in Arabic, Armenian, Dari, Hindi, Simplified Chinese, Pashto, Punjabi, Russian, Turkish, and Vietnamese. These materials are available on the UC Portal and the ACF/ORR website. These materials are provided to unaccompanied youth and sponsors at time of discharge.

- » Notices and infographics informing youth of their reproductive healthcare rights (as part of the Garza Settlement) are available in Arabic, Bengali, Dari, Hindi, Simplified Chinese, Pashto, Punjabi, Russian, Turkish, and Vietnamese. These materials are available on the UC Portal.

They are also displayed at residential facilities caring for unaccompanied children and made available to pregnant youth.

- » Prevention of Sexual Abuse materials are available in Arabic, Armenian, Bengali, Dari, Farsi, Pashto, Punjabi, Russian, Simplified Chinese, Turkish, and Vietnamese.
- » The Perez-Olano Settlement Notice is available in Arabic, Hindi, and Simplified Chinese. The Notice is given to all unaccompanied children as part of their orientation/legal resource guide.
- » The Notice to L.V.M. v. Dunn Marcos Class Members regarding Settlement Agreement is available in Arabic and is displayed/made available at residential facilities in New York State caring for unaccompanied children.
- » The following Refugee Program Fact Sheets are available on the ACF/ORR website in Asian languages, including Dari, Pashto, Bengali, Punjabi, Russian, and Uzbek.
- » Benefits for Afghan Humanitarian Parolees, Benefits for Afghan and Iraqi Special Immigrant Visa Holders or SQ/SI Parolees, Benefits for Afghan Youth in the U.S. Living with Non-Parental Caregivers, Benefits and Services Available for Asylees, Benefits for Refugees, Benefits for Ukrainian Humanitarian Parolees, Longer-Term Resettlement Services, Refugee Assistance for Eligible Unaccompanied Children.
- » ORR manages a 24/7 language line that is accessible to ORR staff and the Unaccompanied Children and Refugee Programs' service provider networks. Commonly encountered Asian languages are available on-demand. Asian languages of rarer diffusion can be scheduled with the ORR language services vendor, and the ORR Language Services SOP has been shared

widely across ORR and the service provider networks.

- » ORR has deployed contracted in-person interpreters to residential programs serving Unaccompanied Children and Unaccompanied Refugee Minors. These interpreters have covered Arabic, Dari, Pashto, Mandarin Chinese, Uzbek, and Vietnamese.

**Progress:** ACF's website language access tool allows all HTML content on the website to be available in 80 languages.

The Office of the Child Support Services (OCSS) converted key child support information from PDF into HTML to make the information available in 80 languages. Translated languages include Chinese, Korean, Japanese, Vietnamese, Thai, Lao, Hmong, and Filipino.

### **Centers for Medicare & Medicaid Services (CMS)**

**Goal:** *HHS is leading multiple initiatives to raise awareness of hate crimes and hate incidents and address anti-AA and NHPI discrimination. Two lines of effort are specified by legislation (COVID-19 Hate Crimes Act or the "Act") or Executive Order (Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States or the "Memorandum").*

**Progress:** In 2023, CMS' Office of Equal Opportunity and Civil Rights established a contract to translate documents to multiple different languages. These translated documents can include documents that contain program and benefit information and can be posted on public-facing websites. This contract also provides telephonic interpretation services in over 100 languages, allowing CMS employees and LEP members of the public to effectively communicate.



CMS has expanded its culturally competent and linguistically accessible education campaign outreach. For example, during Open Enrollment, CMS conducted outreach to historically underserved communities. This included advertising in Chinese (Mandarin and Cantonese), Korean, Vietnamese, Tagalog, and Hindi.

CMS has also strengthened language access requirements in CMS programs and policies. For example, in April 2022, CMS finalized a policy to reinstate the requirement for Medicare Advantage and Part D plans to include a multilanguage insert in all required documents to inform enrollees of free interpreter services. In April 2023, CMS finalized a policy requiring Medicare Advantage organizations to include providers' cultural and linguistic capabilities in provider directories.

CMS also added an improvement activity to the Merit-based Incentive Payment System (MIPS) in CY 2023 to improve quality of care and patient outcomes by ensuring clear and culturally relevant communication with patients with limited English proficiency. The improvement activity creates and implements a language access plan to address communication barriers for individuals with limited English proficiency. The language access plan must align with standards for communication and language assistance defined in the National Standards for Culturally and Linguistically Appropriate Services (CLAS).

**Next steps:** CMS will continue to explore opportunities to advance language access, health literacy, and culturally tailored services for all enrollees through our programs and policies.

### **HHS Office of Minority Health (OMH)**

**Progress:** In October 2022, OMH announced more than \$4 million in grants for the Promoting Equitable Access to Language Services (PEALS) in Health and

Human Services initiative. The PEALS initiative supports the development and testing of methods used to inform individuals with LEP about the availability of language access services in health care-related settings. Through this initiative, recipients implement and evaluate strategies to enhance language access services through policy development and implementation, technology utilization, education for individuals with LEP, and education for providers, including medical support staff.

**Next steps:** OMH will continue to support and monitor progress made by the 11 PEALS awardees until the grant ends in September 2025.

### **Health Resources and Services Administration (HRSA)**

**Goal:** *HRSA funds the Association of Asian Pacific Community Health Organizations to provide health centers with technical assistance to address language access and cultural competency for AA and NHPI populations.*

**Progress:** The webinar “Harnessing the Power of Outreach and Enabling Services to Address Social Drivers of Health,” provided an understanding of the social drivers of health and the role of enabling services in building health equity.

**Next steps:** Technical assistance resources are free and available to all. They can be accessed on the HRSA Health Center Resource Clearinghouse at [healthcenterinfo.org](http://healthcenterinfo.org).

### **U.S. Food and Drug Administration - Office of Minority Health and Health Equity (OMHHE)**

**Progress:** The FDA Office of Minority Health and Health Equity developed culturally and linguistically tailored health messages for diverse groups, including Asian American and NHPI Asian languages such as Mandarin, Cantonese, Hmong,

Korean, Tagalog, and Vietnamese for various health conditions.

OMHHE published health education materials, including a new campaign educating consumers about the dangers of hydroquinone and mercury in skin lightening products, in various languages including Mandarin, Cantonese, Hmong, Korean, Tagalog and Vietnamese.

**Next steps:** Continue to provide materials on an as needed basis.

**Substance Abuse and Mental Health Services Administration (SAMHSA)**

**Goal:** Increase in-language access across HHS federally conducted and assisted programs for AA and NHPI communities.

**Progress**

- » SAMHSA is in process of developing the agency’s Language Access Plan (LAP) per HHS guidance.
- » SAMHSA’s ‘Ohana CoE provided prompt translations of vital documents in response to the Maui Wildfires and Guam’s Typhoon Mawar disasters (see Community Resilience Guides at [aanhpi-ohana.org/resources/community-resilience-guides](http://aanhpi-ohana.org/resources/community-resilience-guides)).
- » SAMHSA’s ‘Ohana CoE has provided webinars and information on this topic via their website at [aanhpi-ohana.org](http://aanhpi-ohana.org).

**Next steps**

- » SAMHSA is on track to release their LAP per HHS Office for Civil Rights (OCR) guidance in May 2024 and will include a rollout to announce its release.

- » SAMHSA will work to secure funding mechanisms to provide translation and interpretation services.
- » SAMHSA’s ‘Ohana CoE will provide translations of specific recorded webinars and is working with a translation/interpretation company on this.

**Food and Drug Administration - Office of External Affairs**

**Goal:** The Office of External Affairs’ goal is to improve language access by consolidating contracts for translation services into a single contract vehicle for the FDA.

**Progress:** The IDIQ contract was awarded on 03/03/2023 for 5 years with a \$25,000,000 ceiling. The Asian languages included in the contract are Chinese, Tagalog, Vietnamese, and Korean at a minimum, but also include any other languages as determined necessary to fulfill FDA’s communications needs.

**Next steps:** Ongoing project.

**Food and Drug Administration - Oncology Center of Excellence**

**Goal:** The Oncology Center of Excellence (OCE) Project ASIATICA is an initiative to bring focus and awareness to Asian American, Native Hawaiian, and Other Pacific Islander (AA and NHPI) patients with cancer.

*Project ASIATICA’s outreach and engagement efforts focus on bridging the cultural and language barriers that many experience when faced with a diagnosis of cancer, and when considering cancer screening and prevention options.*

**Progress:** OCE’s Project ASIATICA launched in

spring 2023. It has held 2 public panel discussions as part of the OCE’s Conversations on Cancer series, and language and cultural barriers surrounding cancer screening and when patients are faced with a diagnosis of cancer were integral components of those discussion.

Since 2023, Project ASIATICA has established a public facing webpage, published perspective, and completed a social media campaign raising awareness and engaging with the community on cancer. All of these resources have been translated to the 10 most commonly spoken/written Asian languages in the U.S., as reported by the US Census.

**Next steps:** Project ASIATICA is planning its second round of social media outreach set to launch at the end of April/beginning of May to coincide with April’s cancer awareness month and May’s AA and NHPI Heritage Month. These will also be translated to the 10 most commonly spoken/written Asian languages in the U.S.

### Action 3: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate

**Goal:** *HHS is leading multiple initiatives to raise awareness of hate crimes and hate incidents and address anti-AA and NHPI discrimination. Two lines of effort are specified by legislation (COVID-19 Hate Crimes Act or the “Act”) or Executive Order (Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States or the “Memorandum”).*

#### National Institutes of Health (NIH)

**Goal:** *NIH Federation of Asian American, Native Hawaiian, and Pacific Islander Network, (FAN) is a coalition that cultivates an inclusive workplace at NIH where Asian American, Native Hawaiian, and Pacific Islanders (AA and NHPI) are seen, heard, valued, and*

*have equal opportunities to thrive.*

**Progress:** In February 2024, the NIH FAN hosted an inaugural Asian Americans (AA) and Native Hawaiian and Pacific Islander (NHPI) Town Hall, bringing together members and NIH leadership to discuss challenges and opportunities for the AA and NHPI workforce.

#### Office of Minority Health (OMH)

**Progress:** In 2023, OMH issued three resource guides on best practices to advance cultural competency, language access, and sensitivity toward AA and NHPI communities in the context of the Federal COVID-19 response: Language Access Resource Guide; Community Engagement Resource Guide; Data Disaggregation Resource Guide.

The guides were developed based on input and information gathered through a Request for Information, a literature review and environmental scan, and engagement with community subject matter experts. OMH also held a listening session with leaders from AA and NHPI organizations.

The set includes an introductory document and the following guides:

- » The Language Access Resource Guide provides guidance on best practices, strategies, and actions to meet the specific language needs and preferences of AA and NHPI communities in COVID-19 response activities.
- » The Community Engagement Resource Guide provides guidance on best practices, strategies, and actions to develop and sustain partnerships with AA and NHPI community members, community-based organizations, and coalitions to ensure a diversity of voices and perspectives inform and contribute to the creation and implementation of COVID-19 response activities.



- » The Data Disaggregation Resource Guide provides guidance on best practices, strategies, and actions to improve the collection, use, and reporting of disaggregated data on AA and NHPI populations related to COVID-19.

**Next steps:** OMH, other federal agencies, and partners will continue to promote the three resource guides and encourage implementation of best practices.

***Food and Drug Administration - Office of Equal Employment Opportunity (OEEO)***

**Goal:** *FDA OEEO is supporting the HHS AA and NHPI Workforce Diversity and Inclusion Plan by facilitating increased awareness, learning, and understanding of issues impacting AA and NHPI workforce.*

**Progress:** FDA OEEO does this through our Employee Resource Group (ERG) - supported initiatives, programs, and events, which focus on cultural awareness as outlined in the FDA DEIA Strategic Plan (2022-2025). Specifically, FDA OEEO supports our Federal Asian Pacific American Council (FAPAC) - FDA Chapter ERG, which provides cultural programs and engagement to support the AA and NHPI workforce at FDA.

**Next steps:** Ongoing initiative.

***Substance Abuse and Mental Health Services Administration (SAMHSA)***

**Goal:** *Promote belonging, inclusion, and address anti-AA, NH, and PI hate and discrimination.*

**Progress:** The Anti-AA, NH, and PI Hate workgroup of the *SAMHSA Pathways Forward: Action Plans to Advance AA, NH, and PI Mental Health Meeting* (see priority area #7) is in development of an Anti-Hate Community Toolbox with resources that will be

available to the public.

SAMHSA’s funded Asian American, Native Hawaiian, and Pacific Islander Behavioral Health Center of Excellence (‘Ohana CoE) has provided webinars and information on this topic via their website at [aanhpi-ohana.org](http://aanhpi-ohana.org).

SAMHSA actively participated in the HHS OMH led workgroup on addressing the Presidential Memorandum, which included the development and review of three resource guides.

**Next steps**

- » The Anti-AA, NH, and PI Hate workgroup of the *SAMHSA Pathways Forward: Action Plans to Advance AA, NH, and PI Mental Health Meeting* will publish the online toolbox and disseminate it widely through its networks in 2024.
- » SAMHSA’s ‘Ohana CoE will develop and post culture cards specific to AA, NH, and PI ethnic groups to help educate behavioral health providers and the public on unique cultural considerations for the diverse AA, NH, and PI population.
- » SAMHSA’s ‘Ohana CoE will soon release a podcast on various AA, NH, and PI specific topics in behavioral health which will include a decolonization perspective that honors the diversity of this population.

**Action 4: Combatting Human Trafficking of AA and NHPI Populations**

***Office of Minority Health (OMH)***

**Progress:** In FY 2021, the Office of Minority Health (OMH) established the Center for Indigenous Innovation and Health Equity (CIIHE) to advance equity-based solutions for NHPI and American

Indian/Alaska Native populations. Awards support research, education, service and policy development. In FY 2023, the Office of Minority Health (OMH) awarded \$2M to the University of Hawai'i to support the CIIHE in combatting disparities faced by NHPI populations.

During the five-year initiative, awards will implement culturally appropriate frameworks to prevent and improve disparities in chronic diseases, such as obesity, hypertension, and diabetes.

### **Administration for Children and Families (ACF)**

**Goal:** *ACF will develop programs to deliver culturally and linguistically appropriate services (CLAS) for AA and NHPI communities and increase access for AA and NHPI-serving organizations to apply for and receive funding to implement these services. CLAS are increasingly recognized as effective in improving the quality of care and services,[1] and HHS has published National Standards for CLAS in Health and Health Care.*

*ACF prioritized this action pursuant to the National Action Plan to Combat Human Trafficking, which calls on HHS to provide training and technical assistance (T/TA) for health and human service professionals working with populations at high risk for human trafficking and intersecting with NHPI community programs. The action is also responsive to EO 14031, which calls on federal agencies to improve equitable allocation of federal grants to AA and NHPI-serving organizations. Finally, the action aligns with ACF Strategic Goal 1 by identifying and closing gaps in program outcomes and eliminating systemic barriers to funding access for historically underserved/marginalized populations.*

*On September 30, 2022, the Administration for Children and Families' (ACF) Office of Family Violence Prevention and Services (OFVPS) awarded \$1,000,000 in Family Violence Prevention and Services Act*

*(FVPSA) grant funds for one cooperative agreement to Pouhana O Na Wahine, to serve as Native Hawaiian Resource Center on Domestic Violence (NHRCDV). The NHRCDV focuses on the intervention and prevention of family violence, domestic violence, and dating violence by offering statewide information, training, and technical assistance specifically designed to reduce disparities within Native Hawaiian (NH) communities. The purpose of this project is to enhance the capacity of organizations and providers of services to NH to respond to family violence, domestic violence, and dating violence in a culturally sensitive, relevant, and effective manner. NHRCDV will be a member of a nationwide network composed of national and special issue resource centers and culturally specific special issue resource centers, known as the Domestic Violence Resource Network (DVRN).*

*On September 30, 2022, the Administration for Children and Families' (ACF) Office of Family Violence Prevention and Services awarded \$1,000,000 in Family Violence Prevention and Services Act (FVPSA) grant funds for one cooperative agreement to Monsoon Asians and Pacific Islanders in Solidarity to serve as a Culturally Specific Sexual Assault Capacity Building Center for the Asian and Pacific Islander communities. The Asian Pacific Institute on Gender-Based Violence (API-GBV) announced awards to 41 organizations to support culturally specific, community-based projects supporting survivors of domestic violence and sexual assault from Asian American and Pacific Islander (AAPI) communities across the U.S. and Pacific. The \$13.2 million dollar initiative from the Office of Family Violence Prevention and Services (OFVPS) under the 2021 American Rescue Plan (ARP) Culturally Specific Domestic Violence and Sexual Assault supplemental funding will be the first time API-GBV will be distributing two years of funding to culturally specific organizations that serve sexual assault (SA) and domestic violence (DV) survivors in AAPI communities.*

*In advance of the Ramadan season, ORR provided*

*cultural awareness training to our service provider network on how best to support youth participating in the season.*

### **Progress**

- » *Number of SOAR modules developed for different AA and NHPI communities: One (SOAR for Indigenous Communities).*
- » *Number of individuals trained via SOAR modules: 649 individuals completed the SOAR for Indigenous Communities training, with 80% of participants giving a rating of 5 stars and 16% giving a rating of 4 stars.*
- » OTIP is implementing seven grant programs providing assistance to address disparities faced by AA and NHPI populations.
- » OFVPS is providing funding to support 43 AA and NHPI grant programs.
- » *Number of AA and NHPI-serving organizations applying for and receiving these grants: One. In FY23, OTIP funded Child and Family Service in Hawaii to provide comprehensive case management services to NHPI survivors of trafficking. OTIP provided trainings to strengthen accessibility, including a webinar in June 2023 on applying for OTIP funding. Additionally, OTIP published a series of How-To Guides in January 2024 to set award recipients up for success.*
- » On September 30, 2023, OFVPS awarded \$1,000,000 in FVPSA funding to one cooperative agreement with Pouhana O Na Wahine, to serve as Native Hawaiian Resource Center on Domestic Violence (NHRCDV). The NHRCDV focuses on the intervention and prevention of family violence, domestic violence, and dating violence by offering statewide information, training, and technical assistance specifically designed to reduce disparities within Native Hawaiian (NH) communities. In addition, OFVPS awarded \$1,000,000 in FVPSA funding for one cooperative agreement to Monsoon Asians and Pacific Islanders in Solidarity to serve as a Culturally Specific Sexual Assault Capacity Building Center for the Asian and Pacific Islander communities.
- » This funding is to provide technical assistance and training through the National Organization of Asian Pacific Islanders Ending Sexual Violence (“NAPIESV”) National Resource Center on Sexual Violence, a program under Monsoon, to improve services to victims/survivors of sexual violence from Asian and Pacific Islander (“API”) communities in the United States, U.S. territories in the Pacific, and Alaska. Monsoon is one of several technical assistance providers who are partnering together to support all FVPSA grant recipients.
- » *Number of public awareness materials developed for AA and NHPI communities: Three HHS Look Beneath the Surface public awareness campaigns have been published in Chinese, Indonesian, Korean, Thai, and Vietnamese. OTIP’s website can be accessed in numerous languages including: Chinese (Mandarin), Hindi, Japanese, Korean, Lao, Indonesian, Thai, Urdu, Vietnamese, and other AA and NHPI languages.*
- » The ARP Support for Survivors Program will address the emergent needs of survivors, and the programs that serve them, resulting from the COVID-19 public health emergency. The work will also promote strategic partnership development and collaboration in responding to the COVID-19 public health emergency on survivors of SA and DV.
- » *Number of calls into the National Human Trafficking Hotline from AA and NHPI callers: In FY23, at least 53 calls were received by*



the Hotline from callers speaking language reflected in AA and NHPI communities, including Chinese, Hindi, Japanese, Korean, and Vietnamese.

- » *Number of technical assistance requests received from AA and NHPI organizations:* N/A. OTIP will report out in future reporting periods.
- » *Number of requests for assistance received from AA and NHPI survivors of human trafficking:* In FY23, more than 146 adults and 101 children from Asian countries received HHS Certification and Eligibility Letters. In FY23, at least 173 individuals from Asian countries received comprehensive case management services from OTIP grant recipients.

*Training and Technical Assistance/Accomplishments Provided by OFVPS recipients:*

- » Pouhana O Na Wahine developed and implemented a culturally relevant curriculum titled “Pāpā ‘Ōlelo” to learn more about the systemic barriers facing Native Hawai’ian survivors of domestic violence to develop additional training, technical assistance and research. The curriculum was adapted from the National Indigenous Women’s Resource Center’s (NIWRC) Conversations with the Field (CWTF) curriculum and modified to be culturally relevant for NH communities. This tool helps communities identify domestic violence, explore how culture can be viewed as both a risk and protective factor, and suggest community-based solutions to address and, ultimately, end violence. The Native Hawaiian Resource Center on Domestic Violence conducted four (4) Pāpā ‘Ōlelo sessions with survivors throughout Hawai’i with five (5) more session scheduled to take place by the end of September;
- » Developed and implemented a five (5)-part

webinar series on cultural icons of Hawai’i celebrating their strength, resiliency and beauty. The series was developed in collaboration with the Alliance of Tribal Coalitions to End Violence (ATCEV), Indigenous Anthology-A Healing Journey booklet on wellness.

- » Collaborated on the development of and training on Many Voices, Many Traditions: A FVPSA Toolkit for Working with Indigenous Partners. The goal of this resource and the trainings developed around the toolkit is to increase the capacity of FVPSA grantees, including the states, state domestic violence coalitions, and other recipients to carry out program requirement of working with tribes, indigenous and underserved communities including Native Hawai’ian survivors.
- » Co-sponsored a Week of Action to raise awareness of missing and murdered Native women and girls and the struggles shared with fellow indigenous relatives across the nation.
- » Sponsored the first annual Missing and Murdered Native Hawaiian Women and Girls (MMNHWG) awareness event in Hawai’i to highlight the severity of this issue. The awareness event included speakers and workshops on the history of colonization and how that historical trauma and violence manifests itself today.
- » Participated in Missing and Murdered Native Hawai’ian Women and Girls Task Force, established by the Hawai’i State Legislature, to examine issues around domestic violence and NHs. Conducted research and developed the Task Force Report, Holoī A Nalo Wahine Oiwi.
- » Presented at United Nations Parallel Event on Native Hawaiians and domestic violence.
- » Collaborated with NIWRC’s STTARS Housing

- Program to coordinate a listening session on housing insecurity and survivors of violence in Hawai'i.
- » Presented at the 2023 NIWRC Women Are Sacred Conference on violence safety and protective factors for NH women and girls.
  - » Presented at OFVPSA Annual Meeting and the ACF Asian American Native Hawai'ian Pacific Islanders for AA and NHPI Awareness Month.
  - » Presented at Institute on Violence, Abuse & Trauma (IVAT), Honolulu Summit and was featured at Hawai'i State Coalition Against Domestic Violence (HSCADV) Conference.
  - » Created resource library and began compiling print and electronic resources on NH culture, history, domestic violence and related disparities, and information about community resources and service. This includes identifying resource and research gaps and plans to develop new resources.
  - » Collaborating with the Hawai'i Coalition and Hawai'i State Administrator on developing a Domestic Violence Needs Assessment for the state. This includes hosting listening sessions and developing additional trainings and technical assistance for direct service organizations.
  - » NAPIESV, in its first fiscal year, hosted numerous community listening sessions and individual interviews both nationally and in U.S. Territories in the Pacific. NAPIESV completed community listening sessions in Des Moines, Iowa; Houston, Texas; and in Guam. In Houston, NAPIESV met with staff from the local dual program DAYA, in addition to hosting community listening sessions with Boat People SOS staff. In Guam, NAPIESV hosted four community listening sessions, and provided three workshops at the Guam Coalition Sexual Assault Awareness Month Conference.
- » In collaboration with other CSSAC, an overview and training on culturally specific issues regarding sexual violence in the API communities, Native communities, Latinx and Black communities was provided. The primary focus of TA assistance and requests were as follows:
    - » *Sexual Assault, Creating and sustaining culturally specific organizations and communities;*
    - » *Program Development, Primary Prevention, and Trauma-Informed Practice.*
  - » The Asian Pacific Institute on Gender-Based Violence (API-GBV) had 1,291 individuals from local, state, national and federal programs attended 22 trainings, workshops, webinars, listening sessions and other community engagement events, 46 technical assistance responses (35 consultations and 11 I&R events) were recorded, 6,827 publications, training materials, webinar recordings, and other products were disseminated online through our website (5,909 downloads) or other online platforms such as YouTube (918 views/downloads), 3 publications and 2 other products (such as webinar recordings) were produced, 124,724 visitors paid 153,548 visits to the website, 4453 subscribers to our email listserv, 1150 Twitter followers, 2146 Facebook followers, and 390 Instagram followers received regular updates.
  - » ANA Commissioner visited community partners in Hawai'i and held a virtual Native Hawaiian Community Listening Session on the implementation of the Durbin Feeling Native American Languages Act on June 20, 2023. The purpose of the Durbin Feeling Native American

Languages Act of 2023 is to improve interagency efforts to support Native American language reclamation efforts, reduce inefficiencies and duplications that impede on Indigenous communities, and outline the status of the vitality of Native American languages, including ‘Ōlelo Hawai‘i (the Hawaiian language).

- » The Administration for Native Americans’ (ANA) Commissioner traveled to engage with Pacific constituents on the island of Oahu Hawaii and to Pago Pago Amerika Samoa. There have also been substantial coordination efforts for the Commissioner to meet with Office of Hawaiian Affairs (OHA), Native Hawaiian Revolving Loan Fund (NHRL) and ANA grant recipients on the island of Oahu, Hawaii. The commissioner is also engaged in high level Missing and Murdered Indigenous Persons (MMIP) listening sessions in Hawaii which intersects with EO 14053. Following the meetings with ANA Oahu based grant recipients and OHA/NRLE, the ANA Commissioner traveled to Amerika Samoa to engage with ANA constituents in Pago Pago. She was able to attend and participate in the official Flag Day ceremonies.
- » The ANA Pacific Region TTA center served as lead on a cross-regional workgroup redesigning the Pre-Application Manual and curriculum to match the new ANA Notice of Funding Opportunities (NOFO’s).

### **Action 5: Strengthening AA and NHPI Health Research**

#### **National Institutes of Health (NIH)**

**Goal:** *In recognizing the need for disaggregated data as recommended by the WHIAANHPI to advance equity, justice, and opportunity, NIH recently issued a Request for Information (RFI) seeking feedback, comments, and ideas from the scientific*

*community and the general public to identify gaps, needs, and opportunities to help develop actionable recommendations that will enhance research focused on AA and NHPI health disparities.*

#### **Progress**

1. Highlights of the RFI analysis were presented in September 2023 at the Asian American, Native Hawaiian, and Pacific Islander Health Scientific Interest Group (AANHPI-HSIG) seminar series which was open to the public.
2. NIH AANHPI-HSIG has continued assessing the research and education needs to improve the health and well-being of AA-NHPI populations. In 2023, the AA-NHPI-HSIG organized several NIH-wide seminars and the annual AA and NHPI May Heritage Month commemoration with the NIH AA and NHPI Health Research Conference on May 3-4, 2023. Feedback from the AANHP scientific community will be included in the final NIH recommendation report.
  - » More information on the conference and the AANHPI-HSIG is available at <https://videocast.nih.gov/watch=49711>.
3. NIH is finalizing a report highlighting the results of the analysis of the responses to the RFI to improve research on health and well-being for AA and NHPI populations. The input from the RFI will help to inform the development of future NIH initiatives and research on AA and NHPI health and well-being. The report will be publicly available on the NIH website by the end of April 2024.
4. In February 2024, NIMHD hosted a workshop on “Research on Native Hawaiian and Pacific Islander Health” and gathered researchers, subject matter experts, and advocates for NHPI health to: 1) identify critical health topics



and needs affecting NHPI communities; 2) the current gaps in knowledge and research efforts on NHPI health outcomes; and 3) future research opportunities to promote NHPI health and reduce health disparities. Over two days, about 250 individuals including researchers, physicians, and community leaders participated in an engaging dialogue to discuss determinants and processes of NHPI health, methodological approaches and tools, and cultural interventions to improve NHPI health.

5. The NIH All of Us Research Program continues to collect disaggregated data for 18 Asian American and NHPI populations. The specific populations are: Asian - Asian Indian, Cambodian, Chinese, Filipino, Hmong, Japanese, Korean, Pakistani, Vietnamese, and Native Hawaiian or Pacific Islander - Chamorro, Chuukese, Fijian, Marshallese, Native Hawaiian, Palauan, Samoan, Tahitian, and Tongan. These are the categories in the 2020 census. As of March 2024, a total of 13,840 participants self-identified as Asian.
6. Research Highlights related to data disaggregation:
  - » In FY 2023, NIH launched the New Epidemiological Cohort Study among Asian Americans, Native Hawaiians, and Pacific Islanders: Clinical/Community Field Centers Initiative to establish a new population-based cohort study to address key population research gaps in the health of Asian American, Native Hawaiian, and Pacific Islander populations. The epidemiological cohort study will enable the enrollment, initial examination, and follow-up activities of a cohort of approximately 10,000 participants from multiple immigrant generations using a populomics perspective and multi-disciplinary methods to investigate the influences impacting the health of Asian and

NHPI subpopulations. The initiative funded five awards:

- » Chicago CCFC for the new Asian-NHPI Cohort will collect diverse data types in a disaggregated and representative manner, and contribute to increasing knowledge, and opportunities for prevention, intervention, and health promotion in the diverse Asian population.
- » Asian American Community Cohort-New York will be a state-of-the-art cohort research infrastructure to examine the biological, lifestyle, behavioral/environmental and sociocultural factors that impact the health of Asian American populations, particularly Korean and Chinese American.
- » Asian American Community Cohort and Equity Study (ACCESS) will investigate sociocultural, behavioral, and biologic pathways that contribute to cardiometabolic health and disease risk in Asian American subpopulations, address how social determinants of health impact cardiometabolic outcomes, and identify key biologic pathways that mediate these associations.
- » Asian American Prevention Research: A Populomics Epidemiology Cohort (ARISE) aims to enhance understanding of disease risk factors and health outcomes among Chinese, Filipino, and Vietnamese American populations, and will characterize cardiometabolic profiles and psychosocial and other health factors using extensive surveys, clinical assessments and assays, imaging studies, multi-omics, and digital technology.
- » Pacific Ocean Native Observational (PONO) Health Legacy Study will establish a prospective, multi-generational cohort on cardiopulmonary and metabolic (CPM) health among Native

Hawaiian and Micronesian Pacific Islander populations to study the prevalence of CPM subclinical disease and the associations of multi-level risk and resilience factors by CPM conditions.

- » NIH also funded the Hawaiian, Asian American, and Pacific Islander (HAAPI) Coordinating Center to support the work of the five Clinical/Community Field Centers and advance knowledge of the cardiovascular, metabolic, and psychological health of Asian American, Native Hawaiian and Pacific Islander populations.
- » NIH Community Engagement Alliance (CEAL) funded the Asian American, Native Hawaiian, and Pacific Islander (AA NHPI) Interest Group to support successful implementation of community-engaged research and outreach for CEAL Regional Teams engaging with AA NHPI communities and to ensure that the AA NHPI voice is reflected across CEAL.
- » Other examples of NIH-funded research that are supporting the agency’s efforts related to data disaggregation for Asian and NHPI populations include:
  - » *Hawai’i Minority Underserved NCORP*
  - » *Elucidating the High and Heterogeneous Risk of Gestational Diabetes among Asian Americans: An Integrative Approach of Metabolomics, Lifestyles, and Social Determinants*
  - » *Resource Center for Alzheimer’s and Dementia Research in Asian and Pacific Americans*
  - » *Assessing Native Hawaiian and Pacific Islander Maternal Outcomes and Health Care Experiences*
  - » *Rutgers-NYU Center for Asian Health*

*Promotion and Equity*

- » *Vietnamese Insights into Cognitive Aging Program (VIP)*
- » *Elucidating Lung Cancer Etiology Among Asian American Female Never Smokers*
- » *Neighborhood, Social Connectedness, and Allostatic Load in U.S. Chinese Immigrants*
- » *Daily Psychosocial Stress and Cardiometabolic Health of Older Chinese Americans*
- » *OLA Hawaii*
- » *Sleep and Health Disparities among Asian Americans: Roles of Stressors and Protective Factors*
- » *A Web-App Based Lifestyle Physical Activity Promotion Program to Improve Depressive Symptom Experience: Midlife Korean American Women*
- » *Discrimination and Racial Socialization on Asian American Parent and Youth Mental Health*
- » *K-HEARS: Hearing Health Equity through Accessible Research and Solutions for Korean Americans*

**Next steps**

1. May 2024, RFI report discussion forum with NIH-wide working group
2. Complete full NIH recommendation report by end of May 2024.
3. Explore development of funding opportunities of the AA and NHPI cancer network.

4. NIH will develop a summary report from the workshop that will help to inform the development of future research focused on NHPI populations.
5. The *All of Us* Program will continue to work with the Asian Health Coalition and other partners to engage with the AA and NHPI community about the All of Us Research Program.
6. NIH-funded Clinical/Community Field Centers have initiated participant recruitment and retention to conduct research studies which will include clinical examination, data collection, and follow-up. Centers will also work with the Coordinating Center on an ongoing basis. Other NIH-funded research will contribute data on Asian and NHPI populations in support of NIH data disaggregation efforts to enhance understanding of diseases and health conditions affecting Asian and NHPI populations and inform the development of interventions, programs, tools, and policies to improve health for Asian and NHPI populations.



**Appendix: Progress Notes on Other Related Activities**

**Addressing the Presidential Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders**

***Food and Drug Administration - Office of Equal Employment Opportunity (OEEO)***

**Goal:** *FDA’s data-driven and collaborative approach to supporting and advancing inclusion and equity, as outlined FDA DEIA Strategic Plan (2022-2025), applies to the entire workforce. There are currently no initiatives planned before May 2024 that focuses on*

*AA and NHPI community specifically.*

**Federal Workforce Diversity**

***Substance Abuse and Mental Health Services Administration (SAMHSA)***

**Goal:** *HHS AA and NHPI Workforce Diversity and Inclusion Strategic Plan.*

**Progress:** SAMHSA established an Asian American, Native Hawaiian, and Pacific Islander Employee Resource Group in September 2023 in response to this Administration’s policies to increase DEIA in the federal workplace

**Next steps:** SAMHSA AA and NHPI ERG will continue to meet to build SAMHSA AA and NHPI belonging in the workplace setting

**Outreach and Engagement**

***Substance Abuse and Mental Health Services Administration (SAMHSA)***

**Progress**

- » SAMHSA conducted a successful *Behavioral Health Equity Challenge for Underserved Racial and Ethnic Communities* as part of the *Elevate Community-Based Organizations (CBOs) Initiative* within the Office of Behavioral Health Equity (Behavioral Health Equity Challenge | SAMHSA). The goal of the April 2023 Challenge was to identify and highlight innovative outreach and engagement strategies used by CBOs to increase access to behavioral health services for racial and ethnic underserved communities. There were 427 submissions; 10 winners received \$50,000 each in prize money. One of the ten winning organizations from the challenge was from Hawaii – Waianae Coast Comprehensive Health Center.



- » In July 2023, SAMHSA co-hosted with WHIAANHPI, the AA and NHPI Mental Health Summit, bringing together behavioral health professionals, policymakers, national and community leaders, researchers, persons with lived experience and more to discuss the mental health needs and actions to improve the mental health of AA and NHPIs.
- » In August 2023, SAMHSA held a follow-up *Pathways Forward: Action Plans to Advance AA, NH, and PI Mental Health Meeting*, where four workgroups convened to develop action plans related to 988 and crisis care; behavioral health workforce; language access/justice; and anti-AA, NH, and PI hate.
- » SAMHSA’s ‘Ohana CoE conducts outreach activities via their website’s, “Community Corner” (Community Corner - ‘Ohana Center of Excellence (aanhpi-ohana.org)). They also provide in -person outreach and engagement via presentations and tabling at local events
- » The NNED connects with AA, NH, and PI serving organizations as part of its mission.
- » SAMHSA’s Achieving Behavioral Health Equity Initiative includes a Steering Committee made up of community representatives, including representation of these populations.

**Next steps:** In April 2024, SAMHSA and its ‘Ohana CoE will present at the Hawai‘i Institute on Violence Abuse and Trauma (IVAT) Summit in collaboration with local Hawaiian organizations: Waianae Coast Comprehensive Health Center and Ho’aka Mana.

- » This upcoming May 2024, SAMHSA’s Office of Behavioral Health Equity will sponsor an AA, NH, and PI Heritage Month virtual presentation, open to the public, led by SAMHSA’s ‘Ohana CoE on the same topic as the IVAT presentation.

- » SAMHSA will produce a suite of products related to the Behavioral Health Equity Challenge to highlight the innovative strategies of CBOs and the challenge process.
- » SAMHSA will continue to connect with the four workgroups of the *Pathways Forward* meeting to advance AA, NH, and PI mental health.
- » SAMHSA’s ‘Ohana CoE and the NNED will continue to outreach to AA, NH, and PI communities to share information, training, and technical assistance on an ongoing basis.

### Capacity Building, Outreach & Engagement

#### **Food and Drug Administration - Oncology Center of Excellence**

**Goal:** *The Oncology Center of Excellence (OCE) Project Asha is an initiative that aims to improve cancer care in India with an emphasis on oncology trials access.*

*Working with Dr. Satish Gopal (Director for the Center for Global Health at the National Cancer Institute) to discuss the global health programs that Dr. Gopal was leading.*

**Progress:** Dr. Gopal presented Programs and Priorities at the NCI Center for Global Health at OCE rounds on February 16th, 2024. There was a robust discussion about these programs, leading to identification of opportunities where we can leverage our regulatory collaboration with low- and middle-income countries like India through Project ASHA.

**Next steps:** Opportunities for FDA/Project Asha team to provide regulatory knowledge and guidance for clinical trial conduct in collaboration in researchers in India.

**Goal:** *Seek input from OCE leadership and members*

regarding further engagement and opportunities to expand Project Asha’s outreach.

**Progress:** Dr Geetika Srivastava presented an overview of Project Asha at the OCE rounds on March 25, 2024.

Several OCE staff provided input and shared ideas for increasing engagement and identifying opportunities to provide regulatory guidance.

**Next steps:** Plan for “Conversation on Cancer” session in late 2024 with Indian American oncologists.

Sharing of other FDA guidance documents relevant to the Oncology clinical trial landscape in India.

**Goal:** Working with FDA-India and CDSCO (Indian Regulators), Project ASHA hopes to have ongoing and develop close relations with the regulators in India to better understand regulatory landscape and opportunities to increase oncology clinical trials in India.

**Progress:** Closed Session: April 3, 2024. In this session hosted by FDA (US and India) inviting regulators from the Indian Government to discuss current regulations in place for oncology clinical trials in India.

**Next steps:** Identify opportunities for FDA to collaborate and discuss regulatory initiatives.

**Progress:** April 30th, 2024; Beyond Borders: Decoding India’s Clinical Trial Terrain’ – Project Asha will lead this roundtable with participation from stakeholders to delve into the underlying reasons that clinical trial placement is low, given India’s population size and medical expertise.

**Next steps:** To lay the groundwork for future action items and areas of focus aimed at improving cancer care in India.

**Goal:** Plans to invite regulators from India and the close “International Regulators Session” at ASCO

**Progress:** Annual ASCO meeting in Chicago (June 2024) Project ASHA is planning to invite regulators from India. This close “International Regulators Session” will focus on “Improving global access to cancer therapies through regulatory authority collaboration”.

**Next steps:** Aim is to share our learnings and initiatives which can help countries globally, (esp. low- and middle-income countries [LMICs]).

**Food and Drug Administration - Office of Minority Health and Health Equity**

**Goal:** The FDA Office of Minority Health and Health Equity’s (OMHHE) Racial and Ethnic Minority Acceleration Consortium for Health Equity (REACH) consortium, OMHHE has connected with NHPI organizations such as Queens Medical Center to timely and efficiently help respond to OMHHE’s health equity focused research, outreach and communications needs in NHPI communities.

**Progress:** OMHHE supported four research projects through our Health Equity Innovation Awards to continue to strengthen and advance minority health and health equity focused research, outreach, and communications as well as support training and mentoring of diverse students, fellows, and/or researchers including NHPI communities.

**Next steps:** Ongoing project.

**Food and Drug Administration - Office of Minority Health and Health Equity Administration for Community Living (ACL)**

**Goal:** ACL/AoA is committed to ensuring that that state units on aging, area agencies on aging and local services providers (I.e., the aging services network)

*have the capacity necessary to provide culturally competent services and supports to all older adults and their family caregivers, with an emphasis on limited English-minority populations and those living in rural or underserved areas. For more than 20 years, ACL has funded several national representing different minority populations of older adults to develop and deliver training and technical assistance to the aging services network. Among the populations of focus, Asians, Pacific Islanders, older adults, and their family caregivers are a particular area of focus.*

**Progress:** In 2023, ACL funded a new group of grantees to continue the work of the Older Adults' Equity Collaborative (OAEC) which includes The University of Illinois Chicago (UIC). In partnership with community stakeholders, UIC is developing Asian Services Inclusive of Asian American Networks (ASIAAN), a technical assistance and resource development center that will focus on Asian Americans and Pacific Islander communities to support further advancements and innovations for older AAPI adults and their families in the aging network.

Select examples of activities UIC is undertaking in their grant, include, but are not limited to:

- » Improving interactive health literacy among AAEs and their caregivers by developing and implementing customized and culturally tailored curricula, trainings, and webinars.
- » Building capacity within aging service organizations to provide culturally meaningful and linguistically accessible outreach and service delivery.
- » Building capacity within ethnic CBOs for staff to serve as liaisons between mainstream services and AAEs and their caregivers.
- » Enabling the future workforce of health and

social service providers to acquire knowledge, attitudes, and competencies for providing culturally sensitive and family-centered care for AAEs and their families.

- » Creating a mechanism for knowledge translation and dissemination of health and disability-focused information through culturally tailored and accessible messaging and products.

**Next steps:** Ongoing project.

### **Centers for Disease Control and Prevention (CDC)**

**Goal:** *In efforts to invest in the education, employment, and retention of the public health workforce, including bring more Asian Americans, Native Hawaiians, and Pacific Islanders in to the public health workforce, the U.S. Centers for Disease Control and Prevention (CDC) Division of Workforce Development (DWD) invests in training and education to promote capacity building, outreach, and engagement via continuous, learning opportunities to keep pace with emerging health threats and the latest public health science, filling gaps in access to interdisciplinary and cross-training programs that cover a broad range of skills beyond even traditional public health domains.*

### **Progress**

- » CDC DWD connects public health professionals with accredited, competency-based training and learning opportunities to strengthen and build their skills. All activities are based on adult learning principles and reflect CDC quality training standards. CDC DWD provides training programs for public health professionals including the CDC E-Learning Institute for public health professionals who develop training products at state, local, territorial, or tribal health departments; the Data Science Upskilling Program for CDC staff to develop a team-based foundation in data science; and the Data



Science Team Training Program, for state, local, tribal, and territorial health department staff to develop a team-based foundation in data science within their own agencies. CDC also provides training resources including CDC TRAIN, an online learning management system operated in partnership with the Public Health Foundation; CDC Learning Connection, which highlights quality trainings for healthcare and public health professionals via a newsletter, social media, and partner outreach; and Training and Continuing Education Online (TCEO), a system for finding, managing, and completing continuing education opportunities. CDC is part of the TRAIN network, a shared learning management system freely available to public health professionals across the country and used by 30 state health departments as their primary learning system. Among CDC TRAIN learners who provided their demographic information, nearly 28,500 learners identified as Asian (25,909) or Native Hawaiian/Pacific Islander (2,543). In FY2023, over 3,700 new learners who joined CDC TRAIN identified as Asian (3,329) or Native Hawaiian/Pacific Islander (408).

- » CDC Division of Workforce Development manages postgraduate experiential service-learning fellowships. These programs provide robust on-the-job learning while filling critical gaps in the public health workforce in epidemiology, policy, leadership and management, economic analysis, data science, laboratory science, and others. These include the Applied Public Health Informatics Fellowship Program (APHIFP), Applied Epidemiology Fellowship (AEF), ASPPH/CDC Public Health Fellowship Program administered through the Public Health Leadership and Education, Advancing Health Equity and Data Science (PH LEADS) program, CDC Evaluation Fellowship Program, Epidemic Intelligence Service (EIS) and joint ID/EIS fellowship, Future Leaders in

Infectious and Global Health Threats (FLIGHT), Laboratory Leadership Service (LLS), Public Health Associate Program (PHAP), Public Health Informatics Fellowship Program (PHIFP), Prevention Effectiveness (PE) Fellowship and Public Health Analytics and Modeling Track, and Presidential Management Fellowship (PMF). For six of these class of 2022 fellowships (EIS, FLIGHT, LLS, PE, PHIFP, and PMR/F), 23 percent of eligible applicants self-reported as Asian, and 18 percent of those applicants that matched with a host site self-reported as Asian. In addition, 1 percent of eligible applicants self-reported as Native Hawaiian and other Pacific Islanders, but none matched with a host site. For the Public Health Associates Program class of 2023, 17 percent of those that were hired into the fellowship self-reported as Asian. For PHAP, associates who identified as Native Hawaiian or Other Pacific Islander were few and reported out in combination with other race groups, so the specific number is not currently available. This is in comparison to 9 percent of U.S. institution public and private graduate enrollment in postsecondary institutions that report as Asian (ed.gov). DWD continually works to improve our outreach to these audiences. For example, in outreach via the Handshake recruitment platform for the EIS class of 2023, of the 11,097 candidates reached, 2,898 (26 percent) self-reported as Asian and 568 (20 percent) of these candidates engaged with our messages, and 52 (23 percent) of the 230 candidates that clicked apply to learn more about EIS self-reported as Asian. In our outreach to PE candidates for the class of 2024, of the 9,291 candidates reached, 1,975 (21) reported as Asian and 786 (40 percent) of those engaged with our messages, and 124 (35 percent) of the 359 candidates that clicked apply to learn more about PE reported as Asian.

- » CDC DWD invests in addressing the public health needs of our nation by advancing more

equitable health outcomes for underserved communities and providing onsite experience for future careers in public health. CDC and AmeriCorps joined forces to establish Public Health AmeriCorps which supports the recruitment, training, and development of the next generation of public health leaders who will be ready to respond to the nation's public health needs. This program addressed public health needs of local communities by providing support in state and local public health settings and advancing more equitable health outcomes for underserved communities, while creating pathways to good quality public health-related careers through onsite experience and training, with a focus on recruiting AmeriCorps members who reflect the communities in which they will serve. CDC provided over \$160M to fund Public Health AmeriCorps to support more than 100 public health organizations, 20 percent of those in rural communities, and supporting over 4000 diverse members in nearly every state, Guam, and Puerto Rico. Preliminary Findings from an analysis of a subset of Public Health AmeriCorps Member Exit Survey of those that completed their service by September 2023 found, 57/986 (6 percent) reported being Asian or Asian American and one reported being Native Hawaiian or other Pacific Islander.

- » CDC DWD invests in strategic recruitment and retention efforts to ensure a diverse workforce through implementation of an Education Loan Repayment Program for Health Professionals. Public health workers provide critical services that keep Americans safe and healthy. But a major barrier to recruiting public health workers is the burden of student loan debt. In 2003, the average medical school debt was over \$250,000, and historically underrepresented graduates have the highest student debt burden. Loan repayment is one way CDC can help address these student debt disparities and improve the racial and ethnic

diversity of the public health workforce. Of the EIS and LLS class of 2022 ELRPHP participants, at least two self-reported as Asian.

- » CDC DWD invests in strengthened partnerships between public health agencies and other sectors, such as academia, to bring together coordinated strategies for addressing public health issues collaboratively. CDC DWD uses a data-driven approach to public health workforce development rooted in high-quality science. CDC and the Health Resources and Services Administration jointly funded a Public Health Workforce Research Center. The goal of the Public Health Workforce Research Center is to support and share rigorous, state-of-the-art, applied research that helps decision makers at the federal, state, and local levels understand health workforce needs. As the funded Public Health Workforce Research Center, the University of Minnesota School of Public Health is leading a Consortium for Workforce Research in Public Health (CWORPH) consisting of academic member institutions and practice-oriented partner organizations. This unique collaboration looks at what drives public health workforce turnover, ways to recruit and retain staff, and how to fill workforce gaps. For example, one CWORPH study identified trends in degree conferrals and employment outcomes among undergraduate Public Health Degrees, finding in 2020, of undergraduate public health degree graduates 13 percent were Asian and 74 percent of Asian student received this degree from a Council on Education for Public Health accredited institution.

### ***Substance Abuse and Mental Health Services Administration (SAMHSA)***

#### **Progress**

- » SAMHSA provided a Crisis Counseling Grant

and Emergency Response Grant to the State of Hawaii following the Maui Wildfires Disaster.

- » SAMHSA's 'Ohana CoE has provided webinars and information on this topic via their website: [aanhpi-ohana.org](http://aanhpi-ohana.org).
- » SAMHSA's 'Ohana CoE receives and fulfills technical assistance requests from local and state entities related to capacity-building on an ongoing basis.
- » SAMHSA's National Network to Eliminate

Disparities in Behavioral Health (NNED) provides trainings, webinars, and information related to this topic to its members, which include AA, NH, and PI serving organizations on an ongoing basis (NNED – National Network to Eliminate Disparities in Behavioral Health).

**Next steps:** SAMHSA will continue to offer trainings and information on building capacity focused on underserved communities as part of the Office of Behavioral Health Equity's *Elevate CBOs Initiative*, the NNED, and the 'Ohana CoE.





# U.S. Department of Housing and Urban Development

*The U.S. Department of Housing and Urban Development (HUD) creates strong, sustainable, inclusive communities and quality affordable homes for all.*

## **Action 1: Ensure Language Access Throughout HUD Programs and Services and Equip HUD Grantees with Cultural Sensitivity Trainings to Better Serve AA and NHPI Families**

**Goal:** HUD's Office of Fair Housing and Equal Opportunity (FHEO) will ensure that vital and public-facing documents are translated into frequently used Asian languages; improve the provision of interpretation services; provide training and technical assistance to HUD grantees; and explore the translation of HUD's website into Asian languages.

**Progress:** HUD convened a language access working group in July 2023 that meets regularly. In the past year, the language access working group has:

- » Disseminated information throughout HUD about the Limited English Proficiency Initiative, which provides translation and interpretation services to help people with LEP receive information about the Department's programs and services;
- » Made presentations on how to obtain data on LEP communities; and
- » Distributed a language assessment tool to HUD offices.

**Next steps:** The language access working group will continue to work to identify strengths, weaknesses, and opportunities for increased support and training of HUD staff to increase awareness and use of language access services.

## **Action 2: Promote Access to Housing Opportunities for the AA and NHPI Community**

**Goal:** The Office of Housing Counseling will award grants to promote the use of housing counseling services among communities of color and underserved populations, with AA and NHPI communities as a primary focus of these activities.

**Progress:** HUD OHC currently grants funding to National CAPACD, a national coalition of local community organizations working with AA and NHPI populations. Over 22 organizations receive funding to provide housing counseling services.

**Next steps:** OHC is in conversations with Housing Counseling intermediary organizations that serve AA and NHPI communities to see how OHC can expand the number of college and university partnerships in the future that assist AA and NHPI communities.

OHC will continue monitoring grants to HUD-approved housing counseling agencies that serve AA and NHPI communities.

### **Action 3: Examine AA and NHPI Data Disaggregation Opportunities at HUD in Data Collection, and Opportunities for Sharing Data to Foster Improved Program Design and Outreach**

**Goal:** HUD will prioritize and implement data disaggregation efforts to better understand the unique housing needs of AA and NHPI subgroups and better target housing resources. HUD will also review opportunities to revise Forms 50058 and 50059 to determine whether further disaggregation for AA and NHPI subgroups is possible.

**Progress:** HUD continues to prepare for any changes to Statistical Policy Directive No. 15 and socializing potential changes to AA and NHPI disaggregation within the Department.

In preparation, HUD is developing an inventory of all HUD data sources with detailed AA and NHPI information to identify priorities for disaggregation.

**Next steps:** HUD to meet with Chief Data Officer to gather a list of data sources the Office of Policy Development & Research maintains and will evaluate each for its level of disaggregation.

### **Action 4: Strengthen Housing Programs for Native Hawaiian Families**

**Goal:** The Office of Native American Programs (ONAP) will provide technical assistance for the Department of Hawaiian Home Lands (DHHL) to implement the NHHBG program and publish a proposed rule change to the NHHBG regulation to clarify that NHHBG funds may be used for tenant-based or project-based rental assistance, thereby diversifying the types of affordable housing options available for Native Hawaiians and allowing more families to reside on the Hawaiian home lands.

**Progress:** In April 2023, DHHL launched a tenant-based rental assistance program for kupuna (elders).

On February 12, 2024, HUD published the NHHBG final rule change.

HUD technical assistance to DHHL for a down payment assistance/individual development account program is ongoing.

**Next steps:** HUD will continue to provide technical assistance to DHHL.

Additional technical assistance for DHHL will be offered on various topics that will help DHHL move forward with implementation of new rental housing assistance projects.

### **Action 5**

**Goal:** HUD will use and share data analytics on AA and NHPI voluntary separation rates, increase recruitment activities, coordinate a series of facilitated discussions to address the resources available to protect AA and NHPI employees from workplace harassment, and conduct a barrier analysis on AA and NHPI employment at HUD.

**Progress:** OCHCO participated in the May 2023

FAPAC National Conference.

On February 21, 2024, HUD celebrated the Lunar New Year with the AA and NHPI Employee Resource Group (ERG).

HUD has also held several DEIA events throughout the past year that have also addressed AA and NHPI workforce inclusion.

- » In August 29, 2023, HUD held a hybrid event “Inclusion at Work” on inclusion for all-employees.
- » On September 14, 2023, HUD ODEEO and OCHCO acknowledged teams and staff on their work furthering DEIA and EEO principles with

the HUD DEIA/EEO Coin of Excellence.

- » In the fall of 2023, OCHCO’s Leadership Development Division began a series of monthly webinars intended to build a multicultural pool of executive leaders at HUD.
- » On January 31, 2024, HUD held an Affinity/Employee Resource Group Day that featured a panel with HUD’s AA and NHPI ERG.

**Next steps:** OCHCO will continue to explore recruitment activities with colleges and universities to reach potential AA and NHPI candidates. OCHCO plans to participate in the FAPAC National Conference in May 2024.



*This page was intentionally left blank.*



# U.S. Department of Transportation

*The U.S. Department of Transportation (DOT) delivers the world's leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods.*

## **Action 1: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate; Outreach & Engagement**

### **Goals**

- » *Partner with transit agencies to host public listening sessions targeting high-density AA and NHPI communities to allow community members to express their concerns and offer ideas regarding public transportation services.*
- » *Perform targeted engagement and consultation with stakeholders to drill down on any specific concerns that are impacting AA and NHPI transit ridership.*
- » *Work with transit agencies to identify procedures and methods to collect data related to how AA and NHPI communities perceive public transportation.*
- » *Explore collaborations with transit-oriented organizations (e.g., the American Public Transportation Association or the Transportation Research Board) to identify additional strategies and action steps for this effort, including additional stakeholder engagement as appropriate.*

### **Progress**

- » Executed a community listening session series: Beginning in October 2022, USDOT's Federal Transit Administration (FTA) has partnered with local transit agencies to execute a nationwide road show of community listening sessions, which have included participation from transit riders, representatives from local communities, and leaders in advocacy organizations. FTA's series has so far reached eight metropolitan areas across the country, including New York City, San Francisco, Houston, Oakland, Los Angeles, Chicago, metro-Atlanta (Gwinnett County), and Seattle. Readouts for each of these

sessions have also been made publicly available on FTA's website.

- » Engaged in targeted stakeholder outreach: Following the community listening sessions conducted by FTA, USDOT has re-engaged participating stakeholders, like Stop AAPI Hate and the Los Angeles Anti-Hate Coalition, to expand its understanding of the community concerns around safety and service that have been raised in the sessions. USDOT has also performed supplemental engagements with government entities and local transit agencies, like the California Civil Rights Department and Seattle's Sound Transit, to learn about current efforts being undertaken to engage AA and NHPI communities around anti-hate initiatives and gain a better awareness of relevant transit service disputes.

**Next steps**

- » Conclude the community listening session series: In Q2 2024, FTA anticipates hosting a final community listening session in Washington, DC that will bring together leaders from national AA and NHPI community and advocacy organizations to discuss transit safety and service challenges in the DMV area, as well as overarching concerns that these organizations have been hearing from their members nationwide.
- » Draft and publish a summary of findings report: Following its final community listening session, FTA anticipates drafting and publishing a summary of findings report that will officially conclude the series. The report will highlight the feedback and concerns FTA has heard during each of its sessions, suggestions that community members and advocates have suggested to improve safety and service, and updates on progress that has been made by local transit

agencies that partnered with FTA on the series.

**Action 2: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate; Outreach & Engagement; Language Access**

**Goals**

- » *Host public education sessions with AA and NHPI advocacy organizations to share information about Title VI protections and solicit suggestions on how to foster better communication between USDOT and AA and NHPI communities around Title VI.*
- » *Identify USDOT staff, hotlines, and resources that communities can use as points of contact for Title VI questions and concerns.*
- » *Explore distributing and translating Title VI resources in languages used by AA and NHPI communities.*

**Progress**

- » Launched public education sessions: In November 2023, USDOT's Departmental Office of Civil Rights (DOCR) launched a training for AA and NHPI community and advocacy groups to disseminate information about Title VI while promoting a "train-the-trainer"-style approach to spread awareness to community members. So far, the sessions have been conducted via a virtual webinar targeting nationwide AA and NHPI organizations and an in-person training offered to local AA and NHPI organizations in metro-Atlanta (Gwinnett County).
- » Updated the Department's Language Access Plan: In November 2023, DOCR completed an update of USDOT's Language Access Plan (language access being a critical piece of Title VI protections). The updated plan renews the Department's commitment to providing language



access, while also specifying a USDOT language access coordinator and discussing resources for language assistance services.

- » Entered into Language Access IAAs: USDOT has recently entered into an interagency agreement (IAA) with the National Language Service Corps (NLSC), which will allow the Department to obtain written translation and oral interpretation services for limited English proficient (LEP) individuals, including those who speak AA and NHPI languages. So far, IAAs have been formalized for both the Federal Aviation Administration (FAA) and the Office of the Secretary (OST).

### Next steps

- » Continue public education sessions: In 2024, DOCR anticipates continuing its public education sessions with a re-vamped training that will be offered both virtually and in-person in cities across the country. The new training will continue to spread awareness about Title VI, but with an added focus on the 60th Anniversary of the Civil Rights Act (and Title VI), which will take place in summer 2024.
- » Develop Title VI resources: In coordination with both its public education sessions and the 60th Anniversary of the Civil Rights Act, DOCR is developing a series of multi-media products (infographics, videos, etc.) to spread information on the protections Title VI affords and the various ways that communities can report potential Title VI violations to USDOT. DOCR also plans to leverage its new language access resources to translate these products into various languages, including those spoken by AA and NHPI communities.

### Action 3: Capacity Building; Outreach & Engagement; Language Access

### Goals

- » *Participate in AA and NHPI-focused business conferences to share resources related to Federal procurement.*
- » *Partner with the Small Business Administration (SBA) and the Community Development Financial Institutions Fund (CDFI) on “access to capital” programs that will support AA and NHPI-owned businesses.*
- » *Host small business contracting summits that will provide technical assistance to AA and NHPI-owned businesses.*
- » *Collaborate with USDOT’s Small Business Transportation Resource Centers (including the Southwest SBTRC hosted by the California Asian Pacific Chamber of Commerce) on capacity building sessions.*
- » *Explore translating FAQ documents and other technical assistance materials into languages used by AA and NHPI communities*

### Progress

- » Awarded direct contracts of small businesses: USDOT has prioritized awarding its own contracts to small businesses, awarding 22 percent of its contracts to Small Disadvantaged Businesses (SDBs) and/or 8(a) certified contractors, which include small businesses in the AA and NHPI community. This includes awarding approximately \$846 million to AA and NHPI small and disadvantaged businesses in FY23.
- » Supported 8(a) Business Development: USDOT’s Office of Small and Disadvantaged Business Utilization (OSDBU) has actively worked with AA and NHPI small businesses within the 8(a)

business development program to provide technical assistance, share resources, and form connections that would increase their likelihood to be awarded a federal contract. For example, OSDBU:

- » Hosted an AA and NHPI-specific business matchmaking event that connected small businesses with prime contractors and included more than 160 participants.
- » Met with multiple Native Hawaiian institutions at the National 8(a) Conference to discuss how USDOT can improve outreach efforts within their community.
- » Hosted a session, matchmaking meetings, and a large exposition booth at the National Minority Supplier Development Council (NMSDC) Conference.

**Next steps**

- » Finalize DBE/ACDBE Final Rule: USDOT is currently in the process of finalizing a final rule that would strengthen the implementation of and reduce the burdens associated with the Department’s Disadvantage Business Enterprise (DBE) and Airport Concession Disadvantaged Business Enterprise (ACDBE) Program regulations, which will improve the ability for AA and NHPI small businesses to engage with the programs.
- » Continue meeting SDB direct spend goals: USDOT anticipates continuing to meet its goal of awarding 22 percent of its direct contracting dollars to SDBs by FY26, which it has already met as of FY23. This includes increasing the amount of direct contracting dollars awarded to AA and NHPI SDBs, which has increased from \$350 million in FY21 to \$390 million in FY22 to \$410 million in FY23.

- » Enhance AA and NHPI small business outreach: In FY24, OSDBU anticipates continuing to bolster its outreach to the AA and NHPI business community. This includes continuing to attend AA and NHPI procurement conferences and identifying opportunities to deepen its technical assistance and capacity building activities with AA and NHPI small businesses.

**Action 4: Federal Workforce Diversity**

**Goals**

- » *Highlight current AA and NHPI leadership in the agency to model and encourage staff development.*
- » *Host listening sessions that bring together USDOT’s Employee Resource Groups (ERGs), including its three AA and NHPI ERGs, to gain insight into career trajectory challenges and potential resolutions.*
- » *Identify cross-modal opportunities (such as career fairs) that can help to create a recruitment pipeline for new talent to join the Department, with a special focus on AA and NHPI-serving institutions.*
- » *Work with ERGs to develop a mentorship program utilizing specific guidelines and curriculum for AA and NHPI employees aspiring towards leadership positions.*
- » *Collaborate with USDOT’s Departmental Office of Human Resources Management to put on SES development workshops for USDOT’s AA and NHPI ERGs.*

**Progress**

- » Supported Employee Resource Groups (ERGs): USDOT’s Departmental Office of Human

Resources Management (DOHRM) and Workforce Equity Team finalized guidance for the Department’s ERGs to create consistent operating standards and ensure strong and continuing Departmental support for these groups. DOHRM has also convened a formal ERG Council, which brings together ERG leaders from across the Department to share updates and foster opportunities for cross-ERG collaboration.

- » Hosted “Leaning into Leadership”: In June 2023, DOHRM and the Workforce Equity Team hosted an inaugural “Leaning into Leadership” event that brought together approximately 200 employees who demonstrate exceptional leadership, to support their professional development and to further cultivate a diverse community of Departmental leaders.
- » Executed a Mentorship Program: In October 2023, USDOT launched a 6-month AA and NHPI Mentoring Pilot Program within its AA and NHPI ERGs, pairing early- and mid-level career employees with career and political senior leaders, including office directors, modal leaders, and the Department’s Chief of Staff. The pilot, which will end in April, has facilitated one-on-one mentoring meetings, alongside group workshops and brown bag lunches focused on skills development and exposure to additional high-ranking AA and NHPI employees across the Department.
- » Hosted Senior Executive Service (SES) Development Workshop: In March 2024, DOHRM hosted a facilitator from OPM who conducted a workshop on SES development for USDOT’s ERGs (with specific targeted outreach to USDOT’s AA and NHPI ERGs). The workshop provided an overview of the SES, outlined the

process to becoming an SES, and offered ways for interested employees to begin preparing their SES applications.

### Next steps

- » Identify recruitment opportunities: In 2024, USDOT plans to continue exploring opportunities to recruit new AA and NHPI talent into the Department. This includes restarting conversations to expand campus recruiting activities to Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs) and Native Hawaiian Serving Institutions (NHSIs). This effort will also involve devising opportunities for USDOT’s AA and NHPI ERGs to engage with AA and NHPI individuals and groups outside of the Department.
- » Determine the Mentoring Program’s Next Steps: Following the conclusion of its 6-month AA and NHPI Mentoring Pilot Program, USDOT plans to conduct a survey and post-mortem to identify improvements that can ensure the program better fits the needs of the Department’s AA and NHPI employees. Assuming positive feedback, USDOT will also identify ways to institutionalize the program within the Department, likely leveraging ERG resources and volunteers to conduct future offerings.
- » Continue to Host “Leaning into Leadership”: In 2024, DOHRM and the Workforce Equity Team anticipate hosting an additional “Leaning into Leadership” event, building on the foundation it created with its inaugural event while continuing to support increased diversity in the Department’s SES pipeline.



*This page was intentionally left blank.*



# U.S. Department of Energy

*The U.S. Department of Energy (DOE) ensures America's security and prosperity by addressing its energy, environmental, and nuclear challenges through transformative science and technology solutions. DOE maintains the nation's nuclear weapons stockpile, reduces the threat of nuclear proliferation, oversees the nation's energy supply, leads the nation in areas of federally sponsored basic research critical to U.S. innovation and international competitiveness, carries out the environmental clean-up from the Cold War nuclear mission and maintains those sites, and operates 17 National Laboratories.*

## **Action 1**

**Goal:** DOE will relaunch its Limited English Proficiency (LEP) program by requiring that all program offices that award Federal Financial Assistance (FFA) conduct an LEP self-assessment. The self-assessment will identify language access needs by determining, in part, the number or proportion of LEP persons eligible to be served or likely to be encountered by a program, as well as the frequency with which LEP persons may come into contact with the program. Training and technical assistance will also be provided to program offices and to DOE funding recipients to inform them of their LEP responsibilities under Title VI.

## **Progress**

In alignment with the DOE Equity Action Plan, CRD Launched a Limited English Proficiency (LEP) program with:

- » A DOE-wide Language Assistance Plan (reviewed by Department of Justice; no major substantive changes requested).
- » Consultations to three program offices and the development of Technical Assistance (TA) guidance with seven internal presentations and eight external presentations conducted.
- » Developed Frequently Asked Questions: External Civil Rights Compliance, posted on Office of Civil Rights' (OCR) website in support of DOE's Energy Justice Working Group.

## Action 2

**Goal:** DOE will create a working group with the Office of Technology Transitions (OTT), Office of Small and Disadvantaged Business Utilization (OSDBU), and the Office of Economic Impact and Diversity (ED) to develop a plan to reach AA and NHPI communities regarding contracting opportunities and technology transitions and create and track outcomes of DOE programming and partnerships.

### Progress

- » The ODEIA Chief of Workforce Engagement who identifies as Asian Americans (AA) was hired in 2023. In addition, she is serving as the Regional Network co-lead for Region 7.
- » DOE Partnered with Asian Americans in Energy, the Environment, and Commerce (A2EC) on multiple events including Heritage month events, hosting speakers from DOE offices (e.g. OTT) to their events
- » Partnered with WHIAANHPI as co-sponsor of Economic

## Action 3

**Goal:** DOE is working to better understand how its funding and investments are distributed to overburdened and underserved communities, including AA and NHPIs, using a pilot data visualization tool, the Energy Justice Dashboard (BETA), which will help establish a baseline on whether MSIs, including AANAPISIs, are benefiting from and accessing DOE resources. In addition, its program offices are exploring central coordination efforts for DOE-wide stakeholder engagement.

**Progress:** With the beta launch of the Energy Justice Dashboard (BETA), DOE is working to better understand how the Department's funding and

investments are distributed to overburdened and underserved communities.

The Energy Justice Dashboard (BETA) is a pilot data visualization tool that displays DOE-specific investments in communities across the country experiencing disproportionately high and adverse economic, human health, climate-related, environmental, and other cumulative impacts. The Dashboard displays DOE cost data — grants, cooperative agreements, and contracts — from more than twenty-five DOE program offices, for the fiscal years 2019 to present.

- » DOE was actively engaged in Clean Energy Corps.
- » DOE continues to host an HC organized Community of Practice allowing to streamline the coordination of outreach and recruitment events.

## Action 4

**Goal:** DOE will prevent and address workplace harassment and discrimination by implementing promising practices and supporting continued improvement and assessment of policies, practices, and processes. DOE will also partner with the Energy Asian American Pacific Islander Network (AAPIN) ERG to promote awareness of anti-Asian hate, discrimination, and bias through hosting “lunch and learn” programs for DOE staff.

### Progress

- » In May 2023, DOE sponsored a Department-wide special observance for Asian American Native Hawaiian and Pacific Islander Heritage Month.
- » In 2023, DOE/ODEIA hired a program analyst who is serving as the Employee Resource Group (ERG) Senior Advisor.



- » DOE organized a DEIA focused group supporting the Clean Energy Corp

#### Action 5

**Goal:** *DOE will strengthen its external partnerships with Asian Americans, Native Hawaiians, and Pacific Islanders (AA and NHPI) professional associations and organizations and determine opportunities for sponsorships and program participation for leadership training, career development, mentoring, and internship programs.*

#### Progress

- » DOE was a sponsor to the 2023 Federal Asian

Pacific American Council (FAPAC annual National Leadership Training Program in May 2023.

- » DOE sponsorship to FAPAC served both as outreach/recruitment activity and opportunity for Asian American Pacific Islander Network (AAPIN) Employee Resource Group (ERG) professional development for other program offices.
- » DOE continue to host an HC organized Community of Practice allowing to streamline the coordination of outreach and recruitment events.

*This page was intentionally left blank.*



# U.S. Department of Veterans Affairs

*The U.S. Department of Veterans Affairs (VA) delivers on three core responsibilities: providing eligible Veterans timely, world class health care; ensuring that Veterans and their families have access to the benefits they have earned; and honoring Veterans with a final resting place that is a lasting tribute to their service and sacrifice.*

## **Action 1: Data Disaggregation**

**Goal:** VA seeks to provide authoritative demographic data on all Veterans, regardless of whether they use VA services. The Veteran-centered model will synchronize VA's data on health care, disability benefits, and other Veteran-facing services to address demographic data gaps. With better data, VA will have the capability to identify and eliminate disparities and measure quality and effectiveness of benefits, care, and services for underserved Veteran populations, such as women, Veterans of color, and LGBTQ+ Veterans.

## **Progress**

### **Data Disaggregation**



- » The Office of Health Equity (OHE) provided funding to pilot projects that focus on Native Hawaii and Pacific Islander (NHPI) health equity. This included \$50,000 in funding to a project based out of Veterans Health Administration (VHA) in Bedford, Massachusetts that is working on using a linkage between VHA and Department of Defense data to greater disaggregate Asian American (AA) and NHPI subgroups.
- » OHE has published several information papers that focus on factors that describe the experience of Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) Veterans and how it differs from the general Veteran population.
- » Asian and Native Hawaiian and Other Pacific Islander Veteran Chartbook

***The Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022 (P.L. 117-168)***



Information gathered from Veterans for implementation of the PACT Act included identification of Veterans from different United States (U.S.) territories and the Freely Associated States (FAS), with this disaggregated information displayed on the PACT Act Dashboard.

**Veterans Experience Action Center (VEAC)**

Through executive sponsorship from the Center for Women Veterans (CWV), ORMDI, the Veterans Experience Office (VEO), and various other organizations internal and external to VA, the Agency held the first ever regional VEAC, intentionally in the Pacific Islands to lower barriers to access and resources. The series served the following geographies: American Samoa, Guam, Hawaii, Northern Mariana Islands, and Armed Forces of the Pacific.

*Customers Served:* 337

*Demographics: Gender*

- » Women – 17.2%
- » Male – 81.9%
- » Prefer not to answer: 0.9%

*Race/Ethnicity*

- » American Indian/Alaska Native – 3.3%
- » Asian – 29.7%
- » Black / African American – 8%
- » Hispanic / Latino – 6.5%
- » Native Hawaiian / Other Pacific Islander – 35.3%
- » White / Caucasian – 26.7%
- » Prefer not to answer: 5.9%

*Services provided:* Nearly 800 services were provided increasing access to VA, state, local, and community resources for the community.

*Noteworthy:* Women accounted for 17.2% of VEAC

customers. The Veteran population of the Pacific Region is 10.4% but participation is nearly double.

*Trust Score:* 86.5% [They trust VA and its community partners [state/local/county service providers to meet their needs at the VEAC event]

*Promotion Score:* 94.6% [They would recommend a VEAC event to other Veterans]

**Action 2: Coronavirus Disease, 2019 (COVID-19) Response, Recovery, Capacity Building, Outreach, and Engagement**

**Goal:** *Veterans in the Pacific Islands and FAS have little or no access to suicide prevention, military sexual trauma resources, women’s health, wellness, and other VA programs. To address these gaps, VA will, among other things, review regulations to increase opportunities for participation in telehealth; modernize the Foreign Medical Program to provide overseas Veterans with easier electronic communication and streamlined claims and billing processes; and develop a benefits awareness campaign to inform Veterans of the services available to them.*

**Progress**

**Legislation**

- » A set of provisions in the Consolidated Appropriations Act, 2024 authorizes the Secretary of Veteran Affairs to offer health care services in FAS.

**VA Advisory Committee**

- » Stood up the new VA Advisory Committee for U.S. Outlying Areas and FAS, including chartering and selecting committee members representing each of the U.S. territories and FAS. The inaugural meeting was held in December 2023, in which the committee began the process

of providing concrete recommendations based upon input from Veterans and families.

- » VA participated for the first time in the biannual meeting of U.S. Government agencies regarding Federal actions and programs in FAS.
- » In May 2023, an AA and NHPI roundtable was held with VA and the community in Los Angeles, California.

**Engagements**

VA continues to maintain the established Partnership and engagements with in the AA and NHPI Community, Federal partnerships and other community organizations, these include:

- » Veterans of Foreign Wars (VFW 5471) provided a workshop on VA Education and Benefits, primarily AA and NHPI Veterans in the Southern Maryland area.
- » Filipino Veterans Recognition and Education Project (FilVetRep), World War II (WWII) Memorial, Washington, DC.
- » The Federal Asian Pacific American Council (FAPAC) Leadership Training Conference workshop and Staffed Tables on VA Benefits and Services, Long Beach, California.
- » Pacific Islander Festival Association (PIFA) - Pacific Islander Festival, Staffed Tables on VA Benefits and Services, San Diego, California.
- » Bataan Legacy Historical Society and National Museum of the U.S. Navy, From Stewards to Flag Officers: Filipinos in the U.S. Navy, Washington, DC.
- » White House, AA and NHPI Caregivers Roundtable, Washington, DC.

- » Chinese American WWII Veterans Recognition Project.

**Economic Security**

- » The Office of Small and Disadvantaged Business Utilization (OSDBU) conducted more than 100 events aimed at increasing access to VA opportunities for service-disabled Veteran-owned, Veteran-owned, underserved, minority, Women-Owned, and other small businesses.
- » The National Veteran Small Business Engagement was held November 2023. Through learning sessions, one-on-one meetings, and networking opportunities, the conference offered access to more than 1,800 Veteran-owned, underserved, and other small businesses.
- » OSDBU conducted 46 Business Opportunity Sessions, 23 training events, and over 40 Women Veterans Small Business Office Hours sessions. Additionally, OSDBU representatives attended or gave presentations at over 50 outreach events organized by military bases, agencies, and industry organizations. Myriad resources and business networking opportunities are provided consistently by OSDBU to assist disadvantaged businesses in competing for VA contracts.
- » In partnership with organizations that serve the AA and NHPI communities, OSDBU regularly participates in outreach events, conferences, and summits. Our staff serves as speakers, panelists, information booth hosts and business matchmaking participants. Organizations and events we support that target the demographics mentioned include the following:
  - » The National 8(a) Association, which focuses on small and underserved businesses, including Native American and Asian owned enterprises. OSDBU Leadership has spoken

at National 8(a) events in Hawaii in 2021 and 2022, and Alaska in 2023. Our office also supports the national conference which is held at different locations throughout the country each year.

- » Asian American Chamber of Commerce events held virtually and, in the Washington, DC area.
- » U.S. Pan Asian American Chamber of Commerce events held virtually in the Washington, DC area.

**Events**

- » The Center for Minority Veterans (CMV) hosted two virtual events during AA and NHPI Heritage Month in May 2023. The events included guest speakers Erika L. Moritsugu, the White House Deputy Assistant to the President and Christine Trinidad, the Granddaughter of Fireman Second Class Telesforo Trinidad who was awarded the Medal of Honor. Events were hosted virtually by the Secretary of Veterans Affairs Denis McDonough and then Acting Deputy Secretary Guy Kiyokawa. Attendees were educated on AA and NHPI Veteran Disparities, Pacific Region Journey Map, and the PACT Act.
- » The VEO hosted VEAC events on behalf of VA. The VEACs are 1-stop shop events that bring together representatives from VA, state, and community partners to connect the Veteran community (virtually and in-person) to services, resources, and information, including VA benefits and health care, crisis support and memorial affairs.
- » In 2023, VEO completed VEAC events in Pacific Islands (American Samoa, Guam, and Hawaii) on March 1-2, 2023; Hawaii on August 31-September 1, 2023; Pacific Islands (American Samoa, Commonwealth of Northern Mariana Islands,

Guam, and Hawaii) on September 7, 2023. These events served 458 Veterans, Service members, family members, caregivers, and survivors who were referred to VA services, providing support for more than 1,863 unique services including 21 Veterans with housing support.

**Advisory Committee on Minority Veterans 2023**

The Advisory Committee on Minority Veterans (ACMV) was established under P.L. 103-446 § 510, November 2, 1994. The Committee shall consist of members from the general public including:

- i.** Representatives of Veterans who are minority group members;
- ii.** Individuals who are recognized authorities in fields pertinent to the needs of Veterans who are minority group members;
- iii.** Veterans who are minority group members and who have experience in a military theater of operations; and
- iv.** Veterans who are minority group members and who do not have such experience.

The members represent the following ethnic groups identified in the ACMV Charter:

- » African American, Asian American, Native American, Pacific Islander, Hispanic or Latino and minority women who are Veterans. The ACMV membership includes two Asian American Veterans (from Washington and Maryland) and one Pacific Islander Veteran (from California).

The Committee held virtual Administrative Briefing meetings on July 12, 2023, and September 28 2023; to receive briefings on new initiatives and outreach activity updates:



- » VHA briefed on Support the Resiliency of Our Nation’s Great Veterans Act of 2022 (H.R. 6411), PACT Act, COVID-19 research across the VA System and Customer Satisfaction Surveys.
- » The Veterans Benefits Administration (VBA) briefed on the PACT Act and Transition Assistance Program.
- » National Cemetery Administration (NCA) briefed on Veterans Legacy Memorial project and their NCA Equity Office.

The Committee members continue to conduct courtesy visits in their respective locations which consist of meetings with Facility Directors, Minority Veterans Program Coordinators, and local Veterans.

**Minority Veterans Program Coordinators**

The primary goal of this outreach initiative is to increase local awareness of minority Veteran related issues and develop strategies for increasing their participation in existing VA benefit programs for eligible Veterans at the facility level for the three administrations (Veterans Health Administration, Veterans Benefits Administration, and NCA). The coordinators report directly to their directors and to Center for Minority Veterans.

The Minority Veterans Program Coordinators are responsible for:

- » Promoting the use of VA benefits, programs, and services by minority Veterans.
- » Supporting and initiating activities that educate and sensitize internal staff to the unique needs of minority Veterans.
- » Targeting outreach efforts to minority Veterans through community networks.

- » Advocating on behalf of minority Veterans by identifying gaps in services and make recommendations to improve service delivery within their facilities.

**Action 3: Health Equity**

**Goal:** *VA will build upon current clinical population health and quality improvement resources to identify disparities in health care and health outcomes among Veterans receiving care through VA and address the root causes of the identified disparities by assessing the quality of racial coding in VA electronic health records and identifying efficient ways to improve the identification of NHPI Veterans in that system; building an AA and NHPI chartbook that highlights disparities experienced by AA and NHPI Veterans; and improving cultural competency and diversity.*

**Progress**

**Health and Mental Care**

In fiscal year 2023 the OHE provided \$195,000 in funding in support of the development of the Native Hawaiian (NH), Pacific Islander (PI), and U.S.-Affiliated Pacific Islander (USAPI) Health Center. The funding was used to systematically identify where health and health care disparities were present for vulnerable groups within Veteran populations in Hawaii and across other Pacific Islands; and to lay the groundwork for the development of a long-term NHPI-USAPI center. The primary purpose of the VA Center on NHPI-USAPI Health is to provide empirical guidance and support to improve the health and well-being of NHPI-USAPI Service members.

As part of this effort, OHE issued a call for pilot projects and selected five pilot project proposals focused on the NHPI-USAPI Veteran population. The project awardees, as well as all the interested project applicants are now participating in an OHE-

led Community of Practice that seeks to facilitate collaboration among individuals engaged in research, data collection, and practice improvement to better serve NHPI Veterans. The pilot projects encompass a broad range of approaches ranging from health data analytics to psychiatry, pharmacy and primary care, specialty care, and medical nutrition therapy.

**Action 4: Federal Workforce (Safety, Harassment Prevention)**

**Goal:** *VA will identify Agency materials that reach AA and NHPI audiences and ensure they are culturally and linguistically appropriate; continue virtual technical assistance reviews to assist facilities in striving to attain a model Equal Employment Opportunity (EEO) program; and implement updated mandatory EEO, diversity and inclusion, and conflict management training for all executives, managers, and supervisors.*

**Progress**

- » *Language Access:* Outreach materials for VEAC events in Hawaii and the Pacific territories were prepared in local languages to ensure maximum outreach.
- » *Training:* The current compliance rate for EEO Diversity, Equity and Inclusion Course for Supervisor and Managers is 88.93% VHA-wide, with over 50,020 assigned (44,485 employees are compliant and 5,535 employees are non-complaint). Additionally, there is an executive version of the EEO Diversity course, with the target audience of Senior Executive Service (SES) members and title 38 equivalents.

**Action 5: Federal Workforce (Inclusion, Diversity, Equity, and Access)**

**Goal:** *Among other things, VA will continue the “Identity Insights” project, which examines the*

*experience of 10 identity groups across six relationships (work, technology, place, people, organization, and well-being); analyze the lack of diversity among the VA’s SES employees; and revise and renew partnerships and memoranda of understanding with affinity groups.*

**Progress**

**Revised and Renewed Partnerships**

- » VA maintains relationships with affinity groups including the FAPAC and the Asian American Government Executives Network (AAGEN). In support of these affinity organizations and to increase employment, educational and other opportunities for AA and NHPIs.
- » Continues to promote the FAPAC Virtual National Leadership Training Program (NLTP) and AAGEN Leadership Workshop in a VA-wide memo and in VA’s Diversity@Work newsletter.
- » Implemented a communications campaign to encourage VA employees to make nominations for the 2023 FAPAC Civilian Awards Program; with four VA employees recognized with an award.
- » Participated in the 2023 FAPAC Virtual NLTP, including the Student and Veteran Programs, by providing sponsorship; staffing a virtual booth to provide information on VA services as well as VA Careers, including internship programs; and videorecorded messages by VA leadership presented at the Veterans Program and the Civilian Awards Ceremony.
- » Participated in the 2023 FAPAC Hybrid Student Career Fair by providing information on VA careers, available positions and VA’s internship programs.

- » Implemented in 2022 the practice of regularly sharing VA Senior Executive vacancy announcements with FAPAC and AAGEN for distribution to their members.
- » The CWV participates annually in the FAPAC National Leadership Conference to educate attendees of the benefits, services, and policy updates impacting women Veterans, including providing three workshops on unconscious bias, the Special Emphasis Program, and barrier analysis.
- » VHA's Office of Diversity, Equity and Inclusion hosted a live virtual event in May 2023 for Asian American, Native Hawaiian, and Pacific Islander Heritage Month. The event was a 'virtual' trip to Hawaii. Presenters included three VA employees from the VA Pacific Islands Health Care System. The presentations included the history of Filipino American nurses, the importance of the

ukelele in Native Hawaiian culture, including a song and Hula dance, and a short presentation about the Fita-Fita Guard of American Samoa that was established by the United States Navy during WWII.

### ***Professional Development (Increase SES Diversity)***

- » VHA offers many professional development programs as a pathway to become a member of the Senior Executive Service. On average (across all years) AA and NHPs account for 7.5% of participant (graduates) in career-oriented fellowship programs.

### ***Workforce Demographics***

- » VA has met and exceeded the Relevant Civilian Labor Force (RCLF) in both race/ethnicity groups.



*This page was intentionally left blank.*



# U.S. Department of Homeland Security

*The U.S. Department of Homeland Security (DHS) is committed to relentless resilience and strives to prevent future attacks against the United States and our allies, respond decisively to natural and man-made disasters, and advance American prosperity and economic security long into the future.*

## **Action 1: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** *DHS will provide information, tools, and resources to help Asian Americans, Native Hawaiian, and Pacific Islanders detect and prevent targeted violence and terrorism within their communities. Efforts will include informing the community of available webinars on effective emergency action planning and providing access to best practices (inclusive of translated materials) to inform risk management.*

*DHS Office of Intelligence and Analysis (I&A) stakeholders and customers are the Intelligence Community and State and Local Law Enforcement Agencies. I&A is revising their strategic plan to include all equity-related Executive Orders and Directives to emphasize belonging, inclusion, and combatting anti-Asian hate crimes.*

★  
★  
★  
★  
★  
★  
*In alignment with its mission, I&A will gather, analyze, and share information with stakeholders to ensure mitigation or prevention of hate crimes against AA and NHPIs; and provide information, tools, and resources to support these communities. The agency is also planning to support AA and NHPIs by alerting and collaborating with State and Local Law Enforcement entities to detect and prevent targeted violence to protect AA and NHPIs. I&A's relationship with state and local partners is critical to establish and build impactful social networks in their respective communities.*

★  
★  
**Progress:** DHS Front Office: Secretary Mayorkas and Former Deputy Secretary Tien have prioritized visits to communities affected by targeted violence including visits to the AA and NHPI communities in Monterey Park, CA and Half Moon Bay, CA. On January 27, 2023, Secretary Mayorkas and Former Deputy Secretary Tien conducted a listening session with AA and NHPI community members in Monterey Bay. Former Deputy Secretary Tien visited Monterey Bay on February 10, 2023.

**Center for Prevention Programs and Partnerships (CP3)**

After routine roundtable engagements with representatives from the Office of Counterterrorism and Threat Prevention, CP3's Field Operations team organized a webinar targeted towards organizations serving the AA and NHPI, AMEMSA, Black, Jewish, LGBTQI+, and Latinx communities. The presentation provided information, tools, and resources, specifically in the various regions, that can support organizations in their prevention efforts.

In 2022, CP3's Field Ops team was connected to the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders' (WHIAANHPI's) regional network. In 2023, CP3 built upon this collaboration to see if more localized or regional engagements can be organized.

**U.S. Citizenship and Immigration Services (USCIS) conducted three activities:**

1. In June 2023, USCIS published a Federal Register notice that rescinded the previous Administration's termination of Temporary Protected Status (TPS) for Nepal, and extended TPS for Nepal through June 24, 2025.
2. In September 2023, USCIS published a Federal Register notice that extended TPS for nationals of Afghanistan, as well as redesignated Afghanistan for TPS, through May 20, 2025.
3. On May 10, 2023, USCIS hosted an agency-wide special emphasis program to celebrate AA and NHPI Heritage Month with leaders from the agency and our partners in government. USCIS also shared additional information about events hosted by the WHIAANHPI in celebration of AA and NHPI Heritage Month with its workforce.

**The United States Secret Service (USSS)**

Provides opportunities for employees to attend the National Asian Peace Officers' Association annually.

**Office of Intelligence and Analysis (I&A)**

Collaborates with state and local partners to provide information and resources to support the AA and NHPI community and prevent and report anti-Asian hate crimes. I&A hires and promotes members of the AA and NHPI community and to intentionally encourage observance of May as AA and NHPI Heritage Month by planning, communicating, and implementing events that honor and celebrate AA and NHPI members of our workforce.

**Cybersecurity and Infrastructure Security Agency (CISA)**

In recognition and celebration of AA and NHPI Heritage Month, hosted Dr. Vivian Chen on May 18, 2023, for CISA's AA and NHPI Heritage Month Town Hall.

CISA also hosted two Empowerment Series events focusing on the Core Principles of People First and Commitment to a Lifetime of Learning featuring Jer Donald "Don" Get of United States Department of Defense on June 14, 2023, and Captain Mimi Moon of the United States Coast Guard on November 8, 2023.

**Immigration and Customs Enforcement (ICE)**

The newly established Headquarters AA and NHPI Special Emphasis Program Manager (SEPM) has re-invigorated a new Affirmative Employment Program that has incorporated new Field SEPMs to ensure agency-wide coverage. The ICE Headquarters AA and NHPI SEPMs established a new hash tag and publication area "Cultural Corner" for agency communication that connects employees to the agency newsletter, "ICEBreaker," where monthly articles are uploaded about different cultures and backgrounds of persons connected to the AA and



NHPI community.

The Office for Civil Rights and Civil Liberties (CRCL): During Fiscal Year (FY) 2023, DHS made progress by incorporating feedback from underserved communities, including AA and NHPI communities, into CRCL’s deliberative policy advice and oversight actions. This includes ongoing consideration of AA and NHPI community concerns with targeted violence and transnational repression.

**Next steps**

**USCIS**

Continue engagement with AA and NHPI employees on issues and concerns that can be addressed in future discussions and programs and that can be brought to senior leadership.

**USSS**

Continue to leverage partnerships and create relationships with external organizations representing the AA and NHPI communities.

**I&A**

Encourage the establishment of an internal Employee Association to support the needs of the AA and NHPI members of our workforce. Provide timely and relevant information to support the well-being and safety of the AA and NHPI community. Continue to observe, communicate, plan, and implement programs to observe, celebrate, and support the AA and NHPI community.

**ICE**

Continue to use the Special Emphasis Program and Affirmative Employment Program for AA and NHPI employees to create opportunities to communicate concerns and recommendations to higher leadership.

As ICE looks ahead to AA and NHPI Heritage Month in May, it will plan for the promotion of helpful resources and agency-wide awareness campaigns, via broadcast messaging and workforce engagement forums, and leadership will reiterate its zero tolerance for Anti-Asian Hate.

ICE is currently onboarding a newly hired MD-715 specialist that will specifically focus attention on completion of the report and barrier analysis to research, explore and eliminate barriers for the agency and specifically address any inequalities or underrepresentation of the AA and NHPI community of employees at ICE.

**Office of Partnership and Engagement (OPE)**

Continue to participate in programs provided by DHS to network and foster community with AA and NHPI communities.

**CRCL**

In alignment with the National Strategy to Counter Antisemitism, DHS plans to organize a series of regional workshops. These workshops will focus on strategies to counter antisemitic and other forms of hate-motivated violence that impact various communities. The communities in focus include those affected by antisemitic violence, gender-based violence, violence against the AA and NHPI communities, violence against the LGBTQI+ community, and Islamophobic violence. These efforts are aimed at supporting the DHS’s initiatives to counter targeted violence and terrorism affecting these communities.

**Action 2: Language Access**

**Goal:** *CRCL will examine the extent to which DHS’s vital documents are translated into the most widely spoken AA and NHPI languages, review demographic information on AA and NHPI limited English*

*proficiency (LEP) communities most likely to interact with or be served by DHS, and make recommendations to DHS operational agencies and program offices to increase the availability of translations in these languages.*

*I&A will assess requirements within established partnerships to share information with AA and NHPI communities in consideration of widely spoken AA and NHPI languages that may help foster stronger relationships and collaboration that will positively impact State and Local Law Enforcement objectives.*

## **Progress**

### **CRCL**

CRCL has conducted initial assessments to determine which vital documents have been translated into top AA and NHPI languages encountered in select homeland security programs across the DHS mission space: specifically terrorist alerts and messaging on domestic extremism; access to civil rights complaints; immigration detention; immigration benefits; and security and safety statements related to immigration enforcement during disasters.

For the purpose of this review, vital documents include documents that contain critical information for obtaining benefits and services, convey or serve to preserve rights, and are connected to health and safety.

CRCL also reviewed languages available to support interpretation in AA and NHPI languages under the DHS Blanket Purchase Agreement, a DHS contract vehicle that is available to all operational agencies and Headquarters offices in order to meet their language needs. The contract vehicle offers language support in many AA and NHPI languages.

CRCL, in consultation with DHS operational

agencies and Headquarters offices, reviews available data on top languages encountered or needed for specific programs and engages with LEP stakeholders to help identify any gaps in the availability of vital documents in other languages, and methods for disseminating information about the availability of these translations.

### **U.S. Customs and Border Protection (CBP)**

CBP, Office of Field Operations (OFO) developed and issued the Communication with Limited English Proficient Persons Internal Operating Procedure to OFO employees to provide limited English proficient persons with meaningful access to its operations, services, and programs.

### **CISA**

CISA is in the process of developing translations of cyber security resources into Simplified and Traditional Chinese.

### **OPE**

Added Farsi and Hebrew languages to its resources.

### **USCIS**

USCIS promoted the Multilingual Citizenship Outreach toolkits and translated closed captioning for posting on YouTube in FY 2023. The toolkits are available to the public in 13 languages including Burmese, Chinese Simplified, Chinese Traditional, Korean, and Vietnamese.

### **Next steps:**

### **CRCL**

Would like to partner with the WHIAANHPI Interagency Working Group to convene a stakeholder meeting with AA and NHPI communities to request

this feedback.

**CBP**

Will conduct an annual review of language services to determine if resources are being allocated efficiently and effectively. The review will assess language services provided by contractors and employees, primary languages encountered, and resource expenditures.

**CISA**

Continue to assess language access needs and develop translations of key tools and resources.

**USCIS**

Continue to provide meaningful language access regarding our immigration services and information to AA and NHPI communities.

**Action 3: COVID-19 Response & Recovery**

**Goal:** *Federal Emergency Management Agency (FEMA) will expand existing practices to ensure that AA and NHPI communities have equitable access to disaster response, recovery, resilience services, and resources. In addition, FEMA will continue to assess community demographics across the country to identify populations at risk of contracting COVID-19, as well as those with limited access to COVID-19 support.*

**Progress**

**I&A**

When required, I&A supports FEMA and other operational agencies as they continue to assess community demographics and needs across the country to identify populations at risk of contracting COVID-19, as well as those with limited access to

resources and support.

**CRCL**

In November 2023, CRCL finalized a directive and instruction on Preventing and Addressing Gender-Based Violence Through a Victim-Centered Approach to advance DHS efforts to protect victims by using a victim-centered, trauma-informed, and culturally sensitive approach to all gender-based violence, including those from the AA and NHPI communities.

**Next steps**

**I&A**

Offer manpower and resources to support DHS for the wellbeing of the AA and NHPI community. Continue to support DHS in their efforts to enhance the wellness and safety of the AA and NHPI community when required.

**CRCL**

Continue to support the development and implementation of policies and programs using victim-centered, trauma-informed, and culturally sensitive approaches for the AA and NHPI communities DHS serves.

**Action 4: Capacity Building**

**Goal:** *DHS will assess barriers to grant opportunities for underserved and marginalized communities and identify more targeted outreach strategies, including providing more technical assistance, engaging in partnerships with national organizations, and offer support with navigating various application processes.*

*I&A will identify and mitigate barriers to effectively reaching and granting opportunities to underserved and marginalized communities. I&A will determine*



*outreach strategies to foster partnership with national organizations.*

## **Progress**

### **CP3**

CP3 continued engagement with AA and NHPI organizations, specifically The Asian American Foundation (TAAF), and there were continued talks to hold grant seminars at TAAF's three Action Centers in Oakland, Chicago, and New York City.

### **USCIS**

In recognition of Human Trafficking Prevention Month, USCIS staff presented at a Human Trafficking Awareness Roundtable for the WHIAANHPI Region 9 Northern California Regional Network on January 27, 2023. The Roundtable discussed resources available to the AA and NHPI community to combat human trafficking and received stakeholder feedback on community experiences related to human trafficking.

In FY 2023 and FY 2024, USCIS also conducted multiple additional national listening sessions and training for both the public and law enforcement agencies on T visas, U visas, and anti-trafficking efforts. Although these were not limited to AA and NHPI stakeholders, AA and NHPI stakeholders were represented. These engagements included T/U overviews for United Nations High Commissioner for Refugees partners, internal trainings of USCIS employees, collaboration with Blue Campaign on their Trafficking Prevention Symposium, presenting at the 2023 Freedom Network Conference, and providing T/U overviews to participants in the Department of State's International Visitor Leadership Program. These engagements included updated information on the overlap of hate crimes with U visa qualifying criminal activity and general awareness of the U and T programs to stakeholders

including the AA and NHPI community in the wake of violent tragedies, including members from AA and NHPI communities, in Atlanta, Monterey Park, CA and Half Moon Bay, CA.

### **CISA**

CISA's Office of Equity, Diversity, Inclusion and Accessibility and the AA and NHPI Employee Association Group (EAG) is conducting outreach to CISA regions to increase participation within the AA and NHPI EAG. These efforts are on-going.

### **Science and Technology Directorate (S&T)**

Three research teams from Asian American Native American Pacific Islander Serving Institutions (AANAPISI) were selected to receive \$100K in follow-on funding to continue their research efforts as successful participants in the 2023 DHS Science and Technology Summer Research Team Program. This program offers early-career faculty and student research teams the opportunity to conduct research at a DHS Center of Excellence (COE) over a 10-week period during the summer. The selected research teams collaborate with DHS COEs: the Center for Accelerating Operational Efficiency led by Arizona State University, the Coastal Resilience Center led by the University of North Carolina at Chapel Hill, and the Cross Border Threat Screening and Supply Center led by Texas A&M University. The teams are from the AANAPISI-designated New York City College of Technology – CUNY and John Jay College of Criminal Justice – CUNY.

Additionally, the University of Alaska, Anchorage, designated as an AANAPISI, has been awarded a grant of \$1 million from the 2023 Scientific Leadership Award.

### **OPE**

Developed a partnership with American Samoa.

**FEMA**

In May 2023, FEMA released the Inclusion, Diversity, Equity and Accessibility in Exercises Best Practices Guide (IDEA Guide) to provide guidance for exercise program managers and practitioners in identifying and including members of the whole community in the exercise process. The guide provides an opportunity for all community stakeholders to participate in a key preparedness activity that informs future planning and preparedness priorities.

FEMA's Flood Mitigation Assistance (FMA) grant program makes federal funds available to state, local, tribal, and territorial governments to reduce or eliminate the risk of repetitive flood damage to buildings insured under the National Flood Insurance Program (NFIP). The FY 2023 FMA program prioritized removing barriers to FMA access by aligning with the FEMA Strategic Plan's "people first" approach. The approach includes incentivizing equity in the delivery of funds in line with the Justice40 Initiative, as established in Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021).

FEMA focused on removing barriers to funding access, especially for disadvantaged communities, which are often hit harder by natural disasters and the effects of climate change and have less resources to recover.

For the FY 2023 cycle, FEMA expanded Building Resilient Infrastructure and Communities (BRIC) Direct Technical Assistance to support at least 80 new communities.

**Next steps****USCIS**

Will work with our federal partners, including the WHIAANHPI as well as nongovernmental

organizations and other stakeholders to identify potential opportunities to conduct outreach about the availability and requirements of immigration benefits.

**Science and Technology Directorate (S&T)**

The selected research teams collaborate with DHS COEs.

**I&A**

Target outreach to external organizations to gain a holistic view of challenges and to leverage successful mitigation strategies.

**FEMA**

Will select up to \$60 million of capability and capacity building activities which enhance the knowledge, skills, expertise, etc., of the current workforce to expand or improve the administration of flood mitigation assistance.

On November 14, 2023, FEMA announced a funding opportunity for \$300 million through the FMA program called Swift Current. Following a presidentially declared disaster, the funding can be used to reduce risk to repetitively flooded and substantially damaged properties.

FEMA will continue to identify strategies to improve participation by underserved and disadvantaged communities and reduces procedural inequities.

**Action 5: Outreach and Engagement**

**Goal:** *DHS will collaborate with community organizations, academic partners, and the regional network to streamline resources and provide timely services, especially regarding targeted violence, hate crimes, and domestic extremism, in an effort to better address the unique needs of AA and NHPI*

communities.

*I&A will collaborate with community organizations, contractors, academic partners, and Employee Resource Groups for a multidisciplinary perspective to better address the unique needs of AA and NHPI communities and promote the DHS brand in an effort to recruit talented members of the community.*

*CISA will reach out and collaborate with congressional representatives that service communities with a high AA and NHPI population. CISA will also participate in more career events that focus on the AA and NHPI community.*

## **Progress**

### **CP3**

Set up a listening session between the Office of Counterterrorism and Threat Prevention and AA and NHPI organizations to ask for their partnership and so that these organizations could voice their feedback and perspectives in relation to CP3's model of prevention, and the threat environment, and for DHS to share resources to help prevent and protect against acts of violence.

### **Office of Chief Human Capital Officer (OCHCO)**

Executive Director, Sharon M. Wong provided the following at the:

- » USCG's Federal Asian Pacific American Council (FAPAC) engagement in April of 2023. The workshop's theme was, "The Purposeful Professional – leverage Purpose through Process, Positioning, and Promotion."
- » U.S. Department of Agriculture's AA and NHPI Heritage Month's event in May 2023. The theme was "Advancing Leaders Through Opportunity."

DHS attended over 300 recruiting and outreach events focused on the AA and NHPI community. The DHS Asian American and Pacific Islander Network (AAPIN) employee association conducted a number of activities focused on professional development, promoting equity, responding to microaggressions, having difficult conversations and suicide prevention. AAPIN board members also supported several Heritage Month celebrations across DHS.

### **CISA**

Hosted a CISA 101 webinar via Handshake in June 2023 to three minority serving institutions (MSIs) with an emphasis on AA and NHPI students: Arizona State University, New Mexico State University, and University of New Mexico. The Handshake platform helped filter out demographics, students attending MSI schools, and students who are science, technology, engineering, and math (STEM) majors. CISA is creating a list of all congressional representatives and reaching out to have one-on-one meetings with their staff. CISA is researching events and organizations that focus on AA and NHPI communities. Currently conducting research on AANAPISI universities with strong STEM and AI programs.

### **Federal Law Enforcement Training Centers (FLETC)**

On March 15, 2023, recruiters attended a virtual Career Eco event which included MSI students and recent graduates.

Between February 1, 2023, and February 28, 2024, FLETC delivered training in Hawaii and Guam and trained students who worked in Hawaii and Guam. During the reporting period, FLETC trained 85 law enforcement officers via export programs in Hawaii. FLETC trained a total of 10 officers from Guam and 90 officers from Hawaii at various locations. Students from Hawaii and Guam attended total of



11 programs (15 classes). In addition to the above programs, FLETC offers the programs in conjunction with CP3.

**ICE**

Conducted 20+ AA and NHPI May Observances throughout the agency to commemorate the AA and NHPI Heritage Month. ICE provided an agency wide AANHPI event that included ICE senior leaders and a guest speaker. These events included:

- » Participation in a guided virtual tour of the Museum of Asian Art of the Smithsonian;
- » Local collaboration with artists from the AA and NHPI community;
- » Potluck with dishes that represent a wide variety of foods from the different cultural regions; and
- » A “Night at the Rubin Museum NYC,” where attendees had the opportunity to tour the museum which features Himalayan art and culture, listen to music and fellowship, and an event that provided an in-person tai chi event during lunch breaks.

**OPE**

Secretary Mayorkas and OPE participated in a White House Forum on AA and NHPI engagement on May 3, 2023.

**FEMA**

Provided 143 Nonprofit Security Grant Program (NSGP) events reaching 25,919 attendees in FY 2022 and FY 2023. One FY 2023 event included a Protecting Places of Worship Forum in partnership with the Department of Justice hosted by Hindu American Foundation of Northern California

In FY 2024, FEMA has so far provided 15 webinars for 6,502 attendees and 12 events for 1,484 attendees as of March 12, 2024. Two of these events included presenting and discussing the NSGP with:

1. The Sikh Cultural Society, Flushing Sikh Society, Sikh Center of New York, Inc., and Ramgarhia Sikh Society; and
2. Guru Nanak Darbar of the Long Island, New York Sikh community, Guru Gobind of the Singh Sikh Center, and Mata Sahib Kaur Gurdwara.

The NSGP Program has a dedicated email box where FEMA answers thousands of questions and provides many informational packages to interested stakeholders. The NSGP’s events and webinars provide real-time technical assistance to assist nonprofit organizations including AAs and NHPIs. Currently, the NSGP is hosting webinars that take place in the afternoon to allow for better accessibility for Hawaii and Pacific Island partners. FEMA also published a plain-language YouTube NSGP informational video to help stakeholders.

Cumulatively, these events have reached thousands of nonprofit organizations, which provides greater awareness, access, and capacity building for the nonprofit community, including AA and NHPI.

Federal-level outreach, including partnering with other Departments, continues to be highly effective when delivered to and through national level organizations, associations, and networks representing various nonprofits and specific communities of interest. As the State Administrative Agencies for each state and territory are the only eligible applicants for the NSGP, the states and territories are critical partners in continuing the information flow to the estimated 1.5 million nonprofit organizations nationwide, including AAs and NHPIs. As such, FEMA also works closely with the states and territories to provide materials to

amplify their outreach, including nonprofit-specific application instructions and technical assistance. Since FY 2022, FEMA has also implemented scoring “bonus points” for first-time subapplicant nonprofit organizations and for organizations located in underserved communities.

**Next steps**

***CP3***

Continue routine, quarterly roundtables with the AA and NHPI community.

***I&A***

The plan is to expand outreach and collaboration and to address the needs of the AA and NHPI community.

***CISA***

Having an upcoming hiring event that has been promoted within the AA and NHPI community.

***FLETC***

Continue to collaborate and provide law enforcement training opportunities to combat violence, hate crimes, and domestic extremism to address the needs of AA and NHPI communities.

***ICE***

Continue to promote office-wide engagement opportunities.

***OPE***

Continue outreach to the AA and NHPI stakeholders to provide resources.

***FEMA***

The NSGP is slated to release an updated and revamped “Frequently Asked Questions” and “Subapplicant Quick Start Guide” to best assist nonprofit organization subapplicants thereby removing barriers to participation and improving the program’s accessibility to all communities, including AA and NHPI communities.



# U.S. Environmental Protection Agency

*The U.S. Environmental Protection Agency (EPA) protects human health and the environment.*

## **Action 1: Federal Workforce Diversity**

**Goal:** *EPA will increase the number of AA and NHPI public servants across the agency by, among other things, improving agency-wide awareness of hiring data; conducting a barrier analysis; providing training and coaching to AA and NHPI employees, leaders, and allies; and creating a pipeline of AA and NHPI future employees by developing and renewing existing memoranda of understanding with AA and NHPI serving organizations.*

**Progress:** EPA Office of Human Resources continues to make hiring data available on the Agency's Diversity Dashboard. AA and NHPI Special Emphasis Program Managers are learning how to access and use data on the Diversity Dashboard. The Agency has hosted webinars to engage AANAPISIs and AA and NHPI students in FY 23 and FY 24.

**Next steps:** AA and NHPI Special Emphasis Program Managers have access to hiring data and work closely with the Office of Civil Rights on barrier analysis. EPA plans to increase outreach and engagement with AANAPISIs and AA and NHPI students.

## **Action 2: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** *EPA is communicating with senior leadership to educate them on anti-Asian bullying and its impact as the agency returns to in-person work. In addition, EPA will continue to have agency-wide listening sessions, focused conversations, and training and tools to address anti-Asian bullying. EPA will also tailor training and outreach to be inclusive of the wide variety of AA and NHPI languages and cultural differences.*

**Progress:** Ongoing. EPA senior leadership stay abreast of potential issues and address anti-Asian Hate issues as soon as they occur.

## **Action 3: Capacity Building**



**Goal:** EPA will develop a partnership with AANAPISIs to create an educational pipeline of AA and NHPI students and recent graduates. EPA will also work with AA and NHPI organizations to provide technical assistance to ensure better access to federal grant and contracting opportunities.

**Progress:** Ongoing. Under this Administration, EPA received significant funding and FTEs to expand our workforce. We are engaging hiring managers and appropriate offices to optimize outreach to potential AA and NHPI applicants. The Agency has hosted webinar to engage AANAPISIs and AA and NHPI students in FY 23 and FY 24.

In FY 2024, EPA selected AA and NHPI CBOs, Special Service for Groups, Inc and Center for Asian Americans United for Self Empowerment (CAUSE) to Mobilize Youth Advocates for Resilient Communities (MYARC) Program in the Community Change Grant in the amount of \$20 millions.

In FY 2024, EPA established a \$20M IRA program, the Clean Environment Corps, partnering with the AmeriCorps to provide opportunities to AANAPISI and other students preparing young people for good-paying environmental justice careers.

In August 2024, EPA held a Regional Technical assistance Roadshow in Salt Lake City as a part of EPA's Community, Equity & Resiliency initiative, a groundbreaking effort to help AA and NHPIs and other communities across the nation navigate EPA's Inflation Reduction Act investments and other new funding opportunities. Over 85% of attendees were AA and NHPI CBOs.

In October 2024, EPA organized a Youth Leadership Summit for Asian American Native Hawaiian, Pacific Islander and Alaskan Native students at the Alaska Pacific University on environmental leadership and federal career opportunities.

**Next steps:** Increase partnership with AANAPISIs and AA and NHPI Community Based Organizations through grants and other opportunities.

In April 2025, EPA will be to sponsor the University of Guam Islands Sustainability Conference.

In Spring 2025, EPA will work with local governmental agencies and universities to provide AA and NHPI and Native Alaskan students and CBOs with access to federal resources.



### **Progress on Recommendations from the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

#### **Economic Equity**

**Goal:** Recommendation to host forums in several cities across the country, entitled WHIAA AND NHPI and White House AA and NHPI Economic Summits.

**Progress:** EPA partnered with WHIAANHPI to host an AA and NHPI economic summit in Region 7 during FY23-24.

**Next steps:** EPA will identify partners and announce the date and location of the summit.

**Goal:** Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.

**Progress:** Through J40, BIL, and IRA, EPA is committed to increase federal spending to small, disadvantaged businesses. Through IRA, an unprecedented \$2 billion in funding was made available for environmental and climate justice activities under the Community Change Grant program to benefit disadvantaged communities

through projects that reduce pollution, increase community climate resilience and build community capacity to address environmental and climate justice challenges. EPA Awarded a contract in the amount of \$121 million to EnDyna Inc. ([www.endyna.com](http://www.endyna.com)), an AA and NHPI Woman-Owned Small Business (WOSB), McLean, Virginia. The Contract is to provide technical assistance support for CBOs to access the EPA Environmental and Climate Justice Community Change Grant program in November 2023.

**Next steps:** EPA will continue to partner with AA and NHPI small business and provide access for businesses to complete for federal resources.

### Language Access

**Goal:** *Recommendation that the federal government should ensure that emergency/disaster prevention, planning, response, mitigation, and recovery programs are inclusive of and reflect the lived experiences of limited English proficient populations.*

**Next steps:** The EPA Order 1000.32 (November 2023); EPA's FY2022-2026 Strategic Plan Goal 2.2; EO 13985 Advancing Racial Equity; and EO 14091 Further Advancing Racial Equity require that each of EPA's program and regional offices develop a language access plan and get training on language access to ensure that individuals with LEP have meaningful access to all EPA's programs,

activities, and services. Training and Plans need to be implemented provided before the end of FY 2025.

**Goal:** *Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.*

**Next steps:** EPA will continue updating the EPA's website other language access includes the following languages spoken by AA and NHPIs:

- » Arabic: [epa.gov/lep/arabic](http://epa.gov/lep/arabic)
- » Simplified Chinese: [epa.gov/lep/simplified-chinese](http://epa.gov/lep/simplified-chinese)
- » Traditional Chinese: [epa.gov/lep/traditional-chinese](http://epa.gov/lep/traditional-chinese)
- » Korean: [epa.gov/lep/korean](http://epa.gov/lep/korean)
- » Tagalog: [epa.gov/lep/tagalog](http://epa.gov/lep/tagalog)
- » Vietnamese: [.epa.gov/lep/vietnamese](http://epa.gov/lep/vietnamese)

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President's Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*

*This page was intentionally left blank.*





# Office of the U.S. Trade Representative

*The Office of the U.S. Trade Representative (USTR) is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, overseeing trade negotiations with other countries, combatting unfair trade practices, and enforcing U.S. trade laws.*

## **Action 1: Data Disaggregation for AA and NHPI Subgroups**

**Goal:** Review data availability for potential AA and NHPI disaggregation analysis.

**Progress:** The U.S. International Trade Commission's (USITC) 2022 investigation of the distributional effects of trade and trade policy on U.S. workers helped identify and chart paths to close data gaps in regard to the potential distributional effects of trade and trade policy on underserved communities relative to data collection, reporting, and sharing.

Following completion of the USITC's investigation, USTR has used, and will continue to use, the public report to inform potential recommendations and actions and remove data and assessment obstacles to expanding the benefits of trade to all workers.

★ On October 30, 2023, the USITC released its report on U.S.-Pacific Islands Trade and Investment: Impediments and Opportunities. The investigation, which focused on U.S. trade and investment with the Pacific Islands, was requested by the U.S. Trade Representative in a letter dated September 29, 2022.

★ **Next steps:** USTR continues to review the specific findings and conclusions of the USITC's U.S.-Pacific Islands Trade and Investment report and the 2022 Distributional Effects of trade and trade policy report, as well as monitoring the progress of the current USITC investigation and coordinate briefings for WHIAANPI, Commissioners, and other interested parties. ★ These reports contribute to broader efforts to inform the development of policies that contribute to the economic competitiveness, resiliency, and well-being of all workers. ★ The USITC will continue to monitor and evaluate the distributional effects in a report to be completed once every three years for 15 years (five reports total).

## Action 2: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate and Discrimination

**Goal:** *Develop and employ conscious guidance for USTR press and public engagements.*

**Progress:** During the WHIAANHPI IWG monthly meeting, the State Department presented on its nomenclature best practices related to discussing the People's Republic of China (PRC).

USTR continues to refine internal language guidance that informs the preparation of press releases and public statements to distinguish trading partners represented by government officials from national populations, being mindful of anti-Asian xenophobia, hate, and discrimination.

**Next steps:** USTR plans to begin a briefing series to inform the development of internal language guidance. In this regard, USTR will continue to work with the State Department on the development of this internal language guidance.

## Action 3: Language Access for AA and NHPIs

**Goal:** *Translate major trade announcements and activities of concern to AA and NHPI communities.*

**Progress:** USTR identified major announcements that require translation, including work on U.S. trade relations with the PRC, work at the World Trade Organization, and a recent statutory report on Section 301 tariffs, and circulated these announcements, and information about these activities, to domestic AA and NHPI communities.

**Next steps:** USTR intends to continue these language accessibility efforts for major announcements and activities of interest to domestic AA and NHPI communities.

## Action 4: Outreach and Engagement

**Goal:** *Engage consistently and proactively with AA and NHPI leaders, stakeholders, and communities.*

**Progress:** Ambassador Tai has participated in a wide array of engagements with the AA and NHPI community across the country, including in Arizona, California, Georgia, Hawaii, Illinois, Indiana, Massachusetts, Michigan, Minnesota, New Hampshire, Nevada, New York, North Carolina, and Texas.

These engagements have included listening sessions and community roundtables focused on how the federal government can further equity, justice, and opportunity for the AA and NHPI community. These engagements also focused on how AA and NHPI communities interact with, and are impacted by, trade and trade policy.

As part of ongoing efforts to promote collaboration between Asian American and Asian Canadian communities, Ambassador Tai worked with Canada's Minister of Export Promotion, International Trade and Economic Development, Mary Ng, convening community gatherings in Detroit, MI and San Francisco, CA on the margins of the Asia-Pacific Economic Cooperation host year activities, and in Phoenix, AZ.

As part of its ongoing effort to continue expanding an inclusive economy and bringing more people into the process, USTR solicited recommendations about this process through a Federal Registry Notice. This outreach included seven listening sessions, which took place in late 2023-early 2024. These sessions focused on underrepresented groups, as defined in E.O. 13985, and included those identifying as or representing AA and NHPI and Native/Indigenous communities. USTR also conducted a curated academic roundtable.

**Next steps:** Ambassador Tai and USTR officials will continue to connect with AA and NHPI communities

in her domestic travels and look for opportunities to work with trade minister counterparts to convene conversations with the broader AA and NHPI diaspora communities and engage in innovative, inclusive dialogues within a trade and economic framework.

### Action 5: Federal Workforce Diversity

**Goal:** *Develop and implement a long-term, sustainable agency Diversity, Equity, Inclusion, and Accessibility Strategic Plan and ensure USTR maintains a transparent, fair and equitable hiring and promotion process for members of the AA and NHPIs communities.*

**Progress:** USTR has improved its outreach to AA and NHPI communities and institutions, including MSIs and AANAPISIs, and critically evaluated its recruitment, selection, and promotion processes, as well as its retention policies and practices. USTR has embedded diversity, equity, inclusion, and accessibility (DEIA) throughout the business practices and culture of the Agency.

USTR's Office of Human Capital and Services (OHCS) remains committed to fostering this goal. OHCS led the work to develop USTR's DEIA Strategic Plan, providing the framework for the Agency's compliance with Executive Order 14031 (Advancing Equity, Justice, and Opportunity for AA and NHPI Community).

For example, OHCS planned employee engagement programs spotlighting the AA and NHPI workforce, which served to focus on the diversity within USTR and the important contributions of the AA and NHPI workforce to the Agency's mission.

OCHS also initiated a partnership with the Washington International Trade Association (WITA) Academy's Pathways to Opportunity Program that provides USTR speakers to a wide

network of U.S. universities and colleges, including MSI and AANAPISI, throughout the country in an effort to highlight roles and job paths available in international trade.

**Next steps:** OHCS will continue to cultivate existing partnerships for recruitment and hiring and support the AA and NHPI workforce through programs and employee engagement opportunities.

OHCS is also committed to implementing a USTR DEIA Strategic plan, which is expected to include efforts to hire a Chief Diversity Officer to lead the work of further embedding DEIA into the business practices and culture of USTR.



### Progress on Recommendations from the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders

#### Data Disaggregation

**Goal:** *Recommendation that OMB update the minimum standards for federal data on race and ethnicity to fulfill its mission to produce full, fair, and accurate data on the status of health, education, labor, immigration, economy, and other vital indicators for all communities in our nation, including AA and NHPI communities.*

**Progress:** USTR supports this recommendation. For USTR, fulfilling the recommendation will require additional budgetary support to hire staff with experience translating official documents into multiple language. To date, USTR has worked with the State Department, embassy staff, or USTR staff to translate, when needed, press releases and digital content into country-specific language.

**Next steps:** USTR continues work to increase



translation support.

**Goal:** *Recommendation for the encouragement of key federal agencies such as the OMB, USCB, CMS, and NCHS through administrative support and funding to partner with communities and their advocates to ensure the optimal gathering, reporting, and access to AA and NHPI data are relevant and usable by these groups.*

**Progress:** Although the recommended action does not fall within USTR’s authorities, USTR supports this recommendation and is working on equity and data disaggregation.

In 2021, Ambassador Tai requested that the U.S. International Trade Commission (USITC) launch an unprecedented, two-part national investigation on the intersection of race/ethnicity, gender, age, income-level, ability, and region, and the need for disaggregated data and existing gaps in research and analytical capabilities, to better understand the distributional effects of U.S. goods and services trade and trade policy on these workers, especially as these factors affect underrepresented and underserved communities.

**Next steps:** In November 2022, the USITC and USTR publicly released the resulting report from the investigation. After a January 2023 request letter from USTR, in July 2023, the USITC announced they had instituted the first of five investigations that will synthesize and critically review information on the potential distributional effects of goods and services trade and trade policy on U.S. workers and underrepresented and underserved communities. This first investigation, *Distributional Effects of Trade and Trade Policy on U.S. Workers, 2026* (Inv. No. 332-599), will build on information presented in the 2022 USITC report *Distributional Effects of Trade and Trade Policy on U.S. Workers* (Inv. No. 332-587). The USITC expects to submit its first report in the upcoming series to the USTR by

January 20, 2026.

### **Economic Equity**

**Goal:** *Recommendation to host forums in several cities across the country, entitled WHIAANHPI and White House AA and NHPI Economic Summits.*

**Progress:** USTR supports this recommendation. During nearly every domestic engagement, Ambassador Tai and USTR officials meet with AA and NHPI community-based leaders and organizations to discuss the Administration’s intentional design of an inclusive, worker-centered trade policy. As co-chair of both the Commission and WHIAANHPI, Ambassador Tai has tasked her team to identify opportunities for event coordination concerning key trade and investment activities in 2024. This coordination is ongoing.

**Next steps:** USTR continues coordination with WHIAANHPI and the Commission on scheduling potential joint AA and NHPI engagement events in 2024. Since the first event in Philadelphia, Ambassador Tai and USTR have participated in WHIAANHPI Economic Summits in Atlanta, GA, Honolulu, HI, and are planning for additional engagement in 2024. In 2023, Ambassador Tai engaged APEC officials with AA and NHPI communities during the APEC Leaders’ Week in San Francisco, CA, and the APEC Trade Ministerial in Detroit, MI.

**Goal:** *Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.*

**Progress:** USTR supports this recommendation. Of the approximate \$16 million USTR spends on contracted goods and services annually, 73% or \$11.64 million is spent with small businesses overall including businesses owned by women, service disabled, minority, or Native Americans.

Most contracts support USTR's programmatic initiatives and priorities such as trade enforcement and 301 tariff exclusion requests. Due to the unique and mission specific nature of the requirements supported by these vendors, USTR maximizes its engagement with EOP/OA through every phase of the procurement process to ensure not only the most qualified but also the most diverse and inclusive vendors are selected.

**Next steps:** USTR has realized exceptional gains in capacity and productivity, especially within its trade monitoring and enforcement program areas, by strategically leveraging contracted staffing support with Native American and service-disabled veteran owned businesses. Whenever possible, USTR will continue to seek opportunities through thoughtful and targeted market research, as well as coordination with EOP/OA to identify and select diverse vendors that bring a wealth of talent and experience to the Agency and support its mission.

### **Language Access**

**Goal:** *Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.*

**Progress:** USTR supports this recommendation and included a similar action in USTR's Action Plan.

**Next steps:** USTR is exploring how to increase translation support.

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President's Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*

*This page was intentionally left blank.*





# U.S. Small Business Administration

*The U.S. Small Business Administration (SBA) helps Americans start, grow and build resilient businesses. Created in 1953, SBA is the only cabinet-level federal agency dedicated solely to small business owners and entrepreneurs in their pursuit of the American dream. Since its founding, SBA has delivered millions of loans, loan guarantees, contracts, counseling sessions, and other forms of assistance to small businesses.*

## **Action 1: Capacity Building – Improve Access to Loan Capital**

**Goal:** *SBA is investing in additional technology to match underserved borrowers and Community Financial Institutions (CFIs), including CDFIs. For borrowers, application requirements will be simplified, data will integrate automatically, a high-quality customer service support system will be available, and the process will be mobile-friendly.*

**Progress:** SBA launched a critical update to Lender Match (internally called Lender Match 2.0), which enhanced both the customer experience and the quality of the lender referrals (including CFI lenders) to match small businesses seeking capital with SBA lenders.

**Next steps:** Conduct an outreach campaign to support CFIs to transition to and/or join Lender Match 2.0.

**Goal:** *Award three new SBLC licenses to help fill gaps in small business lending: For the first time in over 40 years, SBA will increase the number of licensed SBLCs, and for the first time, is evaluating SBLC applicants for their demonstrated potential to fill gaps in the credit markets, including small dollar lending and lending to underserved populations.*

**Progress:** SBA awarded the three new SBLC licenses in November 2023 and finished onboarding the new SBLCs in April 2024.

**Next steps:** Support and monitor the new SBLCs.

**Goal:** *Convert current Community Advantage (CA) Pilot Program lenders to permanently licensed CA SBLCs: With the sunset of the CA Pilot Program, CA lenders will be permanently*

licensed 7(a) lenders. The 7(a) Loan Program, SBA's primary business loan program, provides financing to small business borrowers to be used for asset purchases, working capital, and debt refinancing, among other purposes. Permanent licensing ensures that community-based, mission-driven lenders can continue to provide access to capital to underserved markets via small dollar loans. These loans can meet the financing needs of underserved borrowers, as well as provide a bridge to more traditional business financing that will allow underserved borrowers to grow and scale their businesses.

*Note: The CA Pilot Program is a critical program that provides financing to low-income borrowers, borrowers from underserved communities, and SBA's Veteran-Owned Small Business Certification Program. CA was introduced as a pilot program in 2011, which allowed SBA to test the new program and ideas but limited the size and duration of the program. On April 12, 2023, SBA published a final rule which provides for grandfathering of current CA Pilot lenders to be licensed as CA SBLCs. Final Rule 2023-07181: <https://www.govinfo.gov/content/pkg/FR-2023-04-12/pdf/2023-07181.pdf>*

**Progress:** SBA launched permanent Community Advantage Small Business Lending Company (CA SBLC) licenses and supported new lenders to begin making 7(a) loans.

During Quarter 1 of Fiscal Year 2024, CA lending was up 17% compared to Q1 FY23.

#### **Next steps**

- » Continue supporting new CA-SBLCs to begin lending and meet the minimum requirements for an active lender (four loans in two years).
- » Establish review and approval guidelines for requests to increase loan size and/or expand geographic service areas.

**Goal:** *Expand justice-involved individuals' access to business development and capital: On September 14, 2023, SBA published a Notice of Proposed Rulemaking that would revise regulations to remove certain criminal history questions from preliminary business loan applications. The notice provided a 60-day period within which SBA received comments from the public and the lending industry regarding the proposal. The rule will apply to the 7(a), 504, Microloan, and Disaster loan programs.*

*Note: In February 2021, SBA expanded eligibility for the Paycheck Protection Program by removing restrictions for entrepreneurs with certain prior criminal convictions or other involvement in the justice system. In 2022, SBA eliminated criminal history record restrictions which were limiting access to its Community Advantage loans.*

**Progress:** SBA reviewed comments to the criminal justice Notice of Proposed Rulemaking and developed a communications strategy for the criminal justice rule.

SBA, in partnership with the Ohio Department of Corrections, has conducted a series of entrepreneurial training workshops at three prisons.

This rule was finalized on May 1, 2024. In addition to removing restrictions to loan programs for the returning citizen population – including the nearly 4 million Americans on parole or probation – the final rule will also standardize most criminal history eligibility rules across SBA loan programs, which collectively provide more than \$40 billion in capital annually to small businesses. It will also eliminate unnecessary questions on criminal history from applications, which can deter eligible entrepreneurs from applying.

**Next steps:** With the criminal justice rule effective, this allows greater access to SBA capital programs for individuals with criminal histories.

## Action 2: Capacity Building – Improve Access to Federal Government Procurement and Contracting

**Goal:** *SBA will enroll more disadvantaged small businesses into SBA’s business development and contracting programs (e.g., the 8(a) Business Development program, HUBZone program, Economically Disadvantaged Women-Owned Small Business (EDWOSB) certification) and strengthen those businesses’ capabilities to compete and perform contracts.*

**Progress:** The percent of firms participating in SBA’s 8(a) Business Development program that received government contracts increased to 70% in FY2023, from 68% two years prior.

SBA partnered with GSA and launched the new 8(a) Multiple Award Schedule (MAS) Pool to maximize utilization of 8(a) Firms.

SBA improved the Dynamic Small Business Search (DSBS.gov) allowing small businesses to add a URL for their Capability Statements.

SBA expanded its early engagement efforts to increase the number of procurement ready firms participating in the 8(a) Program through stronger partnerships with resource partners.

SBA added new webinar tutorials to the Certify Knowledge Base to assist firms with economic and social disadvantage application eligibility.

**Next steps:** Continue robust early engagement initiatives to assist procurement-ready 8(a), EDWOSB and HUBZone applicants, including:

- » Collaborating with and providing “train the trainer” events to SBDC, APEX and other resource partners and stakeholder groups;

- » Conducting monthly webinars (every third Wed) to assist with program specific questions and application questions (i.e. the 8(a) Program’s “Straight Talk”);
- » Conducting HUBZone’s weekly eligibility assistance conference calls (every Tues. & Thurs 2pm ET);
- » Conducting WOSB’s monthly webinar series “Welcome to WOSB” (held every third Thursday).

**Goal:** *Advance education programs and outreach to Small Disadvantaged Businesses (SDB) and small businesses in underserved communities through updates to the 7(j) grant program. SBA will be able to target SDBs in the underserved communities and improve education and support of staff at SBA field offices and Resource Partners. This update to the grant program secures nationwide technical assistance, designed to provide one-on-one needs-based training and counseling to firms in these communities. These tailored services aim to elevate firms’ capabilities and readiness to improve their operations and sustainability in the federal marketplace. Further, SBA field offices and Resource Partners will provide a clear understanding to potential applicants of how to properly obtain and use the SBA certification set-aside programs (Women Owned Small Business (WOSB), 8(a), HUBZone, and Veterans Certification). Achieving a better understanding of the various set-aside programs supports the development of a contract-ready pool of SDBs as potential contract awardees.*

**Progress:** SBA announced in January 2024 the new “Empower to Grow” program, a revitalization of the 7(j) Training Program to enhance small disadvantaged business contract readiness. The program’s new launch can be found under the SBA’s “Learning Platform.”

Empower To Grow: Awarded three new grants aimed



at improved coaching, training, and technology tools to get more disadvantaged businesses contract ready and build a diversified supplier base—creating competition, innovation, and strong performance in federal spending.

SBA developed Annual Training to increase SBA’s business opportunity specialists’ capacity and capability to deliver business development services to 8(a) program participants

**Next steps:** Deliver new Empower to Grow “Welcome Kit” of marketing and communications materials to SBA offices and Resource Partners. Provide training on Empower to Grow to Federal agency Offices of Small and Disadvantaged Business Utilization (OSDBUs) networks.

**Goal:** *Leverage technology to modernize the application process (to apply for, maintain, and manage candidate SBA set-aside program certification and status) for its four certification programs. Modernize and harmonize the process firms use through automation and digitization.*

**Progress:** SBA awarded contracts for development of a unified certification application process. Business and system requirements, an integrated roadmap, and user research have been completed. Development has commenced.

**Next steps:** Execute Integrated Master Plan with launch in Q4 2024 and monthly releases thereafter through March 2025 before moving to operations/maintenance and continuous improvement releases.

**Goal:** *Mitigate the impact of consolidated buying practices by proactively establishing line of sight best practices through portfolio management and early engagement with federal agencies. Consolidated buying occurs when agencies consolidate contracts previously performed (or suitable of being performed) by small businesses and award those contracts as a*

*larger contract not suitable for small businesses. The use of data and targeted intervention affords SBA an opportunity to work with federal agencies to identify small business contract opportunities and assist them with attaining their SDB goals.*

**Progress:** SBA, the Federal Acquisition Regulatory (FAR) Council, and the Office of Federal Procurement Policy (OFPP) agreed to policy recommendations under which agencies should engage earlier with SBA in the acquisition process for consolidated contracts. OFPP published these recommendations on January 25, 2024, as an OFPP memo

**Next steps:** SBA plans to issue proposed regulations to implement the policy recommendations. SBA is developing a proactive strategy to identify and evaluate high value forecasted requirements where early engagement with Senior Procurement Executives (SPEs), OSDBU/Office of Small Business Programs (OSBP) Directors and Chief Acquisition Officers can be performed. This involves two main approaches: urging early involvement in high value procurements with the 24 CFO Act Agencies and establishing an internal review panel for proposed \$1B+ consolidated and bundled procurements.

### **Action 3: Response & Recovery – Improve Access to Disaster Assistance**

**Goal:** *SBA will work with its field and program offices to develop a systematic and formal process with SBA resource partners (i.e., SBDCs, SCORE, Women’s Business Centers, Veterans Business Outreach Centers, and Community Navigators) to assist AA and NHPI businesses with disaster loans, including application completion, reconsiderations, credit repair, and managerial and technical services.*

**Progress:** SBA started development of a national strategy across Small Business Development Centers (SBDCs) to standardize customer service

and disaster integration. This strategy established a baseline to measure progress.

**Next steps:** Continue developing national strategy.

**Goal:** *Fully deploy a new, streamlined online lending platform for disaster survivors to ease and speed up the process of applying for and receiving an SBA disaster loan.*

**Progress:** SBA's new Unified Lending Platform (ULP) is fully implemented. All disaster loan applications are entered into and processed in ULP, accessible through the MySBA Loan Portal at [lending.sba.gov](https://lending.sba.gov).

**Next steps:** Continue to develop enhanced reporting capabilities for internal SBA teams to track and monitor loan application and approval activity that can be utilized to support enhanced disaster response and recovery activities.

**Goal:** *Continue to develop and disseminate multilingual education materials to support disaster recovery and explore additional options to provide translation services across all outreach and support initiatives to reach and communicate with disaster survivors who speak little or no English.*

**Progress:** SBA is reviewing options for contracting support to develop multilingual education materials. SBA has also integrated braille and sign language.

**Next steps:** Continue translations.

**Goal:** *Expand the deployment of Portable Loan Outreach Centers (PLOCs) which bring onsite services to remote and underserved areas, offering localized support. This will include enhancing collaborations with local community groups, nonprofits, and institutions to provide targeted, on-site workshops, information sessions, and personal counseling.*

**Progress:** SBA acquired five additional PLOCs. SBA drafted Local Jurisdiction numbered memo requiring SBA's Field Operation Centers to coordinate with local county and city officials for assistance in identifying underserved communities and to identify locations to best deploy PLOCs to support these communities.

**Next steps:** Deploy PLOCs according to established tactics, techniques, and procedures (TTPs).

**Goal:** *Coordinate with partners to provide disaster survivors with digital connectivity for application intake and document upload when infrastructure is damaged or high-speed internet is not available.*

**Progress:** SBA setup disaster centers with additional computers for people to come in and work on.

**Next steps:** Will continue to setup computers at disaster centers.

**Goal:** *Provide targeted intervention / technical assistance before determining an application's status by strengthening partnerships with SBA Resource Partners. Services provided by the Resource Partners will promote financial literacy and sustainable recovery. Examples include application assistance, reconsideration support, and credit repair counseling. These services can help survivors that experience financial disparities such as lower credit scores and unstable cash flows. Such challenges can cause an applicant to fail to meet underwriting criteria and hinder participation in disaster loan programs.*

**Progress:** SBA has fully implemented processes and procedures to reach applicants whose applications have been withdrawn or applications declined to support disaster survivors through improved outcomes and increased lending. Targeted EIDL outreach uses data driven research to connect with historically underserved businesses to educate about available resources.

**Next steps:** Will keep refining the process as lessons are learned.

**Action 4: Outreach & Engagement – Improve Access to Business Counseling, Training, and Services**

**Goal:** *All SBA offices will investigate new approaches for reaching AA and NHPI clients. One example is the Community Navigators Pilot Program (CNPP), a nationwide network using a “hub” and “spoke” model, whereby organizations with experience and trusted relationships with underserved communities will work closely with underserved entrepreneurs, community partners, and SBA district office staff to assist them with accessing the technical assistance and capital they need to start and expand small businesses.*

**Progress:** SBA’s CNPP continues to conduct outreach and provide counseling and training to underserved communities.

SBA continues to connect with underserved markets. As part of the annual operating planning process, each district office conducted an Equitable Entrepreneurial Ecosystem Building assessment to identify opportunities to further engage with businesses by establishing relationships with new service providing organizations that have entered into underserved communities.

**Next step:** CNPP is ramping down in FY24, but does have a 6-month No Cost Extension through May 31, 2024

**Goal:** *Reach rural and other underserved entrepreneurs with relevant, tailored outreach and educational resources by leveraging SBA Resource Partners’ technical assistance and training and delivering targeted campaigns via traditional marketing and online educational platforms.*

**Progress:** The SBA, USDA, and FDIC inter-

agency partnership has resulted in the Pathways to Prosperity tour which has been well received in rural markets. The outreach series includes technical assistance, procurement opportunities, and finance programs available through host organizations.

SBA has built a marketing strategy for rural small businesses. Additionally, SBA has reinvigorated the Office of Rural Affairs with new leadership. The new Director of the Office of Rural works closely with SBA’s Office of Disaster Recovery and Resilience (ODR&R) and our 68 local District Offices as well as our federal, state, local, tribal, and territorial stakeholders to reach our rural communities.

**Next steps**

- » Continuation of Pathways to Prosperity tour events in new markets.
- » Implement marketing strategy for rural markets.
- » Develop resource guide for rural entrepreneurs to promote resiliency, disaster preparedness, and recovery

**Goal:** *Strengthen small business services for underserved entrepreneurs by partnering with more Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and Minority Serving Institutions (MSIs) through SBA Resource Partner grant agreements and Agency strategic alliances.*

**Progress**

- » SBA awarded 18 new Women’s Business Centers (WBCs) hosted by or in collaboration with MSIs.
- » SBA currently features 18 lead MSI hosts in the Small Business Development Center network and over 150 service center MSI outlets.



- » SBA has awarded 9 entities with funding directed toward Native American client services.

**Next steps:**

- » Onboarding of new MSI-affiliated WBC hosts.
- » Anticipating one additional funding agreement with a Native American training partner this fiscal year.
- » Promotion of MSI eligibility for additional grant funding opportunities

**Action 5: Capacity Building – Improve Access to Investment Capital**

**Goal:** *Spur investment in underserved communities by licensing ‘Reinvestor SBICs,’ investment funds that commit capital to other investment funds that deploy capital to underserved small businesses and start-ups. ‘Reinvestor SBICs’ can receive up to twice the private capital that they raised in the form of a government-backed debt instrument, which shifts the risk-adjusted return profile to incentivize funds to allocate capital to other private funds that invest in underserved small businesses and startups that they may view as riskier or more volatile. SBA leaves the definition of “underserved” for the Reinvestor SBIC program intentionally broad, enabling fund managers to make the case for why the underlying small businesses and startups that receive the investment capital are underserved.*

**Progress:** SBA accepted its first applications for Reinvestor SBICs, which are currently undergoing diligence by SBA’s SBIC program Licensing team.

**Next steps:** SBA aims to license the first Reinvestor SBIC in the coming quarters, bringing more early-stage, longer duration strategies into the SBIC program, expanding the reach of investment into underserved communities

**Goal:** *Broaden the SBIC program portfolio to make it a better fit for longer duration and/or equity-oriented investment funds, which are the strategies that minority allocators are gravitating towards, via a new financial instrument called the “Accrual Debenture.” Funds that are licensed using this financial instrument will be called “Accrual SBICs.” Accrual SBICs will be eligible for 1.25 times the private capital that they have raised in the form of a government-backed debt capital. This will both make the program a better fit for earlier-stage, longer duration strategies and increase the total capital available for managers using these strategies.*

**Progress:** SBA announced the first Accrual SBIC license approval and intended SBA government-guaranteed accrual fund commitment of up to \$125 million as a match to private limited partner capital raised by the Accrual SBIC fund. This first license approved on December 29, 2023, and is managed by Pelion Ventures, a Salt Lake City, Utah-based early-stage technology venture capital firm focused on helping entrepreneurs turn early-stage concepts into tomorrow’s industry-leading companies. Since the launch of the Accrual Debenture, the SBA has received over 50 applications for funds seeking licenses using this financial instrument.

**Next steps:** SBA aims to license more Accrual SBICs in the coming quarters, bringing more early-stage, longer duration investment strategies into the SBIC program.

**Goal:** *Leverage new Investment Capital Advisory Committee (ICAC) comprised of private and non-profit leaders to create a more inclusive and accessible ecosystem for small businesses nationwide. The committee will help SBA promote, expand, and strengthen the ecosystem of private funds financing U.S. small businesses and startups, to support funding entrepreneurs and small business owners from traditionally underserved communities.*

**Progress:** SBA launched the Investment Capital

Advisory Committee (ICAC), in Quarter 1 of Fiscal Year 2024. The meeting was in-person and hosted by SBA Administrator Guzman.

On April 12, 2024, SBA hosted the next ICAC meeting.

**Next steps:** SBA will continue to host ICAC meetings.



# White House Office of Science and Technology Policy

*The White House Office of Science and Technology Policy (OSTP) maximizes the benefits of science and technology to advance health, prosperity, security, environmental quality, and justice for all Americans.*

## **Action 1: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** *OSTP will explore opportunities to invest in research to understand, address, and end bias, discrimination, and xenophobia. The OSTP-led National Science and Technology Council (NSTC) will re-charter the Social and Behavioral Sciences (SBS) Subcommittee of the Committee on Science. One of its tasks will be to advance innovative studies to reveal new and more effective strategies for reducing the frequency and severity of discrimination targeting historically underrepresented groups including AA and NHPI communities.*

**Progress:** The rechartered SBS issued a new blueprint for social behavioral sciences research in spring 2024. The SBS coordinates federal agencies' studies and strategies for reducing discrimination targeting historically underrepresented groups, whether in the labor market and workplace, in digital spaces, or in response to national crises.

**Next steps:** SBS is co-hosting a White House workshop on research-based strategies for combatting discrimination in late spring 2024.

## **Action 2: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** *The OSTP-led NSTC Subcommittee on Research Security (SRS) will continue to hold regular engagements with members of the research community, especially Asian American scientists, as the federal government continues to implement research-security guidance and practices. OSTP and SRS will continue to prioritize engaging directly with Chinese American researchers who have been the most affected by research-security concerns and expressions of anti-Asian xenophobia and bias.*

**Progress:** OSTP continues to hold numerous engagements with the AA and NHPI communities, as well as the research community more broadly, regarding research security, including "Engagement Hours," community briefings, and speaking engagements hosted by



groups such as the Asian American Scholars Forum (AASF) and APA Justice. The OSTP Director met with AASF, APAJustice, and the Congressional Asian Pacific American Caucus (CAPAC) in early 2024.

**Next steps:** These engagements with the Asian American research community will continue.

**Action 3: Data Disaggregation**

**Goal:** OSTP will support revision to OMB Directive 15. Improved standards will spur the collection of higher quality disaggregated data on AA and NHPI communities and lead to better statistical analyses and overall understanding of the diverse AA and NHPI population, while robustly protecting personal privacy.

**Progress:** The OSTP-led Subcommittee on Equitable Data continues to lead and coordinate agency actions to improve the collection of high-quality disaggregated data on AA and NHPI sub-communities.

**Next steps:** Federal agencies will put together more disaggregated data on AA and NHPI communities.

**Action 4: Outreach & Engagement**

**Goal:** OSTP will continue to cosponsor with local institutions in-person roundtables to seek NHPI input on developing guidance to elevate Indigenous Knowledge (IK) into federal decision making.

**Progress:** OSTP released official IK guidance in late 2022, and works with other White House offices and federal agencies to implement this guidance, particularly in decision making by federal agencies.

**Next steps:** OSTP will explore additional consultation opportunities to implement the IK guidance.



**Progress on Recommendations from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

**Economic Equity**

**Goal:** Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.

**Progress:** OSTP does not issue contracts on its own, but supports efforts by federal agencies and by OSTP’s research center (STPI) to increase SDB share of federal contract dollars.

**Language Access**

**Goal:** Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.

**Progress:** OSTP has begun translating key documents on the OSTP website into other languages, starting with Spanish.

**Next steps:** OSTP will provide additional translated documents in the coming year.

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



**WHIAANHPI Interagency Working Group**

**Subgroup: Anti-Asian Hate/Inclusion and Belonging**

**Deliverable:** *See Actions 1, 2, and 4.*

**Subgroup: Language Access**

**Deliverable:** *See “Language Access.”*

**Subgroup: Data Disaggregation**

**Deliverable:** *See Action 3.*

*This page was intentionally left blank.*





# U.S. Social Security Administration

*The U.S. Social Security Administration (SSA) administers national Social Security programs as prescribed by legislation in an equitable, effective, efficient, and caring manner. With retirement, disability, and survivor's benefits, Social Security is one of the most successful anti-poverty programs in our nation's history.*

## **Action 1: Outreach and Engagement**

**Goal:** *Ensure effective and equitable outreach to AA and NHPI communities to promote access to service and programmatic awareness.*

**Progress:** Public Affairs Specialists and Regional Communication Directors attended over 100 events in FY23 that have supported AA and NHPI communities.

## **Action 2: Language Access**

**Goal:** *Improve access to our programs and benefits through culturally and linguistically appropriate tools and services.*

**Progress:** Created new Limited Access Plan (LAP) Communications Hub that provides access to free interpreters, SS5 instruction forms in additional languages and the multi-language gateway that provides public information materials in 17 languages.

## **Action 3: Capacity Building**

**Goal:** *Support White House Initiative on Asian Americans Native Hawaiians and Pacific Islanders' (WHIAANHPI) Regional Networks (RNs).*

**Progress:** Continuous collaboration with AA and NHPI organizations; regular outreach via various modalities (e.g., email; phone); continuing to participate in the WHIAANHPI Interagency Workgroup.

## **Action 4: Federal Workforce Diversity**



**Goal:** *Address potential disparities in hiring and promotions of AA and NHPI employees.*

**Progress:** SSA's external job announcements are open to the public to ensure fair and open competition to all. We have expanded our digital recruitment significantly this year. We are using platforms like Handshake and LinkedIn to reach candidates across universities, including those with AA and NHPI students. We have cold-called, emailed, and directly contacted 471 of 848 Minority Serving Institutions (MSIs), which include 16 Alaska

Native and Native Hawaiian (ANNH) MSIs and 67 Asian American and Native American Pacific Islander (AANAPISI) institutions.

We continue to leverage the National Advisory Councils to share learning and development opportunities, and to host information sessions on the SES and SES Candidate Development Program (CDP). We conducted a review of our SES CDP assessment process to eliminate unnecessary hurdles to ensure consideration of a broad range of candidates.



# U.S. General Services Administration

*The U.S. General Services Administration (GSA) delivers the best customer experience and value in real estate, acquisition, and technology services to the government and the American people. GSA leverages the buying power of the federal government to provide federal purchasers with cost-effective, high-quality products, and services from commercial vendors.*

## **Action 1: Capacity Building; Outreach & Engagement**

**Goal:** *GSA plans include awarding certain categorized and remaining new governmentwide acquisition contracts to Small Disadvantaged Businesses; simplifying the solicitation process and improving vendor education; establishing a robust post-award engagement strategy; establishing a supplier diversity plan; and enhancing the Forecast of Contracting Opportunities Tool.*

### **Progress**

- » Established new Multiple Award Schedule (MAS) 8(a) Pool which currently has 950 active 8(a) businesses as of 3/24/24.
- » Established new Multiple Award Schedule (MAS) 8(a) Pool which currently has 950 active 8(a) businesses as of 3/24/24.
- » New MAS Readiness Assessment launched on 2/21/24 - As of 3/25/24, 210 vendors have submitted an assessment. The MAS Solicitation Management Office has addressed 165 (78%) and coordinated efforts with portfolio representatives to follow-up with the contractors. There were 45 respondents who did not request a response from our team.

### *Improving MAS Success Project - Project Charter*

GSA has implemented a Post-Award Engagement strategy to support socioeconomic small businesses with challenges in successfully earning sales after being awarded a GSA contract. Efforts to support GSA's post-award strategy include:

- » Training socioeconomic small businesses to navigate Federal contracting, market their



business and develop quality offers.

- » Equipping the governmentwide acquisition workforce with the knowledge to conduct effective market research, write clear and inclusive requirements, and build partnerships with socioeconomic suppliers.
- » Hosting outreach, providing technical support, and using data to monitor and shape outcomes.

**Next steps:** Fiscal year 2023 sales data for socioeconomic small businesses will serve as the Year 1 baseline to evaluate the efficacy of Post-Award Engagement activities.

- » GSA seeks to increase the success rate of MAS contractors by making improvements that will create a more prepared, capable, and compliant MAS industry pool.
- » Revising the MAS Welcome Package to identify areas to support new contractors and ensure new awardees understand the requirements and where to find tools to assist.
- » MAS is working to centralize the MAS Training Program and to improve the training it provides for new MAS contractors.
- » Enhancing the Forecast of Contracting Opportunities Tool (Tool).
- » *Continuing to provide accurate and timely data into the Tool.*
- » *Providing feedback and suggestions to the developers for continued improvement of the Tool.*

## Action 2: Language Access

**Goal:** GSA's Technology Transformation Services (TTS) completed research studies on equity and bias

*in facial matching services. GSA will also invest in expanded stakeholder engagement and usability testing with communities that have been historically underrepresented in the design process and are most vulnerable to negative impacts of inequitable delivery of Federal digital services. In addition, GSA's Office of Civil Rights will reassess and update the agency's Language Access Plan to afford meaningful access for individuals with limited English proficiency to GSA's programs and activities.*

**Progress:** TTS completed research studies with participation from approximately 4,000 participants.

Vote.gov offers users information in several languages including Bengali, Chinese (simplified and traditional), Hindi, Khmer, Korean, Tagalog, and Vietnamese.

## Next steps

- » Reviewing preliminary research findings with the larger academic community and setting up environments for ongoing data analysis to refine results, findings, and recommendations.
- » Vote.gov will provide content in Japanese.
- » Vote.gov will be launching voter guides in all these languages, specifically for people who experience barriers to voting, including those who are unhoused or do not have a permanent address, new U.S. citizens, and other groups.

## Action 3: Federal Workforce Diversity

**Goal:** GSA will develop targeted community/employee outreach partnerships and leverage its affinity groups and Special Emphasis Programs to expand qualified applicant pools; conduct a review of the recruiting and hiring process to identify and implement improvements; review workforce human capital goals to ensure diversity, equity, inclusion, and accessibility-

*related goals and measures are communicated as priorities; and provide education and training programs targeted at hiring managers and human capital staff.*

**Progress:** GSAs National Recruitment Center continues to discover and expand its contacts and partnerships with AA and NHPI entities (e.g., colleges, academic societies/student organizations, diversity organizations, etc.). Additionally, the GSA Brand Ambassador program continues to expand. This program educates interested employees (including those who may be members of the agency’s various special emphasis/affinity groups) on representing the agency, respective business lines, and their affinity groups when they are engaging any audience about employment opportunities at GSA.

**Next steps:** Continue to expand our outreach efforts through maintenance of relationships with existing partners while receiving and seeking information about new opportunities. At the same time, the Brand Ambassador program will continue to monitor internal and external influencers to adjust content on an ongoing basis as changes occur.

#### **Action 4: Promoting Belonging, Inclusion, and Combating Anti-Asian Hate**

**Goal:** *Among other activities, GSA will establish an awareness campaign to foster allyship and communicate the experiences, contributions, and needs*

*of the AA and NHPI community; improve agency awareness, activity tracking, and transparency of anti-harassment programs and anti-discrimination resources; and improve complainant experience by identifying and closing process gaps, reducing barriers to accessibility and information, and prioritizing a culture of care and inclusivity.*

**Progress:** GSA constructed an Employee Organizations (EO) Guide to establish governance for its Special Emphasis Programs (SEPs), Affinity Groups (AGs), and Associations, which provides details on fostering an environment of dignity and respect for all employees. This guidance further establishes education, awareness, activities, and reporting functions for GSA’s EOs. Additionally, GSA’s AA and NHPI SEP continues working alongside the DEIA PM and Affirmative Employment PM to identify potential barriers and mitigating strategies to maintain an organizational culture promoting DEIA principles and values.

**Next steps:** GSA will continue to implement strategic measures as outlined in its Strategic Plan and train all Special Emphasis Program Managers (SEPM) to U.S. Equal Employment Opportunity Commission standards prior to the end of fiscal year 2024. This effort increases the educational opportunities for SEP Managers to maximize their value as GSA continues with promoting belonging, inclusion, and enhancing work-group cohesion throughout the agency.

*This page was intentionally left blank.*



# U.S. Agency for International Development

*The U.S. Agency for International Development (USAID) is an independent agency of the United States government that is primarily responsible for administering civilian foreign aid and development and humanitarian assistance. On behalf of the American people, USAID promotes and demonstrates democratic values abroad, and advances a free, peaceful, and prosperous world.*

## **Action 1: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** USAID will develop a standalone anti-racism module to be introduced to the *Respectful, Inclusive, and Safe Environments (RISE)* platform. USAID's Asian Pacific American Employee Committee is also developing a separate, standalone module examining the history of anti-Asian racism, violence, stigmatization, and erasure in the United States for the agency's consideration and incorporation. RISE will also continue to host and support various agency-wide events and learning engagements related to the lived experiences of USAID staff, including staff from AA and NHPI backgrounds.

**Progress:** RISE has implemented the *History of Asians in the U.S.* course as standalone sessions open to anyone and per request of operating units to include the training in their RISE learning curriculum. We consistently collect and review qualitative feedback on the content and facilitation of the course to ensure we address concerns of the participants, meet the expectations of our stakeholder groups, and adapt accordingly when needed.

Additionally, in an effort to promote belonging and inclusion, in 2024 RISE developed and began offering a course on *Psychological Safety in the Workplace* which defines the concept and offers practical strategies for everyone (especially managers and supervisors) to foster psychological safety and increase a sense of belonging for all USAID colleagues.

Development of RISE: *History of Asians in the United States* module completed.

**Next steps:** Establish a working group for reviewing the current content and design of *History of Asians in the U.S.* to update the course as needed.

Determine the release date of the update course for FY 2025.



Continue to offer *RISE: History of Asians in the U.S.* as standalone trainings and as an add-on training option for M/B/IOs enrolled in RISE 101.

### Action 2: Data Disaggregation

**Goal:** *USAID will take an evidence-based approach to reducing potential barriers in hiring, promotion, professional development, and retention practices by establishing an annual agency-wide DEIA survey that will include DEIA-related metrics, including expanding demographic data collection for AA and NHPI communities and enabling longitudinal evaluation at the agency level and to the extent feasible in light of privacy concerns and requirements.*

**Progress:** USAID successfully completed its inaugural DEIA survey and released the results and analysis, which was broadly integrated into organizational health efforts as a key data point. This survey illustrated successful proof of concept for demographic data expansion for identities within the workforce including race/ethnicity.

**Next steps:** USAID will work with OMB and OPM to continue to include expanded demographic data collection aligned with the next iteration of the DEIA survey which is planned to launch in Q1FY25.

### Action 3: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate

**Goal:** *As part of USAID's development of the PRC policy, there will be a section directing all agency colleagues to use careful and considered language when discussing the United States' intensifying competition with the PRC, especially considering the rise in anti-Asian sentiment at home and abroad. These actions will also improve USAID's overall credibility as a development partner and as a more respectful and inclusive workplace.*

**Progress:** As part of the United States' affirmative approach to development, USAID outlined how staff can address the development challenge with the People's Republic of China in a principled and inclusive way. It states: "Above all, in every situation, we must be clear that our differences are between governments and systems and not between our peoples. Ties of family and friendship continue to connect the American and the Chinese people, and contributions of Chinese-Americans are inseparable from our own history. We deeply respect China's achievements, history, and culture. Racism and hate have no place in a nation built by generations of immigrants to fulfill the promise of opportunity for all. Messaging guidance accompanying USAID's PRC Approach will support Missions, Bureaus and Independent Offices to craft language that reflects our common values and our responsibility to be thoughtful in how we frame our increasingly competitive relationship with the PRC. All USAID communications relating to the PRC must adhere to guidance set forth in State cable on nomenclature [21 STATE 83562, Aug 11, 2021] as well as the Agency's Style Guide published by the Executive Secretariat."

**Next steps:** USAID will continue to monitor the implementation of the policy and remain vigilant in identifying violations of policy and values.

### Action 4: Federal Workforce Diversity

**Goal:** *USAID will expand its Affirmative Employment Program by creating an AA and NHPI Special Emphasis Program (SEP) which will work with key agency stakeholders to ensure that affirmative steps are taken to provide equal opportunity to members of the AA and NHPI communities in all areas of the employment lifecycle.*

**Progress:** USAID has fully onboarded a SEPM within the Affirmative Employment Program who has responsibility for the AA and NHPI population.

The SEPM has been actively engaging with the community.

**Next steps:** USAID will continue to utilize the SEPM function to advance affirmative employment for the AA and NHPI population through engagement in the affirmative employment process to include conducting barrier analyses.



### Progress on Recommendations from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders

#### Language Access

**Goal:** Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.

**Progress:** USAID’s platform, WorkwithUSAID.org contains information and resources in Vietnamese and Burmese for current and future partners about USAID and on how to become a USAID implementing partner.

**Next steps:** USAID will translate material and resources on the WorkwithUSAID.org platform into additional languages that serve the AA and NHPI community.

#### Economic Equity

**Goal:** Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 15% by 2025.

**Progress:** USAID awarded 7.11% of the total prime contracts which was 478 million in FY 23. USAID’s goal for FY 2024 is 8.5%.

USAID has conducted targeted outreach throughout the world and specifically in Bangkok, Thailand, as well as through the AA and NHPI Annual Conference hosted by USAID.

**Next steps:** Outreach and engagement to SDB plans will continue, with additional opportunities planned for Hawaii, and Asia Region.

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



### WHIAANHPI Interagency Working Group

#### Subgroup: Anti-Asian Hate/Inclusion & Belonging

**Deliverable:** USAID A/DEIA staff will join the workgroup and actively engage in collective solutions to implement the goals of the subgroup broadly within the Agency.

**Progress:** Identified USAID A/DEIA staff will now start to actively participate in the workgroup regularly.

**Next steps:** Continue to actively participate and implement work group suggestions within the Agency.

#### Subgroup: Data Disaggregation

**Goal:** USAID will evaluate and determine feasibility for implementation of data disaggregation across a variety of data points within USAID and engage other Foreign Affairs Agencies.

**Progress:** USAID staff has actively engaged

and collaborated with the Data Disaggregation workgroup to evaluate feasibility of data expansion and the sharing of USAIDs promising practices of data disaggregation via our DEIA Survey.

**Next steps:** Continue to actively participate and implement work group suggestions within the Agency.



# U.S. Office of Personnel Management

*The U.S. Office of Personnel Management (OPM) serves as the chief human resources agency and personnel policy manager for the federal government. OPM provides human resources leadership and support to federal agencies and helps the federal workforce achieve their aspirations as they serve the American people. OPM directs human resources and employee management services, administers retirement benefits, manages healthcare and insurance programs, oversees merit-based and inclusive hiring into the civil service, and provides a secure employment process.*

## **Action 1: Data Disaggregation**

**Goal:** *OPM will develop several measures to support data disaggregation, including narrowing of agency-identified gaps in the Federal Employee Viewpoint Survey (FEVS) Employee Engagement Index that are impacting the AA and NHPI workforce; adding questions in the FEVS that probe the AA and NHPI workforce experience; and assessing progress and evaluating root causes of barriers to hiring AA and NHPI team members in the senior leadership pipeline and employee retention rate as part of the agency's overall barrier analysis activities. These measures will require analysis of disaggregated data by race/ethnicity, including by AA and NHPI subgroups, and will provide agencies an opportunity to use this (as well as other) data to determine specific actions towards equity.*

**Progress:** *In Q4 of 2023, OPM delivered a DEIA dashboard to CFO Act agencies to support agency data-driven decision making for DEIA-focused programs, practices, and policies. This dashboard includes workforce demographic snapshots and trends for onboard, accessions, and separations by several data categories including race. Agencies can use these dashboards to better understand hiring and retention trends in their senior leadership pipeline.*

## **Action 2: Outreach and Engagement**

**Goal:** *OPM will engage in outreach to at least 38 AANAPISIs or Native Hawaiian-Serving Institutions, conduct webinars for students on federal employment topics, and hold meetings with career directors, career counselors, and academic advisors to better understand the needs of*



*their students and provide culturally and linguistically appropriate information about student employment programs. OPM plans to code AANAPISIs and Native Hawaiian-Serving Institutions as specific school designations in its outreach system to better track efforts and participation. Additionally, OPM will develop a “Guide to Federal Employment” for early career applicants, including job seekers from AANAPISIs and Native Hawaiian-Serving Institutions, to encourage them to apply for federal positions.*

**Progress:** In FY 2023, OPM delivered presentations on Federal Resume Writing, Navigating USAJOBS, Interviewing Techniques, and Internship Programs to Minority Serving Institutions, including 91 AANAPISIs schools. To assist job seekers in their

job search, OPM developed short videos on Federal employment which are available on USAJOBS. These videos are user friendly and replaced the need for a guide or toolkit. In addition, OPM partnered with the Federal Asian Pacific American Council (FAPAC) to deliver presentations for students at their National Conference in Long Beach, CA.

**Next steps:** In FY 2024, OPM plans to continue outreach activities to AANAPISIs colleges and universities. Some webinars will include information on the new changes to the Pathways Programs and how to find Federal internships in the Internship Portal. OPM is partnering with FAPAC to offer sessions for students in May 2024 to raise awareness of Federal careers and employment opportunities.



# U.S. Equal Employment Opportunity Commission

*The U.S. Equal Employment Opportunity Commission (EEOC) prevents and remedies unlawful employment discrimination and advances equal opportunity for all in the workplace.*

## **Action 1: Promoting Belonging, Inclusion, and Addressing Anti-Asian Hate/Discrimination; Outreach and Engagement**

**Goal:** *Increase outreach to AA and NHPI communities.*

**Progress:** The agency developed areas of focus for outreach to AA and NHPI communities based on feedback received from staff and stakeholders. Agency staff continued to use an internal data tool to help identify in which geographic areas to target outreach efforts.

In fiscal year 2023, EEOC staff conducted or participated in 100 events nationwide for AA and NHPI advocates and communities, including listening sessions, roundtables, technical assistance programs, and webinars, many in coordination with other federal agencies. These efforts are intended to help improve access to the agency's services and provide AA and NHPI individuals with information on their workplace rights.



In January 2024, the agency launched the REACH initiative to reassess its outreach efforts to underserved communities and vulnerable workers, including AA and NHPI communities.

**Next steps:** Agency staff will continue to identify opportunities to conduct outreach for AA and NHPI advocates and communities.

The REACH initiative will hold listening sessions with a broad range of stakeholders across the country, including AA and NHPIs, evaluate the agency's current outreach practices, and develop recommendations to enhance outreach efforts.

## **Action 2: Language Access**

**Goal:** *Increase language access for AA and NHPIs.*

**Progress:** The agency has reinvigorated its language access working group and, in November 2023, released an updated language access plan. Developed in accordance with Executive Order 13166, the plan provides information on the availability of interpretation services in field offices for the public, access to more than 200 languages for callers, and translation of key agency documents into several languages. It also notes recent updates to the availability of critical information about the laws enforced by the EEOC in eight languages, including Chinese (traditional and simplified), Korean, Vietnamese, and Tagalog.

**Next steps:** The agency will continue to implement its updated language access plan and work to offer additional language translations when resources

permit both in-person and on the agency's website.

### **Action 3: Data Disaggregation**

**Goal:** *Improve collection and analysis of AA and NHPI data.*

**Progress:** Agency staff reviewed the EEOC's data collection for AA and NHPIs and determined that NHPI data disaggregation could be improved during the intake process. The agency is currently working to further disaggregate NHPI categories in agency intake forms.

**Next steps:** The agency will expand NHPI categories in intake forms and conduct training for frontline staff when any updates are completed.



# U.S. Consumer Finance Protection Bureau

*The Consumer Financial Protection Bureau (CFPB) implements and enforces federal consumer financial law and ensures that markets for consumer financial products are fair, transparent, and competitive. CFPB makes consumer financial markets work for consumers, responsible providers, and the economy as a whole. We protect consumers from unfair, deceptive, or abusive practices, and from discrimination, and act against companies that break the law. CFPB arms people with the information, resources, and tools they need to make informed financial decisions.*

## **Action 1: Data Disaggregation**

**Goal:** CFPB will use its small business lending data collection rulemaking per section 1071 of the Dodd-Frank Act to facilitate enforcement of fair lending laws and identify business and community development needs for minority-owned small businesses. The rule, as proposed, disaggregates the Asian and Native Hawaiian or Other Pacific Islander aggregate race categories, which, if finalized, would provide lending data at a more granular level among AA and NHPI subgroups.

★ **Progress:** CFPB issued a final rule on March 30, 2023 amending Regulation B to implement changes to the Equal Credit Opportunity Act (ECOA) made by Section 1071 of the Dodd-Frank Act. Consistent with Section 1071, covered financial institutions are required to collect and report to the CFPB data on applications for credit for small businesses. Data to be collected and reported includes the race (as well as ethnicity and sex/gender) of the small business applicant's principal owners. Race, including for AA and NHPI, will be collected using disaggregated categories. As a result of ongoing litigation, the deadlines for compliance with the small business lending rule currently are stayed for all covered financial institutions.

**Next steps:** The CFPB has provided materials and tools to help explain the rule. CFPB staff provide informal guidance in response to questions submitted about the rule. However, the rule's compliance deadlines are currently stayed as a result of ongoing litigation.



## Action 2: Language Access

**Goal:** CFPB will conduct qualitative and quantitative analysis to understand usage of multilingual resources to better understand the needs of LEP consumers and develop opportunities to expand outreach. This will be conducted through focus groups in Chinese, Korean, Vietnamese, and Tagalog. CFPB will then utilize feedback collected from outreach efforts and analysis of other data sources (consumer complaints, market research, etc.) to help craft a strategy for updating, creating, and distributing new resources, which may include digital offerings, multi-media tools, online and print handouts.

**Progress:** CFPB conducted qualitative and quantitative analysis to better understand usage of multilingual resources including the needs of LEP consumers. Focus groups were conducted in Chinese, Korean, Vietnamese, and Tagalog. CFPB utilized feedback collected from outreach efforts and analysis of other data sources (consumer complaints, market research, etc.) to craft a strategy for updating, creating, and distributing new digital offerings. With the information learned from these activities, CFPB updated its multilingual websites in early 2023.

In April 2024, to increase accessibility of financial information, the Bureau launched a set of new glossaries of translated financial words and terms in Arabic, Haitian Creole, and Russian glossaries, and updated the Chinese, Korean, Spanish, Tagalog and Vietnamese glossaries. The goal of the glossaries is to ensure there's consistency in translated consumer education materials as many of the technical terms

commonly used in the U.S. financial system either do not have equivalent terms in non-English languages or have translations that are confusing.

**Next steps:** To date, we continue to develop opportunities to expand outreach to LEP communities.

## Action 3: Language Access

**Goal:** LEP consumers may face difficulties understanding disclosure documents, including their rights and obligations, or relevant information about a financial product or services. To encourage financial institutions to provide fair and transparent access to products and services to people who are more comfortable using a language other than English, CFPB translated, audited, and validated with consumers disclosures in Chinese and subsequently published disclosures and conducted outreach to encourage financial institutions and consumers to utilize them.

**Progress:** Completed translations of disclosures, developing for consumer recruitment and strategy to begin user testing. Completed user testing of the translated forms and prototypes in Mandarin and Spanish.

**Next steps:** As a result of the user testing and additional stakeholder feedback, the team is reviewing and editing the translations to be clearer. Also, the team is gathering user and stakeholder feedback to determine the best format for the bilingual forms.



# National Science Foundation

*The National Science Foundation (NSF) promotes the progress of science, advances the national health, prosperity, and welfare, and secures the national defense. NSF envisions a nation that leads the world in science and engineering research and innovation, to the benefit of all, without barriers to participation.*

## **Action 1: Capacity Building**

**Goal:** *NSF will increase both the number and proportion of proposals received from underrepresented and underserved investigators and institutions from within the AA and NHPI communities by 5% and will strive to do so by increasing its external engagement with AA and NHPI communities, including proposal writing workshops and recruitment efforts; strengthening linkages with AANAPISIs; partnering with professional societies; and leveraging the WHIAANHPI RN.*

**Progress:** From FY22 to FY23 NSF saw an increase of 6.7% of the number of newly registered principal investigators (PIs) who identified as AA and NHPI, from 2,833 to 3,023. Over this same period the number of proposals submitted by these newly registered PIs increased by 4.8% from 1,660 to 1,739.

*(Note: these figures differ in magnitude from the figures reported for the increase from FY21 to FY22 reported in an earlier progress report because of a methodological change in how NSF determines PI demographics and changes in self-reporting practices on the part of the PIs.)*

Throughout calendar year 2023 and 2024 NSF has continued to collaborate with WHIAANHPI leadership to help facilitate private donor participation and provision of in-kind support various WHIAANHPI outreach and engagement events. These have included WHIAANHPI Regional meetings, Regional economic summits, multiple WHIAANHPI community convenings around the country, as well as the White House Forum on Asian Americans, Native Hawaiians, & Pacific Islanders on May 3, 2023, the WHIAANHPI-White House Diwali Celebration event on November 14, 2023, and the WHIAANHPI 25th Anniversary Celebration on May 13, 2024.

**Next steps:** NSF handles its external engagement efforts in a distributed manner, relying



principally on discipline-based outreach by program officers typically at scientific professional meetings. With colleagues working on the Agency Priority Goal: *To improve representation in the scientific enterprise* and with colleagues in the NSF Office of Equity and Civil Rights (OECR) and the NSF Office of Legislative and Public Affairs (OLPA) we expect to work towards a systematic campaign to target groups within the AA and NHPI communities whose submissions of proposals are low. This intention is laid out in NSF's new Language Access Plan.

## Action 2: Data Disaggregation

**Goal:** *NSF will examine its proposal submission system to identify opportunities to improve the capabilities for principal investigators and their submitting institutions to self-identify the communities to which they belong. Improving data quality and potentially the types of data collected will contribute to a richer and more accurate picture of the pool of applicants and the ability for deeper data disaggregation.*

**Progress:** NSF created a new Demographic Data Working Group (DDWG) in April 2024 partially in alignment with the Revisions to OMB's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity issued in late March 2024. Please see more detail in the response to the data call.

Actions 1 and 2 are closely linked and align with NSF's larger Agency Priority Goal (APG): *To improve representation in the scientific enterprise*. Central to at least quantitative observation of progress is improved data collection of the demographics of principal investigators.

Representation on the DDWG includes staff from the National Center for Science and Engineering Statistics.

**Next steps:** NSF also continues to work to improve participation in self-reporting of principal investigator demographics taking advantage of a new single profile capability within Research.gov which replaced FastLane.gov as of January 2023 as the sole mechanism to submit proposals. While the single profile system has been in existence since 2018 when it was rolled out for principal investigators and research office administrators it has only more recently been implemented for meeting participants (e.g. panel reviewers, site visits, and advisory committees) in March 2023 and for ad hoc reviewers in April 2024. At this stage the single profile system with its expanded demographic categories positions NSF to be able to improve the granularity of its demographic data collection.

NSF began an explicit push to improve the quality of our demographic data in May 2022, by introducing encouragements into the (single) user profile for PIs, so that PIs were prompted to enter their demographic data when they logged in to Research.gov. Those same nudges were used as we gradually expanded the Single ID to all the other groups described above.

## Action 3: Language Access

**Goal:** *NSF will take a "plain language" approach to rewriting the primary web pages that describe its programs, provide policy guidance, and instruct readers on how to find funding opportunities and prepare successful proposals. NSF will also explore providing translations of these primary pages to reach the broader AA and NHPI communities.*

**Progress:** In FY22 NSF began a complete redesign of the agency's web presence which includes its commitment to the use of "plain language." This was completed in April 2023.

NSF published its Language Access Plan on August 8, 2024.

**Next steps:** From NSF's Language Access Plan: Within one month of approval, OECR will also create an email address that will address inquiries about language access. The LAP Coordinator will monitor the email. Until the email box is created, all language service inquiries should be directed to [programcomplaints@nsf.gov](mailto:programcomplaints@nsf.gov) or call 703-292-8020.

Within one month of approval, OECR will promote the LAP through various communication channels throughout the agency. Some communication channels include an NSF bulletin emailed to all NSF staff and the announcing the plan through the NSF Newsletter, The Weekly Wire.

In addition, OECR will present the LAP and how to provide language access services during their portion of the twice monthly New Employee Orientation. To maintain NSF staff awareness of providing language access services, OECR will send yearly reminders through the bulletin and the Weekly Wire regarding the plan and who to contact if NSF staff has questions. If needed, materials such as guidelines and FAQs will be produced by OECR for agency distribution.

Within six months of plan approval, OECR will also create a Language Access Working Group. The group's purpose will be to meet to discuss language access initiatives within the agency. Members of the working group will be drawn from the top 4 identified offices that encounter people with limited English proficiency. Those include OECR, the Policy Office within the Office of Budget, Finance & Award Management, the Office of Legislative and Public Affairs (OLPA), and the Office of Integrative Activities. Other members of the group may include the Broadening Participation working group and the

Chief Diversity and Inclusion Officer. In addition, the LAP Coordinator will act as chair of the working group.

The group will meet twice each year to discuss any needed updates to language access in their office. Responsibilities of the working group may include reviewing documents, attending biannual meetings, distributing materials to their respective offices or directorates, and collecting data on language access requests from their office/directorate. Data tracking may include number of cases, matters, or outreach initiatives where language assistance was provided, the primary language requested or provided, the type of language assistance services provided, or the cost of any language assistance services provided. The data collected will provide clarity regarding language assistance needs for the future and assist in further updating the LAP.

Within one year of plan approval, OECR will create internal and external webpages with resources regarding language access, including translated material, translation services, and other related information. The webpages will act as a central repository for translated materials to avoid duplication. NSF will work with the Division of Administrative Services to create and update the webpage, as needed.

In addition to the webpages, OECR has already updated the Proposal & Award Policies and Procedures Guide (PAPPG) to include language on accessing NSF's LAP and a link to the NSF LAP webpage. If additional information/webpages are created, OECR will ensure that the PAPPG is updated.



*This page was intentionally left blank.*



# U.S. Federal Communications Commission

*The Federal Communications Commission (FCC) regulates interstate and international communications by radio, television, wire, satellite, and cable in all 50 states, the District of Columbia, and U.S. territories. An independent U.S. government agency overseen by Congress, the Commission is responsible for implementing and enforcing America’s communications law and regulations.*

## **Action 1: Language Access**

**Goal:** *The FCC will increase access to publicly available documents by expanding its existing translation program to include languages such as Arabic, Burmese, Cambodian, Chuuk (Micronesian), Hmong, Laotian, and Thai. New print-on-demand procedures will include the ability for consumers to request written translations for any FCC public-facing document into most of the AA and NHPI languages and dialects available for contracted support.*

**Progress:** On 07/21/2023 the FCC awarded the AA and NHPI Transcreation contract which provided language adaptations for promotional materials targeted at reaching the AA and NHPI audience.

★ **Next steps:** The FCC will collaborate with relevant stakeholders such as community organizations, language experts, and advocacy groups representing AA and NHPI communities to gather insights and feedback on the translation process. Evaluate existing translation methods and tools to ensure effectiveness and appropriateness for translating emergency alerts into AA and NHPI languages. Consider incorporating new technologies or approaches to improve the translation process.

## **Action 2: Capacity Building**

★ **Goal:** *The FCC will establish a program to award Affordable Connectivity Program (ACP)-focused outreach grants to grassroots groups and community navigators, including those focused on and familiar with the AA and NHPI community, in an effort to bolster awareness of the ACP and assist in enrollment of new recipients.*

**Progress:** The application deadline for the ACP Outreach Grant Program Round II closed

January 9, 2023. The application deadline for the ACP Outreach Grant Program Round II closed February 7/2024. Community-based organizations, among others, were eligible to apply. Over 23 Million households struggling to pay for internet enrolled in the program.

**Next steps**

- » Work with lawmakers to secure continued or increased funding for the program, ensuring its longevity and ability to adapt to changing needs and technologies.
- » Engage with organizations that received the outreach grants to gather insights on the challenges and successes they encountered. This can provide valuable on-the-ground perspectives that can inform future program modifications. Conduct a thorough assessment of the program’s reach and effectiveness, especially in the targeted communities like the AA and NHPI community.
- » This could involve collecting and analyzing data on enrollment figures, demographic reach, and feedback from participants and community navigators.

**Action 3: Capacity Building**

**Goal:** *Using focused market research, the FCC intends to identify AA and NHPI business entities that are certified section 8(a), HUBZone, Service-Disabled Veteran- or Woman-Owned businesses. Through this action, the agency hopes to provide businesses in underserved communities with greater opportunities for currently available and future FCC contracts.*

**Progress:** The FCC’s Small Business Specialist provided small business set-aside training to all FCC Contracting Officers (COs). The agency also implemented a new small business procurement form to enhance internal awareness of the FCC’s

small business goals and advance opportunities for all small businesses. The FCC continues to develop and implement small business policies and procedures to engage and reach out to AA and NHPI communities.

**Next steps**

- » The FCC will continue to monitor the FCC’s small business goals and develop procurement policies to serve underserved communities.
- » Publicize success stories of AA and NHPI businesses that have successfully engaged in FCC contracts. This not only celebrates their success but also encourages and guides other businesses in these communities.
- » Collaborate with other federal agencies that have successfully engaged AA and NHPI businesses to learn best practices and strategies that could be implemented by the FCC.



**Progress on Recommendations from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

**Language Access**

**Goal:** *Recommendation that the federal government should ensure that emergency/disaster prevention, planning, response, mitigation, and recovery programs are inclusive of and reflect the lived experiences of limited English proficient populations.*

**Progress:** The FCC had already established a practice to translate emergency alerts to AA and NHPI languages based on Census-provided data on consumers with limited English proficiency within the footprint of the emergency alerts.

**Next steps:** Continuously monitor the implementation of translated emergency alerts in AA and NHPI languages and evaluate their impact on community engagement, awareness, and response to emergency situations. Make necessary adjustments based on performance metrics and feedback.

**Goal:** *Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.*

**Progress:** The actions described with respect to Action 1 provides information about the agency’s progress on this front.

**Next steps:** Establish a feedback mechanism to solicit input from AA and NHPI communities on the accessibility and effectiveness of translated emergency alerts. Use this feedback to make continuous improvements to the translation process.

**Economic Equity**

**Goal:** *Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.*

**Progress:** The FCC continues to develop and implement small business policies and procedures to engage and reach out to AA and NHPI communities. In FY 23, the FCC’s small business goal exceeded the recommendation set by the SBA.

**Next steps**

- » Review and simplify the bidding processes to make them more accessible to small and minority-owned businesses. Reducing complexity can lower the barriers to entry for these businesses.
- » Establish a feedback mechanism where AA and NHPI businesses can share their experiences with FCC procurement processes. This feedback can be crucial in identifying and addressing barriers these businesses face.

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



*This page was intentionally left blank.*



# U.S. Commission on Civil Rights

*The U.S. Commission on Civil Rights (Commission) is an independent, bi-partisan, fact-finding agency that informs the development of national civil rights policy and enhances enforcement of federal civil right laws. The Commission studies alleged deprivations of voting rights and alleged discrimination based on race, color, religion, sex, age, disability, national origin, and the administration of justice, and accomplishes its objective by holding public briefings and hearings on critical civil rights issues and publishing significant civil rights studies and reports.*

## **Action 1: Language Access**

**Goal:** Website assessment to be conducted in FY 2023 to inform plan for FY 2024 website update to include language access.

**Progress:** 2024 Website assessment/audit was completed, and the Commission has added press and report materials in more languages than ever and at an increase frequency since adding the 5 U.S. Territories in 2022.

★ **Next steps:** The Commission's Media and Communications Director will need to engage with the Commission's IT department to explore ways Digital.gov has implemented to increase language access on the Commission's website for visitors.

## **Action 2: Outreach & Engagement**

★ **Goal:** HQ Commission to work with the Regional Programs team to develop an outreach plan for FY 2023 and actively conduct outreach/develop partnerships with AA and NHPI organizations to increase awareness about Advisory Committees.

★ **Progress:** Commissioner Magpantay has conducted outreach with several AA and NHPI organizations and many AA and NHPI individuals to educate them about the Advisory Committees and encourage their participation. His staff has also communicated and coordinated this effort with Commission HQ and Regional Programs team. AA and NHPI applicants have applied to Advisory Committees that are up for appointment.

**Next steps:** Continue this outreach with AA and NHPI organizations and individuals. Continue communication and coordinator with Commission HQ and the Regional Programs team.

**Action 3: Federal Workforce Diversity**

**Goal:** Increase AA and NHPI participation in Commission internships and Pathway Programs by conducting outreach to AA and NHPI entities.

**Progress:** Commissioner Magpantay’s office shared internship opportunities with AA and NHPI organizations and AA and NHPI-serving institutions. He has obtained an AA and NHPI intern through an AA and NHPI organization.

**Next steps:** Continue outreach to organization for candidates to Commission internships and job opportunities. Conduct analysis on the barriers to the advancement of AA and NHPI employees at the senior levels.

**Action 4: Data Disaggregation**

**Goal:** *The Commission released the report: Contemporary Civil Rights Challenges: A View from the State Advisory Committees which collected some demographic information to comply with OMB Directive 15 action, with the plan to continue to collect demographic data.*

**Progress:** This data was collected and has been used in several ways to recruit more diverse members to our Advisory Committees – for example with our PI Territories and Alaskan Native outreach (although not included in AA and NHPI, included as a recent example). This has been used in agency-to-agency meetings with GAO as well in regards to our 2018 Broken Promises report on the Native American Community to break down the make-up of Advisory Committee members. This too was done when

supplying data to previous WHIAANHPI data calls and progress reports.

**Next steps:** Continuing to make data disaggregation is a priority in the data the Commission directly collects.

**Action 5: Capacity Building**

**Goals:** Commission considered investigating AA and NHPI inequities as a potential report.

**Progress:** The Commission did adopt this issue as a report, for its 2023 Statutory Enforcement Report, *The Federal Response to Anti-Asian Racism in the United States*. Findings and recommendations from the Report were shared with the President and Congress. Commission HQ and Commissioners continue to promote the Findings & Recommendations of this report and educate congresspersons on them.

**Next steps:** Continue to promote the report and share its Findings & Recommendations. Note implementation efforts of the report’s findings.



**Progress on Recommendations from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

**Economic Equity**

**Goal:** *Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.*

**Progress:** No progress to share at this point.

**Next steps:** Engage with the next reauthorization of WHIAANHPI to highlight this deficiency.

## Language Access

**Goal:** *The Commission should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages to provide more access and improve website language access.*

**Progress:** The Commission translated its 2023 Statutory Enforcement Report into the top 5 spoken Asian languages in the United States: Chinese Simplified, Chinese Traditional, Korean, Tagalog, and Vietnamese.

**Next steps:** Continue to find ways to engage the report with those whose primary language is not English through social media, traditional media, and stakeholder outreach.

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



## WHIAANHPI Interagency Working Group

### Subgroup: Anti-Asian Hate/Inclusion and Belonging

**Deliverable:** *The Commission released its 2023 Statutory Enforcement Report, where it held a briefing in March 2023.*

**Progress:** The Report was published, and its Findings & Recommendations were shared with the President, Congress, and the public.

**Next steps:** Commission HQ and Commissioners should continue to promote the Report, and share its Findings & Recommendations

### Subgroup: Language Access

**Deliverable:** *Finalize contracts with vendors to have materials translated for language services for upcoming FY 2023 Statutory Enforcement report.*

**Progress:** The Commission’s Public Affairs Unit successfully contracted with vendors who translated the 2023 Statutory Enforcement Report into the top 5 spoken Asian languages in the United States: Chinese Simplified, Chinese Traditional, Korean, Tagalog, and Vietnamese. The Public Affairs Unit also disseminated the Report to U.S.-based Asian media, who also shared the report to their AA and NHPI demographic.

**Next steps:** Continue to work with vendors to have materials translated to ensure language access.

### Subgroup: Data Disaggregation

**Deliverable:** *Execute research plan and write 2023 Statutory Enforcement Report and share findings on disaggregated data widely.*

**Progress:** The 2023 Report explicitly highlighted the need for the collection and reporting of disaggregated data. The Report also stated the challenges that the lack of disaggregated data poses for researchers and policymakers, specifically in comprehensively understanding anti-Asian hate and violence in the United States.

**Next steps:** Continue to encourage better data collection and data quality for AA and NHPI persons by the government.



*This page was intentionally left blank.*



# U.S. Federal Housing Finance Agency

*The U.S. Federal Housing Finance Agency (FHFA) is responsible for the effective supervision, regulation, and housing mission oversight of Fannie Mae, Freddie Mac (the Enterprises), and the Federal Home Loan Bank System, which includes the 11 Federal Home Loan Banks (FHLBanks) and the Office of Finance. FHFA ensures its regulated entities fulfill their mission by operating in a safe and sound manner to serve as a reliable source of liquidity for equitable and sustainable housing finance and community investment throughout the economic cycle.*

## **Action 1: Data Disaggregation**

**Goal:** *FHFA will require Fannie Mae and Freddie Mac (the Enterprises) to collect and report disaggregated data on AA and NHPIs for single-family automated underwriting system applications, including underwriting and acquisition data for the following subgroups: Chinese, Filipino, Japanese, Korean, Vietnamese, other Pacific Islander, Native Hawaiian, Guamanian or Chamorro, and Samoan. By collecting this data, FHFA will be able to drill down into fair lending analysis within AA and NHPI communities and the impact of different economic shocks and policy changes.*

★ **Progress:** The Enterprises have started to collect and report disaggregated data on AA and NHPIs for single-family automated underwriting.

★ **Next steps:** FHFA will continue to monitor trends among these different groups to help inform future decisions and policy.

## **Action 2: Federal Workforce Diversity**

★ **Goal:** *FHFA will establish an Employee Resource Group (ERG) for AA and NHPI employees to foster an agency environment in which AA and NHPI employees can grow professionally and personally through career development, networking, community, and coalition building, while celebrating each member's unique identities and cultural heritages.*

★ **Progress:** In April 2022, FHFA established an ERG for AA and NHPI employees. The

group's purpose is to foster an environment at FHFA in which AA and NHPI employees can grow professionally and personally through career development, networking, community, and coalition building, while celebrating their unique identities as individuals and cultural heritages. This ERG has continued its growth and employee outreach in 2023 and 2024. Notable events involved hosting a Lunar New Year celebration in both 2023 and 2024, coordinating a Diwali celebration in November 2023, and conducting several training and group networking opportunities.

**Next steps:** FHFA will continue to provide support and resources to the group (and employees within the group) to plan events and achieve the group's goals. The ERG was involved in the planning and implementation of the Agency's Special Emphasis Program (SEP) event in celebration of AA and NHPI Heritage Month in May 2023 and will be involved in coordinating FHFA's celebration for May 2024.

### **Action 3: Federal Workforce Diversity**

**Goal:** *The SEP committee will develop and organize several educational and cultural events, including*

*one during AA and NHPI Heritage Month in May. SEP events serve as a pillar of FHFA's community and workplace culture and provide an opportunity for FHFA to come together and grow its DEIA knowledge through the experiences of guest speakers, cultural events, and personal stories.*

**Progress:** In May 2023, the ERG for AA and NHPIs partnered with the Office of Minority and Women Inclusion (OMWI) and the Office of the Comptroller of the Currency's ERG (the OCC Network of Asian Pacific Americans) to honor AA and NHPI Heritage Month with an SEP observance. Acting Comptroller Hsu shared perspectives on existing barriers for AA and NHPI communities in obtaining leadership opportunities and provided personal insights into his leadership journey.

FHFA has begun planning for its AA and NHPI Heritage Month celebration in May 2024.

**Next steps:** The SEP committee will continue to develop and organize educational and cultural events to provide opportunities for FHFA staff to come together and learn through the experiences and personal stories of employees and guests.

# National Endowment for the Arts

*The National Endowment for the Arts (NEA) is the largest funder of the arts and arts education in communities nationwide and a catalyst of public and private support for the arts. The NEA fosters and sustains an environment in which the arts benefit everyone in the United States. The NEA's primary activities include grantmaking to nonprofit arts organizations, public arts agencies and organizations, and individual writers and translators. The NEA also conducts research on the value and impact of the arts in order to share that information with stakeholders and the public.*

## **Action 1: Capacity Building**

**Goal:** *The NEA will support capacity building subgrants and professional development activities that will include learning opportunities and peer networking. NEA will engage a technical assistance provider to design support programs for subgrantees related to equity assessment planning; creating logic models; strategic planning; budgeting; grants management; community engagement; DEIA training; and studying the characteristics of healthy arts and cultural ecosystems.*

★ **Progress:** ArtsHERE, the NEA's new grant program built in response to EO 13985, was announced publicly on November 15, 2023. The pilot program supports organizations that have demonstrated a commitment to equity within their practices and programming and have undertaken consistent engagement with underserved groups/communities. Grants are for specific projects that will strengthen the organization's capacity to sustain meaningful community engagement and increase arts participation for underserved groups/communities. Grantees have access to peer-learning and technical assistance opportunities designed to share knowledge and build networks.

★ As a pilot, ArtsHERE will be documented and evaluated by the National Endowment for the Arts to better understand the project activities supported and how grantees approached this work.

**Next steps:** ArtsHERE grantees will be announced in late summer, 2024.



## Action 2: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate

**Goal:** *The NEA will engage in a multi-part campaign to celebrate the contributions of the AA and NHPI communities to the arts, the work of AA and NHPI artists, and the power of the arts to unite and heal, including a calendar of social media posts highlighting the work of AA and NHPI artists; blog posts, including interviews and artwork, promoted throughout the month of May; and targeted engagement with AA and NHPI arts organizations regarding social media and publications.*

**Next steps:** Develop and implement May 2024 schedule.

## Action 3: Outreach & Engagement

**Goal:** *The NEA will conduct targeted marketing and engagement strategies to ensure that all communities – including AA and NHPI communities – are aware of the financial and informational resources provided by the NEA, including website upgrades, social media utilization, forming an agency taskforce to coordinate engagement efforts, and working with state arts agencies and regional arts organizations.*

**Progress:** The NEA hosts informational webinars

and virtual office hours for its regular grantmaking programs, especially Grants for Arts Projects and Our Town.

Recent specific strategic engagements have included participation in WHIAANHPI's Demystifying Federal Funding series; grantee engagement with AA and NHPI serving organizations; and public features of AA and NHPI artists and culture bearers and AA/NHPI arts organizations on the NEA website, including in-depth blog and podcast interviews with Amy Tan, George Takei, Amanda Phingbodhipakkiya, and Charles Yu, among many others.

We feature AA and NHPI artists and arts organizations in our agency magazine, American Artscape, and dedicated an entire issue to AA and NHPI communities in 2021. In addition, the NEA annually grants honorific awards in folk and traditional arts (as well as provide nominations to the White House for the National Medal of Arts) that often feature AA and NHPI artists and culture bearers. In Fall 2023, the NEA hosted a public panel discussion of Native artists at the Smithsonian Museum of the American Indian that included two Hawaiian NEA National Heritage Fellows.

**Next steps:** Continue ongoing engagement and marketing efforts.



# National Endowment for the Humanities

*The National Endowment for the Humanities (NEH) serves the American public by promoting advanced research, deeply informed teaching in schools and colleges, lifelong learning, and the preservation of cultural collections. NEH is the only federal agency dedicated to funding the humanities, which include history, philosophy, literature, language, ethics, archaeology, political theory, jurisprudence, comparative religion, and the humanistic social sciences.*

## **Action 1: Outreach & Engagement**

### **Goals**

- » *NEH will create and invest in a Pacific Affairs Policy Advisor position to create, launch, and manage NEH's historic Pacific Islands Cultural Initiative (PICI), an unprecedented \$1.3 million investment into the region.*
- » *Centralize NEH's public engagement efforts, and target outreach with underserved communities and institutions, including AA and NHPI-serving institutions.*
- ★ *In its first round of funding, NEH committed \$1.3 million to its four affiliate humanities councils in the Pacific region - the Amerika Samoa Humanities Council, Humanities Guåhan, Hawai'i Council for the Humanities, and Northern Marianas Humanities Council. Among other cultural preservation and capacity-building purposes, this funding supports the creation of a permanent regional network to facilitate collaboration among educational and cultural organizations within the region.*

### **Progress**

- ★ *In FY 2023, NEH launched NEH's Pacific Islands Cultural Initiative (PICI), an unprecedented \$1.3 million investment in the U.S. Pacific Islands.*
- » *From FY 2024-204, NEH appointed several key senior staff to support this initiative and NEH's broader outreach goals. During this period, NEH appointed Moana Iose, the agency's first-ever Policy Advisor for Pacific Island Affairs; Yennie Tse, Assistant Chair*

for Partnerships and Strategic Initiatives; and Russell Wyland, NEH’s first-ever Director of Outreach.

- » In FY 2024, the Senate confirmed Dr. David Kekaulike Sing as the first-ever Native Hawaiian member of the National Council on the Humanities. Dr. Sing (Kanaka) is a trailblazer in Native Hawaiian education and language and will be a source of direction for the agency’s language plan.
- » NEH and its Pacific Islands affiliates will convene at the 13th Festival of the Pacific Arts & Culture (FestPAC) in Honolulu, Hawaii, for an MOU signing ceremony to establish the Pacific Islands Humanities Network.

**Next steps:** In FY 2024, NEH will:

- » Foster partnerships with foundations, organizations, and other agencies to enhance our agency’s reach and footprint with underserved communities and institutions.
- » NEH Chair Shelly C. Lowe (Navajo) and a delegation from NEH will attend 2024 Festival of Pacific Arts & Culture (FestPAC) to host facilitated conversations and convene NEH’s Pacific Islands affiliates, representatives from federal cultural agencies, and educational and cultural organizations from the U.S. Pacific Islands. The prospective events include: NEH will host a panel discussion, funders roundtable at FestPAC 2024 and outreach opportunities for educational and cultural organization that can receive federal funding. FestPAC is the largest gathering of Indigenous Pacific Islanders for arts and culture in the world.
- » Facilitate cross agency guidebooks.
- » Work with the agency’s Communications and

Publications teams to develop a Style Guide for AA and NHPI communities.

**Action 2: Promoting Belonging, Inclusion, and Combatting Anti-Asian Hate**

**Goal:** *NEH staff from the Offices of Communications as well as its programmatic divisions have publicized AA and NHPI-funded projects through robust and collaborative social media campaigns, the creation of a resource bookshelf, and interagency communication.*

**Progress:** View the NEH’s 2023 Virtual Bookshelf: [neh.gov/news/virtual-bookshelf-asian-american-and-native-hawaiian-pacific-islander-aanhpi-heritage-month](https://neh.gov/news/virtual-bookshelf-asian-american-and-native-hawaiian-pacific-islander-aanhpi-heritage-month).

**Next steps**

- » NEH will continue to amplify AA and NHPI-funded projects during AA and NHPI Heritage Month.
- » A 2024 Virtual Bookshelf is currently being prepared for this Asian Pacific Heritage Month.



**Progress on Recommendations from the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

**Belonging and Inclusion**

**Goal:** *Recommendation that the Commission engage in public-private partnerships to help build a series of public service announcements (PSAs) that address anti-Asian hate crimes and promote inclusion and belonging of Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities.*

**Progress**

- » In conjunction with the first-ever White House Summit on Building Climate Resilient Communities, NEH announced the Pacific Islands Cultural Initiative, a new agency initiative focused on fortifying cultural heritage and resilience in Amerika Samoa, Guåhan (Guam), Hawai‘i, and the Commonwealth of the Northern Marianas (CNMI).
- » NEH has committed \$1.3 million in its first round of funding for the Pacific Islands Cultural Initiative. This includes \$880,000 in supplemental funding over a three-year period to the Amerika Samoa Humanities Council, Humanities Guåhan, Hawai‘i Council for the Humanities, and the Northern Marianas Humanities Council, NEH’s affiliate humanities councils in the Pacific.

**Next steps**

- » This April, NEH is looking to hold the agency’s first listening session in Hawai‘i. This listening session will focus on Native Hawaiian community members and organizations.
- » In June, NEH Chair Shelly C. Lowe (Navajo) will participate in the Festival of Pacific Arts & Culture (FestPAC). The 13th Festival of Pacific Arts & Culture will convene in Hawai‘i, 6–16 June 2024. “Ho‘oulu Lāhui: Regenerating Oceania” will serve as the theme of FestPAC Hawai‘i 2024, honoring the traditions that FestPAC exists to perpetuate with an eye toward the future.

**Economic Equity**

**Goal:** Recommendation to increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.

**Progress:** NEH continues to operate under an internal goal to allocate 50% of federal contract

dollars to SDBs.

**Next steps:** NEH will continue to confer with Office of Acquisitions to assess current performance against both goals.

**Language Access**

**Goal:** Recommendation that federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.

**Progress:** NEH is currently conducting a website redesign process, through which a multitude of accessibility accommodations are being reviewed and considered (including language and translation tools).

**Next steps:** NEH will continue its website redesign with maximum accommodations for translations in mind.

*Note: Pursuant to EO 14031 and the Federal Advisory Committee Act (FACA), the President’s Advisory Commission on AA and NHPIs submits recommendations to the President on a rolling basis. These recommendations, however, are non-binding on federal agencies.*



**WHIAANHPI Interagency Working Group**

**Subgroup: Anti-Asian Hate/Inclusion and Belonging**

**Deliverable:** Two of NEH’s strategic initiatives—American Tapestry: Weaving Together Past, Present, and Future and United We Stand: Connecting Through Culture—both advance the principles of belonging and inclusion. American Tapestry: Weaving Together Past, Present and Future leverages the



*humanities to strengthen our democracy, advance equity for all, and address our changing climate. United We Stand: Connecting Through Culture leverages the arts and humanities to combat hate-motivated violence, promote civic engagement, social cohesion, and cross-cultural understanding. American Tapestry identifies goals of better serving minority-serving institutions and “amplifying the untold stories of historically underrepresented groups” including AA and NHPI communities. And United We Stand: Connecting Through Culture will provide special encouragements for grant applications that explore or seek to remedy hate-based violence or discrimination against AA and NHPI groups.*

**Progress:** Each of the state and jurisdictional humanities councils and interim partners were invited to apply for up to \$50,000 in supplemental funding to support the United We Stand: Connecting Through Culture initiative by developing or expanding local humanities programming that fosters cross-cultural understanding, empathy, and community resilience; educates the public on the history of domestic extremism and hate-based violence and promotes civic engagement, information literacy, and social cohesion through strategic partnerships, community-building, and ongoing public engagement; and/or deepens public understanding of and contextualizes community, state, and national history.

**2023 Projects Supported by NEH:**

- » AAPI Table Talk: AAPI in the Arts and Creative Community
- » Film for Thought - No Maori Allowed + Still We Rise
- » Film for Thought - Mustache
- » Film for Thought – Join or Die

**Next steps:** NEH will host a nationwide convening with its affiliates in all 56 states and jurisdictions to develop best practices to leverage the humanities against hate-motivated violence. For example, NEH’s partners will develop a comprehensive toolkit designed to assist in combatting hate-motivated violence within their local communities. This toolkit will provide a strategic and practical framework to respond to incidents of hate-motivated violence and foster healing for communities.

**2024 Projects Supported by NEH:**

- » Carrying Culture: Micronesia
- » AAPI Table Talk: Food for Thought: The Role of Food in AAPI Cultures
- » Seadrift film screenings
- » Past Forward--a Healing History exercise

**Subgroup: Language Access**

**Deliverable:** *NEH is continuing programs that award funding to support language infrastructure and documenting endangered languages.*

**Progress:** NEH’s Pacific Islands Cultural Initiative will partner with NEH’s Native and Indigenous Affairs portfolio to assess, centralize engagement efforts around Indigenous and Native communities with language protection, revitalization, and translation awards to underserved and untapped communities throughout the Pacific (Oceania) and Indian Country.

**Next steps:** The next round of applications anticipated deadline is September 2024.

**Subgroup: Data Disaggregation**

**Deliverables**

- » NEH will create an internal AA and NHPI working group to work with the agency's Office of Outreach, centralize NEH's public engagement efforts, and target outreach with underserved communities and institutions, including AA and NHPI-serving institutions.
- » Disaggregate data with NEH's newly developed Office of Data and Evaluation (ODE).

**Progress:** NEH's ODE started an internal working group focused on recommending strategies to promote equity in NEH's grant-making process.

**Next steps:** The NEH ODE will work closely with the AA and NHPI working group to develop accurate metrics, identify any biases in our current data collection process, and develop strategy for data disaggregation.

*This page was intentionally left blank.*



# U.S. Federal Trade Commission

*The Federal Trade Commission (FTC) protects the American public from unfair or deceptive practices and promotes fair competition by pursuing enforcement actions against individuals and companies to stop illegal activity, remedying harm caused by that activity, and preventing its reoccurrence; developing rules to ensure a fair, competitive, and open marketplace; and educating consumers and businesses about their rights and obligations.*

## **Action 1: Capacity Building**

**Goal:** *The FTC will develop a toolkit to aid staff in evaluating the impact of deceptive or unfair practices in the use of emerging technologies such as algorithmic bias and gig economy (AI toolkit) on underserved communities. Through this toolkit, the FTC aims to reduce harms to AA and NHPI communities, build capacity, and create greater opportunities.*

**Progress:** Bureau of Consumer Protection (BCP) staff continues to work on developing an AI toolkit.

**Next steps:** BCP staff continues to develop the AI toolkit. Staff anticipates projected completion of the project in Q3 2024.



## **Action 2: COVID-19 Response & Recovery; Outreach and Engagement**

**Goal:** *The FTC will continue to use all of its tools, such as its new authority under the COVID-19 Consumer Protection Act of 2020, to take action against COVID-19 marketers who target or impact underserved communities, including AA and NHPI communities. The FTC will also update its resources in Asian languages, which will be followed by the rollout of a communications campaign, in cooperation with the FTC's regional offices and with partners from non-profits and state and local governments.*

**Progress:** Since November 2023, the FTC has obtained judgments against individual and corporate defendants in the Home Matters case, involving a mortgage debt relief scheme that claimed to be associated with a government program related to COVID-19 relief assistance. The Commission also obtained a stipulated judgment against Precision Patient



Outcomes, an operation that marketed supplements it claimed could treat COVID. In addition, the Commission obtained a stipulated judgment against SuperGoodDeals.com, who defrauded consumers by falsely promising “next day” shipping of PPE at the height of the COVID-19 pandemic.

*Note: The COVID-19 Consumer Protection Act*

*authorized the FTC to bring actions related to violations that occurred during the federal public health emergency for COVID-19. The public health emergency expired on May 11, 2023. As such, the FTC may not bring new cases under the CCPA for violations that occurred solely after that date. However, the FTC continues to litigate multiple existing law enforcement actions in this program area.*



APPENDIX E.

# FINAL COMMISSION REPORT



*This page was intentionally left blank.*



AMPLIFY OUR VOICE TO  
ADVANCE  
EQUITY NOW



*The Final Report of*  
THE PRESIDENT'S ADVISORY COMMISSION ON  
ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS

2021 - 2024



*The Final Report of*  
THE PRESIDENT'S ADVISORY COMMISSION ON  
ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS

2021 - 2024

---

## *Acknowledgements & Dedication*

**T**HE PRESIDENT'S ADVISORY COMMISSION ON Asian Americans, Native Hawaiians, and Pacific Islanders (Commission) thanks President Joseph R. Biden, Jr. for appointing us to represent the Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) community. The Biden-Harris Administration's commitment to equity, justice, and opportunity is deeply appreciated and has led to the development of critical resources for our AA and NHPI communities across the nation. The Commission is grateful to Commission Co-Chairs, U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai. Their leadership and commitment to the AA and NHPI community provided tremendous support and momentum for our work. The Commission appreciates the leadership and support of HHS, where the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and the Commission are housed.

We recognize the efforts and partnership of Erika L. Moritsugu, Deputy Assistant to the President and AA and NHPI Senior Liaison of the White House Office of the Chief of Staff; current and former AA and NHPI Liaisons within the White House Office of Public Engagement, Kota Mizutani, Philip Kim, and Howard Ou; the Domestic Policy Council including Director Neera Tanden, Kylie Patterson, and Amber Greene; the Office of Management and Budget including, Director Shalanda Young and Deputy Director Nani A. Coloretti; their staff; and countless federal officials across agencies and White House offices. Their partnership and teamwork were integral to supporting policy goals of AA and NHPI communities.

The Commission is truly appreciative of the leadership of WHIAANHPI and its current and former staff, including Executive Director Helen Beaudreau, former Executive Director Krystal Ka'ai, Rebecca Lee, Pajouablai Monica Lee, Jamie Lok, Deeana Jang, Andrew Peng, Haley Tran, Gabriel Young, detailees, interns, and Designated Federal Officers Larissa Bungo, Phoebe Canagarajah, Viviane Chao, Linda Cheng, Janet Cushing, Sarah Edwards, Min Guo, Caroline Goon, Maysee Jacobs, Xuan Le, Erika Ninoyu, Emmeline Ochiai, Judith Teruya, Zeyen Wu, Carol Wu, and Lanlan Xu. We also extend a special thank you to the ex-officio and non-commission subcommittee members of the Commission. We commend the dedication and hard work of WHIAANHPI's Interagency Working Group members and staff and Regional Network.

Finally, the Commission humbly dedicates this work to the many members of the AA and NHPI communities who overwhelmingly supported, engaged in, provided input to, and championed the work of the Commission and WHIAANHPI. We met many incredible individuals who work, volunteer, and persevere, to serve their communities with limited resources and in difficult circumstances, and, yet, who still took the time to inform and educate us. Each meeting and listening session left us in awe of what the AA and NHPI community has accomplished, and with a greater sense of responsibility for what we all still must achieve, despite the challenges. We recognize the individual and collective commitment, and hard work that often go unrecognized.

*Thank you.*



## *The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders*

On May 28, 2021, President Joe Biden signed Executive Order 14031, *Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders*, as amended by Executive Order 14109, to establish the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders.

*This report is in the public domain. Authorization to reproduce it in whole or in part is granted.*

Xavier Becerra, *Co-Chair*  
U.S. SECRETARY OF HEALTH AND HUMAN SERVICES

Katherine Tai, *Co-Chair*  
U.S. TRADE REPRESENTATIVE

Helen Beaudreau, *Executive Director (2024–2025)*  
Krystal Ka'ai, *Executive Director (2021–2024)*



Sonal Shah, *Chief Commissioner*  
Sarah Min, *Deputy Chief Commissioner*

Amy Agbayani  
Teresita Batayola  
Ajay Bhutoria  
Luisa Blue  
Kimberly Chang  
Emily Chen  
Kamana'opono M. Crabbe  
Kerry Doi  
Sameera Fazili  
Grace Huang  
Victoria Huynh  
Mia Ives-Ruble  
Krystal Ka'ai

Michelle Ka'uhane  
Kamal Kalsi  
Daniel Dae Kim  
Kevin Kim  
Vida Lin  
Simon Pang  
Ai-jen Poo  
Naheed Qureshi  
Raynald Samoa  
Smita Shah  
Robert Underwood  
KaYing Yang

*Ex-Officio Members:* Amanda Baran, Laureen Laglagaron, and Carol Wu

*Non-Commission Members:* Madihha Ahussain, Deeana Jang,  
Dr. Joseph Keawe Kaholokula, Dr. Quyen Ngo-Metzger, and Dr. Ninez Ponce



## TABLE OF CONTENTS

---

### Executive Summary

### Commission Findings

- › Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination
- › Data Disaggregation and Education
- › Economic Equity
- › Health Equity
- › Immigration and Citizenship Status
- › Language Access and Communications

### Conclusion

### References

### Appendix

- › Recommendation Summaries



*The Co-Chairs and Executive Director of the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders join Commissioners for a group photo at the Eisenhower Executive Office Building at the White House on September 23, 2024. Photo courtesy of Albert Ting.*

## Executive Summary

**A** MIDST THE COVID-19 PANDEMIC, INTENSIFYING ANTI-ASIAN HATE, CLIMATE disasters, and violent tragedies harming Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities, President Joseph R. Biden, Jr. signed Executive Order (EO) 14031, *Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders*, on May 28, 2021, to re-establish and reinvigorate the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and the President's Advisory Commission on AA and NHPIs (Commission).<sup>1</sup> EO 14031, as amended by EO 14109 in September 2023, also renewed the Biden-Harris Administration's strong commitment to AA and NHPIs.<sup>2</sup> EO 14031 builds upon President Biden's January 2021 actions of signing EO 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and the *Presidential Memorandum Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States*.<sup>3</sup> The Biden-Harris Administration laid a robust foundation, which led to the widest mandate and scope of both WHIAANHPI and the Commission to date, and creation of the first-ever AA and NHPI senior liaison position within the White House Office of the Chief of Staff. Alongside the historic nominations of Asian American women as Cabinet Members, the context for an impactful commission was established early and consistently affirmed.

In December 2021, President Biden announced his intent to appoint 23 individuals to the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission). The Commission, which is housed within the U.S. Department of Health and Human Services (HHS) is co-chaired by HHS Secretary Xavier Becerra, and U.S. Trade Representative Ambassador Katherine Tai, is supported by an Executive Director, Designated Federal Officers and non-commission members who are ex-officio representatives from the federal government, and non-commission members who are subject matter experts in their field.

The Commissioners were sworn in by Vice President Kamala Harris in February 2022. In less than a year, the Commission formed six subcommittees; held four public full Commission meetings, and more than 100 subcommittee meetings; issued their first request for public comment in the Federal Register; and submitted their inaugural report to the President detailing more than a dozen recommendations—many of which are now being implemented by federal agencies, WHIAANHPI, and the White House. The Commission made the purposeful choice to provide rolling recommendations to deepen the work and urge the Federal Government to implement change in real time. Within its first three years, the Commission developed a total of 86 recommendations directed to over 15 federal agencies to advance equity, justice, and opportunity for AA and NHPIs.

The Commission recognized that despite exponential population growth of AA and NHPIs, according to the U.S. Census Bureau, and remain one of the fastest growing racial and ethnic populations in the United States many Americans are unaware of the diversity of our communities. The challenge is to combat long-held perceptions and historic tropes, and to establish a sense of belonging for our AA and NHPI communities. According to The Asian American Foundation’s 2024 STAATUS Index (Social Tracking of Asian Americans in the United States), of people surveyed, 52 percent could not name a famous Asian American. More than

half of Americans said nothing comes to mind or they do not know an event or policy related to the history or lives of Asian Americans.<sup>4</sup> The report also found that Americans have limited exposure to information about Native Hawaiians and Pacific Islanders, with over half of those surveyed not being familiar with events in Native Hawaiian history, such as the overthrow of the Kingdom of Hawai’i in 1893. Additionally, the experiences of diverse Native Hawaiian and Pacific Islander communities are often erased when their data is aggregated with those of Asian Americans.

In reality, today’s enormous tapestry that is the AA and NHPI community includes over 50 distinct ethnic groups that speak over 100 different languages and dialects. Our communities include people whose families migrated generations ago, to recent refugees, to indigenous Native Hawaiian and Pacific Islander communities. According to the 2020 U.S. Census, the Asian American population grew by nearly 40 percent between the 2010 and 2020 Census, and the Native Hawaiian and Pacific Islander population grew by nearly 30 percent during that same time period.<sup>5</sup> In addition, the 2020 Census shows that the Asian Indian population is now the largest Asian-alone group at approximately 4.4 million, and Chinese (except Taiwanese) remains the largest Asian alone or in any combination group at 5.2 million. The Commission sought to dismantle the contemporary “model minority myth,” uplift unseen communities, and redefine what our communities need today and in the future through six areas of focus: Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination; Data Disaggregation and Education; Economic Equity; Health Equity; Immigration and Citizenship Status; and Language Access and Communications.

The Commission harnessed the power of convening and organizing to understand the lived experiences of AA and NHPI people. We partnered closely with the White House and WHIAANHPI, community-based organizations (CBOs), and leaders across the country, to highlight how AA and NHPI communities are crucial components of the fabric of America. We

focused on safety and inclusion and hosted community engagements through listening sessions and town halls, provided regular public comment periods through the Federal Register, and participated in summits to create a platform to amplify the voices of the AA and NHPI communities. These activities also informed and shaped our strategies and recommendations to President Biden.

Since February 2022, the Commission has held 10 public meetings, some entirely virtual and some in-person from locations such as Honolulu, Hawai‘i; Las Vegas, Nevada; Saint Paul, Minnesota; and Washington, DC. During several of those meetings, WHIAANHPI and the Commission held public listening sessions to solicit public comment while bringing together local community and business leaders with national and regional federal government officials. Public testifiers voiced their opinions and ideas to the Commission, as well as members of the regional federal agencies. In Saint Paul, Minnesota, Kai Akimoto, a medical school student born and raised on the island of Guam, took the opportunity to spotlight challenges for Compacts of Free Association (COFA) migrants and create a springboard to uplift the restoration of access to public benefits for COFA citizens:<sup>6</sup>

*“More and more Pacific Islanders must leave our native lands due to cost of living or access to critical services. In search of fastidious and sufficient access to healthcare, immigrants from the Freely Associated States must leave the Pacific entirely to come to the U.S. mainland to places like Milan, Minnesota where a community of 300 Micronesian immigrants live and work as made possible by the Compact of Free Association. I urge our federal partners to consider that all of the benefits programs provided to Americans be extended to the citizens of Guam, [Commonwealth of the Northern Mariana Islands] CNMI, and all [United States Affiliated Pacific Islands] USAPI.”*

The Commission used our platform to spotlight and address specific AA and NHPI priorities that have existed for decades, including the need for greater data disaggregation and language access for our diverse

communities. We also introduced timely, urgent, and new issues such as the growing use of Artificial Intelligence (AI), the impact on displacement and increased frequency of emergency response due to climate change, as well as the shortage of culturally competent health care workers, which exacerbated health inequities during the COVID-19 pandemic and continues to remain a challenge to this day. While we have been able to uplift a multitude of issues throughout our term, there is much work to carry forward. Specifically, it will take all of us acting in concert to build momentum around these issues and ensure they continue to be prioritized:

- › There have been significant gains in de-stigmatizing mental health in the AA and NHPI community over several years. One of the Commission’s recommendations led to the first-ever AA and NHPI Mental Health Summit in July 2023 hosted at the U.S. Department of Health and Human Services, an AA and NHPI Mental Health Convening at the White House in July 2024, subsequent listening sessions on AA and NHPI mental health, and a commitment from the Substance Abuse and Mental Health Services Administration (SAMHSA) listening sessions to develop a national AA and NHPI behavioral health strategy. Culturally and linguistically competent care must be foundational for mental health care.
- › The U.S. Department of Justice (DOJ) celebrated the 24th anniversary of EO 13166, Improving Access to Services for Persons with Limited English Proficiency, which was issued in 2000 under the Clinton Administration.<sup>7</sup> In November 2022, the U.S. Attorney General issued a memorandum to improve access to services for people with limited English proficiency by requesting federal agencies to review and update their language access practices and plans. Since then, DOJ has conducted a preliminary review of 40 federal agency language access plans.<sup>8</sup> Government agencies, such as HHS and Federal Emergency Management Agency (FEMA), should continue to identify and expand culturally responsive interpretation and translation





*Vice President Kamala Harris performs the virtual swearing-in of the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders on February 3, 2022, in the South Court Auditorium of the Eisenhower Executive Office Building. Official White House photo by Lawrence Jackson.*

services to AA and NHPI communities through investments in community outreach, capacity building, and technological advances.

- › The Office of Management and Budget (OMB) issued its updated Statistical Policy Directive 15 (SPD 15) in March 2023, which makes key revisions to the federal government's data collection requirements on race and ethnicity data, the first since 1997.<sup>9</sup> This will drive the collection and disaggregation of data about distinct AA and NHPI communities. The next challenge will be to fully implement and enforce this directive across all federal agencies.
- › WHIAANHPI and the U.S. Small Business Administration implemented the Commission's recommendation to hold Regional Economic

Summits in cities with large AA and NHPI populations. Held in eight different cities across the nation, these summits connected federal officials with small business owners, entrepreneurs, and community leaders, and other key stakeholders who often miss out on accessing federal resources, due to language barriers and/or limited networks. The Summits demonstrated the importance of localized engagement, deliberate outreach, and planning to allow for AA and NHPI communities to participate in federal loans, grants, and contracting opportunities. Continued and early outreach between agencies and local AA and NHPI community members will help inform more effective economic policies.

- › Comprehensive and equitable immigration reform continues to be an urgent issue. We must address the





*President Joe Biden meets with the President's Advisory Commission on Asian Americans, Native Hawaiians and Pacific Islanders on October 26, 2023, in the South Court Auditorium of the Eisenhower Executive Office Building at the White House. Official White House photo by Adam Schultz.*

harmful impacts of family separation, reduce wait times to obtain a visa, uphold due process, improve the efficiency of immigration processes, and meet the country's economic needs with an investment in more workers.

- › On May 20, 2022, DOJ and HHS released a joint guidance to raise awareness of hate crimes during the pandemic as part of the Administration's broader efforts to implement the bipartisan COVID-19 Hate Crimes Act that President Biden signed into law in May 2021.<sup>10</sup> Racial hatred does not go away. It ebbs and flows, and is inflamed by moments of crisis, change, and uncertainty. Addressing it is most effective in the context of community. We need a deeper examination on how individuals feel they belong in their communities and feel safe. One way is to prioritize investment in local AA and

NHPI organizations. Another is to build trust in community relationships with local law enforcement, which may impact willingness to report hate crimes and incidents.

Early and long-term investments into AA and NHPI communities is critical as we confront the future. Data, services, workforce, language, and socioeconomic factors must capture the changing demographics and the challenges ahead. AA and NHPI communities in particular, have been experiencing growth of people who identify as biracial and multiracial. We remember that when we lift AA and NHPI communities, we lift everyone else up too.

*To view a full list of recommendations made by the President's Advisory Commission, please see the Appendix or visit [hhs.gov/whiaanhpi](https://hhs.gov/whiaanhpi).*

---

# Impact

---

COMMISSION CO-CHAIR &  
U.S. HEALTH AND HUMAN SERVICES  
SECRETARY XAVIER BECERRA



“ Since the Commission was sworn in by Vice President Harris in February, across government, we’ve made great progress in number of areas. For example, HHS re-launched its Language Access Steering Committee to ensure that limited-English-proficient communities have access to the lifesaving information and resources that they need to be able to lead healthy lives. We announced the creation of a new Center of Excellence to Advance Behavioral Health Equity for AA and NHPI communities. And since we last met in September at the White House, agencies from across the federal government have been reviewing the set of recommendations that you all transmitted to the President over the summer.

These are just a few examples of how the recommendations submitted by this Commission are making a difference, now and into the future, throughout the federal government, in ways that will benefit people beyond the AA and NHPI community.

---

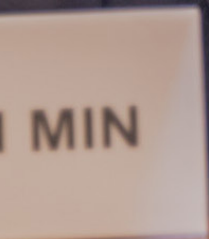
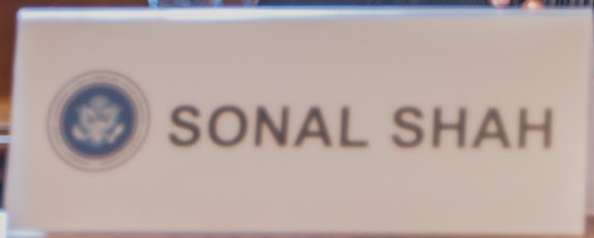
COMMISSION CO-CHAIR &  
U.S. TRADE REPRESENTATIVE  
KATHERINE TAI



“ The Commission’s work helps to ensure that communities who are often in the shadows, who have historically been underserved and underrepresented, are now centered in our policies, programs, and our outreach. The Biden-Harris Administration fully supports advancing equity and ensuring that all communities can thrive and live up to their full potential.

Our strength is found in our unity amidst our differences. Individually, we may come from different paths of life, but collectively, our patchwork of stories points to something greater, something stronger than ourselves. That is the beauty of our country. Thank you again to each of you for bringing your heart into this work. Engaging in the shared purpose with this Commission is what brings me joy and reminds me of why we entered public service.







THE PRESIDENT'S ADVISORY COMMISSION ON  
ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS



COMMISSION  
FINDINGS



## BELONGING, INCLUSION, ANTI-ASIAN HATE, & ANTI-DISCRIMINATION

WITH THE FIRST REPORTS OF A NEW VIRUS originating in China, anti-Asian sentiments spread as quickly as COVID-19. Across the United States, Asian American communities faced business boycotts, random acts of violence and hate crimes, and anti-Chinese profiling and legislation barring land ownership by certain non-U.S. citizens. According to Stop Asian American and Pacific Islander (AAPI) Hate, over 11,400 incidents of anti-AAPI hate were reported between 2020 and 2022.<sup>11</sup> This anti-Asian sentiment echoed other historical moments such as the Page Act of 1875, the Chinese Exclusion Act of 1882, the Watsonville anti-Filipino riots in the 1930s, the unjust incarceration of Japanese Americans during World War II, and the brutal murder of Vincent Chin in 1982. After the Vietnam War, Southeast Asians faced discrimination, and in the aftermath of the September 11, 2001, attacks on the United States, South Asians, Muslims, and Sikhs have been profiled and attacked. Asian American communities also confronted new tragedies—including the Atlanta shootings in which eight people, including six Asian women, were killed, and the Indianapolis shooting of four Sikh community members, both in 2021. The AA and NHPI community have also been increasingly impacted by gun violence, including back-

to-back shootings in 2022 that occurred in Monterey Park and Half Moon Bay, California, and Allen, Texas in 2023.

The federal government has only recently begun to acknowledge the historical systemic discrimination that Native Hawaiians and Pacific Islanders experience. Inaccurate representation of the history of Native Hawaiians and Pacific Islanders, including the annexation of the sovereign Kingdom of Hawai‘i has resulted in the exclusion from federal resources and policies. Because Congress has not recognized a unified Native Hawaiian government in the same manner as hundreds of American Indian and Alaska Native tribes, Native Hawaiians are ineligible for certain federal programs given to hundreds of other tribal entities. This Commission is the first Commission to name Native Hawaiians in the scope of the Commission’s title to highlight the specific community and prioritize its needs. The Commission envisions that these recommendations will help the Administration provide a sense of safety and visibility across all AA and NHPI communities. Given the time when the Commission began working, the initial focus was on addressing hate crimes, incidents, and safety, and evolved to policies that can create more



*Commissioners host a listening session on July 2, 2024 at the Metropolitan State University in Saint Paul, Minnesota to collect comments from community members in the Twin Cities. Photo courtesy of TJ Lor.*

belonging and inclusion.

#### KEY THEMES & RECOMMENDATIONS

*The key themes and priorities behind these recommendations include:*

1. Improving data, reporting, and definitions of hate crimes;
2. Providing resources to victims; and
3. Combatting disinformation, online harassment, and preventing gun violence.

The Commission advocated for enhanced hate crime reporting mechanisms through federal incentives and

standardized data collection, to provide a more accurate representation of hate crimes, and to bolster community safety. To address the emotional costs of being subjected to hate and discrimination, the Commission focused on mental health awareness and support, increased accessibility to federal crime victim services funding for AA and NHPI community-based organizations and improving resources to address AA and NHPI youth bullying online. In light of the devastation caused by tragic wildfires on Maui, the Commission also advocated for increased investment of economic and housing resources for AA and NHPI communities in the rebuilding of Maui.

The Commission prioritized engaging with public and private sectors to raise awareness about anti-Asian hate and to ensure AA and NHPI stories are part of the fabric of the American story. The Commission also recommended that the White House convene a national

summit to address the ongoing harms of gun violence in AA and NHPI communities. The Commission pushed for increased policy collaboration across federal agencies to coordinate strategies to prevent, combat, and support victims of race-based bias and violence.

#### ACCOMPLISHMENTS

---

The strong focus on community engagement through listening sessions, town halls, and summits serves to amplify the voices of the AA and NHPI communities and apprise and shape the Commission’s strategies and recommendations. A recent example of increased engagement with AA and NHPI communities is the first White House AA and NHPI Gun Violence Prevention Roundtable hosted by the White House Office of Public Engagement in collaboration with the Office of Gun Violence Prevention, to assess and address the impacts of gun violence on AA and NHPI communities. Additionally, in 2023, the White House created the first-ever Office of Gun Violence Prevention.

After President Biden signed the COVID-19 Hate Crimes Act, the Administration took various steps to improve the response to hate incidents targeting AA and NHPI community members. This included revitalizing DOJ’s Community Relations Service (CRS), which has been meeting with national and local AA and NHPI community members to address concerns about increases

in anti-AA and NHPI violence. The Administration heard the call from the community; and in response, WHIAANHPI created an Innovator Challenge seeking community input to combat hate and promote healthy communities.

#### CONCLUSION

---

The journey toward achieving equity and inclusivity is ongoing. During the tenure of this Commission, the gaps and vulnerabilities in hate crimes reporting and specifically data collection came into focus. The recommendations made by this Commission lay a blueprint to prevent and address hate. Continuous effort and commitment by collective voices of community partners, federal agency colleagues, and advocates are crucial to hold the government accountable to ensure AA and NHPI voices are included in the development of policies to prevent and address hate. We strongly encourage the next AA and NHPI advisory commission to follow up on the status of this Commission’s recommendations with federal agencies. While our work addresses immediate injustices, the Commission’s recommendations also form a future where every individual in our communities can thrive without fear of discrimination or violence, and create a lasting legacy of inclusion, respect, and equality for all Asian Americans, Native Hawaiians, and Pacific Islanders.

*Highlight: The Commission recommended all branches of the U.S. military adopt a standardized uniform policy that presumptively allows for religious articles of faith sparked a positive dialogue with the Department of Defense, to allow soldiers to serve with their articles. This opened the door to increasing the inclusion and belonging of Sikh Americans and other religious minorities, and to uplift and celebrate diversity and allow soldiers to serve with their articles. As a result of this engagement, the Department held the first Pentagon Vaisakhi celebration in four years.*





## DATA DISAGGREGATION & EDUCATION

**D**ATA DISAGGREGATION IS A CRITICAL SCIENTIFIC tool for advancing equity and opportunity, to ensure that all people are represented in policies and programs, particularly those who have been historically underserved or marginalized. Data *aggregation* is a long-standing problem that has stymied the identification of health and educational disparities. For example, during the height of the pandemic, NHPI communities in Hawai'i and California were three times more likely to contract COVID-19 and twice as likely to die from complications of COVID-19 than the non-Hispanic white population.<sup>12 13</sup> Disaggregated data is key to identifying disparities and inequities that may exist within different subgroups of the population. In 2019, Asian American students were reported to have an overall college enrollment rate of 67 percent of 18–24-year-old students. Disaggregated data revealed disparities within Asian American populations showing 73 percent college enrollment rates for East Asian, 68 percent for South Asian, 57 percent for Southeast Asian, 39 percent for Hmong students, and only 23 percent for Burmese.<sup>14</sup>

These examples demonstrate why equity must be at the root of policymaking. And the data used in those policies must show the full picture to address issues

for historically overlooked populations. A whole-of-government approach, where federal agencies work closely with state and local governments, is critical to ensure fair and accurate data is shared in a way that enhances equitable allocation of resources. Effective engagement with government, data scientists, academics, and subject matter experts would yield a more participatory process to ensure AA and NHPI communities are fairly represented.

Limitations on traditional data collection and reporting methods have obscured the disparities between AA and NHPI communities, which result in inaccurate narratives, such as the model minority myth, or whole exclusion of smaller populations. In Hawai'i for example, over half of the unhoused population are NHPI, but represent only 20 percent of the population.<sup>15</sup> Demographic instruments need to reflect cultural differences to understand intersectional identities. Challenges in achieving real and meaningful participation, accurately reporting information, and capturing distinctions, especially with smaller populations and those with different immigration statuses and language proficiency, are still significant. At the same time, small population groups and territorial populations present unique privacy and statistical

dilemmas in ensuring accurate numbers. Unlike Puerto Rico, the U.S. territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands are excluded from participating in three of the four primary datasets (American Community Survey, Current Population Survey, and Economic Census), which means they are left out of federal data collection, resources, and policy efforts.<sup>16</sup> COFA states are also not included in these major surveys.

---

#### KEY THEMES & RECOMMENDATIONS

---

*The Commission addressed four cross-cutting themes:*

1. Creating a whole-of-government approach to equitable data on AA and NHPI communities;
2. Uplifting and centering small population groups;
3. Ensuring adequate funding for outreach and data collection; and
4. Collaborating with community-based organizations.

Given that OMB sets federal data collection standards, the Commission immediately recommended that OMB issue an update to the government-wide minimum standards for the collection of data, which had not been updated since 1997. The Commission advocated for data transparency and recommended that the OMB publicize federal datasets containing data available for disaggregation. The Commission requested federal agencies work closely with state and local governments to ensure fair and accurate data is shared in a way that enhances equitable resource allocation for smaller populations that are often underserved. The Commission requested federal agencies work closely with state and local governments to ensure fair and accurate data is shared in a way that enhances equitable resource allocation for smaller, often underserved, populations.

The Commission recommended that additional

financial and technical resources be provided through a coordinated approach to ensure greater capacity to collect data in the territories and small populations in a manner equitable to the general population. The Commission also recommended increased consultation with community organizations on effective data collection and to increase the capacity of communities to use data.

To address educational disparities, the Commission urged all federal agencies that offer minority-serving institutions programs for institutions of higher education to specifically include Asian American Native American Pacific Islander-Serving Institutions (AANAPISI) and AANAPISI-eligible institutions in outreach and engagement efforts. This is critical to increase access to resources and funding opportunities for colleges and universities that serve and graduate high rates of AA and NHPI students. The Commission also identified inequities in federal support for public colleges and universities, such as the lack of disaggregated AA and NHPI student population data. A Commission recommendation also called for the U.S. Department of Education to increase its resources for AANAPISIs.

---

#### ACCOMPLISHMENTS

---

We have made historic achievements. The Biden-Harris Administration worked with community advocacy groups through recommendations from the Commission, collaborations with the Federal Interagency Technical Working Group on Race and Ethnicity, and discussions at the White House Data Summit and took encouraging steps toward data equity for AA and NHPI communities. On March 28, 2024, OMB issued its revised SPD 15 to expand racial and ethnic categories, eliminate older terms, and simplify the process of identifying specific groups by allowing for multiple and write-in responses. This has the potential of enhancing the count of smaller groups which have been subsumed in two-race categories.

The Equitable Data Workgroup, developed through EO 13985, published its data equity recommendations on April 22, 2022. It also published the *Federal statistical datasets allowing disaggregation of Asian, Native Hawaiian, and Other Pacific Islander communities*, a searchable catalog of federal datasets that include disaggregated data about AA and NHPI populations.<sup>17</sup> These datasets cover a variety of topics and are sortable by subgroups. This catalog allows communities and researchers to have better data to help identify any challenges.

In May 2024, the U.S. Government Accountability Office (GAO) issued “U.S. Territories: Coordinated Federal Approach Needed to Better Address Data Gaps,” a report that came as a result of community and congressional advocacy. The Commission supported the momentum through a recommendation to uplift inequities on behalf of the U.S. Territories.<sup>18</sup>

Spurred by a Commission recommendation, WHIAANHPI hosted a data equity summit at the White House in May 2022 to highlight both the urgent need for greater AA and NHPI data disaggregation, as well as to share best practices and successful models of how federal agencies can better collect and report disaggregated AA and NHPI data in federal surveys, reports, and research. Data equity was also featured in the policy session WHIAANHPI hosted during the 2023 May Heritage Month and the WHIAANHPI Policy Summit in 2024.

## CONCLUSION

---

The advancements in federal data disaggregation efforts due to the revision of OMB SPD 15 brings us to a pivotal moment in history. Equitable implementation efforts that are sensitive to cultural differences, will help to ensure that all are counted in the allocation of federal resources and beyond. Yet, there are still many unresolved and unattended issues. The persistence of the stereotype that AA and NHPI’s are a model population

is damaging not just to the community, but to the nation. Accurately measuring AA and NHPI populations, including small population groups, small territorial populations, and biracial populations, is a fundamental necessity to move our nation towards a more equitable society. Emerging issues, such as the use of AI to train datasets must also be studied. Continuing efforts towards better data disaggregation should be a national policy goal across local, state, and federal governments.



## ECONOMIC EQUITY

**T**HE COMMISSION ADDRESSED ECONOMIC DISPARITIES, fostering equity, and ensuring economic stability and growth for AA and NHPI communities. Despite becoming one of the fastest-growing racial and ethnic groups in the country between 2000-2023, AA and NHPI communities experience economic inequities with substantial disparities in income, wealth, and access to resources.<sup>19</sup> Asian Americans and Pacific Islanders experienced poverty rates of 11 percent and 17.6 percent, respectively, compared to an 8.1 percent poverty rate for white, non-Hispanic people.<sup>20</sup> Nevertheless, the AA and NHPI community continues to battle the perception that all members of the community are economically well off. For example, people of Hmong, Cambodian, and Laotian descent experience higher poverty rates compared to the national average for all racial and ethnic groups, and people of Samoan descent experience the highest rate of poverty (17.6 percent) among all Pacific Islander subgroups.<sup>21</sup> The subcommittee approached this work from the perspective of workers, small business owners, and the organizations that support them.

### KEY THEMES & RECOMMENDATIONS

---

*Four themes emerged from the Commission's recommendations:*

1. Advancing opportunities for small businesses;
2. Strengthening workforce development and job training;
3. Improving opportunities for AA and NHPI workers; and
4. Increasing the participation of AA and NHPI community-based organizations as partners in the federal system for programs such as economic development and workforce development.

There are nearly two million Asian American-owned small businesses in the U.S., but AA and NHPI owners and entrepreneurs continue to face linguistic hurdles, biases, and unnecessarily high administrative burden to qualify as a federal contractor and win federal grants and loans.<sup>22</sup> The Commission developed several recommendations for the federal government to advance opportunities for small businesses and improve its outreach to the AA and NHPI communities. For example, the Commission focused on increasing the



number of AA and NHPI small business entrants in the federal marketplace through the Small Business Administration (SBA) and Small Business Development Centers (SBDCs) and recommended that SBA and SBDCs partner with AA and NHPI community organizations to simplify the federal contracting process, and provide onboarding support, counseling, and access to procurement opportunities for new small business entrants. The Commission also recommended that agencies measure and report contract awards twice a year by race and ethnicity, including AA and NHPI groups.

For AA and NHPI workers, the Commission focused on federal employees, and the community-at-large. Recommendations included increasing the representation of AA and NHPI individuals in the federal government at all levels by conducting targeted recruitment and outreach within AA and NHPI communities; breaking down barriers to hiring and advancement; and creating pathways for AA and NHPI workers to enter and progress in the federal workforce. The Commission also recommended increasing AA and NHPI participation in apprenticeship programs.

Additionally, the Commission focused on advancing strategies for low-wage and care economy workers, specifically recommending that HHS require states to assess and provide fair wages for workers in long-term services and supports (LTSS) and that the U.S. Department of Homeland Security (DHS) and the U.S. Department of Labor (DOL) establish processes for immigrant workers to assert their civil and workplace rights, including protection from retaliation and support for work authorization. DOL has since provided guidance for how to apply for work authorization for those who report labor law violations against their employers. DHS and DOL were recommended to collaboratively establish clear pathways for immigrant workers to assert their rights, including the right to organize into a union or association, in industries with a high representation of AA and NHPI workers.

The Commission recognizes that CBOs are a vital partner to the federal government in supporting and

implementing its programs throughout AA and NHPI communities, which are vast and diverse. AA and NHPI CBOs have the language and cultural competence to bridge the gap between the federal agencies and the communities. For example, we learned through WHIAANHPI's regional economic summits, that were proposed by this Commission, that communities faced challenges due to language barriers in understanding the documentation that was available by the SBA, Community Development Financial Institutions (CDFIs), and other federal agencies made available to the community at large. Another example was the DOL Workforce Innovation and Opportunity Act (WIOA) programs for workforce development. The WIOA program is a large and vast program that has provided \$3.6 billion for workforce development programs, with significant re-granting authority to CBOs;<sup>23</sup> unfortunately, very few AA and NHPI CBOs have been served.

The Commission also focused on specific challenges facing Native Hawaiian communities. This is a community that has not been able to reap the full benefit of federal programming available to them and maintain their lands and identity. The Commission recommended that the U.S. Department of the Interior work with the community and the State of Hawai'i to ensure that the Hawaiian Homestead Commission Act supports the intended beneficiaries.

#### ACCOMPLISHMENTS

---

In April 2024, the SBA announced that during Fiscal Year 2023, Asian American minority-owned small businesses received \$9 billion in federal contracting dollars, which is \$1.5 billion more than the previous fiscal year.<sup>24</sup> Additionally, the Biden-Harris Administration has demonstrated its leadership to increase federal workforce pathways and representation of AA and NHPI individuals. Fourteen percent of all political appointees across federal agencies identify as AA and NHPI, which is the highest percentage of any



*Commissioners take a group photo ahead of a public meeting in Honolulu, Hawai'i in July 2023. Commissioners also hosted a listening session at the Hawai'i State Capitol building as part of an Asian American, Native Hawaiian, and Pacific Islander economic summit. Photo courtesy of Alexandra Kahn.*

---

previous administration.<sup>25</sup>

WHIAANHPI implemented the Commission's recommendation to host regional economic summits in eight cities across the country, providing a forum for numerous individuals, community-based advocacy organizations and entrepreneurs to connect in person with regional representatives from federal agencies, some for the very first time.

The SBA has also implemented training programs for small businesses to apply for government contracts. Based on the Commission's recommendation, WHIAANHPI hosted a Federal Employees Leadership and Development Conference in 2023 and 2024, bringing together over 500 federal employees for a day-long leadership and development conversation and training.

---

## CONCLUSION

The Commission specifically included large and small business owners, unions, community organizations, and workers in considering our recommendations.

We recognize that while the federal government offers many opportunities, there is much work to be done; 1) to improve access of existing programs by the AA and NHPI community; and 2) to ensure that pathways are created responsive to AA and NHPI populations.

We encourage the next Commission to continue to increase opportunities for a diversity of AA and NHPIs in the entire economy.



## HEALTH EQUITY

THE COMMISSION BEGAN ITS CHARGE FOLLOWING A once-in-a-century pandemic, and in the same year, encountered the Red Hill Bulk Fuel Storage Facility fuel release in the Pacific, as well as Hurricane Ida. These three events specifically revealed unique vulnerabilities for AA and NHPI communities, and the impacts on the social determinants of health—the conditions where people live, work, play and age, overlaid by the political, social and economic forces affecting those conditions.

During the COVID-19 pandemic, the AA and NHPI community, alongside many other populations, struggled to access in-language information and confronted anti-Asian hate tied to the virus. The wave of anti-Asian sentiment and hate crimes, increased not just violence, but also depression, anxiety, and stress.<sup>26</sup> While statistics prior to COVID-19 showed that AA and NHPI communities report mental health issues at lower rates than many other minorities because of language and cultural barriers, digging deeper into the data shows much greater complexity of the situation.

AA and NHPI communities were also significantly affected during natural disasters. Petroleum ruptures at the Red Hill Bulk Fuel Storage Facility located in Hawai'i in May and November 2021, resulted in over

19,000 gallons of jet fuel spilling into the tunnel system near the Red Hill drinking water system shaft. The petroleum contaminated the drinking water supply for approximately 93,000 users and residents reported health impacts.<sup>27 28</sup>

When Hurricane Ida hit New York City (NYC) in September 2021, the National Weather Service issued its first-ever flash flood emergency warning for the city. Most of the people in NYC who died during Ida died in unregulated basement apartments, and 71 percent were Asian and born outside the United States.<sup>29</sup> These deaths represent how people living in poverty are more vulnerable to the extreme weather and climate crisis.<sup>30</sup>

Given that there were so many other tragic events that specifically affected the AA and NHPI community and laid bare longstanding inequities, one of the Commission's challenges was deciding where to prioritize our efforts on health equity. We determined that the path to health equity for AA and NHPI communities begins with a focus on access to health resources, especially in areas that are not as obvious when one thinks about health, including increased services to survivors of intimate partner violence and the impact of biases in Artificial Intelligence (AI).





*Members of the President's Advisory Commission on AA and NHPs gather at the Office of the U.S. Trade Representative in Washington, DC for their seventh public meeting on October 25 and 26, 2023. Photo courtesy of Albert Ting.*

---

#### KEY THEMES & RECOMMENDATIONS

---

The need for future investment—and lack of funding historically—in key areas emerged as the thread connecting priorities: mental health; healthcare workforce shortage; culturally and linguistically appropriate outreach and education; and resilience against environmental disasters. Because of the cultural stigma around mental illness and a dearth of research around AA and NHPI mental health needs, there has been a lack of investment in AA and NHPI providers—particularly those that are linguistically and culturally competent.

Accurate data collection and data disaggregation are key to unlocking solutions to improve the health of the complexity of AA and NHPI communities. The Commission recommended that HRSA collect language

access data from federally qualified health centers (FQHCs), including the number of patients with preferred languages, languages spoken, and the number of LEP patients. However, unless aggressive action is taken to address the healthcare workforce shortages, any solution requiring access to quality care and services that are culturally and linguistically appropriate will fail.

AA and NHPI communities are much more likely to be negatively impacted by climate change than the general population. Pacific Islanders are 10 percent more likely to be impacted by inland flooding than their reference populations, and Asians are eight percent more likely to see increased effects from climate disasters.<sup>31</sup> Several recommendations focused on the Environmental Protection Agency (EPA), including establishing an interagency taskforce to include organizations like EPA, Federal Emergency Management Agency, National Park Service, HHS, U.S. Department of Energy, etc. to



address environmental climate change health concerns especially for Hawai'i and other Pacific Islands.

---

#### ACCOMPLISHMENTS

---

WHIAANHPI, in collaboration with the HHS and SAMHSA, hosted an in-person summit in July 2023. Focused on improving equity and access to behavioral health care for AA and NHPI communities, the Summit generated a priority ranking of culturally appropriate ideas and action steps to improve the mental health of AA and NHPI communities and to address the impact of racism on mental health. Building on these efforts, the July 2024 Mental Health Convening included a number of participants, individuals, and organizations representing the AA and NHPI communities. Toplines from this convening included data disaggregation, workforce development, payment reform, language access, cultural responsiveness, and enhanced coordination at federal, state, local, and community levels.

The Biden-Harris Administration also expanded healthcare coverage to an historic 21.3 million Americans who selected an Affordable Care Act Insurance Marketplace plan during the 2024 Open Enrollment period, and AA and NHPIs marked larger relative gains in health insurance coverage than any other racial or ethnic group in the United States since the Affordable Care Act was enacted in 2010.<sup>32</sup> The Office of Civil Rights also published its final rule on Section 1557 of the Affordable Care Act, which prohibits discrimination on the basis of race, color, national origin, age, disability, or sex (including pregnancy, sexual orientation, gender identity, and sex characteristics), in covered health programs or activities.<sup>33</sup> The final rule increases programs and services and nondiscrimination protections for individuals, such as requiring health insurance issuers and health programs or activities that receive HHS funding to provide free language assistance services.

Following the 2023 wildfires on Maui, Hawai'i, Commission Co-Chair and HHS Secretary Xavier Becerra declared a public health emergency to give health care providers and suppliers greater flexibility in meeting emergency health needs of Medicare and Medicaid beneficiaries.<sup>34</sup> Secretary Becerra visited the impacted areas and led an HHS-wide response to ensure the communities receive continued and culturally responsive access to health and human services.

---

#### CONCLUSION

---

The path to achieving health equity for AA and NHPIs is pockmarked with economic inequality, financial constraints, uneven accessibility to health care and other services, lack of culturally and linguistically appropriate care, and the need for leveling social determinants of health. Additionally, access to care goes beyond insurance coverage; further work on policies and actions addressing insurance company denials for specialty care, tests, pharmaceuticals, and durable medical equipment must be pursued. Advancing health equity for AA and NHPIs requires a community-centered and collaborative approach to effective policy changes and investment of resources.

We recommend the next Commission continue to address the wide scope of what health equity means, especially for the future. As AI continues to expand its growth and use in all arenas, including health care, the Commission has raised caution about the potential for AI bias to negatively affect the delivery of care and the necessary research and data to continue improving health care outcomes. Equity must be centered to ensure that our communities are cared for as the technological and environmental landscape continues to evolve and change exponentially.



## IMMIGRATION & CITIZENSHIP STATUS

**T**HE ADMINISTRATION INHERITED A DECIMATED and understaffed immigration infrastructure, while the pandemic exacerbated backlogs in already-stalled processes and prior immigration enforcement policies stoked increased fears of deportation. The Commission addressed the numerous immigration related concerns raised by AA and NHPI communities that specifically aim to strengthen families and communities, increase economic opportunity, promote equity and humanitarian protections, and reduce barriers to access immigration-related benefits.

The Asian and Pacific Islander (API) noncitizen communities in the United States are diverse and challenging to define with a single term. According to the Department of Homeland Security (DHS), during Fiscal Year 2022, individuals from 37 countries in Asia and the Pacific Islands arrived in the United States for temporary periods or in order to reside permanently. This community encompasses students, workers, business owners, family members, COFA migrants, refugees, undocumented individuals, and others. Defining these varied groups solely by their immigration status would overlook the significant contributions this vast and rapidly growing community makes to American society.

---

### KEY THEMES & RECOMMENDATIONS

---

*Three themes emerged from the Commission's recommendations:*

1. Strengthening families and communities;
2. Access to public services and benefits for non-citizens; and
3. Making the immigration process fairer, including providing legal representation and language access.

Strengthening families and communities is one of the Commission's foremost priorities. The Commission presented several proposals aimed at reuniting families and creating resilient communities, by reducing the internal processing times for family-based green card applications, recapturing unused visas, and reducing the backlog on immigration visas by expanding staffing and resources for U.S. Citizenship and Immigration Services (USCIS). Additionally, the Commission proposed establishing humane enforcement policies and procedures that keep families together and reducing the burden on families subject to immigration enforcement,

as well as addressing children at risk of removal because they turned an age where they can no longer be included on their parents' green card applications. The Commission also recommended proposing long-term solutions for Deferred Action for Childhood Arrival (DACA) recipients, should their current protections be rescinded.

Our top priority was to elevate the needs of the most underrepresented and at-risk populations to ensure access to public services and benefits. For example, the Commission recommended more education to government agencies—of all levels—about the status of COFA migrants in the United States. While the COFA residents are granted the right to live and work in the US and its territories, they regularly encounter hurdles to accessing federally funded services. In addition, recommendations included issuance of a final Public Charge rule that would inform API communities that they can access public benefits without fear of it impacting their immigration cases.

The Commission is dedicated to making the immigration process fairer and more equitable for all. The Commission recommended DHS and the U.S. Department of State (DOS) streamline a process for COFA migrants that documents their status in the United States, to issue new asylum regulations that provide consistency on gender-based violence as a basis for humanitarian protection, provide meaningful language access for individuals in immigration detention and end the use of discriminatory security vetting programs.

Community Public Comment: *“Southeast Asian refugees are survivors. We have made a life for ourselves after war, genocide, and displacement... Family separation is cruel and unusual punishment, especially as many of us have already served time for mistakes we’ve made. We need the AA and NHPI Commission and Congress to support Southeast Asian families by ending detentions and deportations...”*

## ACCOMPLISHMENTS

The Administration worked to rebuild an immigration process that addressed backlogs and provided meaningful access to individuals waiting for immigration status. Some methods for addressing backlogs included USCIS hiring to fill more than 86.7 percent of vacant positions, and modernizing technology to reduce case backlog by 15 percent.<sup>35</sup> To restore dignity to families and empower communities, DHS clarified its “public charge” guidelines in December 2022 to ensure an individual would not be denied admission to the United States because of a likelihood of becoming dependent on government assistance.<sup>36</sup> USCIS also updated its policy manual to recalculate the age of dependents included on green card applications so they would continue to qualify as dependents.<sup>37</sup> Additionally, the DOS and USCIS piloted a new program and issued new rules around employment-based visa renewals within the U.S., and extended employment authorization document periods, which will have a significant impact on API community members.<sup>38</sup>

For API community members with long term orders of supervision, the Administration reverted to immigration enforcement priorities issued by DHS in 2021.<sup>39</sup> The Biden-Harris Administration reinstated prosecutorial discretion guidance which prioritized the apprehension of individuals who are threats to national security, public safety, and border security instead of everyone without status.<sup>40</sup>

*Percentage of Foreign Born as a Proportion of Residents, Adults, and Adult Citizens*

RACE	% RESIDENTS	% ADULTS	% CITIZENS
American Indian or Alaska Native alone	7%	9%	4%
Asian alone	65%	77%	67%
Black or African American alone	10%	12%	8%
Native Hawaiian and Pacific Islander alone	24%	30%	15%
Some other race alone	40%	53%	29%
Two or more races	16%	25%	14%
White alone	8%	10%	5%
Hispanic alone	33%	45%	25%
Asian alone or in combination	57%	70%	59%

*Source: Analysis of 2020 American Community Survey 5-year Public Use Microdata File by AAPI Data*

In June 2023, the Administration issued guidance that directs immigration judges to consider the availability of language access services and provide additional time to a petitioner as needed to promote meaningful access in the immigration process.<sup>41</sup> In March 2024, the President signed a bill into law that restored federal benefits to tens of thousands of COFA migrants who live, work, and pay taxes in the United States.<sup>42</sup> In June of 2024, the Administration announced policies to remove barriers for DACA recipients to receive employment-based visas, and for undocumented spouses of U.S. citizens to have a smoother process to obtain permanent residence.<sup>43</sup>

Branch action to address many of the longstanding challenges facing existing immigration policies, as it will take Congressional action to reform our immigration laws. We need compassionate and clear policies to build the strength of AA and NHPI communities and minimize the damage done through deportation and family separation. In addressing immigration and citizenship as a whole, there needs to be continued consistent and persistent advocacy for priorities that affect AA and NHPI communities.

CONCLUSION

The Commission calls for the need for meaningful, ongoing investments to rebuild the USCIS staff capacity, reduce administrative burdens, and streamline a pathway toward citizenship, which were central to the recommendations transmitted to the President.

The Commission acknowledges the limits on Executive





## LANGUAGE ACCESS & COMMUNICATIONS

**S**INCE 2000, THE LIMITED ENGLISH PROFICIENT (LEP) population grew from 21.3 million to 26.5 million in 2022. Today, four out of five of the top languages spoken by persons with LEP are Asian languages: Chinese; Vietnamese; Korean; and Tagalog. Given the expanding and diverse language needs, it is imperative to eliminate language barriers to advance equity, justice, and opportunity for AA and NHPIs.

Across all six of our subcommittees, language access is the key to unlocking policy recommendations that further equity and opportunity for AA and NHPIs. Adequate data collection requires accurate translation and interpretation. Achieving health equity calls for patients to be able to understand benefits and options. Navigating the immigration process is a non-starter without English proficiency. True belonging and inclusion mean the ability to understand one's rights and to have a voice, especially when threatened by violence and discrimination.

### KEY THEMES & RECOMMENDATIONS

---

*Three themes emerged from the Commission's*

#### *recommendations:*

1. Creating and strengthening federal infrastructures to provide language access to federal and federally funded programs;
2. Communicating bidirectionally between LEP AA and NHPI people and the federal government; and
3. Responding to emerging and critical issues facing LEP AA and NHPI populations.

On infrastructure, the subcommittee recommended that the OMB prioritize language access within their budgets; establish Language Access Coordinators within federal departments; create a centralized Office of Language Services and streamline federal responses for LEP communities during emergencies and disasters.

Bi-directional communication means the federal government actively encourages, solicits and supports the civic participation of LEP communities through listening sessions, research participation, data collection, surveys, and summits that respond to concerns in a language and format that the community understands. Examples of key recommendations are to convene a

biennial national “Language Access, Equity, and Justice Summit” in regions with growing language access needs, establish a Task Force on Language Access and Equity to assess the current state of language access affairs, and establish language access data collection standards and consistent enforcement strategies. We also recommend that the Centers for Disease Control and Prevention (CDC) conduct the National Intimate Partner and Sexual Violence Survey (NISVS) in AA and NHPI languages and develop a specific NHPI survey.

On emerging and critical issues, urgent recommendations range from creating language access standards for the use of AI, supporting language preservation efforts for ‘Ōlelo Hawai‘i, and focusing on emergency preparedness and the destructive effects of climate change and natural disasters.

#### ACCOMPLISHMENTS

---

In September 2022, the Commission recommended that the Attorney General (AG) request all federal agencies to recommit to EO 13166. Two months later, the AG issued a memorandum that requested that federal agencies provide the DOJ with updated language access plans.<sup>44</sup> Now, the U.S. Department of Agriculture (USDA), HHS, DOJ, DOL, and the EPA have designated language access coordinators.<sup>45</sup> In November 2023, 47 federal agencies released updated federal agency language access plans.<sup>46</sup> We also advocated for increased funding to establish a national office of language services to provide high-quality, culturally responsive, timely, and cost-effective language programs. And for the first time, WHIAANHPI piloted two 2024 public commission meetings with simultaneous interpretation in Hmong, Korean, Mandarin, and Vietnamese. These meetings implemented a recommendation the Commission made in February 2024.

The Federal Language Access Working Group (FedLAWG) was relaunched in February 2024, where the Civil Rights Division hosted a virtual engagement

between language access stakeholders and federal agency representatives from the DOJ, HHS, DHS, and DOL. The engagement brought together over 550 federal agency staff and stakeholders and the FedLAWG provided updates on language access plan implementation in their agencies.

In October 2023, the Federal Communications Commission (FCC) adopted requirements that provide template Wireless Emergency Alert (WEA) messages in the 13 most commonly spoken languages in the United States. Asian languages to be supported are Arabic, Chinese, Hindi, Korean, Tagalog, and Vietnamese. FEMA has prioritized language access, including in responding to the Lāhainā wildfire disaster in August 2023.

In October 2023, the President issued EO 14110 on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.<sup>47</sup> It includes a blueprint that contains five principles to help guide the design, use, and deployment of automated systems to protect the rights of the American public.

#### CONCLUSION

---

Without language access safeguards and standards, people are excluded, misrepresented, and marginalized, which can lead to death.

Language access needs to constantly evolve to prioritize basic standards for interpretation and translation, engage LEP communities, and ensure inclusion and equity. While there have been material successes, we need to redefine the basic requirements for language access which will require strategic and long-term investments in federal funding and support for community-based organizations. This investment will pay off in dividends with better informed and healthier populations.



*Members of the Commission pose for a photo with U.S. Health and Human Services Secretary Xavier Becerra on September 28, 2022, on the Navy Steps of the Eisenhower Executive Office Building. Official White House Photo by Yash Mori.*

---

*“The Native Hawaiian language was endangered not so long ago. Federal agencies must accept responsibility and partner with local communities to provide language access, perpetuate, and preserve our languages.”*

— AMY AGBAYANI, FORMER COMMISSIONER



---

## Conclusion

**K**NOWING THAT AA AND NHPI COMMUNITIES HAVE been waiting sometimes decades for change and rather than saving recommendations until the conclusion of our tenure as was past practice, this Commission sought to encourage timely, continuous implementation of recommendations to advance equity, justice, and opportunity for AA and NHPI communities in real time. The process of providing rolling recommendations was intended to promote immediate implementation by federal agencies, mirroring the sense of urgency within our communities to address these issues. It is the Commission's hope that rather than starting anew, future Commissions and allies can build upon the rolling recommendations of this Commission's work, go deeper, and further these recommendations on behalf of AA and NHPI communities.

The Administration's multi-pronged structure, comprising of the Commission, WHIAANHPI, the AA and NHPI liaison within the White House Office of Public Engagement, and the Deputy Assistant to the President within the White House Office of the Chief of Staff has been particularly effective in bringing the priorities of AA and NHPI communities to the forefront. The Presidential appointment of the first AA and NHPI Senior Liaison was instrumental to prioritizing AA and NHPI issues and helping support whole-of-government solutions, as a senior leader at the White House can call interagency meetings and drive action across multiple agencies.

Despite progress over the course of the Commission's tenure, many of the recommendations will require ongoing, coordinated effort to be actualized. To successfully convert these policies into action, sufficient

funding and resources are required to support staffing, outreach, and partnership with communities. Like a relay race to achieve equity, justice, and true belonging for AA and NHPI communities, the important steps taken during the term of this Commission are the results of working directly with our communities, engaging in organizing, movement building, aligning the Commission with communities, and pushing the government to stand with our communities as well.

We do not want these recommendations lost in the morass of bureaucracy. We urge our successor Commissions and the White House to find trusted community leaders who have genuine relationships with AA and NHPI people that need resources the most and provide accessible opportunities for input. Human connection matters.

### GLOSSARY

---

*Please visit [gsa.gov/reference/glossary](https://gsa.gov/reference/glossary) to view a full list of terminology commonly used in or referring to the federal government.*

### CREDITS

---

- › Additional images are courtesy of the following photographers: TJ Lor, Andrew Peng, Albert Ting, James Ton, and Alexandra Kahn.
- › This report was designed by Andrew Peng.





*Saint Paul, Minnesota*



*Las Vegas, Nevada*



*Washington, DC*



*The White House*



*Honolulu, Hawai'i*



*The Office of the U.S. Trade Representative*





*President Joe Biden meets with the President's Advisory Commission on Asian Americans, Native Hawaiians and Pacific Islanders on October 26, 2023. Official White House photo by Adam Schultz.*



IT IS MY HOPE THAT YOU ARE FILLED WITH  
PRIDE IN ALL THE PROGRESS THE WHITE HOUSE  
INITIATIVE AND THE PRESIDENT'S ADVISORY  
COMMISSION ON ASIAN AMERICANS, NATIVE  
HAWAIIANS, AND PACIFIC ISLANDERS HAVE  
ACHIEVED.

MAY YOU CONTINUE STRENGTHENING THE  
BONDS THAT UNITE US AS A COUNTRY FOR  
MANY YEARS TO COME.

— *President Joe Biden*

---

## References

1. United States, Executive Office of the President [Joseph R. Biden Jr.]. Executive Order 14031: Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders. March 28, 2021. *Federal Register*, vol. 86, no. 105, pp. 29675-29681, <https://www.govinfo.gov/content/pkg/FR-2021-06-03/pdf/2021-11792.pdf>.
2. United States, Executive Office of the President [Joseph R. Biden Jr.]. Executive Order 14109: Continuance of Certain Federal Advisory Committees and Amendments to Other Executive Orders. September 29, 2023. *Federal Register*, vol. 88, no. 191, pp. 68447-68450, <https://www.govinfo.gov/content/pkg/FR-2023-10-04/pdf/2023-22250.pdf>.
3. United States, Executive Office of the President [Joseph R. Biden Jr.]. Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. January 20, 2021. *Federal Register*, vol. 86, no. 14, pp. 7009-7013, <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01753.pdf>.
4. The Asian American Foundation. LAAUNCH, 2024, STAATUS Index Report 2024: Attitudes Towards Asian Americans, Native Hawaiians, and Pacific Islanders.
5. <https://aapidata.com/wp-content/uploads/2024/02/State-AAN-HPIs-National-June2022.pdf>
6. <https://www.congress.gov/bill/118th-congress/house-bill/4366>
7. <https://www.justice.gov/opa/pr/justice-department-statement-anniversary-executive-order-13166-improving-access-services>
8. [https://www.lep.gov/sites/lep/files/media/document/2024-08/13166\\_Anniversary\\_FCS\\_LAP\\_review\\_snapshots\\_508.pdf](https://www.lep.gov/sites/lep/files/media/document/2024-08/13166_Anniversary_FCS_LAP_review_snapshots_508.pdf)
9. <https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and>
10. <https://hhs.us10.list-manage.com/track/click?u=daf3b62b181d-96007784c4618&cid=66e71f2fcf&e=841d061606>
11. <https://stopaapihate.org/wp-content/uploads/2023/10/23-SAH-TaxonomyReport-KeyFindings-F.pdf>
12. <https://newsroom.ucla.edu/magazine/native-hawaiians-pacific-islanders-covid-19-lab#:~:text=In%20California%2C%20the%20people,twice%20as%20likely%20to%20die>.
13. <https://www.civilbeat.org/2020/11/hawaii-pacific-islanders-are-twice-as-likely-to-be-hospitalized-for-covid-19/>
14. [https://nces.ed.gov/programs/raceindicators/indicator\\_reas.asp](https://nces.ed.gov/programs/raceindicators/indicator_reas.asp)
15. <https://invisiblepeople.tv/native-hawaiians-are-disproportionately-affected-by-poverty-and-homelessness/>
16. <https://www.gao.gov/assets/gao-24-106574.pdf#page=1>
17. [https://nces.ed.gov/fCSM/ICSP\\_Agencies.asp](https://nces.ed.gov/fCSM/ICSP_Agencies.asp)
18. <https://www.gao.gov/products/gao-24-106574>
19. <https://advertisingweek.com/content/2023AsianAmericanMarketReport.pdf>
20. U.S. Census Bureau. “SELECTED POPULATION PROFILE IN THE UNITED STATES.” American Community Survey, ACS 1-Year Estimates Selected Population Profiles, Table S0201, 2021, <https://data.census.gov/table/ACSSPP1Y2021.S0201?t=001:050:060:061:062:063:064:065:066:9Z9&moe=false>. Accessed on July 23, 2024. [1] U.S. Census Bureau. “SELECTED POPULATION PROFILE IN THE UNITED STATES.” American Community Survey, ACS 1-Year Estimates Selected Population Profiles, Table S0201, 2021, <https://data.census.gov/table/ACSSPP1Y2021.S0201?t=001:050:060:061:062:063:064:065:066:9Z9&moe=false>. Accessed on July 23, 2024.
21. Ibid
22. <https://www.prnewswire.com/news-releases/asian-entrepreneurs-drive-innovation-and-employment-seek-increased-access-to-capital-to-fund-growth-301816392.html>
23. Fernkas, Robin, March, 27, 2023, “Expanding Opportunity for Workers – Yes, WIOA Can!,” *U.S. Department of Labor Blog*, <https://blog.dol.gov/2023/03/27/expanding-opportunity-for-work->



ers-yes-wioa-can

24. <https://www.sba.gov/article/2024/04/29/biden-harris-administration-awards-record-breaking-178-billion-federal-procurement-opportunities>

25. <https://www.hhs.gov/about/news/2023/05/30/biden-harris-administration-hosts-historic-asian-american-native-hawaiian-pacific-islander-federal-employee-leadership-development-conference.html>

26. <https://stopaapihate.org/wp-content/uploads/2021/05/Stop-AA-PI-Hate-Mental-Health-Report-210527.pdf>

27. <https://www.epa.gov/red-hill/what-red-hill-bulk-fuel-storage-facility>

28. <https://www.epa.gov/red-hill/about-fuel-releases>

29. <https://www.cambridge.org/core/journals/disaster-medicine-and-public-health-preparedness/article/immediate-injury-deaths-related-to-the-remnants-from-hurricane-ida-in-new-york-city-september-12-2021/69BD8C527FD016A2CAC703C7023B2251>

30. <https://a816-dohbsp.nyc.gov/IndicatorPublic/data-stories/flooding-and-health/#:~:text=Ida's%20extreme%20rainfall%20broke%20records,lying%20areas%20and%20basement%20apartments>

31. [https://www.epa.gov/system/files/documents/2021-09/climate-vulnerability\\_september-2021\\_508.pdf](https://www.epa.gov/system/files/documents/2021-09/climate-vulnerability_september-2021_508.pdf)

32. <https://aspe.hhs.gov/reports/health-insurance-coverage-changes-asian-americans-pacific-islanders>

33. <https://www.hhs.gov/civil-rights/for-individuals/section-1557/index.html>

34. <https://www.hhs.gov/about/news/2023/08/11/hhs-secretary-xavier-becerra-declares-public-health-emergency-hawaii-response-wild-fires.html>

35. <https://www.uscis.gov/EOY2023>

36. <https://www.uscis.gov/archive/public-charge-0#:~:text=>

[Alert%3A%20On%20Dec.,public%20charge%20ground%20of%20inadmissibility](https://www.uscis.gov/archive/public-charge-0#:~:text=Alert%3A%20On%20Dec.,public%20charge%20ground%20of%20inadmissibility).

37. <https://www.uscis.gov/newsroom/alerts/uscis-updates-child-status-protection-act-cspa-age-calculation-for-certain-adjustment-of-status#:~:text=If%20the%20child%20turns%2021,based%20on%20the%20parent%27s%20petition>.

38. <https://travel.state.gov/content/travel/en/News/visas-news/department-of-state-to-process-domestic-visa-renewals-in-limited-pilot-program.html#:~:text=Last%20Updated:%20December%2021%2C%202023,who%20require%20in%2Dperson%20interviews>.

39. <https://www.dhs.gov/news/2021/09/30/secretary-mayorkas-announces-new-immigration-enforcement-priorities>

40. Ibid

41. <https://www.justice.gov/eoir/book/file/1586686/dl?inline>

42. <https://aapcho.org/congress-restores-federal-benefits-eligibility-for-cofa-citizens-in-the-u-s/>

43. <https://www.whitehouse.gov/briefing-room/statements-releases/2024/06/18/fact-sheet-president-biden-announces-new-actions-to-keep-families-together/#:~:text=In%20order%20to%20be%20eligible,the%20U.S.%20for%202023%20years>.

44. [https://www.justice.gov/d9/pages/attachments/2022/11/21/attorney-general-memorandum\\_-\\_strengthening\\_the\\_federal\\_governments\\_commitment\\_to\\_language\\_access\\_508-2.pdf](https://www.justice.gov/d9/pages/attachments/2022/11/21/attorney-general-memorandum_-_strengthening_the_federal_governments_commitment_to_language_access_508-2.pdf)

45. <https://www.hhs.gov/about/news/2023/05/24/hhs-releases-report-increase-language-access-persons-with-limited-english-proficiency.html>

46. <https://www.justice.gov/opa/pr/justice-department-launches-new-interagency-language-access-working-group>

47. United States, Executive Office of the President [Joseph R. Biden Jr.]. Executive Order 14110: Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence. October 30, 2023. *Federal Register*, vol. 88, no. 210, pp. 75191-75226, <https://www.govinfo.gov/content/pkg/FR-2023-11-01/pdf/2023-24283.pdf>.







THE PRESIDENT'S ADVISORY COMMISSION ON  
ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS



*Appendix*

RECOMMENDATION  
SUMMARIES

BELONGING, INCLUSION, ANTI-ASIAN HATE,  
& ANTI-DISCRIMINATION SUBCOMMITTEE

- 
- › *Federal Funding Conditions:* The President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission) recommends that the U.S. Department of Justice (DOJ) condition federal funding administered by the agency on credible law enforcement participation in the Federal Bureau of Investigation’s (FBI) Hate Crime Statistics Act hate crimes data collection and reporting program.
  - › *Religious Freedom in the Military:* The Commission recommends that all branches of the U.S. military adopt a standardized uniform policy that presumptively allows for religious articles of faith.
  - › *Public-Private Partnerships to Address Anti-Asian Hate:* The Commission recommends that it engages in public-private partnerships to help build a series of public service announcements that address anti-Asian hate crimes and promote inclusion and belonging of Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities.
  - › *Improving Hate Crimes Reporting Among AA and NHPI Communities:* The Commission recommends increasing hate crimes reporting among AA and NHPI communities through improved language access and community town halls.
  - › *Federal Holiday Recognition and Training Regarding AA and NHPI Communities:* The Commission recommends that the President convene the interagency working group under Executive Order 13985 on Advancing Racial Equity and Support for Underserved Communities in order to review and make recommendations regarding equity issues as they relate to AA and NHPI communities, particularly regarding the recognition of ethnic, national, religious holidays, and cultural heritage months as well as eliminating bias and bigotry within government-wide law enforcement and military trainers, training materials, and terminology.
  - › *White House Hosted Gun Violence Summit:* The Commission recommends that the White House convene a summit on addressing and preventing gun violence targeting AA and NHPI communities.
  - › *Establish Permanent Staff and Agency to Support WHIAANHPI:* The Commission recommends that the federal government establish a permanent home agency with permanent career and political staff, and ongoing funding, to support the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and the Commission.
  - › *Increase Access to Victim Services for AA and NHPI Victims:* The Commission recommends that DOJ’s Office for Victims of Crime (OVC) increase the availability and accessibility of victim services for AA and NHPI crime victims through outreach, increased emphasis on AA and NHPI-serving organizations, and expanding the capacity of existing grantees to serve AA and NHPI communities.
  - › *Launch a National Arts Competition and National Ad Campaign to Support a Sense of Belonging:* The Commission recommends that the federal government establish a national arts competition and corresponding national ad campaign that is implemented through interagency coordination to support policies that create belonging while combating hate and discrimination.
  - › *Listening Sessions as a Third Pathway to Reporting Hate Crimes:* The Commission recommends that WHIAANHPI and collaborating agencies such as the Department of Justice’s Civil Rights Division and Community Relations Service schedule in-person listening sessions on a “third pathway to reporting hate crimes” in cities where AA and NHPI hate crimes and incidents have been on the rise. At the end of each session, they publish a publicly



available, written report on recommendations to improve the reporting process at the conclusion of these sessions.

- › *Reinvigorating Federal Efforts to Address Bullying of AA and NHPI Youth:* The Commission recommends that the Federal Partners in Bullying Interagency Taskforce be reinvigorated to strengthen federal agencies responses and the federal infrastructure for anti-bullying activities, including in AA and NHPI communities.
- › *Maui Wildfire and Future Disaster Recovery and Response Strategy:* The Commission recommends that the Federal Emergency Management Agency and other relevant federal agencies review their actions in the Maui wildfire response and recovery to institutionalize specific response efforts in future disasters. Actions to be reviewed should include the housing crisis and homelessness, promoting language access, engaging local leaders in recovery efforts, prioritizing local hiring in economic recovery, appointing a chief federal disaster coordinator or committee, and conducting proactive outreach on disaster assistance.
- › *Gun Violence Prevention:* The Commission recommends a coordinated effort of government agencies, community groups, organizations, healthcare providers, and researchers to craft policy actions, research priorities, and outreach efforts to prevent gun violence among AA and NHPI communities.

#### DATA DISAGGREGATION & EDUCATION SUBCOMMITTEE

- › *Update OMB Minimum Data Standards on Race and Ethnicity:* The Commission recommends the Office of Management and Budget (OMB) update the minimum standards for federal data on race and ethnicity to fulfill its mission to produce full, fair and accurate data on the status of health,

education, labor, immigration, economy, and other vital indicators for all communities in our nation, including AA and NHPI communities.

- › *Encourage Key Federal Agencies to Partner with Communities on Data Disaggregation:* The Commission recommends the encouragement of key federal agencies such as the OMB, the U.S. Census Bureau, Centers for Medicare and Medicaid Services (CMS), and the National Center for Health Statistics (NCHS) through administrative support and funding to partner with communities and their advocates to ensure the optimal gathering, reporting and access to AA and NHPI data are relevant and usable by these groups.
- › *Minimum Data Collection Standards and Data Summit:* The Commission recommends that OMB amend the minimum data collection standards for race to include guideline recommendations to collect, analyze and report data on smaller populations for federal surveys and that OMB partner with WHIAANHPI to convene an annual AA and NHPI Data Summit.
- › *Data Inclusion for U.S. Territories:* The Commission recommends that the White House issue an Executive Order that gives the U.S Territories comparable treatment to Puerto Rico in the standards, policies, and norms in federal departments and agencies regarding the treatment of U.S. Territories in the statistical system.
- › *Include Community-Based Organizations among Academics, Federal Agencies and Other Experts When Reviewing Asian and Pacific Island Ethnic Groups for the 2030 Census:* The Commission recommends that the U.S. Census Bureau should directly engage with and include input from relevant and diverse community-based organizations (CBOs) when classifying various populations, and increase resources, staffing, and funding to work with a larger network of CBOs.

- › *Establish a Best Practice Approach to Collecting and Disaggregating NHPI Data within HHS:* The Commission recommends that the U.S. Department of Health and Human Services (HHS) establish a task force to address privacy and legal concerns and expand the capacity of data collection methods to facilitate collection and disaggregation of Native Hawaiian and Pacific Islander (NHPI) data.
- › *Increasing Support for AA and NHPI Higher Education Students:* The Commission recommends U.S. Department of Education (ED) increase data disaggregation efforts and resources, including engagement, outreach, financial, and programmatic support for Asian American and Native American Pacific Islander Serving Institutions (AANAPISIs) through several mechanisms.
- › *Queer and Trans Pacific Islander (QTPI) and Asian American (AA) LGBTQI+ Representation:* The AA and NHPI community face systemic inequities due to obstacles such as data aggregation and appropriate representation. Sexual and gender minority AA and NHPI face layered oppression due to their intersectional identities that threaten the well-being, justice, inclusion, and belonging in the U.S. The Commission recommends that the Administration and Office of Management and Budget appoint separate AA and QTPI members to advisory boards such as the Sexual Orientation, Gender Identity, and Sex Characteristics (SOGISC) Subcommittee that advises the Federal Committee on Statistical Methodology (FCSM) within the Office of Information and Regulatory Affairs, OMB; and in collaboration with WHIAANHPI, engage with AA and NHPI communities to celebrate LGBTQI+ members of the AA and NHPI communities during the month of June (Pride Month).
- › *Mental Health Access for AA and NHPI LGBTQI+ Individuals:* To improve mental health access for AA and QTPI LGBTQI+ individuals, the Commission recommends that agencies such as the Substance Abuse and Mental Health Services Administration

(SAMHSA) hold listening sessions with AA and QTPI advocates. These sessions will help identify specific mental health needs, address barriers to care, and develop tailored strategies to provide more effective and inclusive services for these communities.

ECONOMIC EQUITY SUBCOMMITTEE

- › *AA and NHPI Economic Summits:* The Commission recommends hosting forums in several cities across the country, entitled WHIAANHPI and White House AA and NHPI Economic Summits.
- › *Increase Federal Contracting Dollars to AA and NHPI Small Businesses:* The Commission recommends increasing the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.
- › *Increase Percentage of AA and NHPI Applicants in the Federal Workforce:* The Commission recommends for recruitment to increase the percentage of AA and NHPI applicants in the federal workforce.
- › *Priorities for AA and NHPI Workers in Low Wage Jobs and Care Workers:* The Commission recommends to support AA and NHPI workers in low-wage jobs and care workers by advancing strategies that ensure a strong direct care workforce meets the rapidly growing demand for long-term services and supports (LTSS); protecting Asian immigrant workers exercising their civil and workplace rights while advancing economic security, opportunity, and equity; and directing U.S. Department of Labor (DOL) to convene a domestic work advisory board to improve job quality for domestic workers.
- › *Increase AA and NHPI Federal Small Business Contractors:* The Commission recommends that the U.S. Small Business Administration (SBA) award no less than 2% of annual contracts to new AA and

- 
- NHPI entrants to the federal marketplace.
- › *Increase AA and NHPI Participants in National Apprenticeships:* The Commission recommends that 5% of the overall number of nationwide apprenticeship participants are AA and NHPI be achieved through increased community outreach, simplification of the application process, and the removal of financial barriers.
  - › *Build Capacity for Community Development Corporations:* The Commission recommends that SBA, U.S. Treasury, HHS, and the U.S. Department of Commerce create a multi-year capacity building fund that can enable Community Development Corporations to build capacity, finance projects, and stabilize small businesses that are focused on creating jobs and improving the economy.
  - › *Increase Export Opportunities for AA and NHPI Small Businesses:* The Commission recommends that the federal government provides support and resources to AA and NHPI small businesses to help them expand their export operations in order to help reduce the U.S. import/export trade imbalance.
  - › *National Listening Session with Nail Salon Workers and Owners:* The Commission recommends that by May 2024, DOL, HHS, and SBA should convene a national listening session with nail salon workers and nail salon owners to discuss and address the economic concerns, health and safety issues, and labor rights issues, culminating with the issuance of a study on the state of the industry and a national action plan to support nail salon workers and owners.
  - › *Mercantile Licenses for Eligible Native Hawaiians:* The Commission recommends that the U.S. Department of Interior (DOI) start beneficiary consultation on mercantile licensing on Hawaiian Home Lands and promulgate federal rules that provide clarity for beneficiaries to access lands for mercantile purposes; a budget for beneficiary consultation should be included in the President's Fiscal Year 2025 budget.
  - › *Centralize Information on Loans, Grants, and Resources for AA and NHPI Small Businesses:* The Commission recommends that SBA take the initiative to centralize information on loans, grants, and resources available across different federal agencies and publish it on the SBA website. This centralized hub will serve as a one-stop shop for AA and NHPI small business owners seeking financial support.
  - › *Addressing the Escalating Wildfire Crisis and Safeguarding AA and NHPI Communities:* The Commission urges federal agencies to address the escalating wildfire crisis across the country, including safeguarding AA and NHPI communities and all citizens. The Commission recommends comprehensive actions to modernize fire systems and technology; implement fire safety education; enhance fire safety measures; support small businesses for fire preparedness, prevention, recovery, and resilience; clear flammable brush and grass; advocate for building codes to resist wildfire embers; and sustain financial support and long-term recovery support to Lāhainā and Maui business owners and homeowners.

## HEALTH EQUITY SUBCOMMITTEE

- 
- › *AA and NHPI Mental Health Summit:* The Commission recommends that HHS, in coordination with the White House Office of Public Engagement (OPE) and the Commission, host a mental health summit focusing on AA and NHPI mental health.
  - › *Target Tobacco Use Prevention and Lung Cancer Screening Efforts for AA and NHPI Communities:* The Commission recommends that the U.S. Department of Health and Human Services take a number of steps to address the high lung cancer rates in AA and NHPIs due to tobacco use and ensure that more funding and resources should go towards lung cancer screening, disaggregated data collection and

research, as well as efforts towards the prevention and cessation of e-cigarettes and other tobacco use.

- › *Increase Services for Survivors of Intimate Partner Violence:* The Commission recommends that HHS take a number of steps to address intimate partner violence and its health impacts in AA and NHPIs by ensuring all HHS healthcare delivery programs and funding mechanisms include language accessibility for AA and NHPI populations, that universal education and screening should be included in data collection and quality measures, that guidance should be issued on the inclusion of medical advocacy and trauma services are covered by Medicaid, and that guidance is issued on privacy, safety, and confidentiality of medical records for intimate partner violence survivors.
- › *Establish an AA and NHPI Youth Mental Health Campaign:* The Commission recommends that HHS and ED take several steps to launch an AA and NHPI youth mental health campaign; increase targeted funding to the National Institutes of Health (NIH) for research on culturally competent effective treatments and approaches for AA and NHPI individuals with mental health symptoms; and expand SAMHSA's minority fellowship programs and Health Resources and Services Administration (HRSA) loan repayment programs to target AA and NHPI behavioral health trainees and professionals.
- › *Establish National Programs to Address Health Disparities:* The Commission recommends that HHS and ED establish national programs to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth.
- › *Collect Language Access Data from Federally Funded Community Health Centers and Develop UDS Reporting Measures:* The Commission recommends that HRSA collect language access data from federally-funded community health centers, and

develop measures for reporting in the Uniform Data System (UDS) on the percentages and numbers of patients with preferred languages other than English, including data on the languages spoken; the percent and number of patients who are limited English proficient (LEP); and the percent and number of visits in which professional interpreters were utilized for LEP patients.

- › *Accessibility and Reproductive Cancer Education:* The Commission recommends that both DOJ's Disability Rights Section and HHS's Office for Civil Rights should adopt and enforce the Access Board's recommendations on medical diagnostic equipment accessibility standards to improve the ability of disabled people and older adults to be evaluated and diagnosed by their providers, as well as to provide federal grants to support community health centers and increase access to cancer education to non-English speaking communities in culturally competent, easy to understand language.
- › *Mental Health Support for AA and NHPI Students:* The Commission recommends that HHS and ED issue guidelines and invest in reducing student-to-counselor ratios in public schools and colleges to improve Tier 1 mental health support for students, inclusive of AANAPISIs. This would include setting a guideline for a maximum ratio of 250:1 for schools and colleges to ensure adequate mental health support for students, providing additional funding to increase the number of counselors and mental health professionals available to students, particularly those with a significant AA and NHPI population; providing training to counselors and mental health professionals to address the unique mental health needs of AA and NHPI; providing information on available resources; encouraging public schools and colleges to prioritize mental health support as part of their overall wellness programs; and having ED establish a reporting system that requires public schools and colleges to report their student-to-counselor ratios annually, and to set goals for improvement.



- › *COVID-19 and Ongoing Impacts on AA and NHPIs:* The Commission recommends that there should be greater capacity to collect, disaggregate, analyze, and publish data impacts of COVID-19 with emphasis on disaggregated data for Native Hawaiians and Pacific Islanders, language preference, immigrant, refugee and COFA populations and for disability, LGBTQ+ and other marginalized communities regarding rates of testing, vaccination and booster rates, hospitalization and death rates, as well as long-term health effects of COVID-19. This would include conducting culturally and linguistically appropriate targeted public health campaigns on the benefits of vaccines; taking immediate steps to address barriers to care, treatment and medication for underserved populations; conducting digital literacy efforts and provide resources for digital equipment and connectivity for underserved communities, including AA and NHPI; establishing a standard across federal agencies for data collection, disaggregation, analyses, and publishing of public health emergencies, natural disasters and human-made disasters; and providing program funding to community-based organizations to address these issues based upon the data collected. This recommendation is directed to HHS Operating Divisions including the Centers for Disease Control and Prevention, Office of Minority Health, the National Institutes of Health, as well as the Health Resources and Services Administration, the Administration for Children and Families, the Administration for Community Living, and CMS.
- › *Increased Support for Limited English Proficiency Patients Among Medically Underserved Populations:* The Commission recommends that HHS should increase the weight of LEP in medically underserved areas (MUA) and medically underserved populations (MUP) definition and formula to determine scores for allocating federal funding to new access points for health centers and encouraging health professionals to work at high-need health centers; they also recommend that HHS should revisit and review all recommendations put forward in the 10/31/2011 “Negotiated Rulemaking Committee on the Designation of Medically Underserved Populations and Health Professional Shortage Areas: Final Report to the Secretary” and HHS/OCR should review different federal definitions of vulnerable populations, social deprivation, marginalized populations, socioeconomically disadvantaged, social determinants of health, language and cultural barriers, underserved populations, and high-risk populations to ensure that LEP is included in all definitions.
- › *Protecting AA and NHPI Communities from Environmental and Human Made Disasters in the Pacific Region:* Due to significant impacts of recent environmental and human made disasters in the Pacific region, the Commission recommends the U.S. Environmental Protection Agency (EPA) establish a taskforce to address environmental climate change concerns for Hawai‘i and other Pacific Islands and establish a regional research center and Environmental Justice Thriving Communities Technical Assistance Center or satellite site (EJTCTAC) in Hawai‘i.
- › *Address the Healthcare Workforce Shortage Crisis and Increase Culturally and Linguistically Appropriate Care for AA and NHPI Populations:* The Commission recommends that HHS, in collaboration with DOL, and ED, increase interagency collaborations to address the healthcare workforce shortage crisis, address burnout and mental health needs for providers, and increase culturally and linguistically competent care, with an emphasis on addressing AA and NHPI community needs.
- › *Language Access for Federally Qualified Health Centers (FQHCs):* Federally qualified health centers (FQHCs) serve approximately 30.5 million patients, including many Medicaid and Medicare recipients and LEP individuals, but outdated reimbursement guidance from CMS has led to inadequate support. The Commission recommends that CMS update FQHC reimbursement guidance to require state

evaluations of the FQHC Prospective Payment System every three years, mandate language access and interpretation services in contracts, enhance payments for these services, and ensure MCOs and plans share patient claims data to improve outcomes. CMS should also consider LEP status in reimbursement models, monitor interpretation usage with CPT code T1013, and enforce language access at the provider level.

- › *Artificial Intelligence (AI) Bias in Health Care:* AI bias can worsen health disparities for AA and NHPI populations through data, algorithmic, and implementation biases, leading to underrepresentation, lack of transparency, and accessibility issues. Effective oversight and governance are needed to ensure equitable health care recommendations for all patients. The Commission recommends the President direct HHS to require federal contractors using AI in medicine: 1) use diverse datasets and include AA and NHPI representation; 2) report efforts on disaggregated data inclusion; and 3) develop plans to improve AA and NHPI data representation. HHS should integrate these guidelines into the Office of the National Coordinator for Health Information Technology (ONC) Health IT Certification Program, ensuring vendors meet bias mitigation standards, and establish a governance body for accountability with quarterly audits on CMS datasets.
- › *Insurance Prior Authorizations:* The Commission recommends CMS in collaboration with the Center for Consumer Information and Insurance Oversight (CCIIO) implement several key measures to improve transparency and accountability in the prior authorization and claim denial processes: (1) insurance companies should be mandated to publicly disclose their denial rates for various services to enhance transparency; (2) a standardized prior authorization process should be established across all CMS health plans to minimize administrative burdens and delays; (3) an independent review

process for denied claims should be created, with comprehensive data collection and regular audits to ensure fairness and support underserved populations; and (4) there should be increased federal oversight, including rigorous monitoring, public accountability metrics, and enhanced penalties for non-compliance, along with mandatory disaggregation of data on Asian American, Native Hawaiian, and Pacific Islander communities to address healthcare disparities.

IMMIGRATION & CITIZENSHIP STATUS SUBCOMMITTEE

- › *Measures to Reduce Immigration Backlog:* The Commission recommends that the Department of Homeland Security’s (DHS) United States Citizenship and Immigration Services (USCIS) reduce the backlog of immigration visas by expanding staffing and modernizing processes to reduce wait times, expanding premium processing services, providing automatic work permit renewals, securing funding, and more quickly processing work permits, travel documents, temporary status extensions, and other immigration applications. The targeted goal for applications to be processed is six months unless there is a query or question by USCIS. If there is a query or more information is needed, USCIS and the State Department shall continue to process the applications outside the six-month goal and adjudicate decisions in a timely fashion. If an application is not completed in six months, then it will not be terminated and will continue to be processed in a timely fashion ongoing.
- › *Improving Family Based Visa Processing Cycle Times to Reduce the Backlog:* The Commission recommends that DHS USCIS and Department of State (DOS) reduce internal processing times for family green card applications.
- › *Issue New Public Charge Policies:* The Commission

- recommends that the DHS and DOS issue new public charge policies that support Asian American and Pacific Islander immigrant families accessing health and well-being supports, and partner with other federal agencies and community organizations to engage in outreach to Asian American and Pacific Islander communities about these changes. The rule should reiterate that a public charge assessment be determined by evaluating the totality of circumstances and should also specify that no single factor is dispositive.
- › *Immigration Enforcement Policies and Procedures:* The Commission recommends that DHS Immigration and Customs Enforcement establish enforcement policies and procedures that keep families together, restore dignity, and ease the hardships faced by individuals and families living with long term immigration removal orders.
  - › *H-1B and L-1 Visa Stamping Pilot:* The Commission recommends that USCIS establish procedures that allow for the stamping of H-1B and L visas in the United States.
  - › *Improve Status of Compact of Free Association Migrants:* The Commission recommends that the U.S. government take a number of actions to clarify the status and eligibility of Compact of Free Association (COFA) migrants for services in the U.S. and the territories.
  - › *Address Children Aging Out of Legal Status:* The Commission recommends that USCIS take a number of steps to address children aging out of their eligibility to be included in their parent's green card application and losing their legal status at the age of 21.
  - › *Reduce Visa Appointment Wait Times in Certain Asian Countries:* The Commission recommends that the U.S. State Department take steps to reduce the growing delay in visa appointment times in U.S. Embassies globally, especially in India, Pakistan, Nepal, Bangladesh, and other countries.
  - › *Expand Access to Legal Representation for Noncitizens in Removal Proceedings:* The Commission recommends that DOJ and DHS expand access to legal representation for those in removal proceedings through grants to non-profit and other legal aid organizations with the purpose of providing universal legal representation. The President's annual budget request to Congress for FY 2025 and future years should include allocations to support these programs.
  - › *Extend H1-B Visa Grace Period for Finding Employer Sponsor:* The Commission recommends that DHS' U.S. Citizenship and Immigration Services (USCIS) extends the grace period for H1-B workers from 60 days to 180 days to allow those who have lost their jobs to find a new sponsor.
  - › *Improve Access to I-94 Cards and Address Related Immigration Issues for COFA Migrants:* The Commission recommends that DHS should streamline and expedite the process for accessing and/or replacing lost or distorted I-94 cards, making it more affordable and efficient, with a turnaround time of less than three weeks; DHS should also exempt or waive fees for Compacts of Free Association (COFA) migrants who apply for replacement I-94 cards.
  - › *Provide Language Access for AAPIs Detained by ICE:* The Commission recommends that the Executive Office of Immigration Review (EOIR) in DOJ should issue guidance for Immigration Judges to not order individuals removed who have not been provided language services to assist with completion of relevant applications for immigration relief. In addition, DHS Immigration and Customs Enforcement (ICE) should allocate at least 1% of its Enforcement and Removal budget toward the provision of professional and competent translation, interpretation, and other language services for individuals who are detained and have limited or

no English proficiency to be able to participate and access all available programs and services while in immigration detention.

- › *Issue Regulation to Provide Guidance on Gender-Based Persecution:* The Commission recommends that DOJ and DHS should promptly issue new asylum regulations and track performance metrics to provide consistency in the U.S.’ treatment of gender-based violence as a basis for humanitarian protection and asylum in U.S. immigration policy.
- › *Increase Language Access in the CBP One™ Mobile Application:* The Commission recommends that DHS should translate the CBP One™ mobile application into multiple languages, including but not limited to Chinese, Hindi, Bengali, and Punjabi.
- › *Recapture Unused Green Cards:* The Commission recommends that DHS and the Department of State should recapture unused green cards for family and employment categories from FY 1992 through 2025 and adopt a new policy that should be applied retroactively that confirms all green cards, per annual limit, remain available for an eligible immigrant even if the agencies cannot process the relevant paperwork in that fiscal year.
- › *Granting Employment Authorization Documents to Individuals Who Have Approved I-140 Petitions:* The Commission recommends that DHS’s U.S. Citizenship and Immigration Services (USCIS) grant employment authorization documents (EADs) and travel documents to individuals who have approved I-140 employment-based visa petitions in the EB-1, EB-2, EB-3 categories, who have been waiting in the visa backlog for five or more years, regardless of whether they have filed applications for adjustment of status.
- › *End the Department of Homeland Security’s Use of the Controlled Application Review and Resolution Program:* The Commission recommends that DHS’s end the use of Controlled Application Review

and Resolution Program (CARRP) and provide meaningful redress mechanisms for individuals whose cases have been pending for extended periods of time due to USCIS vetting programs.

- › *Prepare to Implement Administrative Solutions Should Deferred Action for Childhood Arrivals End:* The Commission recommends that DHS and the Administration look at solutions to provide safety and stability for Deferred Action for Childhood Arrivals (DACA) recipients and DACA eligible individuals, if the DACA program is terminated.
- › *Affirmative Asylum Processing Times and Language Access:* The Commission recommends DHS make the affirmative asylum process more just and equitable by increasing USCIS’s capacity to address long processing times in the affirmative asylum backlog, and by issuing regulations that would provide for language interpreters during affirmative asylum interviews.

---

LANGUAGE ACCESS & COMMUNICATIONS SUBCOMMITTEE

---

- › *Access to Emergency Services:* The Commission recommends that the federal government should ensure that emergency and disaster prevention, planning, response, mitigation, and recovery programs are inclusive of and reflect the lived experiences of limited English proficient populations.
- › *Ensure Public and Emergency Alerts are Accessible to LEP Persons:* The Commission recommends that public and emergency alerts should be simultaneously accessible to persons with limited English proficiency at the same time as English-speaking persons.
- › *Expand Federal Agency Content and Services Access to Non-English-Speaking AA and NHPI Communities:* The Commission recommends that federal agencies



- should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.
- › *Improving Federal Agency Accountability and Transparency for Language Access:* The Commission recommends there are language coordinators to strengthen the executive branch’s ability to incorporate language access into operations.
  - › *Funding Language Access Resources:* The Commission recommends allocating funding to increase language access resources.
  - › *Language Access in U.S. Citizenship and Immigration Services Materials:* In collaboration with the Immigration and Citizenship Status Subcommittee: The Commission recommends expanding dissemination of USCIS’s information in multiple languages and increase AA and NHPI community outreach.
  - › *Establish Office of Language Services:* The Commission recommends that an Office of Language Services be established to facilitate the provisions of language services to include centralized contracts, agency-wide website guidelines, coordinating agency resources for language access, and create a directory of community-based organizations serving AA and NHPI LEP communities.
  - › *Translate Presidential and Vice-Presidential Speeches:* The Commission recommends that transcripts of major key speeches by the President and Vice President’s be translated into multiple AA and NHPI languages as soon as possible.
  - › *Translation of Surveys and Culturally and Linguistically Accessible Research:* The Commission recommends that the Centers for Disease Control and Prevention (CDC) should conduct the National Intimate Partner and Sexual Violence Survey in AA and NHPI languages, invest in culturally and linguistically accessible research, and expand data collection, as well as a specific survey among NHPIs.
  - › *Improve Language Assistance Services in 988 Suicide & Crisis Lifeline:* The Commission recommends that HHS and SAMHSA expand the availability and access to the 988 Suicide and Crisis Lifeline by providing language assistance services in multiple AA and NHPI languages and expanding outreach to AA and NHPI communities.
  - › *Language Access and Concordance for Limited English Proficient (LEP) Individuals in the EHealth Program:* The Commission recommends that the U.S. Census Bureau EHealth program includes analysis on language access and concordance for LEP individuals and populations, as a routine and standard part of all research projects/programs/collaborations with any external partner, as part of the interests of the federal government in understanding and addressing health disparities and health inequities affecting LEP populations.
  - › *Expanding Federal Programs That Are Relevant to Native Hawaiian Language Support:* The Commission recommends that DOI should increase support for the implementation of The Native American Languages Act of 1990 (NALA), and continue and expand federal programs that are relevant to Native Hawaiian language support.
  - › *Include Community-Based Advocates and Prioritize Language Access in Human Trafficking Screening Protocol:* The Commission recommends that the federal partners stipulated in the National Strategy to Combat Human Trafficking work in partnership with and include community-based victim advocates, community-based organizations, and community-based survivors, and prioritize language access, in the development of this protocol.
  - › *Develop Standards on Use of Artificial Intelligence and Process to Address Impact of AI Errors on AA and NHPI Communities:* The Commission recommends that the Office of the U.S. Chief Technology Officer, U.S.

Digital Services in consultation with DOJ’s Civil Rights Division: i) develop standards/guidelines around the use of machine-translation or Artificial Intelligence (AI) translation technology when it is appropriate or inappropriate to use by the federal government, federal contractors, or federal grantees; and ii) develop a process for addressing harmful impacts as well as remedies with respect to machine translation or AI errors.

- › *Language Access, Equity, and Justice National Summit:* The Commission recommends that WHIAANHPI, OPE, and the DOJ convene a biennial national “Language Access, Equity, and Justice” Summit in regions with growing language access needs and identify enforcement mechanisms in each federal agency and expand agencies’ capacity to strengthen accountability measures, train personnel on language access requirements, and establish consistent reporting and processes for addressing language access complaints.
- › *Language Access and Equity Executive Order:* The Commission recommends that by December 2023, the President establish a Task Force on Language Access and Equity to assess the current state of language access affairs, establish language access data collection standards and consistent enforcement strategies, and explore the creation of a new Executive Order on Language Access and Equity. The mission of this Task Force will be to establish language access data collection standards and consistent language access enforcement strategies across all federal agencies and report to the Attorney General. This initiative will build upon E.O. 13166 and provide further recommendations for an enhanced E.O., known as the Language Access and Equity Executive Order, to be issued in 2024.
- › *Increasing Resources for Limited English Proficient AA and NHPI Communities:* The Commission recommends that the Commission report and final meeting of their term be accessible in at least the top three AA and NHPI languages, including ‘Ōlelo

Hawai‘i. The recommendation also encourages future President’s Advisory Commissions on AA and NHPIs to include planning and budgeting to ensure public meetings are accessible through simultaneous oral interpretation and recordings, and written translations for materials are available in at least the top 10 AA and NHPI languages.

- › *Outreach and Education on Section 1557 of Affordable Care Act (ACA):* The Commission recommends HHS conduct extensive outreach and education for health care providers and limited English-speaking AA and NHPI communities about new language access obligations under Section 1557 of the ACA. This includes providing in-language materials to inform these communities about their expanded rights and guiding health entities on their responsibilities. Additionally, HHS should develop and distribute model policies based on National Standards for Culturally and Linguistically Appropriate Services (CLAS) for various health entities, including state Medicaid agencies, emergency care providers, managed care programs, and behavioral health programs, among others, to ensure timely and effective implementation of these obligations.
- › *The full text and background information of each recommendation is publicly available on the Commission’s website at [hhs.gov/whiaanhpi](https://hhs.gov/whiaanhpi).*





*The Final Report of*  
THE PRESIDENT'S ADVISORY COMMISSION ON  
ASIAN AMERICANS, NATIVE HAWAIIANS, AND PACIFIC ISLANDERS

2021 - 2024



APPENDIX F.

# COMMISSION RECOMMENDATIONS



*This page was intentionally left blank.*



**President's Advisory  
Commission on Asian  
Americans, Native Hawaiians,  
and Pacific Islanders Inaugural  
Report with Recommendations,  
May 2022**



# Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee</b>	<b>2</b>
<b>Subcommittee Membership:</b>	<b>2</b>
<b>Summary of Meetings and Presentations:</b>	<b>2</b>
<b>Summary of Recommendations:</b>	<b>3</b>
<b>Health Equity Subcommittee</b>	<b>10</b>
<b>Subcommittee Membership:</b>	<b>10</b>
<b>Summary of Meetings and Presentations:</b>	<b>10</b>
<b>Summary of Recommendation:</b>	<b>11</b>
<b>Immigration and Citizenship Status Subcommittee</b>	<b>15</b>
<b>Subcommittee Membership:</b>	<b>15</b>
<b>Summary of Meetings and Presentations:</b>	<b>15</b>
<b>Summary of Recommendations:</b>	<b>16</b>
<b>Language Access Subcommittee</b>	<b>29</b>
<b>Subcommittee Membership:</b>	<b>29</b>
<b>Summary of Meetings and Presentations:</b>	<b>29</b>
<b>Summary of Recommendations:</b>	<b>30</b>
<b>Data Disaggregation Subcommittee</b>	<b>41</b>
<b>Subcommittee Membership:</b>	<b>41</b>
<b>Summary of Meetings and Presentations:</b>	<b>41</b>
<b>Summary of Recommendations:</b>	<b>42</b>
<b>Economic Equity Subcommittee</b>	<b>47</b>
<b>Subcommittee Membership:</b>	<b>47</b>
<b>Summary of Meetings and Presentations:</b>	<b>47</b>
<b>Summary of Recommendations:</b>	<b>48</b>
<b>References</b>	<b>54</b>





# Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities.

The 25-member Commission consists of leaders appointed by the President who reflect the rich diversity of AA and NHPI communities throughout the United States. During the Commission's inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee
2. Health Equity Subcommittee
3. Immigration and Citizenship Status Subcommittee
4. Language Access Subcommittee
5. Data Disaggregation Subcommittee
6. Economic Equity Subcommittee

Between February 2022 and May 2022, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission on May 12, 2022. This document includes meeting summaries and final recommendations for all six subcommittees that were approved by the full Commission in May.



# Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee

## Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah, Dr. Robert Underwood
- **Designated Federal Officer:** Phoebe Canagarajah

## Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee met bi-weekly. Following the Commission's inaugural meeting on February 3-4, 2022, the subcommittee met on March 8, March 22, April 5, April 19, April 29, and May 3, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Kent Wong, Director, UCLA Labor Center:** Provided an overview on the history of anti-Asian discrimination, particularly in labor.
- **Hayne Yoon, Senior Policy Advisor, Office of Justice Programs (OJP), U.S. Department of Justice:** Provided an overview of OJP's grants related to addressing and reporting hate crimes.
- **Amy C. Blasher, Acting Section Chief, Global Law Enforcement Support Section, Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division, U.S. Department of Justice:** Presented an overview concerning the FBI's Uniform Crime Reporting Program, the National Incident-Based Reporting System, and hate crimes reporting and training to law enforcement.
- **Eric Fanning, former Secretary of the Army, U.S. Department of Defense:** Presented an overview concerning religious discrimination and wearing articles of faith in the military.
- **Michael Lieberman, Senior Policy Counsel, Southern Poverty Law Center (SPLC):** Presented an overview on barriers to improving hate crimes reporting within government and law enforcement.



## Summary of Recommendations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee approved the following three recommendations at the May 12, 2022, full Commission meeting:

- **Recommendation:** The Department of Justice condition federal funding administered by the agency on credible law enforcement participation in the FBI's Hate Crime Statistics Act hate crimes data collection and reporting program.
- **Recommendation:** All branches of the U.S. military adopt a standardized uniform policy that presumptively allows for religious articles of faith.
- **Recommendation:** The Commission engages in public-private partnerships to help build a series of public service announcements (PSAs) that address anti-Asian hate crimes and promote inclusion and belonging of Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities.



## Recommendation: Federal Funding Conditions

The Department of Justice (DOJ) should condition federal funding administered by the agency on credible law enforcement participation in the FBI's Hate Crime Statistics Act (HCSA) hate crime data collection and reporting program. Jurisdictions with over 100,000 residents who either fail to report, report “zero” to the FBI, or otherwise report incomplete or not credible data to the FBI shall be notified that any grant applications submitted to the agency will be on hold until DOJ receives a response in writing providing an explanation for the failure to report credible HCSA data. Alternatively, these agencies can qualify for DOJ funding upon the demonstration of significant community hate crime public education and awareness initiatives, including the adoption of internal agency policy and procedures to improve hate crime reporting, prevention, and response. Working with stakeholders and community-based organizations, DOJ shall create guidance regarding what will constitute credible data and/or significant community hate crimes initiatives.

### Background:

According to FBI statistics, hate crimes against Asians rose 77% in 2020.<sup>1</sup> Understanding the big picture regarding the challenges involved with hate crimes reporting is best described in the Southern Poverty Law Center (SPLC) report *The January 6 Insurrection and the Path Forward to Strengthen Our Democracy Now*:

“The FBI’s annual Hate Crime Statistics Act (HCSA) report is the best snapshot of hate violence in the United States, but data received from the 18,500 federal, state, local and tribal law enforcement agencies is vastly underreported – in part because reporting is entirely voluntary. In 2020, 87% of police agencies across the nation either affirmatively reported that they had zero hate crimes or they did not report any data to the FBI at all, including some 70 cities over 100,000 in population.”<sup>2</sup>

As recently as 2021, Congress reaffirmed the need for a more complete understanding of the national problem of hate crimes and passed the Jabara-Heyer NO HATE Act as part of the COVID-19 Hate Crimes Act.<sup>3</sup> The Jabara-Heyer NO HATE Act authorizes federal funding to strengthen the capacity of state and local law enforcement agencies to identify and report hate crimes in order to address incomplete data collection and reporting from federal, state, and local jurisdictions.





## Resources:

- Southern Poverty Law Center Action Fund Letter to U.S. Senate Judiciary Committee for submission on March 8, 2022 hearing on “Combating the Rise in Hate Crime”  
([https://www.splcactionfund.org/sites/default/files/SPLC\\_Action\\_Senate\\_Judiciary\\_Committee\\_hearings\\_Combatting\\_Rise\\_Hate\\_Crime.pdf](https://www.splcactionfund.org/sites/default/files/SPLC_Action_Senate_Judiciary_Committee_hearings_Combatting_Rise_Hate_Crime.pdf))
- The FBI Crime Data Explorer (<https://crime-data-explorer.fr.cloud.gov/pages/home>)
- Stop AAPI Hate National Report, March 19, 2020 – December 31, 2021  
(<https://stopaapihate.org/wp-content/uploads/2022/03/22-SAH-NationalReport-3.1.22-v9.pdf>)
- Asian Americans Advancing Justice (<https://www.standagainsthatred.org/>)
- The FBI Crime Data Explorer on Hate Crime Statistics in 2020  
(<https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/hate-crime>)



## Recommendation: Religious Freedom in the Military

All branches of the U.S. military should adopt a standardized uniform policy that presumptively allows for religious articles of faith, such as turbans, beards, hijabs, and yarmulkes.

### Background:

Sikhs, Muslims, Hindus, and other religious minorities from Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities have served honorably in our nation's military for over a hundred years. The Free Exercise Clause of the First Amendment to the United States Constitution establishes that individuals, including service members, have the right to observe the tenets of their faith or to observe no religion at all.<sup>4</sup> In addition, the Department of Defense (DOD), one of the largest employers in the world,<sup>5</sup> set forth a policy accommodating individual expressions of sincerely held beliefs "which do not have an adverse impact on military readiness, unit cohesion, good order and discipline, or health and safety."<sup>6</sup>

Yet, religious articles of faith, such as turbans, beards, hijabs, and yarmulkes were banned from the U.S. military's uniform guidelines in 1981.<sup>7</sup> The U.S. Army and Air Force changed their uniform policies in 2017 and 2020, respectively, to presumptively allow these articles of faith.<sup>8</sup> Now, hundreds of service members currently serve in the U.S. Army and Air Force with their articles of faith. But the U.S. Navy and Marines have provided limited religious accommodations to service members and, as a result, force them to violate their religious practice to serve their nation.<sup>9</sup> The process and policy for religious accommodations is inconsistent between the different branches of the military.

Structural discrimination on the basis of religion is inconsistent with our values as a nation and established legal precedent. The Religious Freedom Restoration Act (RFRA) "prohibits any agency, department, or official of the United States or any State (the government) from substantially burdening a person's exercise of religion even if the burden results from a rule of general applicability."<sup>10</sup>

### Rationale:

The Army and the Air Force have successfully integrated religious articles of faith from minority faith groups. In recent years, tens of thousands of soldiers have been granted medical waivers that allow the growth of beards.<sup>11</sup> Special forces soldiers have been known to maintain relaxed grooming standards during their deployments overseas. Prior to the 1981 prohibition of religious articles of faith, religious minorities served honorably with their turbans, beards, hijabs, and yarmulkes. Arguments that focus on uniformity, unit cohesion, and esprit de corps were once used to keep women, African



Americans, and Asians out of the military.<sup>12</sup> In sum, such arguments have a destructive influence on diversity, equity, and inclusion. The recommendation put forth by the subcommittee will help improve diversity, equity, and inclusion of AA and NHPI soldiers serving in the U.S. military and would help send a clear message to agencies nationwide that our government supports and values religious minorities.

### **Proposed Approach for Implementation:**

The subcommittee proposes a 30-day public commentary period, which can be used to query the public, DOD, and interested government agencies on the best approach for implementation.

### **Timeline:**

The subcommittee proposes a 90-day timeline for implementation of changes following public commentary.



## **Recommendation: Public-Private Partnerships to Address Anti-Asian Hate**

The Commission would like to engage in public-private partnerships to help build a series of public service announcements (PSAs) to address anti-Asian hate crimes. Despite meaningful strides to deter and respond to anti-Asian hate crimes and incidents, they continue to occur at an alarming rate with increasing violence, especially against women.<sup>13</sup> Educating others about AA and NHPIs and promoting the culture, rich heritage, diversity, and contributions of AA and NHPI communities will help dispel bias, prejudice, and hate.

The Commission will identify individuals in the administration and corporate partners with whom to collaborate. Pairing admired officials from the administration in PSAs with high profile leaders and influencers from industries such as sports, entertainment, media, technology, finance, and real estate will bring the anti-Asian hate issue to the forefront and increase advocacy and coalition building. High profile leaders and influencers bring reach, expertise, resources, and technology that will make a meaningful impact on messaging and awareness. Showcasing the PSAs at optimal times to garner national attention, such as during Asian American, Native Hawaiian, and Pacific Islander Heritage Month or around highly visible sporting events, increases visibility of the message. Creating a series of PSAs will require ongoing collaboration with various partners.

### **Background:**

In March 2022, the American Public Health Association (APHA) published findings from a national online survey which concluded that all racial and ethnic minorities were more likely than white adults to experience COVID-19 related discrimination, with Asian and American Indian/Alaska Native adults most likely to experience these incidents.<sup>14</sup> The authors of the survey went on to highlight that limited English proficiency, lower education, lower income, and geographical location increased the prevalence of discrimination. The survey concluded that COVID-19 related discrimination is common, and that the pandemic has exacerbated preexisting resentment against racial and ethnic minorities and marginalized communities. The authors noted that historically, infectious disease outbreaks have often been accompanied by discrimination, stigma, and xenophobia and that this is one reason why there must be care and intention in how these diseases are named and discussed in the media. Accordingly, the authors explained that this is why both the World Health Organization and the Centers for Disease Control and Prevention created guidelines against attaching locations or ethnicity to a disease to minimize discrimination and backlash against members (and perceived members) of the identified community. The authors noted that, despite these recommendations, some public officials in the United





States repeatedly referred to COVID-19 as the “Chinese virus” or “Wuhan virus” instead of COVID-19, and reports of racist and xenophobic incidents directed toward those perceived to be Chinese or of Asian descent subsequently increased.

In addition to the APHA report, a separate report by the National Asian Pacific American Women’s Forum (NAPAWF) confirmed that hate incidents against Asian Americans, Native Hawaiians, and Pacific Islanders rose sharply since the beginning of the COVID-19 pandemic.<sup>15</sup> The report found that AA and NHPI women face a disproportionate burden with 62% of all national hate incidents reported by AA and NHPI women. In addition, the authors noted that nearly three out of four (74%) AA and NHPI women reported experiencing racism and/or discrimination over the past 12 months, with more than half (53%) reporting a stranger or someone they didn’t know as the perpetrator. Almost half (47%) of the reported incidents took place in public, such as restaurants and shopping centers. Respondents also reported encountering incidents in familiar places where safety may be less of a concern including schools, healthcare facilities, workplaces, places of worship, and even their own neighborhoods. In a sobering reflection of the current state of safety for AA and NHPI women, the NAPAWF report found that 71% of respondents reported feeling anxious or stressed due to fear of discrimination, harassment, or violence.



## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, Mia Ives-Ruble
- **Members:** Victoria Huynh, Dr. Kimberly Chang, Michelle Ka'uhane
- **Non-Commission Member:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Dr. Lanlan Xu

### Summary of Meetings and Presentations:

The Health Equity Subcommittee met bi-weekly. Following the Commission's inaugural meeting on February 3-4, 2022, the subcommittee met on March 2, March 24, April 7, April 21, May 2, and May 5, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Trina Dutta, Senior Advisor, Substance Abuse and Mental Health Services Administration (SAMHSA):** Provided an overview of SAMHSA's mission, structure, and resources and shared data on mental illness and mental health service use by race/ethnicity. Also discussed resources including the National Network to Eliminate Disparities in Behavioral Health, culturally and linguistically appropriate services, and tools to seek crisis counseling and behavioral health treatment and services.
- **Laura Ebbert, Senior Advisor for Regional Administration, U.S. Environmental Protection Agency (EPA), Region 9:** Provided a briefing on EPA's response to the Red Hill Bulk Fuel Storage Facility leak in Hawai'i, including actions taken by EPA, the Hawai'i State Department of Health, the U.S. Department of Defense, and other cooperating agencies.
- **Dr. Diana Felton, State Toxicologist, Hawai'i State Department of Health and Katie Arita-Chang, Acting Communications Director, Hawai'i State Department of Health:** Provided a briefing on the Red Hill Bulk Fuel Storage Facility in Hawai'i and the history of its 2021 well contamination incident, the status and health impacts of contamination in the drinking water system, and plans for remediation moving forward.
- **Dr. Anne Saw, Past Vice President, Asian American Psychological Association and Associate Professor, DePaul University:** Presented data from the Asian American Needs Assessment Survey, including data on



the rise in psychological distress during the COVID-19 pandemic disaggregated by race/ethnicity, the impact of anti-Asian racism during COVID-19 and its relation to health and mental health challenges, as well as policy recommendations to support AA and NHPI mental health.

### Summary of Recommendation:

The Health Equity Subcommittee approved one recommendation at the May 12, 2022 full Commission meeting:

- **Recommendation:** The Department of Health and Human Services (HHS), in coordination with the White House Office of Public Engagement (OPE) and Commission, host a mental health summit focusing on Asian American, Native Hawaiian, and Pacific Islander mental health.



## Recommendation: AA and NHPI Mental Health Summit

During the State of the Union address, President Biden made it clear that addressing mental health issues is a key priority of his Unity Agenda.<sup>16</sup> Thus, the Commission recommends that the Department of Health and Human Services (HHS), in coordination with the White House Office of Public Engagement (OPE) and Commission, host a mental health summit focusing on Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) mental health. This two-day summit would bring together mental health practitioners, advocacy organizations, individuals with mental health disabilities, and leadership and representation from key federal agencies to discuss ways to improve access to mental health services for AA and NHPI communities. The summit would provide an opportunity for the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) to better understand the practical issues AA and NHPI communities face in obtaining mental health resources and the policy priorities that need to be enacted to reduce barriers to receiving treatment. It is highly suggested that the summit take place in a location with high concentrations of AA and NHPI communities, such as California, New York, or Hawai'i.

### Background:

The wave of highly reported cases of anti-Asian sentiment and hate crimes have brought Asian American mental health into the spotlight with concerns related to increased depression, anxiety, stress, and physical symptoms.<sup>17</sup> While current statistics show that Asian Americans, Native Hawaiians, and Pacific Islanders report mental health issues at lower rates than other minority groups,<sup>18</sup> digging deeper into the data shows the complexities of the situation. Fifteen percent of people who identify as either Asian American or Pacific Islander reported having mental health symptoms,<sup>19</sup> with Vietnamese and NHPI groups experiencing higher rates of mental distress than other Asian American groups.<sup>20</sup> At the same time, AA and NHPIs have the lowest rates of seeking mental health treatment.<sup>21</sup> Seventy seven percent of Asians surveyed had difficulty opening up about their mood disorder to others compared to 69% of white individuals,<sup>22</sup> indicating that researchers may not be getting the full picture of how many AA and NHPIs actually experience negative mental health symptoms. Research currently shows that barriers to receiving mental health treatment include cultural stigma, language barriers, insufficient health insurance coverage, and lack of culturally competent care.<sup>23</sup>





## Rationale:

To understand the broader issues around AA and NHPI mental health, the Commission should bring key players to the table to discuss various policy changes that could reduce barriers to accessing information, resources, and services. While there have been statewide events on Asian American mental health,<sup>24</sup> national conferences on mental health,<sup>25</sup> and national summits on Asian American health,<sup>26</sup> there have been very few national summits or conferences solely focused on AA and NHPI mental health and none hosted by the White House or HHS. The subcommittee feels that this two-day summit would provide the needed input to produce detailed recommendations to the President.

## Proposed Approach for Implementation:

The subcommittee recommends that Secretary Xavier Becerra utilize his National Tour to Strengthen Mental Health<sup>27</sup> to meet with AA and NHPI community and mental health organizations. This will help build a list of invitees and develop areas of focus for the AA and NHPI mental health summit. These focus areas could include cultural and linguistic competency, addressing stigma within AA and NHPI communities, alternative models to community protection and healing, the model minority myth and economic stress, and data disaggregation and research. Once OPE and HHS develop focus areas and an invitee list, HHS staff can decide on a location and set the date of the summit. HHS can invite organizations and experts around the country to submit discussion topics for roundtables and panels. After the event, the subcommittee will utilize the information gathered to develop a set of AA and NHPI mental health recommendations.

## Proposed Timeline:

- May 2022: Commission approves the recommendation at the full Commission meeting.
- May through end of tour: Secretary Becerra utilizes his mental health tour to meet with AA and NHPI community and mental health groups to help develop focus areas for the summit. OPE, HHS, and the subcommittee develop a list of invitees for the summit.
- HHS prioritizes AA and NHPI mental health in its agency activities (e.g., Centers for Medicare and Medicaid Services, Substance Abuse and Mental Health Services, National Institutes of Health, Health Resources and Services Administration, Office of Minority Health, Administration for Children and Families), based on the Secretary's listening tour.



- August through September 2022: White House and HHS announce summit and send out invitations.
- October through November 2022: Host summit.

### Resources:

- Asian American/Pacific Islander Communities and Mental Health Factsheet (<https://www.mhanational.org/issues/asian-american-pacific-islander-communities-and-mental-health>)
- National Alliance on Mental Illness: Asian Americans and Pacific Islanders (<https://www.nami.org/Your-Journey/Identity-and-Cultural-Dimensions/Asian-American-and-Pacific-Islander>)
- American Psychiatric Association: Mental Health Facts for Asian Americans/Pacific Islanders (<https://www.psychiatry.org/File%20Library/Psychiatrists/Cultural-Competency/Mental-Health-Disparities/Mental-Health-Facts-for-Asian-Americans-Pacific-Islanders.pdf>)
- Stop AAPI Hate Mental Health Report (<https://stopaapihate.org/wp-content/uploads/2021/05/Stop-AAPI-Hate-Mental-Health-Report-210527.pdf>)
- Asian-American and Pacific Islander Mental Health: Report from a NAMI Listening Session (<https://www.blackradionetwork.com/images/userfiles/AsianDepression.pdf>)
- Improving Asian American Health During the Syndemic of COVID-19 and Racism ([https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370\(22\)00043-8/fulltext](https://www.thelancet.com/journals/eclinm/article/PIIS2589-5370(22)00043-8/fulltext))



## Immigration and Citizenship Status Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang, KaYing Yang
- **Members:** Ajay Bhutoria, Simon Pang, Dr. Amy Agbayani, Dr. Robert Underwood
- **Ex-Officio Member:** Amanda Baran, Chief, Office of Policy and Strategy, U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS)
- **Designated Federal Officer:** Phoebe Canagarajah

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee met bi-weekly. Following the Commission's inaugural meeting on February 3-4, 2022, the subcommittee met on March 4, March 25, April 8, April 22, and May 3, and May 6, 2022.

The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Quyen Dinh, Executive Director, Southeast Asia Resource Action Center (SEARAC) and Nancy Nguyen, National Campaign Director, Southeast Asian Freedom Network:** Provided an overview about Southeast Asian deportations.
- **Amanda Baran, Chief of Office of Policy and Strategy USCIS, DHS, and Doug Rand, Senior Advisor to the Director, USCIS, DHS:** Provided an overview of USCIS' immigration visa backlogs.
- **Julie M. Stuft, Deputy Assistant Secretary for Visa Services, Bureau of Consular Affairs, U.S. Department of State:** Provided an overview on the reopening of consulates for visa processing and discussed the family-based visa backlogs.



## Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee approved three recommendations at the May 12, 2022 full Commission meeting:

- **Recommendation:** The Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS) reduce the backlog of immigration visas by expanding staffing and modernizing processes to reduce wait times, expanding premium processing services, providing automatic work permit renewals, securing funding, and more quickly processing work permits, travel documents, temporary status extensions, and other immigration applications. The targeted goal for applications to be processed is six months unless there is a query or question by USCIS. If there is a query or more information is needed, USCIS and the Department of State (DOS) shall continue to process the applications outside the six-month goal and adjudicate decisions in a timely fashion. If an application is not completed in six months, then it will not be terminated and will continue to be processed in a timely fashion ongoing.
- **Recommendation:** DHS USCIS and DOS reduce internal processing times for family green card applications.
- **Recommendation:** DHS and DOS issue new public charge policies that support Asian American and Pacific Islander immigrant families accessing health and well-being supports, and partner with other federal agencies and community organizations to engage in outreach to Asian American and Pacific Islander communities about these changes. The rule should reiterate that a public charge assessment be determined by evaluating the totality of circumstances and should also specify that no single factor is dispositive.





## **Recommendation: Measures to Reduce Immigration Backlog**

USCIS should reduce the backlog of immigration visas by expanding staffing and modernizing processes to reduce wait times, expanding premium processing services, providing automatic work permit renewals, securing funding, and more quickly processing work permits, travel documents, temporary status extensions, and other immigration applications. The targeted goal for applications to be processed is six months unless there is a query or question by USCIS. If there is a query or more information is needed, USCIS and the Department of State (DOS) shall continue to process the applications outside the six-month goal and adjudicate decisions in a timely fashion. If an application is not completed in six months, then it will not be terminated and will continue to be processed in a timely fashion ongoing.

### **Background:**

Case backlogs and processing delays harm people who depend on work authorization, adjustment of status, naturalization, asylum, and other immigration benefits. Months-long or years-long legal limbo can lead to Asian American and Pacific Islander applicants and petitioners experiencing severe economic hardship, loss of employment, job opportunities and their livelihoods, or deprivation of driver's licenses or identification. The backlogs leave individuals in a state of uncertainty for extended periods of time, significantly impacting their lives and that of their families, employers, and communities. For non-citizen crime victims, the over five-year delays<sup>28</sup> for their applications to be processed before they receive work authorization may force them to rely on an abusive partner in order to survive or leave them more vulnerable to human trafficking.<sup>29</sup>

Individuals stuck waiting abroad for DOS interviews remain separated from their families in the U.S., often missing employment opportunities or educational enrollment deadlines. The delays in processing work authorization documents have resulted in the loss of employment or extensive hardship for newly applying individuals who are unable to work lawfully, even as the U.S. is facing a high demand for workers. Those waiting in the immigration court backlog face long delays obtaining resolution, including those seeking protections for vulnerable populations.<sup>30</sup>

The impact of the COVID-19 pandemic on USCIS, DOS, and immigration courts, where removal proceedings are decided, has exacerbated longstanding case backlogs and delays.

### *USCIS Backlogs and Delays*

USCIS cancelled roughly 280,000 interviews at the start of the COVID-19 pandemic, devastating applicants and petitioners whose interviews, biometrics appointments, and



oath ceremonies were suddenly cancelled. USCIS field offices gradually reopened at limited capacity – with reduced services and fewer staff – starting in June 2020. As a result, backlogs and processing times grew enormously throughout the course of the year. According to the 2021 Annual Report of the USCIS Ombudsman<sup>31</sup> as of FY 2022, USCIS experienced backlogs of applications and petitions “at record levels,” and drastically reduced “customer service functions.” Even after reopening, USCIS lacked the staff to reschedule all of the cancelled interviews in a timely fashion because application support centers were operating at 65% or 70% capacity at best. As a result, the USCIS backlog surged from 5.7 million applications at the end of FY 2019 to about 9.5 million in February 2022.<sup>32</sup>

Even before the onset of the COVID-19 pandemic, USCIS caseload backlogs were growing, further hampered by funding constraints and policy changes requiring increased processing capacity. For over 30 years, Congress has required that the costs of adjudicating immigration applications be funded by applicants’ fees.<sup>33</sup> However, certain applicants, such as those applying for humanitarian protections (e.g., crime victims, abused and neglected youth, refugees, and asylees) are exempt from paying USCIS application fees.

The cost of administering these programs, as well as the increased workloads from emerging programs such as the Deferred Action for Childhood Arrivals (DACA) program or Temporary Protected Status (TPS) and the accompanying demand for employment authorization documents (EADs),<sup>34</sup> has resulted in costs exceeding the amount of funds collected through fees, limiting USCIS’ ability to increase staffing to respond to the backlog. In addition, policies crafted between 2017-2019 made immigration application forms longer, subjected an increased number of applicants to in-person interviews, generated more requests for additional evidence, and increased the level of scrutiny of renewal applications, thereby increasing the resources and staff time spent on each application.

### *State Department Backlogs*

At DOS, wait times for in-person consular interviews for immigrant visas rose to a high of 532,000 in July 2021, up from an average of 60,900 in 2019.<sup>35</sup> While DOS has historically had smaller backlogs than USCIS, it was also significantly impacted by the COVID-19 pandemic. U.S. consulates and embassies halted visa processing in March 2020<sup>36</sup> and only began to slowly reopen in July 2020.<sup>37</sup> For example, in 2019, an average of 60,900 immigrant visa applicants were waiting for in-person consular interviews; in July of 2021, that total increased to nearly 532,000 people. This caseload growth can be attributed in large part to office closures and social distancing measures.<sup>38</sup>



However, even after reopening, many consular offices are continuing to operate at reduced capacity, with work levels fluctuating based on local COVID-19 conditions. For example, in January 2022, approximately one-quarter of U.S. consular posts remained closed for applications for non-emergency temporary visas, down from 60% in October 2021. Yet, wait times can still stretch longer than six months. The in-person interview backlog for permanent immigrant visas fell slightly to 436,700 requests in February 2022.<sup>39</sup>

### *Immigration Court Backlogs*

At the end of the first quarter of FY 2022, the immigration court backlog sat at almost 1.6 million cases, up from 1.1 million before the pandemic and more than double the caseload that existed in FY 2018.<sup>40</sup> The backlog for hearings in immigration court has been increasing for years, from under 200,000 pending cases in FY 2008<sup>41</sup> to over 1 million in FY 2019, during a year of high border arrivals and the reopening of a significant number of administratively closed cases.<sup>42</sup> Although more immigration judges have been hired, immigration courts failed to maintain pace with new case filings.

Closures during the COVID-19 pandemic aggravated the challenges, as the Executive Office for Immigration Review (EOIR) suspended hearings for individuals who were not in immigrant detention and reduced in-person contacts, delaying approximately 600,000 hearings due to court closures.<sup>43</sup>

Due to COVID-19 related court closures, policy shifts, and changes in the types of cases before the courts, the number of completed cases fell by half between FY 2021 and FY 2020 – from 231,800 case closures to just 115,000.<sup>44</sup>

### **Recommended Next Steps:**

Below are steps recommended to reduce the growing 9.5+ million-case backlog of immigration applications that has crippled the U.S. government's ability to process them in a timely fashion:

- Reduce wait times, including by expanding premium processing, whereby USCIS should establish new internal cycle time goals to be achieved by September 2023 by increasing staffing and modernizing its processes through the use of new technology. Premium processing should be expanded beyond Form I-129 (Petition for a Nonimmigrant Worker) to include additional employment-based green card applications, all work permit petitions, and temporary immigration status extension requests, giving applicants the option to pay \$2,500 to have their cases adjudicated within 45 days. This measure should go into effect in 60 days, by August 2022. Expanding



- premium processing would include the following cases and is in alignment with USCIS' own processing goals:<sup>45</sup>
- a. Form I-140, Immigrant Petition for Alien Workers:
    - i. EB-1 Multinational Executive or Manager
    - ii. EB-2 Member of Professions Holding an Advanced Degree or Exceptional Ability seeking a National Interest Waiver (NIW)
  - b. I-539, Application to Extend/Change Nonimmigrant Status
  - c. I-765, Application for Employment Authorization
- Automatically extend work permit renewals extensions to 365 days. Most work permit holders who apply for renewals are eligible for an automatic 180-day extension if their authorization to work lapses. However, many immigrants are waiting for their work permit renewals longer than that, often beyond 10 months.<sup>46</sup> The subcommittee recommends extending the period of automatic work permit extensions for those who apply for a renewal to 365 days instead of the current 180 days. This is in alignment with USCIS' current planned strategy to address the backlog.
  - Hire more officers and increase staff by an additional 200 to 250 officers by 2023 to improve internal processing times to meet new timelines for adjudicating applications.
  - Adjudicate requests for temporary work programs, such as H-1B and H-2A visas for agricultural workers, within two months.
  - Review and adjudicate requests for work permits, travel documents, and temporary status extensions or changes should be reviewed and adjudicated within three months.
  - Adjudicate other applications, including those for U.S. citizenship, DACA renewals, and green card requests for immigrants sponsored by U.S. family members or employers, within a targeted goal of six months by 2023, unless there is a query or question by USCIS. If there is a query or more information is needed, USCIS and DOS shall continue to process the applications outside the six-month goal and adjudicate decisions in a timely fashion. If an application is not completed in six months then it will not be terminated and will continue to be processed in a timely fashion ongoing.





## Rationale:

The above recommended next steps are in alignment with USCIS’ public plans to reduce its backlog.<sup>47</sup> Currently, USCIS displays case processing times for select forms and locations to let people know how long it generally takes to process their cases and when they can submit a service request for a case that is “outside normal processing time.” USCIS updates processing times on its website monthly with the latest available data. The agency’s publicly posted processing times show the average amount of time it took USCIS to process a particular form – from when the agency received the application to when a decision was made on the case.

Internally, USCIS monitors the number of pending cases in the agency’s workload through a metric called “cycle times.” A cycle time measures how many months’ worth of pending cases for a particular form are awaiting a decision. As an internal management metric, cycle times are generally comparable to the agency’s publicly posted median processing times. Cycle times are what the operational divisions of USCIS use to gauge how much progress the agency is, or is not, making on reducing its backlog and overall case processing times.

These goals are internal metrics that guide the backlog reduction efforts of the USCIS workforce and affect how long it takes the agency to process cases. As cycle times improve, processing times will follow, and applicants and petitioners will receive decisions on their cases more quickly. USCIS will increase capacity, improve technology, and expand staffing to achieve these new goals by the end of FY 2023.



## **Recommendation: Improving Family Based Visa Processing Cycle Times to Reduce the Backlog**

USCIS and DOS should reduce internal processing times for family green card applications.

### **Background:**

Family-based immigration backlogs have increased significantly over the past three decades, which has resulted in years-long delays in family reunification. It is estimated that the family-based visa backlog exceeds 7.5 million applications, up from 3.3 million in 1992 and 6.2 million in 2009.<sup>48</sup> Of this number, approximately 40% are Asian American or Pacific Islander family members of U.S. citizens or permanent residents.<sup>49</sup>

Due to categorical and per-country caps, many family-based immigration avenues have been significantly backlogged for decades.<sup>50</sup> U.S. citizens and permanent residents sponsoring adult children or siblings from many countries, including Asian and Pacific countries, have waited in the backlog since 2002.<sup>51</sup> Approximately two-thirds of annual lawful immigration is comprised of family-based cases,<sup>52</sup> and more than 50% of new permanent residents from Asia were sponsored by family members.

There are five preference categories,<sup>53</sup> and each of these categories is subject to a cap, including the overall annual cap on all family-based visas<sup>54</sup> and pre-country limitations.<sup>55</sup> These limits influence the length of time an individual might wait before they can receive permanent residence.

Because of COVID-19 related closures and staffing limitations as well as the continued effect of the 2017 travel bans, processing green cards up to the annual cap has been difficult. Out of the annual 226,000 green cards available, only 65,452 family-based preference green cards were issued in FY 2021.<sup>56</sup>

### **Recommended Next Steps:**

Below are suggested steps USCIS and DOS can take to start to address this long-standing problem.

- Similar to the first recommendation above, to reduce the agency's pending family-based green card backlog, USCIS should review their processes, systems, and policies and establish new internal cycle time goals by streamlining processes, removing redundant steps, if any, automating any manual approvals, improving their internal dashboards and reporting system, and enhancing policies to reduce the cycle time for processing all forms related to family-based green card application.



- USCIS should review requests for work permits, travel documents, and temporary status extensions or changes within three months.
- USCIS should develop its own implementation plan, new resources hiring plan, and cost estimates and secure a budget and implement suggested internal processing timelines by 2023.
- USCIS should hire 200 to 250 additional officers to process the backlog applications. In addition, USCIS should share the backlog for processing by using skilled officers/employees from other agencies or by hiring temps and contractors as allowed by law.
- DOS' National Visa Center (NVC) facility should hire additional officers to increase its capacity to process green card application interviews by 100% in three months from August 2022, and by increasing green card applications and visa interviews and adjudicate decisions by 150% (from the current the capacity of 32,439 in April 2022) by April 2023, and reduce the current backlog by the end of 2023. Thereafter, green card visa interviews and visa processing timelines should be limited to a targeted goal of six months. If there is a query or more information is needed, USCIS and DOS shall continue to process the applications outside the six-month goal and adjudicate decisions in a timely fashion. If an application is not completed in six months, it will not be terminated and will continue to be processed in a timely and ongoing fashion.

### Resources:

- USCIS Extends Flexibilities to Certain Applicants Filing Form I-765 for OPT, February 26, 2021 (<https://www.uscis.gov/newsroom/alerts/uscis-extends-flexibilities-to-certain-applicants-filing-form-i-765-for-opt>)
- F-1 Students Seeking Optional Practical Training Can Now File Form I-765 Online, April 12, 2021 (<https://www.uscis.gov/news/news-releases/f-1-students-seeking-optional-practical-training-can-now-file-form-i-765-online>)
- USCIS Temporarily Suspends Biometrics Requirement for Certain Form I-539 Applicants, May 17, 2021 (<https://www.uscis.gov/news/alerts/uscis-temporarily-suspends-biometrics-requirement-for-certain-form-i-539-applicants>)
- Validity, Employment Authorization for Certain Adjustment Applicants, June 9, 2021 (<https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20210609-EmploymentAuthorization.pdf>)



- Rescinding Guidance on Discretionary Employment Authorization for Parolees, August 12, 2021 (<https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20210812-EmploymentAuthorizationForParolees.pdf>)
- Employment Authorization for Certain H-4, E, and L Nonimmigrant Dependent Spouses, November 12, 2021 (<https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20211112-EmploymentAuthorization.pdf>)
- TPS Applicants May Now File Forms I-821 and I-765 Online, November 29, 2021 (<https://www.uscis.gov/newsroom/alerts/all-temporary-protected-status-tps-applicants-may-now-file-forms-i-821-and-i-765-online>)
- Guidance on Expedited EADs for Healthcare and Childcare Workers, December 28, 2021 (<https://www.uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request>)
- Updating General Guidelines on Maximum Validity Periods for Employment Authorization Documents based on Certain Filing Categories, February 7, 2022 (<https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220207-EmploymentAuthorizationValidity.pdf>)
- Documentation of Employment Authorization for Certain E and L Nonimmigrant Dependent Spouses, March 18, 2022 (<https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220318-EmploymentAuthorization.pdf>)
- USCIS Announces New Actions to Reduce Backlogs, Expand Premium Processing, and Provide Relief to Work Permit Holders, March 29, 2022 (<https://www.uscis.gov/newsroom/news-releases/uscis-announces-new-actions-to-reduce-backlogs-expand-premium-processing-and-provide-relief-to-work>)
- Migration Policy Institute: Mounting Backlogs Undermine U.S. Immigration System and Impede Biden Policy Changes, February, 23, 2022 (<https://www.migrationpolicy.org/article/us-immigration-backlogs-mounting-undermine-biden>)





## Recommendation: Issue New Public Charge Policies

The federal government should issue new public charge policies that support Asian American and Pacific Islander immigrant families in accessing supports for their health and well-being as soon as possible. In making an assessment of whether someone will likely become a public charge, the regulations should limit consideration to current receipt of federal cash assistance for income maintenance only (i.e., not considering past use of state benefits, nor federal or state health, housing, food assistance, or education benefits), and not long-term institutionalization at government expense. The rule should reiterate that a public charge assessment is determined by evaluating the totality of circumstances and that no single factor is dispositive. USCIS and DOS should accept a properly executed affidavit of support as presumptively sufficient to overcome a public charge determination. USCIS should partner with other federal agencies to engage in widespread outreach and education to Asian American and Pacific Islander communities about the changes, including which benefits would not implicate the public charge rule.

### Background:

Under the Immigration and Nationality Act, the government can deny someone the ability to become a lawful permanent resident or obtain a visa to come to the U.S. if it is determined that they are “likely to become a public charge.”<sup>57</sup> Although public charge is not statutorily defined, historically the U.S. government has interpreted it to mean someone who is “primarily dependent on the government for subsistence, as demonstrated either by the receipt of public cash assistance for income maintenance, or institutionalization for long-term care at government expense.”<sup>58</sup>

The public charge rule has a significant impact on Asian American and Pacific Islander families. Even in instances where individuals aren’t directly impacted by the rule because they are not seeking admission or adjustment, their family members who may be seeking admission or permanent residence are. For example, Native Hawaiians, indigenous Pacific Islanders, U.S. citizens, and lawful permanent residents, as well as individuals who are exempt from the application of the rule (such as refugees or certain non-citizen crime victims), may still be impacted by the rule if they are sponsoring family members to immigrate or there are others in their households who are subject to the rule.

In recent years, more than three out of every 10 individuals obtaining permanent residence status are from Asia and Pacific Island nations.<sup>59</sup> In addition, 40% of the millions of individuals and families waiting in long backlogs for family-based immigration are from Asia and Pacific Island nations.<sup>60</sup> Each of these immigrants would potentially be scrutinized under the public charge rule. Many of them may be impacted



by participation in programs that they are eligible for and need in order to improve their health and the well-being of their families.

In 2018, the White House announced plans to examine policy changes that would not only prevent immigrants from entry or obtaining legal status but also reduce immigrants' access to public benefits. In August 2019, DHS (soon followed by DOS<sup>61</sup>), finalized a regulation that made it much more difficult for low- and moderate-income immigrants to obtain permanent residence.<sup>62</sup> The 2019 regulation significantly expanded the definition of public charge to mean someone who had received public benefits and also expanded the types of benefits to be considered in a public charge determination, such as nutrition, health care, and housing benefits, as well as cash assistance for income maintenance.

Advocates challenged the 2019 rule, but the U.S. Supreme Court allowed it to take effect while the litigation was pending.<sup>63</sup> Following the 2020 election, the Department of Justice (DOJ) settled ongoing litigation that had challenged the 2019 rule<sup>64</sup> in which judicial decisions invalidated or enjoined its enforcement. As a result, the prior, longstanding public charge policy (previously put in place in 1999)<sup>65</sup> was reinstated and has been in effect since March 2021. Since then, federal agencies that manage benefits programs have been encouraged to publicize the changes in policy.<sup>66</sup> In February 2022, DHS proposed a new regulation concerning the scope and application of the public charge provisions of immigration law.<sup>67</sup> The public comment period expired on April 25, 2022.

### **Rationale:**

As a result of the 2019 public charge policy changes, denials of immigrant visas skyrocketed<sup>68</sup> and immigrant families, including families that include U.S. citizen children, were deterred from seeking help.

As recently as September 2021, even after the Biden administration reinstated the 1999 rule, over 40% of respondents in a survey of primarily Latinx, Asian, and Pacific Islander families continued to believe that “applying for assistance programs could cause immigration problems.”<sup>69</sup> Fifty-percent of respondents in that same survey said that understanding the changes to public charge would make them more likely to use safety net programs when necessary, highlighting the importance of continued outreach to immigrant communities about changes to the policy.

### **Proposed Approach for Implementation:**

- DHS and the DOS should issue regulations as soon as possible, USCIS should update the USCIS Policy Manual,<sup>70</sup> and DOS should update its Foreign Affairs



- Manual.<sup>71</sup> The rules should reiterate that a public charge assessment be determined by evaluating the totality of circumstances and should also specify that no single factor is dispositive.
- DHS, in partnership with benefits granting agencies, should create materials clearly communicating the new public charge rule in multiple languages, including in at least 10 of the most common languages from the countries in which the U.S. receives immigrants, including updates to its current Frequently Asked Questions (FAQ) explaining the new public charge rule, particularly where the new rule differs from the 1999 Field Guidance, which is current policy.
  - DHS should work with HHS, the Department of Agriculture, Department of Housing and Urban Development, Department of Labor, Department of Education, DOJ (victim services and crime victims' compensation), Department of the Treasury, the Small Business Administration, and other relevant agencies to create public charge resource pages on the agency websites, similar to the public charge webpage that DHS currently has, explaining the new rule and its limited applicability to benefits programs. These websites must be available in multiple languages and have clear links to translated versions in the upper righthand corner of the webpage.
  - DHS and benefits-granting agencies should create co-branded materials to state benefits agencies, immigrant-serving organizations, and community organizations. These new materials should be shared broadly with health centers and other community-based organizations providing services to immigrants and their families. Additionally, DHS and partner agencies should provide training materials and support to state agencies, call center staff, state outreach partners, and immigrant-serving organizations so that their personnel have updated and accurate information about the new public charge rule. DHS and partner agencies should share responses to questions received from the field and use those to further refine training and outreach materials.
  - DHS and benefits granting agencies should create materials in multiple languages ready for states and service providers to use. States and community groups that work directly with families must be given outreach materials suited to their populations and their ways of interacting with their clients. These materials should use language that is accessible to immigrant communities and should be available in multiple languages for communities with limited English proficiency. These materials must communicate key messages about the public charge rule and be available in multiple formats.



- DHS should launch a public relations campaign through social media and ethnic media channels. Immigrant communities go to trusted community members and media channels to get their information. In order to communicate the new public charge rule effectively, DHS must meet immigrant communities where they are through a campaign that uses all available communications channels, including social media and ethnic media.
- DHS should provide funding to trusted community organizations that can provide outreach and education to immigrants and their families. DHS should provide funding for these organizations so that trusted AA and NHPI community leaders can share information about the new public charge rule directly to families and in public settings like in the media and in community forums. For example, HHS recently announced outreach grants available to a wide range of organizations, including state/local governments, tribal entities, safety net providers, nonprofits, schools, and organizations that use community health workers, community-based doula programs, and more. These groups may apply for up to \$1.5 million over three years to connect eligible people to Medicaid or the Children's Health Insurance Program (CHIP) under the grants.<sup>72</sup> DHS could provide similar grants for organizations to educate people about the final public charge policy.

### **Timeline:**

Regulation and manuals should be updated by the end of the year (2022).

The outreach should begin as soon as the final rule is published and should continue on an ongoing basis. In addition, the aforementioned requests for proposal should be issued and implemented in 2023.





## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Amy Agbayani, Victoria Huynh, Dr. Kimberly Chang
- **Members:** Kerry Doi, Grace Huang, Dr. Kamal Kalsi, Ajay Bhutoria, Simon Pang
- **Non-Commission Member:** Deeana Jang
- **Ex-officio Member:** Laureen Laglagaron, U.S. Department of Justice
- **Designated Federal Officer:** Larissa Bungo

### Summary of Meetings and Presentations:

The Language Access Subcommittee met bi-weekly. Following the Commission's inaugural meeting on February 3-4, 2022, the subcommittee met on March 4, March 18, April 1, April 15, April 29, and May 5, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform its recommendations:

- **Laureen Laglagaron, Attorney, Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice (DOJ):** Provided an overview of LEP.gov, including any known barriers or recommendations to improve the website. Also discussed how DOJ works with federal agencies to craft language access plans listed on LEP.gov, as well as Title VI enforcement, including information about language access complaints DOJ receives.
- **David Munson, Attorney, Federal Communications Commission (FCC) Public Safety & Homeland Security Bureau, Policy & Licensing Division, and James Wiley, Attorney Adviser in the Federal Communications Commission's Public Safety & Homeland Security Bureau, Cybersecurity and Communications Reliability Division:** Provided an overview of the Wireless Emergency Alerts that deliver critical warnings and information over radio and television, Emergency Alert System that delivers critical warnings and information to the public on wireless devices, FCC collaboration with State Emergency Communication Committees (SECCs), and recommendations to expand emergency alerts to limited English proficient communities.



- **Justin Knighten, Director, External Affairs, Federal Emergency Management Agency (FEMA), and Franceska Ramos, Lead, Language Services Branch in the Disaster Operations Division FEMA Office of External Affairs:** Provided an overview about FEMA’s coordination with State Emergency Management Agencies and how federal dollars are distributed in disaster/emergency situations. Also shared information on how FEMA assesses what language needs exist in areas that have been affected by a disaster.

### Summary of Recommendations:

The Language Access Subcommittee approved the following three recommendations at the May 12, 2022 full Commission meeting:

- **Recommendation:** The federal government should ensure that emergency and disaster prevention, planning, response, mitigation, and recovery programs are inclusive of and reflect the lived experiences of limited English proficient populations.
- **Recommendation:** Public and emergency alerts should be simultaneously accessible to persons with limited English proficiency at the same time as English-speaking persons.
- **Recommendation:** Federal agencies should provide key documents, digital content, and forms on their websites translated into multiple AA and NHPI languages.



## Recommendation: Access to Emergency Services

The federal government should ensure that emergency and disaster prevention, planning, response, mitigation, and recovery programs are inclusive of and reflect the lived experiences of limited English proficient (LEP) populations.

### Background:

Studies have shown that communities with high numbers of limited English proficient residents and racial minorities were hit hardest by the pandemic with higher rates of incidence and mortality among these populations.<sup>73</sup> Yet, many limited English-speaking individuals could not access information, testing, and vaccinations in their languages.<sup>74</sup> Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) community-based organizations stepped in to fill the void, while simultaneously addressing the wave of anti-AA and NHPI hate crimes occurring as a response to the pandemic.<sup>75</sup> As illustrated by the recent flooding in New York City during Hurricane Ida, and also by the aftermath of Hurricane Katrina and the BP Gulf Coast oil spill, immigrant communities including limited English-speaking Asian Americans and Pacific Islanders faced particular challenges in receiving timely and accurate information about disaster/emergency preparedness and response and recovery services, and were therefore disproportionately impacted.<sup>76</sup> In 2010, staff from what was then referred to as the White House Initiative on Asian Americans and Pacific Islanders were deployed to the Gulf to address the BP oil spill that impacted hundreds of Southeast Asian immigrants who made their living fishing in the affected waters. As a result, the first federal-wide language translation clearinghouse was established, in which all materials produced for the oil spill were translated into seven languages.<sup>77</sup> This was especially critical for limited English proficient AA and NHPI communities.

### Proposed Approach for Implementation:

- The Federal Emergency Management Agency (FEMA) should ensure that the Department of Homeland Security (DHS) annual report<sup>78</sup> on national preparedness integrates inclusion of AA and NHPI communities' experiences and addresses language access in disaster and emergency prevention, protection, mitigation, response, and recovery.
- FEMA should incorporate language access issues in its other activities to implement the Presidential Policy Directive-8<sup>79</sup> including the toolkit, prep talks, and case studies.



- FEMA must include limited English proficient AA and NHPI communities as “at-risk” communities to build capability and capacity to plan for and mitigate hazards as outlined in its Equity Action Plan.<sup>80</sup>
- FEMA and other federal agencies providing disaster/emergency grants (e.g., Department of Health and Human Services (HHS), Department of Housing and Urban Development (HUD), Environmental Protection Agency (EPA)) should ensure that applicants provide specific information concerning the demographics of the LEP populations in their service areas, how they will ensure meaningful access by those populations, and information about engaging those communities in the planning and development of the services and developing a language access plan. These requirements can be incorporated into Notice of Funding Opportunities (NOFOs), scoring sheets for grant reviewers, and terms and conditions language.
- FEMA, the National Weather Service, HHS and other agencies involved in disaster/emergency response should collaborate and develop glossaries of disaster/emergency terminology in the top 15 languages spoken by LEP populations in the U.S.
- The Office of Personnel Management (OPM) should provide guidance to federal agencies that directly intervene in disaster/emergency response and recovery on hiring of bilingual staff, interpreters, and translators including determining their competency and skills to provide language services or services in-language.
- OPM should develop and maintain a list of temporary federal detailees who are assessed with sufficient language skills and could be deployed to assist in emergencies.

### Resources:

- Communication Toolkit for Immigrant, Refugee, and Migrant Health (<https://www.cdc.gov/immigrantrefugeehealth/resources/communication-toolkit.html>)
- Tips and Tools for Reaching Limited English Proficient Communities in Emergency Preparedness, Response, and Recovery (<https://www.justice.gov/crt/file/885391/download>)
- Emergency Preparedness Resources for Persons with Limited English Proficiency (<https://www.hhs.gov/guidance/document/emergency-preparedness-resources-persons-limited-english-proficiency-lep>)





- A Checklist for Emergency Responders: Ensuring Language Access and Effective Communication During Response and Recovery (<https://www.hhs.gov/sites/default/files/lang-access-and-effective-comm-checklist-for-emergency-responders.pdf>)
- Guidance to State and Local Governments and Other Federally Assisted Recipients Engaged in Emergency Preparedness, Response, Mitigation, and Recovery Activities on Compliance with Title VI of the Civil Rights Act of 1964 (<https://www.justice.gov/crt/fcs/EmergenciesGuidance>)
- FEMA: Language Access Plan ([https://www.fema.gov/sites/default/files/documents/fema\\_language-access-plan\\_12-2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_language-access-plan_12-2020.pdf))
- FEMA: Equity Action Plan (<https://www.whitehouse.gov/wp-content/uploads/2022/04/FEMA-EO13985-equity-summary.pdf>)
- The New York Times: Push for Language Access After Ida Highlights a Greater Need in N.Y., March 3, 2022 (<https://www.nytimes.com/2022/03/03/nyregion/severe-weather-alerts-languages-ida.html>)



## **Recommendation: Ensure Public and Emergency Alerts are Accessible to LEP Persons**

Public and emergency alerts should be simultaneously accessible to persons with limited English proficiency at the same time as English-speaking persons.

### **Background:**

Under Executive Order 13407<sup>81</sup> codified by the Integrated Public Alert and Warning System Modernization Act of 2015,<sup>82</sup> DHS must ensure that the public alert and warning system has the capability to alert and warn all Americans including those without an understanding of the English language to the extent technically feasible. Emergency alerts are broadcast through a variety of platforms including wireless technology, radio broadcast, and telephone. FEMA and the Federal Communications Commission (FCC) are responsible for periodically testing the national alert system, but the testing is only in English and Spanish.<sup>83</sup> Emergency alert broadcasts by the National Weather Service (NWS) are also limited to English and Spanish.<sup>84</sup> These limitations were a contributing factor to the preventable drowning deaths of low-income residents living in basement apartments, many of whom were of Asian descent, when Hurricane Ida made landfall in September 2021.<sup>85</sup>

The New York Times noted that while the National Weather Service is attempting to expand language access, the alerts are limited by FCC rules, but technology issues are likely the primary challenge.<sup>86</sup> Wireless Emergency Alerts (WEA) are limited to English and Spanish, but the FCC is considering whether to require additional languages.<sup>87</sup> The technology does not support ideographic languages, which requires Unicode and consumes more data. There is more potential to expand language access with the Emergency Alert System (EAS), which operates as a pass-through. With respect to EAS, the originator provides the content and translations. The FCC encourages each state to establish a State Emergency Communications Committee that is responsible for drafting a state EAS plan, which should include a description of how they will ensure EAS alerts are available in languages other than English.<sup>88</sup> The focus should therefore be on the state and local agencies that originate the emergency alert messages to ensure they prepare and test multilingual emergency alerts in partnership with immigrant serving community-based organizations. Under Title VI of the Civil Rights Act of 1964 and its implementing regulations, state and local agencies that receive federal financial assistance must ensure people with limited English skills can access their services, programs, and activities.<sup>89</sup>



### Proposed Approach for Implementation:

- FEMA should develop a plan for integrating and expanding language access into its Integrated Public Alert and Warning System<sup>90</sup> including making language access a requirement in its memoranda of agreement with state and local emergency services agencies and creating a toolkit for integrating language access into emergency alert systems. FEMA has a National Advisory Council<sup>91</sup> which advises the Administrator and holds regular meetings. The Commission could present this recommendation at one of those convenings.
- FEMA's Integrated Public Alert and Warning System Program Management Office<sup>92</sup> must test sending out national alerts in languages in addition to English and Spanish. This could be done for the next testing of the National Alert System.
- The Department of Commerce, including NWS, must develop a new language access plan that addresses language access for all LEP communities because “the goal of building a Weather-Ready Nation (WRN) in the U.S. cannot be attained when a large portion of the population may not properly understand NWS products and services due to a language barrier.”<sup>93</sup> This could be used as a template to expand beyond Spanish, with the caveat against using automated translation software. This should be done by the end of this fiscal year.
- FEMA, NWS, HHS and other agencies involved in disaster and emergency response should collaborate and develop glossaries of disaster/emergency terminology in the top 15 languages spoken by LEP populations in the U.S. This should be done by the end of the second quarter of the next fiscal year.
- FEMA, FCC, NWS and other agencies should consider collaborating on a challenge.gov initiative to address technology issues with wireless emergency alerts in ideographic languages and explore what systems and technologies other countries with multilingual residents use. This could potentially occur by the end of this fiscal year.
- By the end of next fiscal year, FEMA, HHS, HUD, EPA, and other agencies that provide funding to state and local emergency services agencies should consider the development of pilot collaborative funding initiatives to support regional networks to create multilingual emergency alerts in partnership with community-based organizations in communities with high populations of AA and NHPs.



## Resources:

- FCC Multilingual Alerting Workshop (<https://www.fcc.gov/news-events/events/2019/06/multilingual-alerting-workshop>)
- Integrating Immigrant Families in Emergency Response, Relief and Rebuilding Efforts, The Annie E. Casey Foundation ([https://www.ca-ilg.org/sites/main/files/file-attachments/resources\\_GCIR\\_guide\\_on\\_engaging\\_immigrants\\_in\\_emergency\\_preparedness.pdf](https://www.ca-ilg.org/sites/main/files/file-attachments/resources_GCIR_guide_on_engaging_immigrants_in_emergency_preparedness.pdf))





## **Recommendation: Expand Federal Agency Content and Services Access to Non-English Speaking AA and NHPI Communities**

To ensure multilingual access to government services and agency content, there must be alignment across the federal government. Federal agencies are required to provide meaningful access to government information to people with limited English proficiency. This applies to each agency's digital content. The needs of each agency will determine the information required to be provided in other languages, based on an assessment of the audience at national, regional, and local levels. Federal agencies should translate into multiple AA and NHPI languages key documents, digital content, and forms on their websites.

### **Background:**

The evolving demographics in the United States has positioned the AA and NHPI population as one of the most rapidly growing racial and ethnic groups in the country – expected to surpass 46 million people by 2060.<sup>94</sup> AA and NHPIs have helped to build a strong and vibrant America and comprise subpopulations of diverse and varied ethnicities, languages, and cultures. For generations, the AA and NHPI communities have played an important economic role, starting businesses, founding some of our nation's most successful and innovative enterprises, and generating jobs that contribute billions of dollars in wages and taxes.

While we celebrate the many contributions of the AA and NHPI communities, we also recognize that the number of people who are not proficient in English is growing dramatically every year. According to the Census Bureau, there are approximately 25 million people who speak a foreign language at home and who speak English “less than very well.”<sup>95</sup> Of that number, almost 5 million speak an Asian or Pacific Island language and speak English “less than very well.”<sup>96</sup> By 2010, the most commonly spoken non-English languages in the United States included Spanish, Chinese, French, Tagalog, Vietnamese, and Korean.<sup>97</sup> Language access barriers increase inequity in every area of life: economic, health access, and civil rights. For instance, many limited English proficient AA and NHPIs who are eligible for federal services cannot effectively access those programs because of language challenges.<sup>98</sup>

### **Rationale:**

Government information that is easy to find online encourages participation in all aspects of American life, and providing that information in languages specific to the audience will help bridge the information divide. A proactive approach for multilingual access to information will help to achieve U.S. government guidelines already in place.



In February 2011, the Department of Justice issued a memo to federal agencies reaffirming the mandates of Executive Order 13166.<sup>99</sup> The memo included specific steps to help agencies comply with their responsibilities in this area.

In November 2016, OMB issued a revised memorandum to all executive departments and agencies outlining policies to help federal agencies improve digital services and use emerging technologies, including providing multilingual content in accordance with Executive Order 13166 and the Department of Justice’s guidance to determine which website content must be provided in other languages.<sup>100</sup> Federal agencies have done a fair job of translating materials into Spanish, but must think beyond Spanish to reach more LEP populations.

The newly-issued 2022 Equity Action Plans<sup>101</sup> – many of which reference language access – serve as another means to push translation beyond Spanish and into the top languages spoken by the broader LEP community: Chinese (simplified and traditional), Korean, Vietnamese, and Tagalog.

### **Proposed Approach for Implementation:**

Implementation of these objectives can benefit from a study of successful multilingual access accomplished by other governments (e.g., the Australian government) as well as the successful examples within the U.S., such as the following:

- The federal government’s official web portal to all online information and services is available in Spanish.<sup>102</sup> The same should be provided in multiple AA and NHPI languages.
- The official web portal in Spanish for the Centers for Disease Control and Prevention should be expanded to AA and NHPI languages.<sup>103</sup>
- The Social Security Administration already provides information in 15 different languages, and a further expansion of language access should be provided to include more AA and NHPI languages of lesser diffusion.<sup>104</sup>
- MedlinePlus, from the National Library of Medicine, provides comprehensive health information in Spanish, and access should be provided in other languages.<sup>105</sup>
- The IRS Multilingual Gateways provides basic federal income tax information in multiple languages and should be expanded to other languages.<sup>106</sup>
- The Department of Justice, Civil Rights Division’s reporting portal is available in the top five AA and NHPI languages and allows someone to report hate crimes in multiple languages spoken by AA and NHPI groups.<sup>107</sup>



In addition to reviewing the above resources, the Commission proposes the following steps for agencies to consider to ensure that they are indeed supporting the needs of LEP communities:

- Pursuant to Executive Order 13166, each federal agency should examine the services it provides, review its digital content publishing strategy, and design, develop, and implement a system by which LEP persons can meaningfully access the services and digital content published on the agency website in AA and NHPI languages without unduly burdening the fundamental mission of the agency.
- Federal agencies should identify and translate into multiple AA and NHPI languages vital documents and post on their websites on an ongoing basis.
- Each agency can design how the translated documents are published on its website. For instance, an agency could choose to include a separate tab (“Translated Documents”) which could centrally store all important documents in one location on the agency website for the LEP person to easily access.
- All required forms, information, brochures, digital content, and newsletters should be translated into multiple AA and NHPI languages.
- Agencies should evaluate the particular needs of the LEP communities they serve and identify the burdens of compliance on the agency and its recipients. This input from stakeholders will assist the agencies in developing an approach to ensuring meaningful access by LEP persons that is practical and effective, fiscally responsible, responsive to the particular circumstances of each agency, and can be readily implemented.
- Federal agencies should consider the report drafted by the Title VI Interagency Working Group Limited English Proficiency Committee’s December 2021 guide on *Improving Access to Public Websites and Digital Services for LEP Persons* and the accompanying webinar.<sup>108</sup>
- Each federal agency will identify and build a multilanguage implementation plan, identify resources and estimated costs, and secure funding through the Bipartisan Infrastructure Law and/or internal agency budgets to execute the plan in a timely fashion.
- The Census Bureau should provide easily accessible public data at the county, state, and metropolitan statistical area on languages commonly spoken at home.
- Each federal agency prepares a centralized database or aggregate language translation/interpretation resources related to languages of lesser diffusion.



- The Small Business Administration should prioritize accessibility for LEP communities.
- Each federal agency must address the needs of limited English persons who speak less commonly spoken languages including, but not limited to, Chuukese, Mien, Laotian, Karen, Kachin, Chin, Hindi, Punjabi, Mongolian, Nepalese, and Farsi.





## Data Disaggregation Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Sarah Min, Dr. Raynald Samoa, Dr. Robert Underwood
- **Members:** Emily Chen, KaYing Yang
- **Non-Commission Members:** Dr. Ninez Ponce, Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Dr. Lanlan Xu

### Summary of Meetings and Presentations:

The Data Disaggregation Subcommittee met bi-weekly. Following the Commission's inaugural meeting on February 3-4, 2022, the subcommittee met on March 10, March 28, April 11, April 18, April 25, May 2, and May 9, 2022.

The subcommittee received presentations from the following subject matter experts who helped to inform its recommendations:

- **Dr. Margo Schwab, Co-chair of the Equitable Data Working Group; Branch Chief for the Statistical and Science Policy, Office of Management and Budget (OMB), and a senior science policy analyst at the Office of Information and Regulatory Affairs (OIRA):** Provided an overview of OMB's minimum standards for the Classification of Federal Data on Race and Ethnicity, updates on the Equitable Data Working Group, and equitable data investments in the President's FY23 Budget.
- **Cynthia Davis Hollingsworth, Program Manager for 2020 Census Data Products and Dissemination, Decennial Census Management Division, U.S. Census Bureau; Nicholas Jones, Director and Senior Advisor of Race and Ethnic Research and Outreach, Population Division, U.S. Census Bureau; and Rachel Marks, Chief of the Racial Statistics Branch, Population Division, U.S. Census Bureau:** Presented on the collection of race and ethnicity data for the 2020 Census and on updates of the timeline and status of the 2020 Demographic and Housing Characteristics File.
- **Stephen Blumberg, Director of the Division of Health Interview Statistics and Director of the National Health Interview Survey, National Center for Health Statistics, and Adena Galinsky, Health**



- Statistician of the Division of Health Interview Statistics, National Center for Health Statistics:** Presented overview of NCHS's past work on the Native Hawaiian and Pacific Islander National Health Interview Survey in 2014, and other ways to collect disaggregated health survey data on the AA and NHPI communities.
- **Doua Thor, Vice President of Strategy and Influence at Sobrato Family Foundation; former Executive Director of the White House Initiative on Asian Americans and Pacific Islanders (WHIAAPI), and Akil Vohra, Executive Director of Asian American Youth Leadership Empowerment and Development; former Director of Strategic Initiatives at WHIAAPI:** Presented lessons learned on the implementation of the Commission's data disaggregation recommendations from the Obama administration.

## Summary of Recommendations:

The Data Disaggregation Subcommittee approved two recommendations at the May 12, 2022 full Commission meeting:

- **Recommendation:** The Office of Management and Budget (OMB) update the minimum standards for federal data on race and ethnicity to fulfill its mission to produce full, fair, and accurate data on the status of health, education, labor, immigration, economy, and other vital indicators for all communities in our nation, including Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities.
- **Recommendation:** Encourage key federal agencies, such as the OMB, the U.S. Census Bureau, Centers for Medicare and Medicaid Services (CMS), and the National Center for Health Statistics (NCHS), through administrative support and funding to partner with communities and their advocates to ensure the optimal gathering, reporting, and access to AA and NHPI data are relevant and usable by these groups.



## Recommendations: Update to OMB Minimum Data Standards on Race and Ethnicity and Encourage Key Federal Agencies to Partner with Communities

OMB must update its minimum standards for federal data on race and ethnicity and work with other key agencies, such as the Census Bureau, Centers for Medicare and Medicaid Services (CMS), and the National Center for Health Statistics (NCHS) to ensure the optimal gathering, reporting, and access to AA and NHPI data is relevant and usable by community groups.

### Background:

Currently, there are more than 24 million Asians and nearly 1.6 million Native Hawaiians and Pacific Islanders in the United States, comprising over 6% of the total population.<sup>109</sup> That number is projected to increase to 10% by 2060.<sup>110</sup> The need for data disaggregation was identified as an issue since the first President's Advisory Commission on Asian Americans and Pacific Islanders was formed and by every Commission thereafter. As the population continues to diversify and grow, it is increasingly more urgent that data disaggregation is prioritized in order to better identify and understand the needs of underserved AA and NHPI populations. The subcommittee considers its work as building on the gains of previous Commissions and bringing to light the current advocacy by other groups working to advance progress on data disaggregation efforts for AA and NHPI communities.

At the March 10 subcommittee meeting, Dr. Margo Schwab, Branch Chief for the Statistical and Science Policy component of the OMB and co-chair of the Equitable Data Working Group (EDWG), presented the OMB standards on race/ethnicity.<sup>111</sup> Dr. Schwab informed the subcommittee that the current OMB standards, which were initially implemented in 1977 and updated in 1997, have not been updated in the past 25 years. In 2014, the Obama administration started a review of the standards and released a Federal Register Notice in 2016 seeking public comment,<sup>112</sup> but no official update occurred. AA and NHPI community organizations have voiced frustration that equitable information is not mandated by current OMB standards for the reporting of disaggregated data.

The White House Initiative on Asian Americans and Pacific Islanders Interagency Working Group established under EO 13515 by President Obama, created the Data and Research Subcommittee.<sup>113</sup> The Data and Research Subcommittee drafted a *Best Practices for the Disaggregation of Federal Data on Asian Americans and Pacific Islanders* in March 2016, which outlined a number of recommendations to address data access and how to disseminate data effectively.<sup>114</sup> Several recommendations from the report have been implemented, such as the pooling of multi-year data to address the



limitations of small sample sizes, but many of the report's recommendations, including engaging communities, have not been fully realized.

The EDWG was established under Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, as part of President Biden's commitment to a whole-of-government approach to advancing equity.<sup>115</sup> The EDWG serves to work across all agencies to optimize data collection and reporting, analyze disparities, and eliminate inequities. In April 2022, the EDWG released *A Vision for Equitable Data: Recommendations from the Equitable Data Working Group*, which was informed by discussions with a wide range of academic researchers, community leaders, and advocates.<sup>116</sup> These recommendations will help advance progress to achieve data equity for AA and NHPs.

### Rationale:

The use of racial and ethnic categories in the U.S. has historically been leveraged to uphold power inequalities; indeed the first census of 1790 consisted only of two categories to separate white individuals from enslaved peoples and all other free persons.<sup>117</sup> The changing social fabric of the country mandates that OMB routinely review and update these categories, which it did so in 1921 and most recently in 1997.<sup>118</sup> These categories continue to mask the myriad of experiences of the diverse AA and NHPs subgroups in many areas. Accordingly, by revising the OMB standards, the data collected will provide a truer reflection of the diverse and important needs for AA and NHPs and the disparities in achieving equity and justice. This better data will lead to better public policy for AA and NHPs communities.

For instance, higher education serves as one important example. The Washington Center for Equitable Growth reported that the aggregated AA and NHPs college attainment rate is approximately 51%. Yet, breaking this data down by ethnic subpopulation reveals a startling difference: Taiwanese report the highest rate of bachelor degree attainment at 74.5%, while only 15% of Laotians, 14% of Samoans, and 5.2% of other Micronesians reported the same.<sup>119</sup>

Along with updating the OMB minimum standards, AA and NHPs experience a number of challenges in accessing data. *The Best Practices for the Disaggregation of Federal Data on Asian Americans and Pacific Islanders* report identified key strategies to improve limitations in data collection, data analysis and evaluation, and data access and dissemination.<sup>120</sup> Noted limitations included the siloing of data by sector, poorly communicated data sharing and access protocols, low investments in increasing data science skills for community advocates, and limited community stakeholders' ability to build capacity to utilize available data products. User friendly data products are developed at the level of the academic researcher which often goes beyond the





comprehension of community-based organizations. For communities to be able to advocate for better living conditions, for instance, it is imperative that their access to data is optimal, and that their ability to use those available data products is optimal as well. Thus, it is critical to partner with and engage communities to ensure the approaches for access to and dissemination of AA and NHPI data are community relevant and usable.

The EDWG recommendations include: 1) making disaggregated data the norm while protecting privacy; 2) catalyzing existing federal infrastructure to leverage underused data; 3) building capacity for robust equity assessment for policymaking and program implementation; 4) galvanizing diverse partnerships across all levels of government and the research community; and 5) being accountable to the American public.<sup>121</sup> The Commission's recommendations are aligned with the EDWG proposal to bring forth data equity for marginalized communities.

### **Proposed Approach for Implementation:**

- The subcommittee recognizes the significant complexity in updating the minimum standards categories and the potentially wide impact that such a change would bring. The subcommittee will continue to investigate successful models for data disaggregation collection and reporting, such as the 2015 National Content Test recommended format,<sup>122</sup> which includes expanded Asian-based categories for Chinese, Filipino, Asian Indian, Vietnamese, Korean, Japanese, and an “other Asian” category that includes Pakistani, Cambodian, and Hmong, and the Hawai‘i State Department of Health’s expanded NHPI categories that include Native Hawaiian, Pacific Islander, Samoan, Tongan, Other Polynesian, Guamanian/Chamorro, Marshallese, Other Micronesian, and Other Pacific Islander not specified.<sup>123</sup> The subcommittee has recruited subject matter experts (SME) to serve on the subcommittee and will continue researching different models by interviewing SMEs outside of the subcommittee meetings for the purpose of providing more detailed recommendations in the future. A specific recommendation at this time, for instance, would be to remove the “Other” from the category “Native Hawaiian or Other Pacific Islander.”
- The Commission will continue to work with key federal agencies by providing recommendations in the future to optimize community engagement for the potential purpose of developing community, academic, and researcher partnerships and the fielding of much needed community input on key national surveys and other community identified strategies. The recruitment of AA and NHPI data experts combined with additional interviews of SMEs will allow for the delivery of more detailed and impactful recommendations in



a timely manner. The Commission will also continue collaborating with the Regional Network to convene community groups in an effort to gain a richer understanding of the nuances experienced by the community regarding inequitable access to data and available resources to analyze data. The ability to hear from groups about what data they find relevant and in what manner will lead to more effective User Interface (UI) and establish a baseline that all audiences will be able to draw from.

### **Timeline:**

The subcommittee foresees that putting forth germane but impactful recommendations to update the OMB minimum standards would be a one to two-year process as this will require a comprehensive review of best practices for data disaggregation models for AA and NHPI populations, investigating data processes at various federal agencies, and listening to the AA and NHPI communities and their expertise.

Recommendations regarding optimal community engagement and input will be submitted on a rolling basis, potentially every three months.



## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, Smita Shah
- **Members:** Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka'uhane, Kevin Kim, Ai-jen Poo
- **Designated Federal Officer:** Larissa Bungo

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee met bi-weekly. Following the Commission's inaugural meeting on February 3-4, 2022, the subcommittee met March 4, March 18, April 1, April 15, April 29, May 2, and May 4, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform its recommendations:

- **WHIAANHPI Regional Network National Co-Chairs Janan “Ben” Raju and Paul Chang:** Provided an overview of the Regional Network, efforts to increase awareness and access to economic opportunities, and recommendations for further collaboration between the Commission and the Regional Network for the benefit of AA and NHPI communities.
- **Bharat Ramamurti, Deputy Director, White House National Economic Council:** Shared information about the administration's efforts to help small businesses increase access to relief, grow, and thrive, including expanding technical assistance to ensure that AA and NHPI businesses have equitable access to the increased investment in support for small businesses; and efforts to help the long term unemployed find work.
- **Jenny Yang, Director, Department of Labor, Office of Federal Contract Compliance Programs (OFCCP):** Presented on how the OFCCP looks at data in compliance evaluations, as well as the important work being done to protect AA and NHPIs from discrimination in areas such as pay and hiring.
- **Julie Wong, Presidential Management Fellow and staff lead for the Diversity, Equity, Inclusion, and Accessibility Subcommittee on Secretary Walsh's Advisory Committee on Apprenticeship:** Discussed the Department of Labor's Employment and Training



Administration’s apprenticeship work, with a focus on Registered Apprenticeship Programs as a workforce development tool to increase diversity, equity, inclusion, and accessibility and offered suggestions for increasing AA and NHPI apprentices.

- **Janis Bowdler, Racial Equity Counselor, U.S. Department of the Treasury:** Provided information on what the Department of the Treasury is doing to promote economic equity for AA and NHPIs, including information on grants and investments to Community Development Financial Institutions (CDFIs) and Minority Depository Institutions (MDIs) which in turn provide loans. Ms. Bowdler also discussed the State Small Business Credit Initiative (SSBCI) program that provides grants to states, which then provide funds to partners who will provide loans or equity investments.

### Summary of Recommendations:

The Economic Equity Subcommittee approved two recommendations at the May 12, 2022 full Commission meeting:

- **Recommendation:** Host forums in several cities across the country, entitled *White House Initiative on AA and NHPI (WHIAANHPI) and White House AA and NHPI Economic Summits*.
- **Recommendation:** Increase the share of federal contract dollars that go to small, disadvantaged businesses (SDBs) to 20% by 2025.





## Recommendation: AA and NHPI Economic Summits

The White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) should host forums in several cities across the country in partnership with the Regional Network (RN) and community organizations. These regional economic forums should highlight the Biden-Harris administration's commitment to advancing equity and economic empowerment and connect local Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) community members directly with federal leaders and resources. The forums will also feature community leaders, administration officials, and local elected officials.

### Background:

The AA and NHPI communities have very limited awareness around the federal procurement process, becoming a federal supplier/contractor, and applying for federal jobs, grants, internships, and programs.

The Department of Commerce (Economic Development Administration (EDA) and Minority Business Development Agency (MBDA)), Small Business Administration (SBA), and the Department of the Treasury are rolling out programs to assist small businesses, but many owners do not understand how to access the relief available to them. More sophisticated business owners know how to apply, but sole proprietors and owners of nail salons or corner stores, for instance, may not have that kind of access. As the Departments of Labor, Health and Human Services, and other agencies roll out programs to support individuals and create economic opportunity, many disadvantaged individuals are not aware of how to identify or take advantage of them.<sup>124</sup>

Based on data gathered from the RN in the last few years, only a limited number of events were organized to share information specifically related to the above. This limited outreach to AA and NHPI communities does not demonstrate the administration's continued commitment to the President's Executive Order on advancing economic equity and support for underserved AA and NHPI communities through the federal government.

### Rationale:

Since March 2021, the RN supported approximately 12 events with business related topics. As for events that occurred prior to 2021, the Department of Commerce website no longer hosts the documents and videos related to the last administration, but several business focused roundtables and events occurred. The events held last year and in previous years were very limited in number and did not reach the broader AA and NHPI



populations across major cities and did not sufficiently raise awareness of the below items.

Based on SBA data released in December 2021, only about 3% of federal procurement dollars go to AA and NHPI communities,<sup>125</sup> yet approximately 10% of all businesses are owned by AA and NHPIs.<sup>126</sup> This disparity reflects a lack of awareness of federal procurement opportunities for AA and NHPI communities.

### **Proposed Approach for Implementation:**

The subcommittee recommends hosting these economic forums in-person in several cities across the country in partnership with the Regional Network and community organizations. Each event will feature multi-faceted and dynamic sessions with the intent to:

- Demonstrate the administration's continued commitment to the President's Executive Order on advancing economic equity and support for underserved AA and NHPI communities through the federal government;
- Highlight the impact of the Biden-Harris administration initiatives such as the American Rescue Plan, Bipartisan Infrastructure Law, and COVID-19 response;<sup>127</sup>
- Increase engagement between AA and NHPI constituents and administration officials as well as federal offices and services at the regional level;
- Encourage AA and NHPI community members to apply for federal procurement, jobs, grants, internships, and programs and share available tools and resources for small businesses;
- Build on the Biden administration's work to help small businesses by promoting programs that will help AA and NHPI communities such as SBA's Community Navigator Pilot Program, an initiative aimed at reducing barriers that underrepresented and underserved entrepreneurs often face in accessing the programs they need to recover, grow, or start their businesses;
- Increase federal procurement opportunities for AA and NHPI enterprises;
- Increase awareness around available resources for skill development, training educational workshops, career development, resume writing workshops, advancement, vocational training, or other appropriate and effective means to apply for federal jobs.



### **Timeline:**

The subcommittee recommends creating a detailed implementation timeline and agenda in consultation with WHIAANHPI's Interagency Working Group and Regional Network, SBA, Treasury, EDA, and MBDA.

- Host a national launch event around September or possibly October following the budget process.
- Annually convene events in-person in May – June.
- Host events in each of the 10 Regional Network regions<sup>128</sup> and major municipalities/cities and put together an annual plan.
- Subcommittee will suggest the cities to be included and provide list of organizations to partner with for outreach to AA and NHPI communities.

### **Proposed Guidance for Implementation:**

- Cultivate collaborative opportunities between the Regional Network and the Commission to leverage the Commission's expertise, support, and participation in these regional events;
- Commissioners will convene meetings with federal agencies based on areas of focus to leverage their contacts and lead to broader access to federal government as a whole;
- Commission can recommend that the Regional Network create subgroups aligned with the Commission's area of focus;
- Regional Network co-chairs can serve in ex officio capacity in line with the Commission's subgroups and help to hold events to educate the AA and NHPI communities;
- Regional Network co-chairs or region leads with subject matter expertise (SME) could meet with the Commission quarterly to provide feedback; and
- Regional Network members via a task force could be brought on to assist/handle the project, engage, and solve problems identified by all.



## **Recommendation: Increase Federal Contracting Dollars to AA and NHPI Small Businesses**

The Commission aims to broaden access to economic resources and opportunities for AA and NHPI communities, thus empowering them to improve the quality of their lives, raise the standard of living of their families and communities, and more fully participate in our economy by increasing the share of federal contract dollars that go to small, disadvantaged businesses (SDBs), a category that includes many AA and NHPI firms, to 20% by 2025.

### **Background and Rationale:**

The AA and NHPI population is the most rapidly growing ethnic group in the country and is expected to increase to over 40 million individuals by 2060.<sup>129</sup> AA and NHPIs have helped to build a strong and vibrant America. Generations of AA and NHPI individuals, families, and communities are composed of diverse and varied ethnicities, languages, and cultures, and include residents of the United States Pacific Island territories and the Freely Associated States. They play an important economic role, having started businesses and generated jobs that pay billions of dollars in wages and taxes, including founding some of our nation's most successful and innovative enterprises.

As we celebrate the many contributions of the AA and NHPI communities to our nation, we also recognize that AA and NHPI small businesses and enterprises encounter challenges to accessing economic resources and opportunities. Many of the more than 1.9 million AA and NHPI-owned enterprises are small sole proprietorships that need assistance to access available resources such as business development counseling, small-business loans, grants, and government procurement opportunities.<sup>130</sup>

The federal government is the largest purchaser of goods and services in the world, buying everything from software and building construction to financial and asset management and making its procurement a powerful tool to advance equity and build wealth in underserved communities.<sup>131</sup> Despite this, less than 10% of federal agencies' total eligible contracting dollars typically go to small, disadvantaged businesses (SDB), a category under federal law that includes Black-owned, Latino-owned, AA and NHPI and other minority-owned businesses.<sup>132</sup> Moreover, while women own roughly 20% of all small businesses nationwide, less than 5% of federal contracting dollars go to women-owned small businesses. It is no surprise then that increasing federal spending with underserved businesses not only helps more Americans achieve their entrepreneurial dreams, but also narrows systemic wealth disparities.

For this reason, at the June 1, 2022 centennial of the Tulsa Race Massacre, President Biden announced a bold new goal: increasing the share of contracts to small,





disadvantaged businesses by 50% by 2025 – an unprecedented target projected to translate to an additional \$100 billion to SDBs over five years.<sup>133</sup> The announcement built on the President’s Day One Executive Order 13985, which directed agencies to make contracting opportunities more readily available to all eligible firms and to remove barriers faced by underserved individuals and communities.<sup>134</sup>

In addition to increasing the share of contracts that go to small, disadvantaged businesses to 20% by 2025, the Commission also recommends strengthening compliance by all federal agencies, taking steps to ensure contracting opportunities are more readily available to all eligible firms, and removing barriers faced by underserved individuals and communities.

**Proposed Approach for Implementation and Timeline:**

- The President should issue an executive order asking agencies to increase their goals so that the percentage of government-wide spending awarded to small, disadvantaged businesses increases from 5% to 8% in 2022, to 11% in 2023, to 15% in 2024, and to 20% in 2025. This step-by-step increase in procurement goals by agencies will help ensure that 20% of federal contracts go to SDBs by 2025;
- Ensure compliance reporting is established to monitor effective implementation of this order at a biannual basis, at minimum;
- Implement effective ways to increase the number of new entrants to the federal marketplace to reverse the decline in the small business supplier base;
- Require SDB participation in the evaluation criteria for any bid award;
- Enhance marketing and outreach of federal contract programs by translating materials in multiple AA and NHPI languages as applicable for the region;
- Improve the availability of the list of small businesses (available for being subcontractors) to prime contractors;
- Recommend General Services Administration/DOD/SBA/Commerce/HHS/U.S. Trade Representative/RN/other federal agencies provide technical assistance and details of available contracts to AA and NHPI communities across the country through local events, which should include information related to all forms necessary to help small businesses procure federal contracts;
- All procurement evaluation criteria to include a 10% factor for utilization of small disadvantaged businesses in fulfilling the contract.



## References

- <sup>1</sup> U.S. Department of Justice. “2020 FBI Hate Crimes Statistics.” <https://www.justice.gov/crs/highlights/2020-hate-crimes-statistics>.
- <sup>2</sup> Southern Poverty Law Center. “The January 6 Insurrection and the Path Forward to Strengthen Our Democracy Now.” [https://www.splcenter.org/sites/default/files/january\\_6\\_policy\\_letter.pdf](https://www.splcenter.org/sites/default/files/january_6_policy_letter.pdf).
- <sup>3</sup> 34 U.S.C. § 30507.
- <sup>4</sup> U.S. Const. amend I.
- <sup>5</sup> Taylor, Henry. “Who is the world’s biggest employer? The answer might not be what you expect.” World Economic Forum, June 17, 2015. <https://www.weforum.org/agenda/2015/06/worlds-10-biggest-employers/>.
- <sup>6</sup> U.S. Department of Defense. “DOD Instruction 1300.17, Religious Liberty in the Military Services.” September 1, 2020. <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/130017p.pdf>.
- <sup>7</sup> The Sikh Coalition. “Updated Policy Yields Largest Increase in Sikh Soldiers Since 1981.” January 23, 2017. <https://www.sikhcoalition.org/press-release/updated-policy-yields-largest-increase-sikh-soldiers-since-1981/>.
- <sup>8</sup> U.S. Secretary of the Army. “Army Directive 2017-03, Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation.” January 3, 2017. <https://api.army.mil/e2/c/downloads/463407.pdf>; Department of the Air Force Instruction 36-2903; U.S. Secretary of the Air Force. “U.S. Department of the Air Force Instruction 36-2903.” February 7, 2020, [https://static.e-publishing.af.mil/production/1/af\\_a1/publication/dafi36-2903/dafi36-2903.pdf](https://static.e-publishing.af.mil/production/1/af_a1/publication/dafi36-2903/dafi36-2903.pdf).
- <sup>9</sup> Philipps, Dave. “Sikhs Sue Marine Corps Over Restrictions on Beards.” *The New York Times*, April 11, 2022. <https://www.nytimes.com/2022/04/11/us/sikh-marine-lawsuit-beard-turban.html>.
- <sup>10</sup> 42 U.S.C. § 2000bb-1.
- <sup>11</sup> Losey, Stephen. “Air Force Approves Five-Year Medical Beard Waivers.” *Air Force Times*, June 24, 2020. <https://www.airforcetimes.com/news/your-air-force/2020/06/24/air-force-approves-five-year-medical-beard-waivers/>.
- <sup>12</sup> Napier, Walt, 514th Air Mobility Wing. “A Short History of Integration in the U.S. Armed Forces.” July 1, 2021. <https://www.af.mil/News/Commentaries/Display/Article/2676311/a-short-history-of-integration-in-the-us-armed-forces/>.
- <sup>13</sup> Stop AAPI Hate. “Stop AAPI Hate National Report 3/19/20-12/31/21.” <https://stopaapihate.org/wp-content/uploads/2022/03/22-SAH-NationalReport-3.1.22-v9.pdf>.
- <sup>14</sup> Strassle, Paula D, Anita L. Stewart, Stephanie M. Quintero, Jackie Bonilla, Alia Alhomsy, Verónica Santana-Ufret, Ana I. Maldonado, Allana T. Forde, and Anna María Nápoles. “COVID-19–Related Discrimination Among Racial/Ethnic Minorities and Other Marginalized Communities in the United States.” *American Journal of Public Health*, 112(3):453-466 (2022). <https://ajph.aphapublications.org/doi/10.2105/AJPH.2021.306594>.
- <sup>15</sup> Pillai, Drishti and Alyssa Lindsey. “The State of Safety for Asian American and Pacific Islander Women in the U.S.” National Asian Pacific American Women’s Forum, 2022. <https://www.napawf.org/our-work/march-2022/state-of-safety>.
- <sup>16</sup> The White House. “Remarks of President Joe Biden, State of the Union Address As Prepared for Delivery.” March 1, 2022. <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/03/01/remarks-of-president-joe-biden-state-of-the-union-address-as-delivered/>.
- <sup>17</sup> Saw, Anne, Aggie J. Yellow Horse, and Russell Jeung. “Stop AAPI Hate Mental Health Report.” Stop AAPI Hate, May 2021. <https://stopaapihate.org/wp-content/uploads/2021/05/Stop-AAPI-Hate-Mental-Health-Report-210527.pdf>.
- <sup>18</sup> Tanquenco, Raissa and Sejal Patel. “Mental Health Facts for Asian Americans/Pacific Islanders.” American Psychiatric Association, 2020. <https://www.psychiatry.org/File%20Library/Psychiatrists/Cultural-Competency/Mental-Health-Disparities/Mental-Health-Facts-for-Asian-Americans-Pacific-Islanders.pdf>.



- 
- <sup>19</sup> Mental Health America. “Asian American/Pacific Islander Communities and Mental Health.” <https://www.mhanational.org/issues/asian-american-pacific-islander-communities-and-mental-health>.
- <sup>20</sup> Africa, Jei and Majose Carrasco. “Asian-American and Pacific Islander Mental Health: Report from a NAMI Listening Session.” National Alliance on Mental Illness, 2011. <https://www.blackradionetwork.com/images/userfiles/AsianDepression.pdf>.
- <sup>21</sup> Substance Abuse and Mental Health Services Administration. “2019 NSDUH Detailed Tables.” September 11, 2020. <https://www.samhsa.gov/data/report/2019-nsduh-detailed-tables>.
- <sup>22</sup> National Alliance on Mental Illness. “Break the Silence on Mood Disorders! Countering Stigma & Cultural Barriers with Openness & Understanding.” [https://www.nami.org/NAMI/media/NAMI-Media/Infographics/NAMI\\_POC-infographic.pdf](https://www.nami.org/NAMI/media/NAMI-Media/Infographics/NAMI_POC-infographic.pdf).
- <sup>23</sup> Mental Health America. “Asian American/Pacific Islander Communities and Mental Health.” <https://www.mhanational.org/issues/asian-american-pacific-islander-communities-and-mental-health>.
- <sup>24</sup> Asian Women for Health. “The 12th Asian American Mental Health Forum.” <https://www.asianwomenforhealth.org/asian-american-mental-health-forum.html>.
- <sup>25</sup> Mental Health America. “Mental Health America's 2022 Annual Conference.” <https://www.mhanational.org/2022/annual-conference>.
- <sup>26</sup> Asian Pacific American Institute for Congressional Studies. “2022 Health Summit.” <https://www.apaics.org/health-summit-2022>.
- <sup>27</sup> U.S. Department of Health and Human Services. “Secretary Becerra Kicks Off National Tour to Strengthen Mental Health.” March 2, 2022. <https://www.hhs.gov/about/news/2022/03/02/secretary-becerra-kicks-off-national-tour-to-strengthen-mental-health.html>.
- <sup>28</sup> U.S. Citizenship and Immigration Services. “Check Case Processing Times.” <https://egov.uscis.gov/processing-times/>.
- <sup>29</sup> Human Rights Watch. “Immigrant Crime Fighters. How the U Visa Program Makes U.S. Communities Safer.” July 3, 2018. <https://www.hrw.org/report/2018/07/03/immigrant-crime-fighters/how-u-visa-program-makes-us-communities-safer>.
- <sup>30</sup> Chishti, Muzaffar and Julia Gelatt. “Mounting Backlogs Undermine U.S. Immigration System and Impede Biden Policy Changes.” Migration Policy Institute, February 23, 2022. <https://www.migrationpolicy.org/article/us-immigration-backlogs-mounting-undermine-biden>.
- <sup>31</sup> U.S. Department of Homeland Security. “Citizenship and Immigration Services Ombudsman Annual Reports.” [https://www.dhs.gov/sites/default/files/publications/dhs\\_2021\\_ombudsman\\_report\\_medium\\_2.pdf](https://www.dhs.gov/sites/default/files/publications/dhs_2021_ombudsman_report_medium_2.pdf).
- <sup>32</sup> U.S. Citizenship and Immigration Services. “All USCIS Application and Petition Form Tyles (Fiscal Year 2022, 1st Quarter 1- December 31, 2021.” March 9, 2022. [https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data?topic\\_id%5B%5D=33700&ddt\\_mon=&ddt\\_yr=&query=&items\\_per\\_page=10](https://www.uscis.gov/tools/reports-and-studies/immigration-and-citizenship-data?topic_id%5B%5D=33700&ddt_mon=&ddt_yr=&query=&items_per_page=10); U.S. Citizenship and Immigration Services. “USCIS Progress on Executive Orders”. February 2, 2022. <https://www.youtube.com/watch?v=ukqAmPgAN4w>.
- <sup>33</sup> 8 U.S.C. § 1356(m); The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, Pub. L. 100-459. <https://www.govinfo.gov/app/details/STATUTE-102/STATUTE-102-Pg2186>.
- <sup>34</sup> U.S. Citizenship and Immigration Services. “Alert: Recent TPS Designations/Extensions.” <https://www.uscis.gov/humanitarian/temporary-protected-status>.
- <sup>35</sup> Chishti, Muzaffar and Julia Gelatt. “Mounting Backlogs Undermine U.S. Immigration System and Impede Biden Policy Changes.” Migration Policy Institute, February 23, 2022. <https://www.migrationpolicy.org/article/us-immigration-backlogs-mounting-undermine-biden>.
- <sup>36</sup> U.S. Department of State, Bureau of Consular Affairs. “Covid-19 Impact on Travel and Consular Operations.” March 20, 2020. <https://travel.state.gov/content/travel/en/News/Intercountry-Adoption-News/covid-19-impact-on-travel-and-consular-operations.html>; U.S. Department of State, Bureau of Consular Affairs.



---

“Suspension of Routine Visa Services.” July 22, 2020. <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/visas-news-archive/suspension-of-routine-visa-services.html>.

<sup>37</sup> U.S. Department of State, Bureau of Consular Affairs. “Phased Resumption of Routine Visa Services.” July 14, 2020. <https://www.aila.org/File/Related/20071435.pdf>.

<sup>38</sup> Chishti, Muzaffar and Julia Gelatt. “Mounting Backlogs Undermine U.S. Immigration System and Impede Biden Policy Changes.” Migration Policy Institute, February 23, 2022. <https://www.migrationpolicy.org/article/us-immigration-backlogs-mounting-undermine-biden>.

<sup>39</sup> Ibid.

<sup>40</sup> Transactional Records Access Clearinghouse (TRAC). “Immigration Court Backlog Now Growing Faster Than Ever, Burying Judges in an Avalanche of Cases.” January 18, 2022. <https://trac.syr.edu/immigration/reports/675/>.

<sup>41</sup> U.S. Department of Justice, Executive Office for Immigration Review. “Workload and Adjudication Statistics, Pending Cases, New Cases, and Total Completions.” <https://www.justice.gov/eoir/workload-and-adjudication-statistics>; Transactional Records Access Clearinghouse (TRAC). “Immigration Court Backlog Tool.” May 2022. [https://trac.syr.edu/phptools/immigration/court\\_backlog/](https://trac.syr.edu/phptools/immigration/court_backlog/).

<sup>42</sup> U.S. Department of Justice, Executive Office for Immigration Review. “Workload and Adjudication Statistics, Pending Cases, New Cases, and Total Completions.” <https://www.justice.gov/eoir/workload-and-adjudication-statistics>.

<sup>43</sup> U.S. Government Accountability Office. “COVID-19: Improvements Needed in Guidance and Stakeholder Engagement for Immigration Courts.” August 31, 2021. <https://www.gao.gov/products/gao-21-104404>.

<sup>44</sup> Chishti, Muzaffar and Julia Gelatt. “Mounting Backlogs Undermine U.S. Immigration System and Impede Biden Policy Changes.” Migration Policy Institute, February 23, 2022. <https://www.migrationpolicy.org/article/us-immigration-backlogs-mounting-undermine-biden>.

<sup>45</sup> U.S. Citizenship and Immigration Services. “USCIS Announces New Actions to Reduce Backlogs, Expand Premium Processing, and Provide Relief to Work Permit Holders.” U.S. Citizenship and Immigration Services, March 29, 2022. <https://www.uscis.gov/newsroom/news-releases/uscis-announces-new-actions-to-reduce-backlogs-expand-premium-processing-and-provide-relief-to-work>.

<sup>46</sup> Montoya-Galvez, Camilo. “U.S. Immigration Agency Moves to Cut 9.5 Million-Case Backlog and Speed Up Processing.” CBS News, March 29, 2022. <https://www.cbsnews.com/news/immigration-uscis-case-backlog-processing-delays/>.

<sup>47</sup> U.S. Citizenship and Immigration Services. “USCIS Announces New Actions to Reduce Backlogs, Expand Premium Processing, and Provide Relief to Work Permit Holders.” U.S. Citizenship and Immigration Services, March 29, 2022. <https://www.uscis.gov/newsroom/news-releases/uscis-announces-new-actions-to-reduce-backlogs-expand-premium-processing-and-provide-relief-to-work>.

<sup>48</sup> Bier, David J. “Family and Employment Green Card Backlog Exceeds 9 Million.” Cato Institute, September 29, 2021. <https://www.cato.org/blog/family-employment-green-card-backlog-exceeds-9-million>.

<sup>49</sup> U.S. Department of State, Bureau of Consular Affairs. “Immigrant Visa Statistics, Annual Immigrant Visa Waiting List Report as of November 1, 2021.” <https://travel.state.gov/content/travel/en/legal/visa-lawo/visa-statistics/immigrant-visa-statistics.html>.

<sup>50</sup> U.S. Department of State. “Worldwide Final Action Dates from FY 1992-2021.” [https://travel.state.gov/content/dam/visas/family-preference-cut-off-dates/Cut-off%20Dates\\_Worldwide\\_online\\_FY21.pdf](https://travel.state.gov/content/dam/visas/family-preference-cut-off-dates/Cut-off%20Dates_Worldwide_online_FY21.pdf); U.S. Department of State. “Philippines Final Action Dates from FY 1992-2021.” [https://travel.state.gov/content/dam/visas/family-preference-cut-off-dates/Cut-off%20Dates\\_Philippines\\_online\\_FY21.pdf](https://travel.state.gov/content/dam/visas/family-preference-cut-off-dates/Cut-off%20Dates_Philippines_online_FY21.pdf).

<sup>51</sup> U.S. Department of State, Bureau of Consular Affairs. “Visa Bulletin for June 2022.” <https://travel.state.gov/content/travel/en/legal/visa-lawo/visa-bulletin/2022/visa-bulletin-for-june-2022.html>.

<sup>52</sup> U.S. Department of Homeland Security, Office of Immigration Statistics. “2020 Yearbook of Immigration Statistics.” April 2022. [https://www.dhs.gov/sites/default/files/2022-06/22\\_0308\\_plcy\\_yearbook\\_immigration\\_statistics\\_2020.pdf](https://www.dhs.gov/sites/default/files/2022-06/22_0308_plcy_yearbook_immigration_statistics_2020.pdf).





- 
- <sup>53</sup> U.S. Department of State, Bureau of Consular Affairs. “Visa Bulletin for June 2022.” <https://travel.state.gov/content/travel/en/legal/visa-lawo/visa-bulletin/2022/visa-bulletin-for-june-2022.html>.
- <sup>54</sup> 8 U.S.C. § 1151.
- <sup>55</sup> Immigration Act of 1990, Pub.L. 101-649. <https://www.govinfo.gov/content/pkg/STATUTE-104/pdf/STATUTE-104-Pg4978.pdf>.
- <sup>56</sup> U.S. Department of Homeland Security. “Legal Immigration and Adjustment of Status Report Fiscal Year 2022, Quarter 1.” <https://www.dhs.gov/immigration-statistics/special-reports/legal-immigration>.
- <sup>57</sup> 8 U.S.C § 1182(a)(4); 8 C.F.R. § 212.21(b).
- <sup>58</sup> Field Guidance on Deportability and Inadmissibility on Public Charge Grounds, 64 Fed. Reg. 2869, March 26, 1999. <https://www.govinfo.gov/content/pkg/FR-1999-05-26/pdf/99-13202.pdf>.
- <sup>59</sup> U.S. Department of Homeland Security. “Yearbook of Immigration Statistics 2020.” April 6, 2022. <https://www.dhs.gov/immigration-statistics/yearbook/2020>.
- <sup>60</sup> U.S. Department of State. “Annual Report of Immigrant Visa in the Family-sponsored and Employment-based Preferences Registered at the National Visa Center as of November 1, 2021.” November 1, 2021. [https://travel.state.gov/content/dam/visas/Statistics/Immigrant-Statistics/WaitingList/WaitingListItem\\_2021vF.pdf](https://travel.state.gov/content/dam/visas/Statistics/Immigrant-Statistics/WaitingList/WaitingListItem_2021vF.pdf).
- <sup>61</sup> U.S. Department of State. “Information About Form DS-5540, Public Charge Questionnaire.” <https://travel.state.gov/content/dam/visas/public-charge/DS-5540-instructions.pdf>.
- <sup>62</sup> U.S. Department of Homeland Security. “Inadmissibility on Public Charge Grounds.” August 14, 2019. <https://www.federalregister.gov/documents/2019/08/14/2019-17142/inadmissibility-on-public-charge-ground>.
- <sup>63</sup> Sherman, Mark. “Supreme Court Allows Enforcement of New Green Card Rule.” Associated Press, AP News. January 27, 2020. <https://apnews.com/article/lawsuits-us-supreme-court-ruth-bader-ginsburg-courts-immigration-9b9444cbdb1abd911a1b825c371d18ab>.
- <sup>64</sup> U.S. Department of Homeland Security. “DHS Statement on Litigation Related to the Public Charge Ground of Inadmissibility.” March 9, 2021. <https://www.dhs.gov/news/2021/03/09/dhs-statement-litigation-related-public-charge-ground-inadmissibility>.
- <sup>65</sup> Field Guidance on Deportability and Inadmissibility on Public Charge Grounds, 64 Fed. Reg. 28692, March 26, 1999. <https://www.govinfo.gov/content/pkg/FR-1999-05-26/pdf/99-13202.pdf>.
- <sup>66</sup> U.S. Citizenship and Immigration Services. “Public Charge Resources.” November 17, 2021. <https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge/public-charge-resources>; U.S. Citizenship and Immigration Services. “Public Charge Interagency Letter.” November 16, 2021. [https://www.uscis.gov/sites/default/files/document/legal-docs/USCIS\\_Public\\_Charge\\_Interagency\\_Letter\\_11.16.21.pdf](https://www.uscis.gov/sites/default/files/document/legal-docs/USCIS_Public_Charge_Interagency_Letter_11.16.21.pdf); Centers for Medicare and Medicaid Services. “Public Charge and Safeguarding Beneficiary Information.” July 22, 2021. <https://www.medicare.gov/federal-policy-guidance/downloads/cib072221.pdf>; U.S. Department of Agriculture, Food and Nutrition Service. “Joint Letter on Public Charge.” January 5, 2022. <https://www.fns.usda.gov/snap/joint-letter-public-charge>.
- <sup>67</sup> Public Charge Ground of Inadmissibility. 87 Fed. Reg. 10570, February 24, 2022. <https://www.govinfo.gov/content/pkg/FR-2022-02-24/pdf/2022-03788.pdf>.
- <sup>68</sup> Anderson, Stuart. “New Data Reveal State Department Visa Denials Surged in 2018.” Forbes, March 1, 2019. <https://www.forbes.com/sites/stuartanderson/2019/03/01/state-department-visa-denials-surged-in-2018/>.
- <sup>69</sup> No Kid Hungry. “Public Charge was Reversed, But Not Enough Immigrant Families Know.” December 2021. [https://www.nokidhungry.org/sites/default/files/2021-12/NKH\\_Public%20Charge\\_Micro-Report\\_English\\_o.pdf](https://www.nokidhungry.org/sites/default/files/2021-12/NKH_Public%20Charge_Micro-Report_English_o.pdf).
- <sup>70</sup> U.S. Citizenship and Immigration Services. “Policy Manual, Part G - Public Charge Ground of Inadmissibility.” June 10, 2022. <https://www.uscis.gov/policy-manual/volume-8-part-g>.
- <sup>71</sup> U.S. Department of State. “Foreign Affairs Manual.” 9 FAM 302.8 (U). February 24, 2022. <https://fam.state.gov/fam/09fam/09fam030208.html>.



- <sup>72</sup> Clark, Maggie. “Outreach for Pregnant People Included in Latest CMS Grant Funding Opportunity.” Georgetown University Health Policy Institute, Center for Children and Families, February 22, 2022. <https://ccf.georgetown.edu/2022/02/22/outreach-for-pregnant-people-included-in-latest-cms-grant-funding-opportunity/>.
- <sup>73</sup> Language Magazine. “Language Restrictions Exacerbate Pandemic Toll.” February 21, 2021. <https://www.languagemagazine.com/2021/02/21/study-highlights-importance-of-language-access-services-during-pandemic/>.
- <sup>74</sup> Gerda, Nick. “Orange County Supervisors Push For Language Translation at Main Coronavirus Test Site.” Voice of OC, August 25, 2020. <https://voiceofoc.org/2020/08/orange-county-supervisors-push-for-language-translation-at-main-coronavirus-test-site/>.
- <sup>75</sup> Zia, Helen. “One Nation Commission 2020 Report: AAPIs Rising to Fight Dual Pandemics.” One Nation AAPI, October 2020. <https://www.onenationaapi.com/commission-report-ii>.
- <sup>76</sup> Wong, Ashley. “Push for Language Access After Ida Highlights a Greater Need in N.Y.” *The New York Times*, March 3, 2022. <https://www.nytimes.com/2022/03/03/nyregion/severe-weather-alerts-languages-ida.html>; American Public Health Association. “Addressing the Needs of Immigrants in Response to Natural and Human-Made Disasters in the United States.” American Public Health Association, November 8, 2006. <https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/23/17/36/addressing-the-needs-of-immigrants-in-response-to-natural-and-humanmade-disasters-in-the-us>.
- <sup>77</sup> Ahuja, Kiran. “Increasing Federal Agency Outreach to Limited English Proficient Communities.” The White House Blog, February 7, 2014. <https://obamawhitehouse.archives.gov/blog/2014/02/07/increasing-federal-agency-outreach-limited-english-proficient-communities>.
- <sup>78</sup> U.S. Department of Homeland Security. “National Preparedness Report.” December 2021. [https://www.fema.gov/sites/default/files/documents/fema\\_2021-national-preparedness-report.pdf](https://www.fema.gov/sites/default/files/documents/fema_2021-national-preparedness-report.pdf).
- <sup>79</sup> The White House. “Presidential Policy Directive/PPD-8: National Preparedness.” March 30, 2011. <https://www.fema.gov/emergency-managers/national-preparedness>.
- <sup>80</sup> Federal Emergency Management Agency. “Equity Action Plan Summary.” <https://www.whitehouse.gov/wp-content/uploads/2022/04/FEMA-EO13985-equity-summary.pdf>.
- <sup>81</sup> Exec. Order No. 13407, 71 Fed. Reg. 36975 (2006). <https://www.federalregister.gov/documents/2006/06/28/06-5829/public-alert-and-warning-system>.
- <sup>82</sup> Integrated Public Alert and Warning System Modernization Act of 2015, 6 U.S.C. § 3210 ((2016). <https://www.congress.gov/bill/114th-congress/senate-bill/1180/text>.
- <sup>83</sup> Federal Emergency Management Agency. “Frequently Asked Questions for 2021 IPAWS National Test.” <https://www.fema.gov/fact-sheet/frequently-asked-questions-2021-ipaws-national-test>.
- <sup>84</sup> National Weather Service. “Wireless Emergency Alerts (360 characters)”. <https://www.weather.gov/wrn/wea360>.
- <sup>85</sup> Yam, Kimmy and Sakshi Vekatraman. “Ida’s Forgotten Victims: Nearly All Storm’s Basement Deaths Were Asian Residents, Obscured by Climate Injustice.” NBC News, October 18, 2021. <https://www.nbcnews.com/news/asian-america/ida-s-forgotten-victims-nearly-all-storm-s-basement-deaths-n1281670>.
- <sup>86</sup> Wong, Ashley. “Push for Language Access After Ida Highlights a Greater Need in N.Y.” *The New York Times*, March 3, 2022. <https://www.nytimes.com/2022/03/03/nyregion/severe-weather-alerts-languages-ida.html>.
- <sup>87</sup> Federal Communications Commission. “Multilingual Alerting for the Emergency Alert System and Wireless Emergency Alerts.” March 30, 2021. [https://www.fcc.gov/MultilingualAlerting\\_EAS-WEA](https://www.fcc.gov/MultilingualAlerting_EAS-WEA).
- <sup>88</sup> Fowlkes, Lisa. “State Emergency Managers: Know Your State Emergency Alert System Plans.” Federal Communications Commission, July 2, 2019. <https://www.fcc.gov/news-events/blog/2019/07/02/state-emergency-managers-know-your-state-emergency-alert-system-plans>.
- <sup>89</sup> 42 U.S.C. § 2000d et seq.



- 
- <sup>90</sup> Federal Emergency Management Agency. “Integrated Public Alert and Warning System.” March 19, 2021. <https://www.fema.gov/emergency-managers/practitioners/integrated-public-alert-warning-system/governance>.
- <sup>91</sup> Federal Emergency Management Agency. “National Advisory Council.” <https://www.fema.gov/about/offices/national-advisory-council>.
- <sup>92</sup> Federal Emergency Management Agency. “Frequently Asked Questions for 2021 IPAWS National Test.” July 29, 2021. <https://www.fema.gov/fact-sheet/frequently-asked-questions-2021-ipaws-national-test/>.
- <sup>93</sup> National Weather Service. Products and Services in Support of Limited English Proficiency (LEP) and Building a Weather-Ready Nation. March 2016. [https://nws.weather.gov/products/CARDS/protected/documents/Requests/16-008\\_Request%20Spanish%20Language\\_LEP.docx](https://nws.weather.gov/products/CARDS/protected/documents/Requests/16-008_Request%20Spanish%20Language_LEP.docx).
- <sup>94</sup> Budman, Abby and Neil G. Ruiz. “Key facts about Asian Americans, a diverse and growing population.” Pew Research Center, April 29, 2021. <https://www.pewresearch.org/fact-tank/2021/04/29/key-facts-about-asian-americans>.
- <sup>95</sup> U.S. Census Bureau. “2016-2020 American Community Survey 5-year Estimates (2020).” <https://data.census.gov/cedsci/table?q=language&tid=ACST5Y2020.S1601>.
- <sup>96</sup> Ibid.
- <sup>97</sup> U.S. Census Bureau. “Top Languages Other than English Spoken in 1980 and Changes in Relative Rank, 1990-2010.” <https://www.census.gov/programs-surveys/sis/resources/visualizations/spoken-languages.html>.
- <sup>98</sup> U. S. Government Accountability Office. “Language Access: Selected Agencies Can Improve Services to Limited English Proficient Persons.” U.S. Government Accountability Office, April 2010. <https://www.gao.gov/products/gao-10-9>.
- <sup>99</sup> Holder, Eric. “Federal Government's Renewed Commitment to Language Access Obligations Under Executive Order 13166.” Office of the Attorney General, February 17, 2011. [https://www.lep.gov/sites/lep/files/resources/AG\\_021711\\_EO\\_13166\\_Memo\\_to\\_Agencies\\_with\\_Supplement.pdf](https://www.lep.gov/sites/lep/files/resources/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf).
- <sup>100</sup> Office of Management and Budget. “Memorandum for the Heads of Executive Departments and Agencies.” November 8, 2016. [https://www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/memoranda/2017/m-17-06.pdf](https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/memoranda/2017/m-17-06.pdf).
- <sup>101</sup> The White House. “Advancing Equity and Racial Justice Through the Federal Government.” <https://www.whitehouse.gov/equity/>.
- <sup>102</sup> USA.gov. <https://www.usa.gov/espanol/>.
- <sup>103</sup> Centers for Disease Control and Prevention. <https://www.cdc.gov/spanish/>.
- <sup>104</sup> U.S. Social Security Administration. <https://www.ssa.gov/site/languages/en/>.
- <sup>105</sup> MedlinePlus. <https://medlineplus.gov/spanish/>.
- <sup>106</sup> Internal Revenue Service. <https://www.irs.gov/>.
- <sup>107</sup> U.S. Department of Justice Civil Rights Division. <https://civilrights.justice.gov/report/>.
- <sup>108</sup> Limited English Proficiency Committee, Title VI Interagency Working Group. “Improving Access to Public Websites and Digital Services for Limited English Proficient (LEP) Persons.” U.S. Department of Justice, December 2021. [https://www.lep.gov/sites/lep/files/media/document/2021-12/2021\\_12\\_07\\_Website\\_Language\\_Access\\_Guide\\_508.pdf](https://www.lep.gov/sites/lep/files/media/document/2021-12/2021_12_07_Website_Language_Access_Guide_508.pdf); Digital.gov and the Multilingual Community of Practice and the Web Managers Community of Practice. “Language Connections: Tips to Create, Maintain, and Present Non-English Digital Content.” February 24, 2022. <https://digital.gov/event/2022/02/24/language-connections-tips-to-create-maintain-and-present-non-english-digital-content/>.
- <sup>109</sup> Monte, Lindsay and Hyon B. Shin. “20.6 Million People in the U.S. Identify as Asian, Native Hawaiian or Pacific Islander.” U.S. Census Bureau, May 25, 2022. <https://www.census.gov/library/stories/2022/05/aanhpi-population-diverse-geographically-dispersed.html>;



- 
- U.S. Census Bureau. “Asian American and Pacific Islander Heritage Month: May 2022.” April 18, 2022. <https://www.census.gov/newsroom/facts-for-features/2022/asian-american-pacific-islander.html>.
- <sup>110</sup> Colby, Sandra L. and Jennifer M. Ortman. “Projections of the Size and Composition of the U.S. Population: 2014 to 2060.” U.S. Census Bureau, March 2015. <https://www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf>.
- <sup>111</sup> Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity, 62 Fed. Reg. 58782. October 30, 1997.
- <sup>112</sup> Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity. 81 Fed. Reg. 67398, September 30, 2016. <https://www.federalregister.gov/documents/2016/09/30/2016-23672/standards-for-maintaining-collecting-and-presenting-federal-data-on-race-and-ethnicity>.
- <sup>113</sup> Exec. Order No. 13515, 3 C.F.R. 261 (2010).
- <sup>114</sup> White House Initiative on Asian Americans and Pacific Islanders. “The Best Practices for the Disaggregation of Federal Data on Asian Americans and Pacific Islanders.” March 2016. <https://www.hhs.gov/sites/default/files/mar2016-whiaanhpi-data-disaggregation-report.pdf>.
- <sup>115</sup> Exec. Order No. 13985, 86 Fed. Reg. 7009 (2021).
- <sup>116</sup> Equitable Data Working Group. “A Vision for Equitable Data: Recommendations from the Equitable Data Working Group.” April 22, 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/04/eo13985-vision-for-equitable-data.pdf>.
- <sup>117</sup> U.S. Census Bureau. “1790 Overview.” [https://www.census.gov/history/www/through\\_the\\_decades/overview/1790.html](https://www.census.gov/history/www/through_the_decades/overview/1790.html).
- <sup>118</sup> Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity, 62 Fed. Reg. 58782. October 30, 1997.
- <sup>119</sup> Edlagan, Christian and Kavya Vaghul. “How Data Disaggregation Matters for Asian Americans and Pacific Islanders.” Washington Center for Equitable Growth, December 12, 2006. <https://equitablegrowth.org/how-data-disaggregation-matters-for-asian-americans-and-pacific-islanders/>.
- <sup>120</sup> White House Initiative on Asian Americans and Pacific Islanders. “The Best Practices for the Disaggregation of Federal Data on Asian Americans and Pacific Islanders.” March 2016. <https://www.hhs.gov/sites/default/files/mar2016-whiaanhpi-data-disaggregation-report.pdf>.
- <sup>121</sup> Equitable Data Working Group. “A Vision for Equitable Data: Recommendations from the Equitable Data Working Group.” April 22, 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/04/eo13985-vision-for-equitable-data.pdf>.
- <sup>122</sup> Matthews, Kelly, Jessica Phelan, Nicholas A. Jones, Sarah Konya, Rachel Marks, Beverly M Pratt, Julia Coombs, and Michael Bently. “2015 National Content Test Race and Ethnicity Analysis Report.” U.S. Census Bureau, February 28, 2017. <https://www.census.gov/programs-surveys/decennial-census/decade/2020/planning-management/plan/final-analysis/2015nct-race-ethnicity-analysis.html>.
- <sup>123</sup> Quint, Joshua J., Miriam E. Van Dyke, et al. “Disaggregating Data to Measure Racial Disparities in COVID-19 Outcomes and Guide Community Response - Hawai‘i, March 1, 2020-February 28, 2021.” Centers for Disease Control and Prevention, September 17, 2021. <https://www.cdc.gov/mmwr/volumes/70/wr/mm7037a1.htm#suggestedcitation>.
- <sup>124</sup> National CAPACD. May 19, 2021. <https://www.nationalcapacd.org/uncategorized/58-of-aapi-entrepreneurs/>.
- <sup>125</sup> U.S. Small Business Administration. “SBA Releases FY 2020 Disaggregated Contracting Data.” December 1, 2021. <https://www.sba.gov/blog/sba-releases-fy-2020-disaggregated-contracting-data>.
- <sup>126</sup> National CAPACD. “Small Business, Big Dreams. A Survey of Economic Development Organizations and Their Small Business Clients in Low-Income Asian American and Pacific Islander Communities.” [https://www.nationalcapacd.org/wp-content/uploads/2019/03/CAPACD\\_SmallBusinessReport\\_final\\_web.pdf](https://www.nationalcapacd.org/wp-content/uploads/2019/03/CAPACD_SmallBusinessReport_final_web.pdf).





---

<sup>127</sup> The White House. “Fact Sheet: The Biden-Harris Administration Advances Equity and Opportunity for Asian American, Native Hawaiian, and Pacific Islander Communities Across the Country.” January 20, 2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/01/20/fact-sheet-biden-harris-administration-advances-equity-and-opportunity-for-asian-american-native-hawaiian-and-pacific-islander-communities-across-the-country/>.

<sup>128</sup> White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders. “Regional Network.” <https://www.hhs.gov/about/whiaanhpi/regional-network/index.html>.

<sup>129</sup> Colby, Sandra L. and Jennifer M. Ortman. “Projections of the Size and Composition of the U.S. Population: 2014 to 2060.” U.S. Census Bureau, March 2015. <https://www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf>.

<sup>130</sup> National CAPACD. May 19, 2021. <https://www.nationalcapacd.org/uncategorized/58-of-aapi-entrepreneurs/>; National CAPACD. “Small Business, Big Dreams. A Survey of Economic Development Organizations and Their Small Business Clients in Low-Income Asian American and Pacific Islander Communities.” [https://www.nationalcapacd.org/wp-content/uploads/2019/03/CAPACD\\_SmallBusinessReport\\_final\\_web.pdf](https://www.nationalcapacd.org/wp-content/uploads/2019/03/CAPACD_SmallBusinessReport_final_web.pdf).

<sup>131</sup> The White House. “Fact Sheet: Biden-Harris Administration Announces Reforms to Increase Equity and Level the Playing Field for Underserved Small Business Owners.” <https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/02/fact-sheet-biden-harris-administration-announces-reforms-to-increase-equity-and-level-the-playing-field-for-underserved-small-business-owners/>.

<sup>132</sup> Ibid.

<sup>133</sup> The White House. “Fact Sheet: Delivering on Tulsa Commitments to Build Black Wealth.” June 1, 2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/01/fact-sheet-delivering-on-tulsa-commitments-to-build-black-wealth/>.

<sup>134</sup> Exec. Order No. 13985, 86 Fed. Reg. 7009 (2021).



# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Commission Subcommittee Summaries**

September 2022



# Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee</b>	<b>2</b>
Subcommittee Membership	2
Summary of Meetings and Presentations	2
Summary of Recommendations	3
Recommendation: Improving Hate Crimes Reporting	4
<b>Language Access Subcommittee</b>	<b>7</b>
Subcommittee Membership	7
Summary of Meetings	7
Summary of Recommendations	8
Recommendation: Improving Federal Agency Accountability and Transparency for Language Access	9
Recommendation: Funding Language Access Resources	18
Recommendation: Language Access in U.S. Citizenship and Immigration Services Materials	21
<b>Data Disaggregation Subcommittee</b>	<b>23</b>
Subcommittee Membership	23
Summary of Meetings	23
Summary of Recommendations	24
Recommendation: Minimum Data Collection Standards & Data Summit	25
<b>Economic Equity Subcommittee</b>	<b>28</b>
Subcommittee Membership	28
Summary of Meetings	28
Summary of Recommendations	29
Recommendation: Increasing AA and NHPI Representation in the Federal Workforce	30
Recommendations: Priorities for AA and NHPI Workers in Low-Wage Jobs and Care Workers	33
<b>Immigration and Citizenship Status Subcommittee</b>	<b>39</b>
Subcommittee Membership	39
Summary of Meetings	39
Summary of Recommendations	40
Recommendation: Immigration Enforcement	41
Recommendation: H-1B and L-1 Visa Stamping	48
<b>References</b>	<b>50</b>



## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee
2. Health Equity Subcommittee
3. Immigration and Citizenship Status Subcommittee
4. Language Access Subcommittee
5. Data Disaggregation Subcommittee
6. Economic Equity Subcommittee

Between February 2022 and September 2022, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations, which were transmitted to President Biden in August 2022.

The Commission held its third meeting, in-person, on September 28, 2022, where additional recommendations were considered and discussed. This document includes meeting summaries and final recommendations that were approved by the full Commission at the September meeting.





## Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah, Dr. Robert Underwood
- **Designated Federal Officer:** Carol Wu

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee meets bi-weekly. Following the Commission's second meeting on May 12, 2022, the subcommittee met on June 14, June 28, July 12, July 26, August 9, August 16, August 30, and September 20, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Kiran Kaur Gill, Executive Director, Sikh American Legal Defense and Education Fund (SALDEF):** Presented on the effect that racially motivated mass shootings have had on AA and NHPI communities and spoke to policies that could help prevent and address gun violence.
- **Kareem Shora, Executive Vice President, Programs and Policy, Human Rights First (HRF):** Presented on HRF's work to address the overarching threat of white supremacy and its effect on AA and NHPI communities across the United States.
- **Chad Reifer, Chief, Domestic Terrorism Branch, Counterterrorism Mission Center, Office of Intelligence & Analysis, U.S. Department of Homeland Security (DHS):** Presented an overview of DHS's domestic terrorism strategy and data regarding incidents of racially or ethnically motivated violence.
- **Norman Chen, Chief Executive Officer, The Asian American Foundation; Aryani Ong, Senior Advisor, Anti-Hate & Belonging Program, The Asian American Foundation; and Kathy Ko Chin, Senior Advisor of Programs, The Asian American Foundation (TAAF):** Presented an overview of TAAF's work, including efforts



surrounding their Asian American Pacific Islander (AAPI) Action Centers that are combatting anti-Asian hate at the regional level by building infrastructure to improve AAPI advocacy, power, and representation.

- **Stewart Kwoh, Co-Founder and Co-Executive Director, The Asian American Education Project; Dr. Virginia Loh-Hagen, Co-Executive Director, The Asian American Education Project; and Sandy Sakamoto, Director of Creative Development and Counsel, The Asian American Education Project:** Presented on The Asian American Education Project's mission and work to combat anti-Asian hate by integrating the history of AA and NHPI communities in the United States into K-12 curricula.
- **Rosemarie Hidalgo, Special Assistant to the President and Senior Advisor on Gender-Based Violence, Gender Policy Council, The White House:** Presented on the White House Task Force to Address Online Harassment and Abuse and the disproportionate impact that online harassment and abuse has had on the AA and NHPI community.

## Summary of Recommendations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee presented the following recommendation at the September 28, 2022, meeting, which the Commission approved in a final vote:

- **Recommendation:** Increase hate crimes reporting among AA and NHPI communities through improved language access and community town halls.



## **Recommendation: Improving Hate Crimes Reporting**

A pathway to improving the reporting of anti-Asian hate crimes is through improved language access and community town halls, including:

- Translating the Federal Bureau of Investigation (FBI) tip form into other AA and NHPI languages such as Simplified Chinese, Traditional Chinese, Vietnamese, Korean, Tagalog, Arabic, Japanese, Urdu, Punjabi, Hindi, and Pacific Islander languages. The form must also be culturally sensitive, and the FBI must develop an engagement plan.
- Improving AA and NHPI language services for the FBI tip line by establishing standardized response times for phone calls or return calls to person(s) from five to ten minutes to avoid “cold feet” from the person(s) reporting the hate crime to the FBI tip line.
- Recommending that the FBI, and other federal agencies that address hate crimes, review data to determine the number of AA and NHPI interpreters needed to meet the five to ten minutes response time.
- Scheduling in-person and virtual town halls to provide engagement opportunities for members of AA and NHPI communities, including organizations that are currently working with victims of AA and NHPI hate crimes and incidents. These public town halls will enable this Commission, as well as federal agencies that address hate crimes and incidents and collect data, to hear directly from members of AA and NHPI communities and organizations. These public forums will also provide opportunities for federal agencies such as the FBI, Department of Justice’s Office for Civil Rights, and other pertinent agencies to share information with the community on how to file hate crimes, incidents, and complaints and to let the public know that the agencies exist to help them.
- Recommending that five cities and/or regions with the highest population of AA and NHPI communities be targeted for the in-person town halls.
- Upon the completion of the town halls, providing a written report to the Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee for review and discussion to ascertain if more recommendations are needed.



## **Background and Rationale:**

Language and culturally competent services continue to be a huge barrier for AA and NHPI communities in reporting hate crimes and incidents to law enforcement and the FBI tip line. According to the Census Bureau, there are approximately 25 million people who speak a foreign language at home and who speak English “less than very well.”<sup>1</sup> Of that number, almost 5 million speak an Asian or Pacific Island language and speak English “less than very well.”<sup>2</sup> Consequently, access to computers and/or the internet may also be a barrier. Monolingual or limited English speaking individuals who call the FBI tip line may have to wait for an available interpreter. Several advocacy organizations have hate crime reporting forms in several Asian languages, such as the forms used by the National Asian Pacific Center on Aging, Stop AAPI Hate, and Asian Americans Advancing Justice.

Conducting in-person town halls and virtual town halls will allow community members and victims of hate crimes and leaders/staff of community-based organizations to share their experiences with hate crimes/incidents, share any hate crime/incident data that community-based organizations have collected since the pandemic, and offer recommendations on improving the reporting of hate crimes. Community-based organizations, which provide bilingual and culturally competent services, are trusted by their constituencies/clients who are more comfortable sharing their hate crime experiences with their bilingual staff.

The two main sources of hate crime data are from the Bureau of Justice Statistics National Crime Victimization Survey (NCVS)<sup>3</sup> and the Uniform Crime Reporting program (UCR).<sup>4</sup> The UCR program contains data from city, county, state, tribal, territorial, universities and colleges, and federal law enforcement agencies. These agencies participate voluntarily and not every law enforcement agency in the country participates in the program. The NCVS is a survey of a nationally representative sample of about 150,000 households who have experienced hate crimes. There are huge discrepancies, however, between these two sources of data. Between 2004 and 2015, for instance, the UCR reported an average of 6,739 hate crimes per year<sup>5</sup> while the NCVS reported an average of 250,000 hate crimes per year.<sup>6</sup> This is because the definitions of hate crimes differ at the state and federal level and the collection of hate crime data is not required nationally.

According to a joint report on hate crimes by the Department of Justice and Department of Health and Human Services, 23% of “violent hate crimes not reported to the police involved victims who believed that police could not or would not do anything to help,” and that “about 5% were not reported to police because the victim feared reprisal.”<sup>7</sup> Victims may be additionally fearful of reprisal based on their immigration status. According to a PEW Research Center report in April 2021, “[p]eople from Asia made up





about 14% of the 10.5 million unauthorized immigrants in the U.S. in 2017.”<sup>8</sup> This along with language access barriers may make it more difficult for AA and NHPI communities to report hate crimes.

### **Approach for Implementation:**

A planning committee composed of Commissioners from the Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee, WHIAANHPI staff, and Regional Network co-chairs shall develop the agenda, target the cities for the in-person town halls, schedule the dates, times, and locations of the public town halls and virtual town halls, develop an outreach plan to the AA and NHPI communities and organizations, and determine which agencies and agency officials should attend and participate in the town halls. Agency representatives will answer questions and provide information about the importance of reporting hate crimes.

### **Timeline:**

The planning committee should be formed by the end of October 2022. The town halls will be scheduled in the Spring of 2023.



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Amy Agbayani, Victoria Huynh, Dr. Kimberly Chang
- **Members:** Kerry Doi, Grace Huang, Dr. Kamal Kalsi, Ajay Bhutoria, Simon Pang
- **Non-Commission Member:** Deeana Jang
- **Ex-officio Member:** Laureen Laglagaron, Attorney Advisor, Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice
- **Designated Federal Officer:** Maysee Jacobs

### Summary of Meetings:

The Language Access Subcommittee meets bi-weekly. Following the Commission's second meeting on May 12, 2022, the subcommittee met on June 10, July 8, July 22, August 5, August 19, September 2, and September 16, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Laura Godfrey, Manager at USA.gov, Technology Transformation Services, U.S. General Services Administration (GSA):** Provided an overview of the efforts to standardize the provision of translated web content across the federal government, including both challenges and opportunities.
- **David Hyams, Chief of Enforcement and Regional Partnerships, Conscience and Religious Freedom Division, U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR):** Provided an overview of civil rights protections in language access and requirements for those receiving federal funds to provide language access.
- **Nani A. Coloretti, Deputy Director, Office of Management and Budget (OMB); Melissa Newman, Senior Policy Analyst, OMB; and Shaibya Dalal, Senior Equity Fellow, OMB:** Presented information about the process for setting benchmarks on language access spending and needs. Also provided information on the process to allocate more money for language access into federal agency budgets and ways that small community-



based organizations that do language access and translation work may be eligible to receive federal funding.

- **Gregg Orton, National Director, National Council of Asian Pacific Americans (NCAPA); Young Noh Jung, Policy and Programs Manager, NCAPA; Azizah Ahmad, Policy & Community Advocacy Manager, Asian & Pacific Islander American Health Forum (APIAHF); Adam P. Carbullido, Director of Policy and Advocacy, Association of Asian Pacific Community Health Organizations (AAPCHO); Marita Etcubañez, Senior Director of Strategic Initiatives, Asian Americans Advancing Justice-Asian American Justice Center (AAJC); and Navdeep Singh, Interim Policy Director, National Asian Pacific American Bar Association (NAPABA):** Presented on recommendations and principles to revamp the federal government's efforts on language access for AA and NHPI communities, especially given the communities' vast cultural and linguistic diversity and some populations' relatively small size.

## Summary of Recommendations:

The Language Access Subcommittee presented the following recommendations at the September 28, 2022 meeting, which the Commission approved in a final vote:

- **Recommendation:** Designate language coordinators to strengthen the executive branch's ability to incorporate language access into operations.
- **Recommendation:** Allocate funding to increase language access resources.
- *In collaboration with the Immigration and Citizenship Status Subcommittee:* **Recommendation:** Expand dissemination of Department of Homeland Security's U.S. Citizenship and Immigration Services' information in multiple languages and increase AA and NHPI community outreach.



## Recommendation: Improving Federal Agency Accountability and Transparency for Language Access

The Commission recommends efforts to strengthen the executive branch's ability to incorporate language access into operations (i.e., strengthening Executive Orders 13166<sup>9</sup> and 13985). More specifically, the Commission recommends that the Attorney General request all federal agencies to recommit to Executive Order (EO) 13166 by:

- Immediately designating a language access point of contact for their agency/department who will be the point person for all language access inquiries for the agency/department;
- Revising their language access plans that include a timeline on expectations when translations will be completed, with particular focus on emergent issues and making them publicly available on the agency/department website, including translations in both written and oral formats;
- Developing a complaint process and system for each agency/department so that stakeholder and persons with limited English proficiency (LEP) know where to ask for help and where to file complaints about the quality or provision of language assistance services; and
- Ensuring that all recipients of federal financial assistance develop, implement, and operationalize language access plans or policies and create a public complaint/accountability system so that LEP beneficiaries have meaningful access to federally-funded programs.

The Commission is particularly interested in language access action by the following federal agencies which have extensive interactions with LEP individuals through their federally-conducted or federally-assisted work: Department of Commerce (DOC), Department of Education (DOE), Department of Health and Human Services (HHS), Department of Homeland Security (DHS), Department of Justice (DOJ), Department of Labor (DOL), Department of Transportation (DOT), and the Small Business Administration (SBA).

### Background:

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency."<sup>10</sup> The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly





burdening, the fundamental mission of the agency. The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

To assist federal agencies in carrying out these responsibilities, DOJ issued policy guidance in 2002, “Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency.”<sup>11</sup> This LEP guidance sets forth the compliance standards that recipients of federal financial assistance must follow to ensure that their programs and activities are accessible to LEP persons and thus do not violate Title VI’s prohibition against national origin discrimination.

Asian American, Native Hawaiian, and Pacific Islander communities have historically played leading roles in asserting the right to language access:

- A class action lawsuit filed on behalf of Chinese-speaking students against the San Francisco Unified School District alleged that the district failed to provide the same education program to 1,800 Chinese speaking students as it did to English-speaking students. The landmark case ended up at the U.S. Supreme Court, *Lau v. Nichols*,<sup>12</sup> and it established that under federal civil rights law, the failure to provide meaningful access to limited English-speaking children resulted in discrimination on the basis of national origin.
- In 1981, a consortium of community health centers, including Asian Health Services, filed a complaint with the HHS Office for Civil Rights in Region IX alleging that Highland Hospital, the public hospital in Alameda County, California, failed to provide interpreters for patients. The complaint was resolved and the hospital agreed to hire staff interpreters covering five languages.<sup>13</sup>
- In 1999, the Asian Pacific American Legal Center (now called Asian Americans Advancing Justice Southern California) filed a Title VI complaint alleging that the Los Angeles Department of Public Social Services failed to provide adequate language assistance. In 2003, HHS signed a landmark agreement with the county that established, among other things, a centralized civil rights office; toll-free hotlines in threshold languages; a Community Advisory Board; and improvements in the welfare-to-work program to provide LEP persons with meaningful access to employment and training programs. The settlement also included \$1.7 million in benefits illegally denied to non-English and non-Spanish speaking welfare recipients.<sup>14</sup>
- In 2013, a community-based organization filed a lawsuit against the Hawaii Department of Transportation alleging that the department’s failure to translate the driver’s license examination into Marshallese, Chuukese, and



Ilocano was discriminatory.<sup>15</sup> The lawsuit was settled in 2015 and now Hawaii translates its driver's license examination into 13 languages, including Hawaiian.<sup>16</sup>

On January 20, 2021, President Biden issued EO 13985, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government."<sup>17</sup> As part of this presidential directive, agencies and departments developed equity plans, many of which included language access as part of their commitment to advance racial equity and support for communities underserved by the federal government. For example, departments that mention language access activities in their racial equity plans include the following:

- The Department of Commerce's Bureau of Economic Analysis and its Bureau of Industry and Security<sup>18</sup> will continue to produce more documents and data services in other languages as needed to reduce linguistic barriers to utilization.
- The Department of Education<sup>19</sup> requires all state and local educational agencies to complete diverse and inclusive plans as part of their funding strategy to receive funds under the Elementary and Secondary School Emergency Relief Fund of the American Rescue Plan Act of 2021. Stakeholders representing the interests of English language learners must be included in those plans.
- The Department of Health and Human Services<sup>20</sup> will address the barriers that individuals with limited English proficiency face in accessing health services and benefits. HHS will expand access to in-language assistance across the agency's outreach materials, including through telephonic interpreter services, and will provide federal funding to expand language access services.
- The Department of Homeland Security<sup>21</sup> will improve access to humanitarian protection during immigration processing by addressing language and disability-access gaps and enhancing access to legal information and resources.
- The Department of Justice<sup>22</sup> will improve access to justice programs and resources for individuals with limited English proficiency to ensure all communities understand their rights, can report crimes, and have full and equal access to DOJ's services and resources.
- The Department of Labor<sup>23</sup> will ensure workers with limited English proficiency are fully aware of their rights and can access workplace protections by increasing the agency's language capacity through hiring and retaining more bilingual and multilingual staff.



- The Small Business Administration’s<sup>24</sup> Office of Disaster Assistance will secure on-demand translation services to meet the immediate needs of disaster survivors with limited English proficiency and hire local staff within impacted communities to facilitate understanding of the disaster loan process.

Furthermore, consideration of how recipients of federal financial assistance provide meaningful access to LEP individuals is of utmost importance:

- On June 21, 2022, Attorney General Merrick Garland reminded federal agencies of their responsibility to ensure that no person suffers unlawful discrimination in programs and activities that receive federal financial assistance under the Infrastructure Investment and Jobs Act (IIJA) and the fiscal year 2022 Consolidated Appropriations Act.<sup>25</sup>
- On June 22, 2022, Associate Attorney General Vanita Gupta directed the department to review the implementation and enforcement of Title VI within the DOJ.<sup>26</sup>

There are limitations to enforcing Executive Order 13166. Executive Order 13166 explicitly states that it is intended to improve the internal management of the executive branch and does not create any right that is enforceable by law. As such, enforcement is needed through public accountability so that the community, and federal agencies themselves, can monitor the progress of implementation of language access initiatives. Federal agencies must recognize that providing language access is crucial to achieving their respective missions, whether related to a public health crisis, emergency preparedness, response and mitigation, law enforcement, tax collection, or immigration services. Furthermore, accountability is a key principle of good governance. The public must be able to see how federal agencies are complying with the Executive Order to hold them accountable, work together, and improve equity, justice, and opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders. This will also benefit all LEP communities nationwide.

### **Rationale:**

Improving federal agency accountability and transparency for language access has been delayed for too long. At the May 12, 2022, public meeting of the Presidency’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders, Commissioners expressed irritation, impatience, frustration, outrage, and anger with the delayed implementation of language access measures across the federal government.

Commissioner Luisa Blue expressed the need to hold federal agencies accountable to the communities served: “I’m a little annoyed. These are issues that have been in our



communities for decades. And so somebody in the administration has heard all of this before, and I don't get it. They have resources. Why do they always have to go to the community who has very limited resources for what they have to carry out now and say, oh could you translate this? I'm sorry. You know, you have the resources, pay that community organization! And then how do we hold these agencies accountable? Because this is not okay. And I am seeing that as a theme, you know as I'm listening to all these recommendations that none of this is new, right? And it's not right. And we have to have sharper elbows, because if we're going to have these agencies sit in front of us and give us their blah, blah, blah, and I appreciate the data, nuh uh – it's like what are you going to do then? Because we are tired of it. If you go out to the community, they're just tired of this like, oh really? We've heard that before. You know, so what do we have to do as a Commission to just have our sharp elbows and just hold these folks accountable because we have to go back to our communities. They are looking to us to make things better. Now!"

Similarly, Commissioner KaYing Yang emphasized that more investment in communities with oral language traditions is needed, and federal agency accountability is crucial: "We already know this. And yet there isn't enough investment in those communities. Why are our languages treated differently, right? And this is where we're saying that we really have to name it. This is the manifestation of racism that is experienced by Asian Americans. And I want to just you know, really think through, it is complex because there are many languages that we need to interpret and ensure that communities have access to it. But we already know what those languages are in each of our communities, and so how can we keep, how can we hold these agencies and these laws accountable and in compliance with us, otherwise we sue right?"

And Chief Commissioner Sonal Shah expressed her frustration on the delay in improved language access: "This just needs to get done because this has been talked about enough. Think about just calling us a multilingual nation, and not calling us a nation that's singular, but we are a multilingual nation, and we just need to recognize that as a nation to do that."

It is important to note that four out of the five top languages spoken by LEP individuals in the United States are Asian languages: Chinese, Vietnamese, Korean, and Tagalog.<sup>27</sup>

In addition, there are documented morbidity and mortality impacts from being LEP and the inability to access information in English. As noted in recommendations from this subcommittee on May 12, 2022, there are health vs. illness and life vs. death impacts. Some background facts that have been noted in prior recommendations from this subcommittee: studies have shown that communities with high numbers of LEP residents and racial minorities tended to be hit hardest by the pandemic with higher rates of incidence and mortality among these populations.<sup>28</sup> Yet, many limited English speaking individuals could not access information, testing, and vaccinations in their





languages.<sup>29</sup> Furthermore, in the aftermath of the recent flooding in New York City during Hurricane Ida, and also after Hurricane Katrina and the oil spill on the Gulf Coast, immigrant communities including limited English speaking Asian Americans and Pacific Islanders faced particular challenges in receiving timely and accurate information about disaster/emergency preparedness and response and recovery services, and were therefore disproportionately impacted.<sup>30</sup> While there have been strides made in ensuring language barriers to accessing services commensurate with civil rights, they have not occurred with enough speed or magnitude. The limited access to federal services due to the language access issues have resulted in deaths due to natural disasters, health inequities, and disparate access to justice systems.

On March 28, 2022, the National Council on Asian Pacific Americans sent a letter to President Biden,<sup>31</sup> and subsequently presented the information to this subcommittee on August 19, 2022, emphasizing the need for widespread accessibility of language services available to LEP persons in an equitable fashion, for the federal government to build in-house language capacity, and for the federal government to have a community engagement plan to work directly with underserved and impacted communities. One element of NCAPA's calls to achieve these three overarching goals is to ensure the federal government has accessibility, transparency, and accountability of the language access plans of each agency/department.

While many federal agencies have language access plans, they often lack the coordination necessary to ensure consistent implementation of language access policies and procedures across the department. A language access point of contact or coordinator would fill that gap and serve as a central point of contact for all language access inquiries, from within the department and/or the public, including LEP communities.

Federal agencies play a lead role in enforcing the language-related nondiscrimination provision of Title VI. In 2001, the U.S. Supreme Court ruled 5-4 in the case *Alexander v. Sandoval*, holding that there is no private right of action to enforce Title VI disparate impact regulations; only the funding agency issuing the disparate impact regulation has the authority to challenge a recipient's actions under this theory of discrimination.<sup>32</sup> With individuals unable to sue for Title VI civil rights disparate impact violations, we must rely on the civil rights enforcement work of the federal government.



## Approach for Implementation:

Designate a language access point of contact for each agency/department who will be the point person for revising, implementing, executing, tracking, and monitoring federal agency language access policies and procedures for the department. In the future, this role should be elevated to a Language Access Coordinator position and all efforts should be made to establish a budgeted position for the language access point of contact/coordinator in each agency. This role would be responsible for:

- Creating a mechanism to file and receive language access complaints;
- Working with the federal agencies' Office of Public Affairs to conduct outreach to LEP persons/communities to ensure services are provided effectively to constituents in multiple AA and NHPI languages;
- Coordinating and leading an agency's intra-agency LEP working group, and participating in the GSA's Multilingual Community of Practice to inform on the special needs of Asian and Pacific Islander languages (e.g., ideographic written languages);
- Coordinating and participating in an interagency federal language access coordinators council/working group to regularly discuss, review, and collaborate on common language access opportunities and challenges;
- Training all relevant employees on the agency's language access policies and plans;
- Serving as the central point of contact for all questions related to the implementation of departmental language access policies and procedures, including providing guidance, monitoring performance, and revising language access policies/plans as needed.

Revise each department's language access plans and make them publicly available on the agency/department website to:

- Focus on the roles/responsibilities of the new language access point of contact/coordinator;
- Update websites with more translations in Asian languages. Refer to the best practices noted in the GSA's Multilingual Community of Practice to craft accessible webpages in Asian and Pacific Islander languages;
- Create and highlight the complaint system noted below and make annual complaint reports public.



Develop a complaint process and system for each agency/department so that stakeholders and LEP persons know where to ask for help and can file complaints about the quality or provision of language assistance services. Importantly:

- Complaints can be directed to the language access point of contact/coordinator;
- Provide an annual report to the Attorney General and the President on the complaints recorded during the previous year;
- Make the annual report public on the language access plan website for transparency.

Ensure that all recipients of federal financial assistance develop, implement, and operationalize language access plans or policies and create a public complaint/accountability system so that LEP beneficiaries have meaningful access to federally funded programs.

- Encourage federal agencies to direct components that provide federal financial assistance to issue program-specific language access guidance, incorporate language access plans into Notices of Funding Opportunity and as part of proposal evaluation criteria, provide guidance on including costs of language services in budget requests, etc.

### **Timeline:**

- Designate language access points of contact in each department – immediately
- Language access and equity plans to be made public on each department’s website – immediately
- Each federal language access point of contact/coordinator will convene in six-nine months to share/exchange language access resources/information – six-nine months
- Develop complaint process/system for each agency – within one year (by the language access points of contact)
- Make annual reports on the public complaints – annually
- Convene all language access points of contact by the DOJ Language Access Coordinator – annually
- Establish budgets to develop the language access point of contact role/responsibilities into language access coordinators in each



agency/department – within two years, and start budgeting processes immediately (see recommendation for OMB)





## Recommendation: Funding Language Access Resources

- The Office on Management and Budget (OMB) should immediately issue additional guidance/memorandum/circular/communication directing all agencies to allocate funding toward increasing language access resources as they develop their fiscal year 2023 (FY23) budgets.
- The OMB should instruct their internal budget examiners to look for language access priorities reflected within the submitted budgets for FY23.
- Going forward, beginning with their budget building process in FY24, OMB should provide guidance directing agencies to include funding to implement language equity and equity initiatives in agency budgeting plans, including for agency components that provide federal funding to provide guidance on inclusion of language access plans and budgeting for language services.
- The OMB should complete a full evaluation of all executive departments and agencies of the cost to provide translations of the top 12 languages spoken in the US by the end of 2023.
- The President's budget should include funds for translation services in all executive departments and agencies. The budget should fund translation services at a minimum of 70% of OMB's estimate by FY 2025, and at 100% by 2030.

### Background:

OMB shapes federal government policy through yearly budget development, management and oversight of federal agency performance, procurement, financial management, central clearance of legislation and executive orders, and regulatory review.<sup>33</sup> It works to implement and enforce the White House's policy priorities and agenda, most visibly through production of the annual budget<sup>34</sup> that is reviewed by Congress as it develops annual appropriations legislation.<sup>35</sup> Equity and language access are priorities of the administration.

Executive Order 14031 directs the President's Advisory Commission on AA and NHPIs to put forth its recommendations on "policies and practices to improve language access services to ensure AA and NHPI communities can access Federal programs and services."<sup>36</sup> Executive Order 13166 directs federal agencies to prepare plans to improve access to its federally conducted programs and activities by eligible LEP persons, and directs federal agencies that provide federal financial assistance to draft Title VI guidance specifically tailored to its recipients.<sup>37</sup>



Consistent with the goals of the aforementioned Executive Orders, OMB plays an important leadership role in providing both budget and policy guidance.

### **Rationale:**

Community members and AA and NHPI advocates have worked for decades to increase language access to services and programs. Government agencies, however, continue to maintain the status quo, lamenting that they have insufficient funding to implement changes to support language access, while failing to prioritize meaningful levels of agency funding to address the provision of language services. Furthermore, there are no consistent guidelines provided by agencies to recipients of federal financial assistance to support the provision of language services.

EO 13166 was issued in 2000. It has been 22 years, yet language access priorities remain minimally reflected in many agencies' budgets, policies, and programming. AA and NHPI communities have waited over two decades for the federal government to provide equity and parity to government resources through language access. While waiting, AA and NHPI communities have suffered disparate access to federal programs, resulting in deaths,<sup>38</sup> health disparities,<sup>39</sup> and lack of economic opportunities,<sup>40</sup> as well as inequitable burdens on inadequately resourced community-based organizations<sup>41</sup> and individuals providing interpretation and translations in their communities.

AA and NHPI advocacy organizations have prioritized the need for a comprehensive, whole-of-government approach to address language access consistently across agencies,<sup>42</sup> so that community members and organizations are not left with having to advocate on a piecemeal basis for access, agency by agency.

### **Approach for Implementation:**

OMB should immediately issue a memorandum to all federal departments/agencies/offices directing inclusion of language access priorities in their spending plans for FY 2023, including the provision of translation, interpretation, and other language services. Agency spending plans should include funding for comprehensive language services across agencies for at least the top 12 most commonly spoken languages beyond English.

OMB should issue immediate guidance to OMB examiners to assess for language access in agency spending plans in returned budgets and FY 2023 narratives.

OMB should develop memoranda<sup>43</sup> with budget instructions for FY 2024 and after that require all agencies to designate a minimum of 3-8% of agency management/operation budgets for language access planning and implementation. OMB guidance should further include:



- Instructions to provide funding for and training of specific designated personnel in each agency to be responsible for implementing its language access plan;
- Schedules for ongoing training for agency personnel on obligations under Title VI and EO 13166;
- Instructions regarding comprehensive translation of agency websites and other public facing information; and
- Instructions requiring agencies that provide federal financial assistance to designate specific resources for the development and vetting of language service providers that can be accessed by grantees and subgrantees with public facing services. Agencies should also be required to provide technical assistance on how to use these language services.

OMB should support the coordination of an inter-agency language access workgroup tasked to:

- Develop model language for inclusion in federal financial assistance notices of funding.
- Develop model funding plans that incorporate trusted community organizations with capacity to address the needs of limited English speaking AAPI community members.

**Timeline:**

- Initial agency spending plan guidance for FY 2023 and FY 2024 should be updated by end of calendar year.
- OMB budget guidance for increasing language access resources should be developed by June 2023.



## Recommendation: Language Access in U.S. Citizenship and Immigration Services Materials

The Commission recommends expanding dissemination of U.S. Citizenship and Immigration Services (USCIS) information in multiple languages and increase AA and PI community outreach.

- It is recommended that USCIS expand its multilingual outreach in AA and PI languages and collaborate with community-based organizations (CBO) in AA and PI languages. In addition, USCIS should direct its community relations offices in each field office and national benefit centers to develop an outreach plan to reach AA and PI communities in their service areas and to develop a language access plan to ensure its community engagement activities are accessible to those communities by the end of 2023.
- USCIS should translate information about the Disability Waiver Process and the English language exemptions allowing for the AA and PI language test for naturalization and citizenship for seniors and elders who have very limited capacity to learn English, and partner with CBOs to disseminate this information.
- It is recommended USCIS update its website with translated digital content, public information in multiple languages around visa rules changes, green card applications and rules, and the naturalization test. USCIS has a very limited number of translated documents. USCIS needs to expand this service with more content in multiple AA and PI languages.

### Background and Rationale:

As of 2019, Asian immigrants to the United States are an extremely diverse population. The largest share of Asian immigrants came from Southeast Asia, which includes Vietnam and the Philippines.<sup>44</sup> Along with these two countries, India, China, and Korea comprise the top five countries of origin.<sup>45</sup> These five countries all speak different languages, and most have a number of different languages and/or dialects represented in their native populations. These countries also represent one-fifth of the total U.S. foreign-born population.<sup>46</sup>

The AA and NHPI community is the fastest growing immigrant population. Between 2000 and 2019, the AA and NHPI population grew by 81%.<sup>47</sup> According to the 2020 Census, 19.9 million and 690,000 people identify as Asian or NHPI alone, respectively, and another 4.1 million and 900,000 identify as Asian or NHPI in combination with another race, respectively.<sup>48</sup> AA and NHPI communities contribute significantly to the overall diversity of the country, and understanding the diversity and specific language





needs of AA and NHPI communities is critical since the United States will be majority people of color by 2043.<sup>49</sup>

AA and PI communities have significant limited English proficient populations. In 2019, approximately 42% of total Asian immigrants were limited English proficient.<sup>50</sup> There is also variation in rates of English proficiency depending on country of origin. For example, 71% of migrants from Myanmar were limited English proficient, compared to only 22% of Indian migrants.<sup>51</sup>

Immigrants from Asian countries utilize immigration services extensively. They are among the fastest to apply for naturalization once they gain eligibility.<sup>52</sup> Asian immigrants have a 58% naturalization rate as compared to 47% of the total population.<sup>53</sup> The Department of Homeland Security has estimated that in 2012, more than a million AA and PI legal permanent residents were eligible for naturalization.<sup>54</sup> Lack of English proficiency continues to be a significant barrier to naturalization for AA and PI populations.<sup>55</sup>

### **Approach for Implementation & Timeline:**

- It is recommended that U.S. Citizenship and Immigration Services (USCIS) expand its multilingual outreach in AA and PI languages and collaborate with community-based organizations (CBO) in AA and PI languages by 2023-2024.
- USCIS should translate information about the Disability Waiver Process and the English language exemptions (allowing for the AA and PI language test for naturalization and citizenship for seniors and elders who have very limited capacity to learn English) into languages and partner with CBOs to disseminate this information by 2023-2024.
- It is recommended USCIS update their website with translated digital content that includes public information in multiple languages around visa rules changes, green card applications and rules, and the naturalization test. USCIS has a very limited number of translated documents; USCIS needs to expand this service with more content in multiple AA and PI languages by the end of 2022.



## Data Disaggregation Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Sarah Min, Dr. Raynald Samoa, Dr. Robert Underwood
- **Members:** Emily Chen, KaYing Yang
- **Non-Commission Members:** Dr. Ninez Ponce, Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Min Guo

### Summary of Meetings:

The Data Disaggregation Subcommittee meets bi-weekly. Following the Commission's second meeting on May 12, 2022, the subcommittee met on June 6, June 22, July 6, July 18, August 1, August 15, and August 29, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Dr. Joshua Quint, Unit Chief, Vaccine Data and Equity, Immunizations Branch, California Department of Public Health, and Data Consultant for Papa Ola Lokahi:** Presented on data disaggregation efforts in Hawaii during COVID-19 for AA and NHPI communities. Shared best practices on COVID-19 case reporting.
- **Dr. Margo Schwab, Co-Chair of the Equitable Data Working Group, Branch Chief for the Statistical and Science Policy, Office of Management and Budget (OMB), and Senior Science Policy Analyst, Office of Information and Regulatory Affairs (OIRA):** Provided an update on the Equitable Data Working Group and anticipated next steps. Shared a new website, Federal Committee on Statistical Methodology, for a catalogue of available disaggregated data sets and big surveys for AA and NHPs. Discussed the June 15, 2022 OMB press release with forthcoming formal review to revise OMB's race and ethnicity standards process.
- **Dr. Stella Yi, Associate Professor, New York University Grossman School of Medicine, Section for Health Equity, Department of Population Health:** Presented on the Innovations in Data Equity for all Laboratory (IDEAL) projects between NYU and the New York State



Governor's office to advise on the best practices for the collection of specific subgroup data for all ethnic groups for the New York State Department of Health.

- **Jordan Matsudaira, Deputy Under Secretary and Chief Economist, U.S. Department of Education:** Discussed the Department of Education's efforts on data disaggregation. Showcased the Free Application for Federal Student Aid (FAFSA) program data collection plan to include the six largest Asian American groups, as well as Native Hawaiians and Pacific Islanders, for the 2024-2025 FAFSA form beginning in October 2023. Discussed the partnership with Census Bureau on this pilot effort.
- **Karthick Ramakrishnan, Founder and Co-director, AAPI Data; Howard Shih, Managing Director, AAPI Data; and Ryan Vinh, Data and Community Partnerships Specialist, AAPI Data:** Presented on a recent report published by AAPI Data with three recommendations highlighting community engagement and data accessibility. Discussed obstacles that are faced by AA and NHPI communities in the data equity realm.

## Summary of Recommendations:

The Data Disaggregation Subcommittee presented the following recommendation at the September 28, 2022, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Office of Management and Budget (OMB) should amend the minimum data collection standards for race to include guideline recommendations to collect, analyze, and report data on smaller populations for federal surveys and that OMB partner with the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) to convene an annual AA and NHPI Data Summit.



## Recommendation: Minimum Data Collection Standards & Data Summit

The Commission urges the federal government to implement the following recommendation to promote data equity for AA and NHPI communities:

- Recommend that the Office of Management and Budget (OMB) amend the minimum data collection standards for race to include guideline recommendations to collect, analyze, and report data on smaller populations, such as AA and NHPIs, for federal surveys to fulfill its mission to produce trustworthy, equitable, relevant, and accurate data on the status of health, education, labor, employment, housing, immigration, economy, and other vital indicators for all communities in our nation, including AA and NHPIs.
- Recommend that the Office of Management and Budget (OMB) partner with the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) to convene an annual AA and NHPI Data Summit that focusses on federal agencies sharing their best practices in producing meaningful disaggregated data on AA and NHPIs with an aim to engage communities to optimize their engagement with data.

### Background & Rationale:

By 2060, AA and NHPI populations are projected to increase to 10% in the U.S.,<sup>56</sup> fueling the urgency to produce accurate, timely, and usable information for a sizeable portion of the population. Many federal agencies continue to group together all individuals from the vast Asian and Pacific Islander community into one category in accordance with the 1997 OMB standards for Classification of Federal Data on Race and Ethnicity.<sup>57</sup> The socio-economic conditions that motivated so many to migrate to the U.S. are as diverse as the over one hundred cultural groups that comprise the community. The aggregation of data from these groups often hides the diversity of their experiences and obstructs the appropriate allocation of resources to communities with specific needs. This was highlighted in a letter<sup>58</sup> to Ambassador Susan Rice, Director of the White House Domestic Policy Council, from a group of AA and NHPI community organizations and researchers requesting separate collection categories for self-reporting Asian, Native Hawaiian, and Pacific Islander populations and implementing the American Community Survey practice of collecting information on nativity, including the individual's and their parents' country of birth, as well as allowing multiple self-identification options for race and ethnicity to ensure individuals can fully express their multiracial identities.





The OMB plays a central role in bringing about meaningful data disaggregation for AA and NHPI populations as the agency sets the minimum standards for federally sponsored statistical data collection.<sup>59</sup> These standards are widely used in the private sector as well.

Priority data areas have been identified by the AA and NHPI community and researchers in health, education, housing, labor, and criminal justice.<sup>60</sup> Many agencies have been able to produce salient disaggregated data on AA and NHPI subgroups, such as the Census Bureau with its American Community Survey (ACS)<sup>61</sup> and the National Center for Health Statistics (NCHS) with its various surveys.<sup>62</sup> Presentations to the subcommittee have clarified that disaggregated data on sectors other than health has been made available through community-led efforts and the leadership of national commissions. Although these reports<sup>63</sup> brought to light individual community behavioral risks that allowed for effective policy advocacy, they were completed over isolated time periods and not repeated. Stakeholders are thus not able to ascertain if key indicators have improved or worsened over time.

These data priorities fall into the purview of various agencies, yet these agencies are at different stages of delivering data equity for AA and NHPIs. The subcommittee has been informed by subject matter experts that full integration of meaningful data disaggregation for AA and NHPIs would require a budget far beyond what is currently feasible. These observations emphasize two recurring obstacles to effective data disaggregation for AA and NHPI – feasibility and coordination.

Different agencies such as the OMB, the Census Bureau, and the Department of Education have shared with the subcommittee innovative pilot approaches to approaching data disaggregation. These pilots have helped this Commission conclude that feasible solutions to collect, analyze, and report meaningful disaggregated data uniformly need to be investigated. A particular approach suggested is to amend the current OMB minimum standards on data collection for race to provide guidelines in collecting, analyzing, and reporting data on smaller populations. Methods that have been suggested by prior Commissions and federal workgroups and/or presented to this Commission in addressing the limitations of handling data for small populations include: aggregating data across years, geographic aggregation, implementing approaches that provide better estimates of the size of a hidden population, implementing Bayesian methods,<sup>64</sup> investing innovative multivariate models, and more. This Commission defers commenting on specific data handling methods to subject matter experts, but strongly recommends that these guidelines be made available for use by all federal agencies.

Previous efforts to encourage more effective data disaggregation focused on the issues at a department and/or agency level. The multitude of disparities that span many different sectors experienced by AA and NHPIs require a “whole-of-government approach.” This



requires a more coordinated approach to bring forth disaggregated data as a means to work towards equity. On May 24, 2022, the Asian American, Native Hawaiian, and Pacific Islander Data Equity Summit was facilitated via an academic, community, and WHIAANHPI collaboration. The summit showcased and discussed progress made on data and research involving AA and NHPI populations with a focus on racial equity. Presentations from federal agencies helped inform communities on crucial developments regarding relevant upcoming initiatives to improve the quality of AA and NHPI data reports and prompted more effective and targeted advocacy efforts. The summit also allowed for different agencies to share innovative pilots that can be used by other agencies in their effort to work towards data equity for AA and NHPIs.

### **Approach for Implementation:**

This Commission recognizes the significant complexity in updating the minimum standards categories and the potentially wide impact that such a change would bring. Guidelines on handling data for smaller populations would require significant input from data scientists and community advocates that have experience in the collection, analysis, and reporting of data on small populations. OMB should seek WHIAANHPI's guidance in identifying these subject matter experts and should coordinate the experts' input.

This Commission recommends that OMB sponsor the data summit because it is the agency charged with ensuring that federal agencies adhere to the minimum standards on data collection and reporting. To ensure that community needs are addressed in the summit, the Commission strongly recommends that the OMB partner with WHIAANHPI to develop the summit agenda and solicit community feedback.

### **Timeline:**

- Recommend the amendment include guidelines in collecting, analyzing, and reporting data on smaller populations be implemented with a target date of May 2024.
- Recommend that funding to the OMB be earmarked for FY 2024 to convene an AA and NHPI Data Summit, but that discussions regarding the agenda and presenters commence when the agency and WHIAANHPI have the capacity to meet.



## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, Smita Shah
- **Members:** Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka'uhane, Kevin Kim, Ai-jen Poo
- **Designated Federal Officer:** Maysee Jacobs

### Summary of Meetings:

The Economic Equity Subcommittee meets bi-weekly. Following the Commission's second meeting on May 12, 2022, the subcommittee met on June 10, June 24, July 8, July 22, August 5, August 19, September 2, and September 16, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Kemba Hendrix, Senior Advisor, U.S. Office of Personnel Management (OPM):** Provided an overview of the government-wide strategic plan to advance diversity, equity, inclusion, and accessibility (DEIA) in the federal workforce. Gave examples of actions the government has taken to advance DEIA and strategies that can increase representation of underserved communities.
- **Udochi Onwubiko, Senior Policy Advisor, Wage and Hour Division (WHD), U.S. Department of Labor (DOL):** Provided an overview of the strategic enforcement efforts to combat high labor violation rates in low-wage industries where vulnerable AA and NHPI workers are impacted, and strategies to better reach and serve these workers through community-based outreach and in-language resources.
- **Kamal Essaheb, Counselor to the Secretary, U.S. Department of Homeland Security (DHS):** Provided an overview of the Department, what it has done and is doing to protect against the possible exploitation of low-wage immigrant workers.



## Summary of Recommendations:

The Economic Equity Subcommittee presented the following recommendation at the September 28, 2022, meeting, which the Commission approved in a final vote:

- **Recommendation:** Increase the percentage of AA and NHPI applicants in the federal workforce.
- **Recommendation:** Support AA and NHPI workers in low-wage jobs and care workers by advancing strategies that ensure a strong direct care workforce meets the rapidly growing demand for long-term services and supports (LTSS); protecting Asian immigrant workers exercising their civil and workplace rights while advancing economic security, opportunity, and equity; and directing the Department of Labor to convene a domestic work advisory board to improve job quality for domestic workers.





## Recommendation: Increasing AA and NHPI Representation in the Federal Workforce

This recommendation urges all federal agencies to increase AA and NHPI representation in the federal government at all levels, including career, political, and Senate confirmed positions, strengthening the pipeline for AA and NHPI workforce to enter and advance up the ranks, and remove the barriers to hiring of AA and NHPI candidates via targeted AA and NHPI recruitment drives and outreach within AA and NHPI communities for all open/vacant positions.

### Background:

The federal government must cultivate a workforce that reflects the rich diversity of this country.<sup>65</sup> Currently, there are more than 24 million Asians and nearly 1.6 million Native Hawaiians and Pacific Islanders in the United States, comprising over 6% of the total population.<sup>66</sup> That number is projected to increase to 10% by 2060.<sup>67</sup> However, AA and NHPIs represent only 5.6% of the federal workforce and 4.4% of those at the Senior Executive Service (SES) level.<sup>68</sup> As the federal government undergoes recruiting and hiring, representation and diversity should be prioritized.

This recommendation seeks all federal agencies to increase AA and NHPI representation in the federal government at all levels and strengthen the pipeline for AA and NHPIs to enter and advance up the ranks.

### Rationale:

As noted in the U.S. Equal Employment Opportunity Commission's article, *A Practical Guide to Common Issues and Possible Barriers Which Asian and Native Hawaiian or Other Pacific Islander Employees May Face in the Federal Work Force*, "the most commonly reported issues and possible barriers to equal employment opportunity for AA and NHPI employees and applicants concerning outreach, recruitment, and hiring are summarized below.

- Inadequate use of applicant tracking systems and analytical reports from applicant tracking systems among hiring managers;
- In many instances, hiring managers are not fully aware of agency recruitment plans, or of DEIA hiring data for their departments/agency. The outcome is that agencies have a lower percentage of AA and NHPIs in the workforce and hiring than they anticipated;
- AA and NHPI communities across the country are underrepresented in the recruitment process and lack targeted recruitment and outreach;



- Often recruitment efforts are restricted to a particular geographic area, leaving the rest of the country unengaged and without recruiting outreach.”<sup>69</sup>

### Approach for Implementation:

Everyone should have the same access to employment opportunities in the federal workforce. By hosting an AA and NHPI recruitment drive, agencies can reach out to AA and NHPI communities to publicize vacant positions, encourage AA and NHPI community members to apply for jobs, educate AA and NHPI applicants about the job requirements and job responsibilities, and hire the best candidates for the agencies’ growing needs. It will also allow agencies to streamline their recruitment efforts, including job postings, resume collection from applicants, and screening and interviewing as well as their selection, hiring, and onboarding process, ultimately leading to growth and retention and an increase in the percentage of AA and NHPIs in their workforce.

The below recommendations are in alignment with recommendations incorporated in the EEOC’s Practical Guide:

- Build a more diverse pipeline of applicants and candidates into the recruitment process by connecting with AA and NHPI community organizations across the country to increase recruitment of underserved AA and NHPI communities.
- To recruit a diverse pool of candidates for all open positions throughout the year, develop and implement an agency-wide outreach plan for AA and NHPI communities around the country.
- To attract a wide range of talent, including those from AA and NHPI communities, review and update recruitment materials in multiple AA and NHPI languages.
- Each agency should review and reduce the barriers to AA and NHPI communities applying for vacant jobs by streamlining their current recruitment processes, policies, and training materials.
- AA and NHPI hiring DEIA data should be published annually by each agency and shared with all hiring managers and supervisors. Effective measures should be taken to increase hiring rates for eligible AA and NHPI applicants.
- It is important that each agency develops an annual recruitment plan which includes goals, objectives, outreach strategies, and an end date for hiring AA and NHPI candidates in order to increase the current number of AA and NHPI applicants by 20%.



- Each agency should roll out a training program to educate recruiters and hiring managers about possible areas of recruitment discrimination, including abusive employment ads, recruitment agencies, word-of-mouth marketing, homogeneous recruiting, stereotyping in decision-making, and discriminatory screening of applicants.
- As part of the national and local activities targeting AA and NHPI employees and applicants, the Talent Acquisition Team should have opportunities to attend and participate in job fairs, conferences, and conventions in AA and NHPI communities. Targeted recruitment efforts should be made to hire from local communities for the open/vacant positions.
- To ensure that AA and NHPI outreach channels are utilized to announce vacant positions and publicize vacant positions, agencies should increase their advertisement budget by 20% to AA and NHPI outreach recruitment efforts by using advertisements on social networking websites targeted to the AA and NHPI community and explore other multiple channels of reaching out to the AA and NHPI communities including ethnic media, WhatsApp groups, and advertisement on social media.
- Agencies should establish relationships with colleges and universities and should work to provide paid internships to AA and NHPI students across the country who are interested in majoring in degrees and occupations which are critical and in demand for agencies and have these students join the agency after completing their education.
- Define the job descriptions, responsibilities, and qualifications details clearly in simplified language so candidates can understand and apply if qualified for the job.
- Each agency should use reports from their applicant tracking system/recruitment system to track and report on all external and internal applicants. Based on the data of applications received, agencies should analyze the effectiveness of their outreach to AA and NHPI communities and enhance their outreach strategies accordingly to increase AA and NHPI applicants/candidates applying for vacant jobs.
- Agencies should publish web-based training on how to create online accounts in USAJobs.gov and submit resumes and provide examples of successful resumes and cover letters for applicants to reference.



## Recommendations: Priorities for AA and NHPI Workers in Low-Wage Jobs and Care Workers

The Commission urges the federal government to implement the following recommendations to better address the needs of AA and NHPI workers in low-wage jobs and the care economy:

- Recommendation to advance strategies that ensure a strong direct care workforce to meet the rapidly growing demand for long-term services and supports (LTSS). Specifically, HHS should require states to assess the wage levels necessary to attract a stable workforce and to ensure that the payment of LTSS services (which essentially is a worker's wages) can support these wage levels and other costs to strengthen the Home Care and Community based services across the country.
- Recommendation to protect Asian and Pacific Islander immigrant workers exercising their civil and workplace rights while advancing economic security, opportunity, and equity.
- Recommendation to direct the Department of Labor to convene a domestic work advisory board to improve job quality for domestic workers.

### Background:

AA and NHPIs are the fastest-growing racial or ethnic group in the United States, yet both the model minority myth and lack of data disaggregation masks significant geographic and socio-economic diversity across AA and NHPI communities, including high rates of poverty among certain groups.<sup>70</sup> For example, while 11% of Asian Americans and 15% of Native Hawaiians and Pacific Islanders live in poverty, disaggregated data shows that number jumps significantly to 19% for Bangladeshi Americans, 27% for Burmese Americans, and 31% for Micronesians (outside of those from Guam).<sup>71</sup> In California, nearly one in four AA and NHPIs are struggling with poverty.<sup>72</sup> Nationwide, AA and NHPIs account for 5% of all low-wage, adult workers below the age of 64<sup>73</sup> in industries that include restaurant workers, retail workers, and care and domestic workers, among others.<sup>74</sup> And, across these industries, AA and NHPI workers are overwhelmingly immigrants.<sup>75</sup>

AA and NHPI low-wage workers are included among the more than 2 million domestic workers who provide essential care for children, seniors, and people with disabilities, and clean homes so others can go to work knowing their families and homes are well cared for. A domestic job is a job-enabling job. Like workers in other low-wage jobs, AA and NHPI domestic workers continue to face a number of challenges: poverty wages,<sup>76</sup> lack of benefits,<sup>77</sup> job insecurity, and high rates of wage violations.<sup>78</sup> Women of color





make up a majority of all domestic workers in the United States, and domestic workers, particularly AA and NHPI domestic workers, are more likely to be immigrants than other workers.<sup>79</sup> Despite their outsized role in the economy as one of the fastest growing occupations, domestic workers' labor is too often devalued. AA and NHPI domestic workers, paid a median wage of \$13 per hour, experience one of the biggest pay gaps between themselves and AA and NHPI peers in other professions, who are paid a median wage of \$24.46 per hour.<sup>80</sup>

The Biden administration can take executive actions to protect and empower AA and NHPI workers, including domestic and other care workers, to advance economic security, opportunity, and equity.

### **Advance Strategies to Ensure a Strong Direct Care Workforce to Meet the Rapidly Growing Demand for Long-Term Services and Supports (LTSS)**

#### **Approach for Implementation:**

- The White House should create an Interagency Task Force and related Advisory Council on LTSS Access and Workforce to provide recommendations with clear action items on measures to support and strengthen the direct care workforce to ensure quality access to LTSS.
- HHS should require states to assess the wage levels necessary to attract a stable workforce and to ensure that the payment of LTSS services (which essentially is a worker's wages) can support these wage levels and other costs to strengthen the HCBS systems across the country.
- HHS should require states to establish training requirements and a full range of training programs but give states the flexibility in designing requirements and certification standards and in engaging stakeholders in a public process.

#### **Rationale:**

The pandemic brought into sharper focus the urgent need to ensure that families have access to quality long-term care in the setting that best meets their needs and preferences and that direct care workers who provide LTSS have access to quality jobs and career development. Medicaid, through its Home and Community-Based Services (HCBS) program, is the largest payer of LTSS that enables older adults and people with disabilities to remain in their homes, active in their communities, and live independently.<sup>81</sup> But direct care workers, who provide the labor intensive LTSS, are paid poverty wages, earning an average of \$12.98 per hour,<sup>82</sup> limited access to benefits such



as health insurance, work long hours in isolation, and lack career advancement opportunities.<sup>83</sup>

Asian and Pacific Islanders comprise 9% of the 2.4 million worker industry that is overwhelmingly women and women of color.<sup>84</sup> Low wages, a lack of benefits, and poor working conditions contribute to chronic worker shortages and high turnover rates while the demand for LTSS and direct care workers is rapidly growing largely due to the dramatic expansion of our nation's older populations.<sup>85</sup>

Direct care is one of the fastest growing occupations in our economy, and the U.S. is expected to fill 1.3 million additional direct care jobs through 2029.<sup>86</sup> Every day, 10,000 Americans turn 65; that number is expected to reach 88 million people, representing over 20% of the population by 2050.<sup>87</sup> The Biden administration demonstrated its strong commitment to strengthening the care infrastructure and improving job quality of care workers with passage of the American Rescue Plan<sup>88</sup> which provided funding to Medicaid HCBS programs that enabled states to expand services and raise wages for direct care workers. Accordingly, the White House and the Department of Health and Human Services (HHS) should build on those successes and advance strategies to raise workers' wages and increase support, including training and career advancements.

The proposed Interagency Task Force can be time-limited and anchored and chaired by the HHS Secretary to provide recommendations to support and strengthen the direct care workforce. Other federal agencies that should be part of the task force include the Departments of Labor, Commerce, Veterans Affairs, and a representative of the White House National Economic Council. The related Advisory Council on LTSS Access and Workforce would be an ongoing body that is made up of representatives of relevant stakeholders that can advise and provide recommendations to the Interagency Task Force. The Council would be made up of representatives from worker, aging, and disability groups as well as representatives from the direct care industry. The Council can also include policy experts (i.e., academics, economists) who can aid in developing recommendations. The Council can be a body that continues to be in existence and advise HHS and its relevant sub-agencies on issues related to the workforce and access to LTSS. These policies would help achieve economic security for direct care workers, including AA and NHPI workers, build a worker pipeline to meet the rising needs for direct care workers, and enhance the quality of care and services.



## Protecting Asian and Pacific Islander Immigrant Workers Exercising Their Civil and Workplace Rights Advances Economic Security and Opportunity and Achieves Equity

### Approach for Implementation:

- The Department of Homeland Security (DHS) and the Department of Labor (DOL) should coordinate a clearly outlined process for immigrant workers to assert their civil rights or workplace rights (including the right to join a union or worker organization) and receive protection from retaliation and immigration enforcement and maintain their ability to obtain work authorization.

### Rationale:

Approximately four out of five Asian American workers in low-wage jobs are immigrants.<sup>89</sup> Workers in low-wage industries are disproportionately affected by workplace violations, including rampant wage theft, discrimination and harassment, and working under hazardous conditions.<sup>90</sup> Between 2000 and 2015, the Asian undocumented population tripled in size to 1.7 million people, the largest increase among all undocumented groups.<sup>91</sup> Fear that employers can use immigration status against them (i.e., detention and deportation or separation from their families) is a significant barrier for low-wage workers, including Asian immigrant and domestic workers, and prevents them from advocating for higher wages and better job quality and/or seeking to remedy substandard and exploitative working conditions, like wage theft, discrimination, and harassment.<sup>92</sup>

When an employer exploits the precarious immigration status of immigrant workers, it creates a pervasive culture of fear and intimidation in the workplace that chills efforts by all workers – U.S.-born, foreign-born, authorized and unauthorized – to enforce their rights and better their working conditions. A 2012 study revealed that 85% of domestic workers lacking work authorization reported that they did not complain about their poor working conditions for fear of immigration-based retaliation.<sup>93</sup> Surveys show that immigration status, and lack of status, negatively impacts wage rates, health and safety, and working conditions for domestic workers.<sup>94</sup> More than a third of domestic workers were born outside of the United States, and one in five are noncitizens.<sup>95</sup> Among AA and NHPI direct care workers, nearly 90% are immigrants.<sup>96</sup>

This recommendation seeks to ensure that all workers, regardless of immigration status, can assert their rights, be fairly compensated for their labor, and treated with dignity and respect in the workplace. It will also improve job quality and economic security for all of our nation's workers. Protecting the most vulnerable workers is a critical



enforcement strategy not just for those who are most vulnerable, but for all workers in the labor market.

## **Direct DOL to Convene a Domestic Work Advisory Board to Improve Job Quality for Domestic Workers**

### **Approach for Implementation:**

- The White House should direct the DOL to convene a domestic work advisory board, including representatives of worker organizations and unions, to provide recommendations on ways to protect, empower, and strengthen job quality for domestic workers and transform care jobs into good jobs.

### **Rationale:**

The COVID-19 pandemic highlighted the health and safety risks faced by low-wage care workers, and numerous articles highlighted the trauma and death toll experienced by AA and NHPI home care and other health care workers.<sup>97</sup> For instance, direct care workers cared for and provided critical services to seniors and people with disabilities often without proper personal protective equipment (PPE)<sup>98</sup>, putting their own and their families lives at risk. The risks were compounded by little access, if any, to health insurance and healthcare and the lack of paid family and medical leave and paid sick days.<sup>99</sup>

Even before the pandemic, domestic workers faced musculoskeletal injuries and exposure to toxic cleaning chemicals, yet are excluded from the protections under the federal Occupational Safety and Health Act (OSH Act) by agency regulation.<sup>100</sup> A study of Filipino care workers in the Bay Area found that 64% of respondents felt persistent pain, often the result of helping their clients with daily living activities like getting out of bed, toileting, and sitting and standing.<sup>101</sup> In addition to the legal exclusion from the federal health and health safety protections, domestic workers are also excluded from federal anti-discrimination and anti-harassment protections.<sup>102</sup>

The domestic work advisory board can bring together relevant stakeholders, including domestic workers and their representatives, employers (representatives of individual employers, agencies, and digital platforms), and other relevant federal agencies, including the Department of Health and Human Services (HHS), the Department of Commerce (DOC), the Small Business Administration (SBA), and the Equal Employment Opportunity Commission (EEOC). The board can examine protections and standards workers need to improve their job quality and transform care jobs into good and dignified jobs. It can also identify what employers, including AA and NHPI employers and small businesses, need to be high-road and good employers. In addition,





the board should recommend legislative, regulatory, and sub-regulatory changes to extend federal health and safety protections to domestic workers since the legal exclusion exists through regulations.

**Timeline:**

These actions should be pursued as soon as possible and prioritized by the relevant agencies and stakeholders in their plans.



## Immigration and Citizenship Status Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang, KaYing Yang
- **Members:** Ajay Bhutoria, Simon Pang, Dr. Amy Agbayani, Dr. Robert Underwood
- **Ex-Officio Member:** Amanda Baran, Chief, Office of Policy and Strategy, U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS)
- **Designated Federal Officer:** Carol Wu

### Summary of Meetings:

The Immigration and Citizenship Status Subcommittee meets bi-weekly. Following the Commission's second meeting on May 12, 2022, the subcommittee met on June 15, June 29, July 13, July 27, August 10, August 24, August 31, and September 21, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Gregory Chen, Director of Government Relations, American Immigration Lawyers Association (AILA):** Presented on AILA's efforts to provide free legal representation to individuals in removal proceedings.
- **Francey Lim Youngberg, Assistant Director, Office of Partnership and Engagement, Immigration and Customs Enforcement, U.S. Department of Homeland Security (DHS):** Answered Commissioners' questions on immigration enforcement, check-in processes, and alternatives to detention.
- **Lawrence Bartlett, Director, Office of Refugee Admissions, Bureau of Population, Refugees, and Migration, U.S. Department of State (DOS):** Presented an overview of DOS's efforts to process refugee populations from the Asia-Pacific region.
- **Lauren Edwards, Senior Advisor, Refugee Programs, Office of Refugee Resettlement (ORR), Administration for Children and Families, U.S. Department of Health and Human Services (HHS):**



Presented an overview of ORR's refugee resettlement process in the United States.

## Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee presented the following recommendations at the September 28, 2022, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Department of Homeland Security Immigration and Customs Enforcement should establish enforcement policies and procedures that keep families together, restore dignity, and ease the hardships faced by individuals and families living with long term immigration removal orders.
- **Recommendation:** The Department of Homeland Security United States Citizenship and Immigration Services should establish procedures that allow for the stamping of H-1B and L visas in the United States.



## Recommendation: Immigration Enforcement

While immigration reform is a complex issue that will take significant legislation, different federal agencies can help individuals and their families by making their enforcement conducive to keeping families together and restoring dignity.

The recommendations below are intended to ease the hardships faced by individuals and families living with long term immigration removal orders. The Immigration and Citizenship Status Subcommittee heard from advocacy organizations, including the Southeast Asia Resource Action Center (SEARAC) and Southeast Asian Freedom Network (SEAFN), as well as the Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE) agency. The following recommendations address enforcement practices by DHS ICE, USCIS, and other relevant federal agencies to consider the overreaching aspects of the 1996 immigration laws<sup>103</sup> which are akin to double punishment, created a fast track to deportation, and resulted in a lack of due process in immigration processes.

### Recommendations:

- ICE should exercise its authority to release individuals from detention, or decline to detain, those who are able to demonstrate that they do not pose a risk to public safety, including those with criminal convictions that are five years old or older.
- For families of individuals who are detained, ICE should have a clear process that informs family members, counsel, and/or advocacy organizations about the detained person's whereabouts and case status.
- ICE should reduce the burden on AA and NHPIs subject to supervision by adopting the following procedures to ensure their processes center dignity with the ultimate goal of reuniting families:
  - Making the check-in process more accessible. ICE should keep phone check-ins a possibility, especially for people who have been on an order of supervision for some time, and allow the periods of check-ins to be longer than one year.
  - ICE should also refrain from acting to remove, detain, or arrest anyone with a pending appeal, or motion to reopen before an immigration judge, Board of Immigration Appeals, or federal court.
  - For countries with known difficulties in receiving people removed from the United States (i.e. Laos, Myanmar), ICE can and should work on getting travel documents BEFORE initiating the removal process.





- In deciding whether to exercise prosecutorial discretion, ICE should consider an individual's admission to the United States because they were adopted by U.S. citizens or lawful permanent residents to be a positive factor (equity) or a mitigating circumstance weighing against removal orders.
- Currently, there is no uniform guidance about enforcement priorities due to pending litigation. In addition, existing guidance relating to prosecutorial discretion fails to mention consideration of situations where individuals cannot be deported to countries that will not accept ICE removals (such as Laos or Myanmar) or people who are stateless. Executing removal and/or detention decisions in these situations is an unproductive use of resources and creates hardship for families of individuals with immigration removal orders. ICE can and should consider whether a person would likely be physically removed if they were ordered deported before deciding to start the process, especially when it comes to detention decisions.
- USCIS should provide longer durations of employment authorization for individuals with long term orders of supervision and who are unlikely to be removed in the next several years. USCIS should allow for Employment Authorization Documents (Form I-765/EAD) to be valid for a minimum of two or three years. In addition to reducing the burden on the EAD holders, allowing for longer term EADs would help reduce USCIS application backlogs.
- ICE should end or severely limit the Institutional Hearing Program (IHP), a program designed to expedite the deportation of people who are currently serving a criminal sentence. The IHP process unfairly results in people being deported without a meaningful way for them to defend against removal, as it severely limits access to legal assistance and the means or time to build their legal cases.<sup>104</sup>
- ICE should refrain from deporting people who have pending appeals, motions to reopen, or motions to reconsider. A person who is ordered deported by the immigration court or the Board of Immigration Appeals (BIA) can still ask the Executive Office for Immigration Review (EOIR) to reopen or reconsider their case or appeal the removal order to federal court. However, the removal order becomes “final” following the expiration of appeal deadlines within EOIR, and ICE is able to deport people even if they have pending federal court appeals. This means that if the person wants to stay in the U.S. while the motions or appeals are being decided (which can take months) they need to file a motion to “stay” (pause) the removal order with the federal courts. Some courts regularly grant these stays (e.g., 9th Circuit) while others, like the 8th Circuit,



do not. Even if a person is deported, the person can later win their appeal, but the processes to return them from the country of deportation can be involved, messy, and unclear. The administration should institute a policy where a removal order is not executed if an appeal is filed with the federal court or if there is a pending motion to reopen or reconsider. This can be especially important when a person is trying to seek protection from persecution, torture, or death. At the very least, there should be clear guidelines that direct the agency on how to decide which people they should wait for.

### Background:

In 1996, Congress passed the Illegal Immigration Reform and Immigration Responsibility Act<sup>105</sup> (IIRAIRA) and the Antiterrorism and Effective Death Penalty Act<sup>106</sup> (AEDPA) which radically expanded the list of crimes for which an immigrant could be eligible for removal and made these changes retroactive. These laws significantly expanded the government's ability to automatically detain and deport people by:

- Redefining the term “aggravated felony” to include a long list of low-level offenses and applying the term retroactively to convictions that took place even before the laws were passed;
- Eliminating many defenses or exceptions to deportation and replacing them with very narrow defenses that are difficult to qualify for;
- Creating mandatory and prolonged detention of immigrants; and
- Creating new fast-track procedures that deport people without letting them see an immigration judge (expedited removal).

Under the new laws, individuals who were not removable in 1995 suddenly became removable in 1996. In addition, the laws limited judicial discretion, preventing immigration judges from considering factors such as whether someone is a long-time lawful permanent resident, has U.S. citizen children, is a successful small business owner, and/or is rehabilitated.<sup>107</sup> Federal courts were also prevented from reviewing many immigration court decisions.

As a result, large numbers of people who trace their heritage to Asian and Pacific Island nations received removal orders. Between 1998 and 2022, these were the total numbers of removals for select Asian countries and Pacific Islands:<sup>108</sup>

- China – 75,049
- Indian – 34,366



- Bangladesh – 8,547
- Pakistan – 16,376
- Nepal – 3,619
- Sri Lanka – 6,233
- Philippines – 15,903
- South Korea – 8,122
- Cambodia – 3,106
- Laos – 4,740
- Vietnam – 10,056
- Fiji – 1,777
- Tonga – 890
- Samoa – 428

These laws have disproportionately impacted the incarceration rates and overall well-being of Southeast Asians and Pacific Islanders. From the late 1970s to the late 1990s, arrests of AA and PIs increased by 726%.<sup>109</sup> In the 1990s, incarceration for AA and PIs grew by 250%.<sup>110</sup> Further, when compared to their white counterparts committing similar crimes, Asian and Pacific Islander youths had twice the likelihood of being tried as adults in California.<sup>111</sup> Disaggregated arrest data collected in Oakland exemplifies the high arrest rates for AA and PI youths.<sup>112</sup> Samoan, Cambodian, and Laotian youth arrest rates are 14%, 6.3%, and 5.2% respectively.<sup>113</sup>

In 2002, the California Youth Authority conducted a study on disaggregated incarceration data. The study found Vietnamese then Laotian youths followed only by African American youths had the highest arrest rates in Richmond in 2000.<sup>114</sup> Additionally, in comparison to the expected incarceration rates for the populations, Laotian youth rates were nine times higher and Cambodian youth were four times higher.<sup>115</sup>

Because of the AEDPA and IIRAIRA, Southeast Asian Americans (SEAAs) and other immigrants who have certain criminal convictions are subject to harsh mandatory detention and automatic deportation laws with very few opportunities for relief. SEAAs from the countries of Cambodia, Laos, and Vietnam, are the largest refugee populations to ever resettle in the U.S. in modern history.<sup>116</sup> Many are in the United States because they were allies of or assisted the U.S. in fighting communism during the Vietnam War, the Secret War in Laos, or the Khmer Rouge genocide in Cambodia.<sup>117</sup>



Once in the U.S., many Southeast Asians were resettled in low-income neighborhoods with short term access to government supports, inadequate access to training or resources, and little room for economic mobility. In a joint letter from national and local Asian American and civil rights organizations to Department of Homeland Security’s Secretary Alejandro Mayorkas in April 2022, they said “SEAA refugees who came to the U.S. fleeing war and persecution were subjected to the same systematic marginalization as many other communities of color in the U.S., often referred to as the school-to-prison pipeline. They were resettled in impoverished neighborhoods with failing schools, racial profiling, over-policing, and mass incarceration that too often harms communities of color in this country. Southeast Asian deportations are a direct result of the war on drugs, tough on crime era policies, mass incarceration and the rise in private prisons, which were further compounded by inhumane federal immigration laws passed in 1996 that dramatically expanded the range of convictions that made a noncitizen deportable.”<sup>118</sup>

Consequently, some individuals made mistakes and got involved with the criminal legal system. Many noncitizens who had been charged with crimes failed to get informed legal advice about immigration penalties for pleas/convictions; this was particularly the case for those with limited English proficiency.<sup>119</sup> Prior to the 1996 legislation, some individuals who had taken pleas, agreeing to what were often minor sentences because the convictions were for non-deportable crimes, were convicted of serious crimes, served their sentences, and reintegrated in their communities. After decades passed, these residents are being deported, notwithstanding their clean criminal records since being released, rehabilitation, and the impacts that deportation would have on their families and livelihoods.

According to the Southeast Asia Resource Action Center (SEARAC), 80% of SEAA deportations (around 13,000) are based on old criminal convictions; this is drastically higher than the 29% deportation rate of all immigrants with old convictions.<sup>120</sup> Since 1998, over 2,000 Southeast Asians have been removed from the United States and more than 15,000 have received final orders of removal.<sup>121</sup> Today, most of these individuals have children and family members who are U.S. citizens with strong connections to the United States and no ties to their countries of origin.<sup>122</sup> They have never even been to their country of birth because most came as very young refugee children or were born in refugee camps.<sup>123</sup> They consider themselves Americans.

Even though the U.S. has agreements with Cambodia and Vietnam, hundreds of people have been deported and their U.S. citizen families continue to fight for their return to the U.S. because those countries once saw them as ‘enemies’ and no longer accept them as their citizens. The Laos government refuses to accept anyone who is not a Laos citizen as defined by their country’s constitution. Even today, Laos accepts only a handful of people who are identified as Laos citizens.<sup>124</sup> People with removal orders and their





families with roots from Cambodia, Vietnam, and Laos continue to be retraumatized and have lived every day uncertain of their future for over three decades.

On his first day in office, President Biden issued an Executive Order<sup>125</sup> on the Revision of Civil Immigration Enforcement Policies and Priorities that revoked the prior administration's priorities which made virtually everyone a target for immigration enforcement. DHS subsequently issued department-wide civil enforcement priorities<sup>126</sup> which prioritized immigration enforcement against only those who pose national security threats, **current threats** to public safety as determined by an individualized assessment, and threats to border security. In addition, ICE released enforcement directives to support noncitizen crime victims<sup>127</sup> and strengthen the parental rights of noncitizens,<sup>128</sup> as well as directives limiting enforcement at worksites<sup>129</sup> and certain protected locations, such as hospitals, churches, and schools.<sup>130</sup>

However, in June 2022, in the course of pending litigation, a Texas U.S. District Court vacated the September 30, 2021, enforcement priorities memorandum,<sup>131</sup> leaving immigration enforcement decisions to the discretion of local ICE offices.<sup>132</sup> There is currently no uniform guidance on how to consider whether an individual is likely to be physically removed.

### Rationale:

The impact that detentions and deportations have on individuals and families is devastating and felt by entire communities. The deportation of Southeast Asian Americans in particular has disrupted these communities and their livelihoods and overall well-being. One study by the Urban Institute found that a family's income can decrease by an average of 70% after a family member is arrested by ICE.<sup>133</sup> Detention and deportation places families left behind in the U.S. at a higher risk of homelessness and food insecurity. Children of detained and deported individuals face an increased risk of depression, anxiety, and post-traumatic stress disorder.

While comprehensive immigration reform will not happen in the foreseeable future, federal agencies can develop more humane and equitable enforcement policies that center families and restore dignity. Agencies can work to reduce the harmful impact that immigration laws have on AA and NHPI families, particularly for Southeast Asian and immigrant families who have borne the brunt of unjust detention and deportation policies. And agencies can restore due process, prevent families from being torn apart, and reduce the loss of family income that leads to housing insecurity and mental health concerns.



### **Approach for Implementation:**

The appropriate agencies (e.g., DHS ICE and USCIS, DOJ) should adopt these recommendations in 2023, issue guidance, and update their policy manuals. Practices should be consistent across all districts in the country, and funding should be sufficiently allocated to ensure that each department or agency can carry out the recommendations.



## Recommendation: H-1B and L-1 Visa Stamping

The federal government should create a process to allow those with pending extensions of H-1B<sup>134</sup> and L-1<sup>135</sup> visas to reenter the United States if the stamps in their passports are due to expire while they are outside of the country.

This could include providing advanced permission documents to reenter the United States with or without the stamping and restamping in the U.S. by USCIS. USCIS should consider providing advanced travel documents to H-1B and L-1 visa holders when they have to travel out of the country with expired or soon to expire visa stamping to prevent potentially having to wait for restamping in their home country.

### Recommendations:

- USCIS should update its policy, as it has done previously, to allow individuals with pending extensions of H-1B and L-1 visas to reenter the United States and obtain restamping by USCIS.<sup>136</sup>
- USCIS should also consider providing advanced travel documents to H-1B and L-1 visa holders when they have to travel out of the country with expired or soon to expire visa stamps on their passport so they can reenter the U.S. without any issues or having to get restamping in their home countries. They should be able to reenter the United States with valid travel documents and a valid H-1B or L-1 visa, even if the stamping has expired on their passports.

### Background:

H-1B visa holders, who are waiting for renewals and whose visas expire while they are outside of the U.S., need to get their passports stamped with renewal dates.<sup>137</sup> This is required if they wish to travel outside of the U.S. and to reenter the U.S.<sup>138</sup> There is currently no mechanism to obtain approval to reenter the country prior to departure from the U.S. or to obtain documentation from outside the U.S. that allows someone with an approved H-1B visa extension to reenter the country. This is because H-1B visa restamping is not allowed within the U.S. One must travel to their home country or to the nearest country with a U.S. embassy to get H-1B visa renewal stamping. Currently, restamping can only be done at a U.S. consulate outside of the United States.

As a rule, the current procedure for restamping H-1B and L-1 visas is to go to a U.S. consulate outside the United States and submit a H-1B or L-1 visa, passports, and other documents by way of a dropbox or interview.<sup>139</sup> People have to wait months or years for H-1B visa stamping and sometimes they do not receive a response after submitting all documents, forcing them to wait in their home country for years while their families are



waiting in the U.S. for them to return. This creates real financial and mental health issues for separated families. If the individuals get inquiries or questions or decide to appeal a visa refusal under Section 221(g) of the Immigration and Nationality Act,<sup>140</sup> the process could take several additional months. This causes the applicants to possibly lose their jobs and be separated from their families, and places spouses who may have been fully dependent on the H-1B visa holders in challenging situations. The whole process has proven to be very painful for non-immigrants who are invited to work in the U.S. to help support U.S. companies and its economy. There are a number of general criteria for eligibility to use the dropbox or interview waiver option.<sup>141</sup>

### **Rationale:**

The Department of State (DOS) issues the H-1B visa. “The National Visa Center (NVC) is part of the U.S. Department of State’s Bureau of Consular Affairs. NVC serves a clerical function in processing immigrant visa applications. NVC’s job is to prepare immigrant visa applications for consular officers to review and adjudicate. After receiving an approved non-immigrant petition from USCIS, NVC works on the visa application package. NVC’s role is to ensure that the minimum paperwork required by the consular officer is received and properly filled out. That way, when a visa application is sent overseas to a U.S. embassy, it is ready to be considered during the interview.”<sup>142</sup>

H-1B, L-1 visas, and other visas are issued by DOS. Renewals of visas are also done by the DOS’s NVC. DOS does not offer customer service inside the U.S. for H-1B visa stamping. Hence, it is recommended to allow USCIS, which handles immigration matters and does have offices in the U.S., to handle these in-U.S. visa applications. The recommendation is to allow restamping of H-1B and L-1 visas in the United States by USCIS.





## References

- <sup>1</sup> U.S. Census Bureau. “2016-2020 American Community Survey 5-year Estimates (2020).” <https://data.census.gov/cedsci/table?q=language&tid=ACSST5Y2020.S1601>.
- <sup>2</sup> Ibid.
- <sup>3</sup> U.S. Department of Justice, Bureau of Justice Statistics. “National Crime Victimization Survey (NCVS).” <https://bjs.ojp.gov/data-collection/ncvs>.
- <sup>4</sup> Federal Bureau of Investigation. “Crime/Law Enforcement Stats (Uniform Crime Reporting Program).” <https://www.fbi.gov/services/cjis/ucr>.
- <sup>5</sup> Stanford Law School Law Policy Lab and Brennan Center for Justice. “Exploring Alternative Approaches to Hate Crimes.” June 2021. [https://law.stanford.edu/wp-content/uploads/2021/06/Alternative-to-Hate-Crimes-Report\\_v09-final.pdf](https://law.stanford.edu/wp-content/uploads/2021/06/Alternative-to-Hate-Crimes-Report_v09-final.pdf).
- <sup>6</sup> Ibid; U.S. Department of Justice, Bureau of Justice Statistics. “Hate Crime Victimization, 2004-2015.” <https://bjs.ojp.gov/library/publications/hate-crime-victimization-2004-2015>.
- <sup>7</sup> U.S. Department of Justice and U.S. Department of Health and Human Services. “Raising Awareness of Hate Crimes and Hate Incidents During the COVID-19 Pandemic.” <https://www.justice.gov/file/1507346/download>.
- <sup>8</sup> Budiman, Abby and Neil G. Ruiz. “Key Facts About Asian Americans, a Diverse and Growing Population.” Pew Research Center, April 29, 2021. <https://www.pewresearch.org/fact-tank/2021/04/29/key-facts-about-asian-americans/>.
- <sup>9</sup> Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000). <https://www.federalregister.gov/documents/2000/08/16/00-20938/improving-access-to-services-for-persons-with-limited-english-proficiency>.
- <sup>10</sup> Ibid.
- <sup>11</sup> U.S. Department of Justice. “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.” June 18, 2002. <https://www.federalregister.gov/documents/2000/08/16/00-20938/improving-access-to-services-for-persons-with-limited-english-proficiency>.
- <sup>12</sup> *Lau v. Nichols*, 414 U.S. 563 (1974). <https://www2.ed.gov/about/offices/list/ocr/ell/lau.html>.
- <sup>13</sup> Asian Health Services. “Asian Health Services Today.” <https://www.chcchronicles.org/sites/default/files/4818FAB9-7E93-EE10-E006DD4FAFB03D37.pdf>.
- <sup>14</sup> Asian Americans Advancing Justice SoCal. “APALC v. Los Angeles County Department of Public Social Services.” <https://archive.advancingjustice-la.org/history/apalc-v-los-angeles-county-department-public-social-services>.
- <sup>15</sup> Honolulu Civil Beat. “Lawsuit: Hawaii DOT Discriminated in Driver’s License Exams.” September 6, 2013. <https://www.civilbeat.org/2013/09/lawsuit-hawaii-dot-discriminated-in-drivers-license/>.
- <sup>16</sup> Honolulu Civil Beat. “Hawaii DOT Settles Driver’s License Exam Lawsuit.” May 31, 2015. <https://www.civilbeat.org/2015/05/hawaii-dot-settles-drivers-exam-lawsuit/>.
- <sup>17</sup> Exec. Order No. 13985, 86 Fed. Reg. 7009 (2021). <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.
- <sup>18</sup> U.S. Department of Commerce. “U.S. Department of Commerce Equity Action Plan.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_DOC\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_DOC_Equity%20Action%20Plan_2022.pdf).



- 
- <sup>19</sup> U.S. Department of Education. “2022 Agency Equity Plan related to Executive Order 13985.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_ED\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_ED_Equity%20Action%20Plan_2022.pdf).
- <sup>20</sup> U.S. Department of Health and Human Services. “OMB Equity Action Plan.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_HHS\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_HHS_Equity%20Action%20Plan_2022.pdf).
- <sup>21</sup> U.S. Department of Homeland Security. “U.S. Department of Homeland Security Equity Action Plan Pursuant to Executive Order 13985.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_DHS\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_DHS_Equity%20Action%20Plan_2022.pdf).
- <sup>22</sup> U.S. Department of Justice. “Equity Action Plan 2022.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_DOJ\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_DOJ_Equity%20Action%20Plan_2022.pdf).
- <sup>23</sup> U.S. Department of Labor. “Department of Labor Equity Action Plan.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_DOL\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_DOL_Equity%20Action%20Plan_2022.pdf).
- <sup>24</sup> U.S. Small Business Administration. “Equity Action Plan.” 2022. [https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985\\_SBA\\_Equity%20Action%20Plan\\_2022.pdf](https://assets.performance.gov/cx/equity-action-plans/2022/EO%2013985_SBA_Equity%20Action%20Plan_2022.pdf).
- <sup>25</sup> Garland, Merrick. “Memorandum for Heads of Executive Departments and Agencies Providing Federal Financial Assistance.” Office of the Attorney General, U.S. Department of Justice, June 21, 2022. <https://www.justice.gov/crt/page/file/1514296/download>.
- <sup>26</sup> Gupta, Vanita. “The Department’s Implementation and Administrative Enforcement of Title VI and the Safe Streets Act.” Office of the Associate Attorney General, U.S. Department of Justice, June 22, 2022. <https://www.justice.gov/asg/page/file/1514511/download>.
- <sup>27</sup> U.S. Census Bureau. “Languages Spoken at Home by Ability to Speak English for the Population 5 Years and Over.” 2020. <https://data.census.gov/cedsci/table?q=B16001&tid=ACSDT5Y2020.B16001&tp=false>.
- <sup>28</sup> Warner, Andrew. “Language Restrictions Exacerbate Pandemic Toll.” *Language Magazine*, February 21, 2021. <https://www.languagemagazine.com/2021/02/21/study-highlights-importance-of-language-access-services-during-pandemic/>.
- <sup>29</sup> Gerda, Nick. “Orange County Supervisors Push for Language Translation at Main Coronavirus Test Site.” Voice of OC, August 25, 2020. <https://voiceofoc.org/2020/08/orange-county-supervisors-push-for-language-translation-at-main-coronavirus-test-site/>.
- <sup>30</sup> Wong, Ashley. “Push for Language Access After Ida Highlights a Greater Need in N.Y.” *The New York Times*, March 3, 2022. <https://www.nytimes.com/2022/03/03/nyregion/severe-weather-alerts-languages-ida.html>.
- <sup>31</sup> The National Council of Asian Pacific Americans. March 28, 2022. <https://www.ncapaonline.org/wp-content/uploads/2022/03/3.28-NCAPA-POTUS-Language-Access-Recommendations-Letter.pdf>.
- <sup>32</sup> *Alexander v. Sandoval*, 532 U.S. 275 (2001). <https://supreme.justia.com/cases/federal/us/532/275/case.pdf>.
- <sup>33</sup> The White House. “Office of Management and Budget.” <https://www.whitehouse.gov/omb/>.
- <sup>34</sup> 31 U.S.C § 1105.
- <sup>35</sup> Bose, Meena and Andrew Rudalevige. *Executive Policymaking: The Role of the OMB in the Presidency*. (Brookings Institution Press 2020).



- <sup>36</sup> Exec. Order No. 14031, 86 Fed. Reg. 29675 (2001). <https://www.federalregister.gov/documents/2021/06/03/2021-11792/advancing-equity-justice-and-opportunity-for-asian-americans-native-hawaiians-and-pacific-islanders>.
- <sup>37</sup> Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000). <https://www.federalregister.gov/documents/2000/08/16/00-20938/improving-access-to-services-for-persons-with-limited-english-proficiency>.
- <sup>38</sup> Zaveri, Mihir, Matthew Haag, Adam Playford, and Nate Schweber. “How the Storm Turned Basement Apartments into Death Traps.” *The New York Times*, September 2, 2021. <https://www.nytimes.com/2021/09/02/nyregion/basement-apartment-floods-deaths.html>. Kaplan, Joshua. “Hospitals Have Left Many COVID-19 Patients Who Don’t Speak English Alone, Confused and Without Proper Care.” *ProPublica*, March 31, 2021. <https://www.propublica.org/article/hospitals-have-left-many-covid19-patients-who-dont-speak-english-alone-confused-and-without-proper-care>.
- <sup>39</sup> Kaplan, Joshua. “Hospitals Have Left Many COVID-19 Patients Who Don’t Speak English Alone, Confused and Without Proper Care.” *ProPublica*, March 31, 2021. <https://www.propublica.org/article/hospitals-have-left-many-covid19-patients-who-dont-speak-english-alone-confused-and-without-proper-care>. Kang, Suk-Young, Diane Howard, Jeungkun Kim, Jennifer Shepard Payne, Leo Wilton, Wooksoo Kim, and Dina Maramba. “English language proficiency and lifetime mental health service utilization in a national representative sample of Asian Americans in the USA.” *Journal of Public Health*, 32(3): 431–439 (September 2010). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2924787/>. Eldred, Sheila. “With Scarce Access to Interpreters, Immigrants Struggle to Understand Doctors’ Orders.” *National Public Radio*, August 15, 2018. <https://www.npr.org/sections/health-shots/2018/08/15/638913165/with-scarce-access-to-medical-interpreters-immigrant-patients-struggle-to-understands>.
- <sup>40</sup> Zhang, Lamei. “The Language of Relief: Funding LEP Businesses Amidst COVID-19.” The National Coalition for Asian Pacific American Community Development. <https://www.nationalcapacd.org/covid-stories/the-language-of-relief-funding-lep-businesses-amidst-covid-19-2/>.
- <sup>41</sup> Rosa, Amanda. “How Asians Became the Most Vaccinated Group in New York City.” *The New York Times*, May 5, 2021. <https://www.nytimes.com/2021/05/05/nyregion/vaccinations-asian-americans.html>.
- <sup>42</sup> The National Council of Asian Pacific Americans. March 28, 2022. <https://www.ncapaonline.org/wp-content/uploads/2022/03/3.28-NCAPA-POTUS-Language-Access-Recommendations-Letter.pdf>.
- <sup>43</sup> The White House. “Memoranda, OMB, Information and Guidance 1995-2023.” <https://www.whitehouse.gov/omb/information-for-agencies/memoranda/>.
- <sup>44</sup> Hanna, Mary and Jeanne Batalova. “Immigrants from Asia in the United States.” The Migration Policy Institute, March 10, 2021. <https://www.migrationpolicy.org/article/immigrants-asia-united-states-2020>.
- <sup>45</sup> Ibid.
- <sup>46</sup> Ibid.
- <sup>47</sup> Budman, Abby and Neil Ruiz. “Asian Americans are the fastest-growing racial or ethnic group in the U.S.” Pew Research Center, April 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/>.
- <sup>48</sup> Monte, Lindsay and Hyon Shin. “20.6 Million People in the U.S. Identify as Asian, Native Hawaiian or Pacific Islander.” U.S. Census Bureau, May 25, 2022. <https://www.census.gov/library/stories/2022/05/aanhpi-population-diverse-geographically-dispersed.html>.
- <sup>49</sup> Ramakrishnan, Karthick and Farah Ahmad. “A Multifaceted Portrait of a Growing Population.” Immigration Research Group, November 15, 2015. <https://immigration.ucr.edu/state-of-aapis-cap/>.



<sup>50</sup> Hanna, Mary and Jeanne Batalova. "Immigrants from Asia in the United States." The Migration Policy Institute, March 10, 2021. <https://www.migrationpolicy.org/article/immigrants-asia-united-states-2020>.

<sup>51</sup> Ibid.

<sup>52</sup> Asian Americans Advancing Justice. "Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities." June 2019. [https://www.advancingjustice-aaajc.org/sites/default/files/2019-06/1153\\_AAJC\\_Immigration\\_Final\\_Pages\\_LR-compressed.pdf](https://www.advancingjustice-aaajc.org/sites/default/files/2019-06/1153_AAJC_Immigration_Final_Pages_LR-compressed.pdf).

<sup>53</sup> Ibid. at 12.

<sup>54</sup> The White House. "USCIS Engages Chinese-Speaking Immigrants with 'Jiao Liú.'" The Office of Public Engagement, February 13, 2012. <https://obamawhitehouse.archives.gov/realitycheck/blog/2012/02/13/uscis-engages-chinese-speaking-immigrants-jiao-li>.

<sup>55</sup> Asian Americans Advancing Justice. "Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities." June 2019. [https://www.advancingjustice-aaajc.org/sites/default/files/2019-06/1153\\_AAJC\\_Immigration\\_Final\\_Pages\\_LR-compressed.pdf](https://www.advancingjustice-aaajc.org/sites/default/files/2019-06/1153_AAJC_Immigration_Final_Pages_LR-compressed.pdf).

<sup>56</sup> Colby, Sandra and Jennifer Ortman. "Projections of the Size and Composition of the U.S. Population: 2014 to 2060." March 2015. <https://www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf>.

<sup>57</sup> Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity, 62 Fed. Reg. 58782. October 30, 1997. <https://www.federalregister.gov/documents/1997/10/30/97-28653/revisions-to-the-standards-for-the-classification-of-federal-data-on-race-and-ethnicity>.

<sup>58</sup> Asian American and Pacific Islander Data and National Council of Asian Pacific Americans. "2022 Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) Roadmap for Data Equity in Federal Agencies." May 23, 2022. <https://aapidata.com/wp-content/uploads/2022/05/AANHPI-DataEquityReport-May-2022.pdf>.

<sup>59</sup> The White House. "Statistical Programs & Standards, OMB, Information and Regulatory Affairs." <https://www.whitehouse.gov/omb/information-regulatory-affairs/statistical-programs-standards/>.

<sup>60</sup> Asian American and Pacific Islander Data and National Council of Asian Pacific Americans. "2022 Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) Roadmap for Data Equity in Federal Agencies." May 23, 2022. <https://aapidata.com/wp-content/uploads/2022/05/AANHPI-DataEquityReport-May-2022.pdf>.

<sup>61</sup> U.S. Census Bureau. "American Community Survey (ACS)." <https://www.census.gov/programs-surveys/acs>.

<sup>62</sup> Centers for Disease Control and Prevention. "National Center for Health Statistics." <https://www.cdc.gov/nchs/index.htm>.

<sup>63</sup> Quint, Joshua J., Miriam E. Van Dyke, et al. "Disaggregating Data to Measure Racial Disparities in COVID-19 Outcomes and Guide Community Response - Hawai'i, March 1, 2020-February 28, 2021." Centers for Disease Control and Prevention, September 17, 2021. <https://www.cdc.gov/mmwr/volumes/70/wr/mm7037a1.htm#suggestedcitation>.

Chin, Matthew K., Lan N. Doan, Stella K. Chong, et al. "Asian American Subgroups And The COVID-19 Experience: What We Know and Still Don't Know." Health Affairs Forefront, May 24, 2021. <https://www.healthaffairs.org/doi/10.1377/forefront.20210519.651079/full/>.

<sup>64</sup> Louis, Thomas. "Bayesian Methods for Small Population Analysis." John Hopkins Bloomberg School of Public Health, January 18-19, 2018. [https://sites.nationalacademies.org/cs/groups/dbassesite/documents/webpage/dbasse\\_184766.pdf](https://sites.nationalacademies.org/cs/groups/dbassesite/documents/webpage/dbasse_184766.pdf).





- <sup>65</sup> Exec. Order No. 14035, 88 Fed. Reg. 34593 (2021). <https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>. Thibodeau, Patrick. “Surge Hiring, HR Tech Highlighted in 2023 Federal Budget.” Tech Target, April 5, 2022. <https://www.techtarget.com/searchhrsoftware/news/252515602/Surge-hiring-HR-tech-highlighted-in-federal-budget>.
- <sup>66</sup> Monte, Lindsay and Hyon B. Shin. “20.6 Million People in the U.S. Identify as Asian, Native Hawaiian or Pacific Islander.” U.S. Census Bureau, May 25, 2022. <https://www.census.gov/library/stories/2022/05/aanhpi-population-diverse-geographically-dispersed.html>. U.S. Census Bureau. “Asian American and Pacific Islander Heritage Month: May 2022.” April 18, 2022. <https://www.census.gov/newsroom/facts-for-features/2022/asian-american-pacific-islander.html>.
- <sup>67</sup> Colby, Sandra L. and Jennifer M. Ortman. “Projections of the Size and Composition of the U.S. Population: 2014 to 2060.” U.S. Census Bureau, March 2015. <https://www.census.gov/content/dam/Census/library/publications/2015/demo/p25-1143.pdf>.
- <sup>68</sup> Hendriksson, Marla. “Building a Federal Workforce that Reflects a Changing America.” The White House Blog, December 16, 2013. <https://obamawhitehouse.archives.gov/blog/2013/12/16/building-federal-workforce-reflects-changing-america>.
- <sup>69</sup> U.S. Equal Employment Opportunity Commission. “A Practical Guide to Common Issues and Possible Barriers Which Asian and Native Hawaiian or Other Pacific Islander Employees May Face in the Federal Workforce.” <https://www.eeoc.gov/federal-sector/reports/practical-guide-common-issues-and-possible-barriers-which-asian-and-native>.
- <sup>70</sup> Budiman, Abby and Neil G. Ruiz. “Key Facts About Asian Americans, a Diverse and Growing Population.” Pew Research Center, April 29, 2021. <https://www.pewresearch.org/fact-tank/2021/04/29/key-facts-about-asian-americans/>.
- <sup>71</sup> Joint Economic Committee Democrats. “The Economic State of Asian Americans, Native Hawaiians and Pacific Islanders in the United States.” May 26, 2022. <https://www.jec.senate.gov/public/index.cfm/democrats/issue-briefs?ID=D99173B7-E744-4854-9E13-429C1FB75F6E>; Budiman, Abby. “Bangladeshis in the U.S. Fact Sheet.” April 29, 2001. <https://www.pewresearch.org/social-trends/fact-sheet/asian-americans-bangladeshis-in-the-u-s/>.
- <sup>72</sup> PRRI. “The Working Lives and Struggles of Asian Americans and Pacific Islanders in California.” November 18, 2019. <https://www.prrri.org/research/the-working-lives-and-struggles-of-asian-americans-and-pacific-islanders-in-california/>.
- <sup>73</sup> Bateman, Nicole and Martha Ross. “Meet the Low-Wage Workforce.” Metropolitan Policy Program at Brookings, November 2019. <https://www.brookings.edu/wp-content/uploads/2019/11/201911-Brookings-Metro-low-wage-workforce-Ross-Bateman.pdf#page=13>.
- <sup>74</sup> National Asian Pacific American Women’s Forum. “AAPI Women’s Economic Security.” March 9, 2021. <https://www.napawf.org/our-work/content/2021/3/9/aapi-womens-economic-security>.
- <sup>75</sup> Asian Americans Advancing Justice. “Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities.” June 2019. [https://www.advancingjustice-aaajc.org/sites/default/files/2019-07/1153\\_AAJC\\_Immigration\\_Final\\_0.pdf](https://www.advancingjustice-aaajc.org/sites/default/files/2019-07/1153_AAJC_Immigration_Final_0.pdf).
- <sup>76</sup> Wolfe, Julia, Jori Kandra, Lora Engdahl, and Heidi Shierholz. “Domestic Workers Chartbook: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes.” Economic Policy Institute, May 14, 2020. <https://files.epi.org/pdf/194214.pdf>. (The median domestic worker is paid \$12.01 per hour, significantly less than the \$19.97 per hour median for other workers, and earns just \$15,980 per year. Domestic workers are three times more likely than other workers to live in poverty.)



<sup>77</sup> Ibid at 25, 29. (Less than 10% of domestic workers are covered by an employer-provided retirement plan, and just one in five receives health insurance through their jobs.)

<sup>78</sup> Ruckelshaus, Catherine, Rebecca Smith, Sarah Leberstein, and Eunice Cho. “Who’s the Boss: Restoring Accountability for Labor Standards in Outsourced Work.” National Employment Law Project, May 2014. <https://www.nelp.org/wp-content/uploads/2015/02/Whos-the-Boss-Restoring-Accountability-Labor-Standards-Outsourced-Work-Report.pdf>. (This 2014 report estimated that 17.5% of home care workers experienced minimum wage violations and 82.7% experienced overtime violations.) Bernhardt, Annette, Ruth Milkman, and Nik Theodore. “Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America’s Cities.” National Employment Law Project, 2009. <https://www.nelp.org/publication/broken-laws-unprotected-workers-violations-of-employment-and-labor-laws-in-americas-cities/>. (This survey of workers in low-wage industries revealed that 26% were paid less than minimum wage in the week prior to the survey, and nearly one in five surveyed workers suffered overtime violations.)

<sup>79</sup> Wolfe, Julia, Jori Kandra, Lora Engdahl, and Heidi Shierholz. “Domestic Workers Chartbook: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes.” Economic Policy Institute, May 14, 2020. <https://files.epi.org/pdf/194214.pdf>. Asian Americans Advancing Justice. “Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities.” June 2019. [https://www.advancingjustice-aaajc.org/sites/default/files/2019-07/1153\\_AAJC\\_Immigration\\_Final\\_o.pdf](https://www.advancingjustice-aaajc.org/sites/default/files/2019-07/1153_AAJC_Immigration_Final_o.pdf).

<sup>80</sup> Wolfe, Julia, Jori Kandra, Lora Engdahl, and Heidi Shierholz. “Domestic Workers Chartbook: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes.” Economic Policy Institute, May 14, 2020. <https://files.epi.org/pdf/194214.pdf>.

<sup>81</sup> Watts, Molly O’Malley, MaryBeth Musumeci, and Priya Chidambaram. “Medicaid Home and Community-Based Services Enrollment and Spending.” Kaiser Family Foundation Issue Brief, February 4, 2020. <https://www.kff.org/report-section/medicaid-home-and-community-based-services-enrollment-and-spending-issue-brief/>.

<sup>82</sup> PHI. “Our New Data Show It’s Time to Improve Direct Care Jobs.” September 15, 2021. <http://www.phinational.org/our-new-data-show-its-time-to-improve-direct-care-jobs/>.

<sup>83</sup> McDermott, Janie and Annelies Goger. “The Health Care Workforce Needs Higher Wages and Better Opportunities.” Brookings, December 2, 2020. <https://www.brookings.edu/blog/the-avenue/2020/12/02/the-health-care-workforce-needs-higher-wages-and-better-opportunities/>.

<sup>84</sup> PHI. “Direct Care Workers in the United States, Key Facts.” September 7, 2021. <http://www.phinational.org/resource/direct-care-workers-in-the-united-states-key-facts-2/>.

<sup>85</sup> May, Rachel, Gustavo Rivera, and Jessica Ramos. “Addressing the Crisis in the Long-Term Care Workforce: Report and Findings of the Senate Committees on Aging, Health, and Labor.” July 27, 2021. [https://www.nysenate.gov/sites/default/files/article/attachment/long-term\\_care\\_workforce\\_hearing\\_report\\_2021.pdf](https://www.nysenate.gov/sites/default/files/article/attachment/long-term_care_workforce_hearing_report_2021.pdf).

<sup>86</sup> PHI. “PHI Releases New Annual Data on the U.S. Direct Care Workforce.” September 7, 2021. <http://www.phinational.org/news/phi-releases-new-annual-data-on-the-u-s-direct-care-workforce/>.

<sup>87</sup> AARP International. “The Aging Readiness & Competitiveness Report.” <https://www.aarpinternational.org/initiatives/aging-readiness-competitiveness-arc/united-states>.

<sup>88</sup> American Rescue Plan Act of 2021, Pub. L. 117-2. <https://www.govinfo.gov/app/details/PLAW-117publ2>.



- 
- <sup>89</sup> Asian Americans Advancing Justice. “Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities.” June 2019. [https://www.advancingjustice-aaajc.org/sites/default/files/2019-07/1153\\_AAJC\\_Immigration\\_Final\\_O.pdf](https://www.advancingjustice-aaajc.org/sites/default/files/2019-07/1153_AAJC_Immigration_Final_O.pdf).
- <sup>90</sup> Wango, Symone. “Protecting Low-wage Workers from Workplace Abuse, Discrimination, Wage Theft, and Unsafe Working Conditions.” Equal Justice Works, February 16, 2022. <https://www.equaljusticeworks.org/news/protecting-low-wage-workers-from-workplace-abuse-discrimination-wage-theft-and-unsafe-working-conditions/>.
- <sup>91</sup> Asian Americans Advancing Justice. “Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities.” June 2019. [https://www.advancingjustice-aaajc.org/sites/default/files/2019-06/1153\\_AAJC\\_Immigration\\_Final\\_Pages\\_LR-compressed.pdf](https://www.advancingjustice-aaajc.org/sites/default/files/2019-06/1153_AAJC_Immigration_Final_Pages_LR-compressed.pdf).
- <sup>92</sup> Kesluk, Silverstein, Jacob & Morrison. “Immigrant Worker Harassment.” <https://www.californialaborlawattorney.com/practice-areas/harassment-law-firm/immigrant-worker-harassment/>. Mangundayao, Ihna, Celine McNicholas, Margaret Poydock, and Ali Sait. “More than \$3 billion in stolen wages recovered for workers between 2017 and 2020.” Economic Policy Institute, December 22, 2021. <https://www.epi.org/publication/wage-theft-2021/>.
- <sup>93</sup> Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance, Center for Urban Economic Development, University of Illinois at Chicago, and DataCenter, 2012. <https://www.domesticworkers.org/wp-content/uploads/2021/06/HomeEconomicsReport.pdf>.
- <sup>94</sup> Ibid. at 21, 32.
- <sup>95</sup> Wolfe, Julia, Jori Kandra, Lora Engdahl, and Heidi Shierholz. “Domestic Workers Chartbook: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes.” Economic Policy Institute, May 14, 2020. <https://files.epi.org/pdf/194214.pdf>.
- <sup>96</sup> McCall, Stephen and Kezia Scales. “Direct Care Worker Disparities: Key Trends and Challenges, Issue Brief.” PHI, February 8, 2022. <http://www.phinational.org/resource/direct-care-worker-disparities-key-trends-and-challenges/>.
- <sup>97</sup> Shih, Howard, Ryan Vinh, Karthick Ramakrishnan, Beth Tamayose, Todd Hughes, and Ninez Ponce. “The Health, Mental Health, and Social Service Needs of Asian Americans and Pacific Islanders in California.” AAPI Data, 2022. <https://healthpolicy.ucla.edu/publications/Documents/PDF/2022/Health-SocServ-AANHPIs-report-jun2022.pdf>. Keawe‘aimoku Kaholokula, Joseph, Mona AuYoung, Michelle Chau, Usha Sambamoorthi, Savanna Carson, Chia Thao, May Nguyen, Audrey Alo, Sheldon Riklon, Tana Lepule, and Grace X. Ma. “Unified in Our Diversity to Address Health Disparities Among Asian Americans, Native Hawaiians, and Pacific Islanders.” Health Equity, October 2022. <https://www.liebertpub.com/doi/10.1089/heq.2022.0034>. Escobedo, Loraine A., Brittany N. Morey, Melanie D. Sabado-Liwag, and Ninez A. Ponce. “Lost On the Frontline, and Lost in the Data: COVID-19 Deaths Among Filipinx Healthcare Workers in the United States.” National Center for Biotechnology Information, August 25, 2022. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9452815/>.
- <sup>98</sup> Tyler, Denise, Melissa Hunter, Natalie Mulmule, and Kristie Porter. “COVID-19 Intensifies Home Care Workforce Challenges.” Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services. May 31, 2021. <https://aspe.hhs.gov/reports/covid-19-intensifies-home-care-workforce-challenges>.
- <sup>99</sup> McDermott, Janie and Annelies Goger. “The Health Care Workforce Needs Higher Wages and Better Opportunities.” Brookings, December 2, 2020. <https://www.brookings.edu/blog/the-avenue/2020/12/02/the-health-care-workforce-needs-higher-wages-and-better-opportunities/>.
- <sup>100</sup> UCLA Labor Occupational Safety & Health Program. “Hidden Work, Hidden Pain: Injury Experiences of Domestic Workers in California.” July 20, 2020.



---

<https://losh.ucla.edu/wp-content/uploads/sites/37/2020/06/Hidden-Work-Hidden-Pain.-Domestic-Workers-Report.-UCLA-LOSH-June-2020-1.pdf>.

<sup>101</sup> Kaur-Gill, Satveer, Mohan Jyoti Dutta, Katherine Nasol, and Valerie Francisco-Menchavez. “Filipino Home Care Workers: Invisible Frontline Workers in the COVID-19 Crisis in the United States.” National Center for Biotechnology Information, September 2021. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7969854/>.

<sup>102</sup> Bonato, Stefani and McKenna Coll. “Domestic Workers’ Rights in the United States: A Report Prepared for the U.N. Human Rights Committee in Response to the Second and Third Periodic Report of the United States.” <https://law.unc.edu/wp-content/uploads/2019/10/domesticworkersreport.pdf>.

<sup>103</sup> Human Rights Watch. “US: 20 Years of Immigrant Abuses.” April 25, 2016. <https://www.hrw.org/news/2016/04/25/us-20-years-immigrant-abuses>.

<sup>104</sup> Eagly, Ingrid and Steven Shafer. “The Institutional Hearing Program: A Study of Prison-Based Immigration Courts in the United States.” 54 Law & Society Rev. 788 (2020). [https://www.researchgate.net/publication/347779895\\_The\\_Institutional\\_Hearing\\_Program\\_A\\_Study\\_of\\_Prison-Based\\_Immigration\\_Courts\\_in\\_the\\_United\\_States](https://www.researchgate.net/publication/347779895_The_Institutional_Hearing_Program_A_Study_of_Prison-Based_Immigration_Courts_in_the_United_States).

<sup>105</sup> Legal Information Institute. “Illegal Immigration Reform and Immigration Responsibility Act.” Cornell Law School. [https://www.law.cornell.edu/wex/illegal\\_immigration\\_reform\\_and\\_immigration\\_responsibility\\_act](https://www.law.cornell.edu/wex/illegal_immigration_reform_and_immigration_responsibility_act).

<sup>106</sup> Antiterrorism and Effective Death Penalty Act of 1996, 28 U.S.C. § 2254 (1996). <https://www.congress.gov/104/plaws/publ132/PLAW-104publ132.pdf>.

<sup>107</sup> Family, Jill. “Stripping Judicial Review During Immigration Reform: The Certificate of Reviewability.” 8 Nev. L.J. 499 (2008). <https://scholars.law.unlv.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1106&context=nlj>.

<sup>108</sup> Transactional Records Access Clearinghouse (TRAC). “Outcomes of Deportation Proceedings in Immigration Court 1998-2022.” [https://trac.syr.edu/phptools/immigration/court\\_backlog/deport\\_outcome\\_charge.php](https://trac.syr.edu/phptools/immigration/court_backlog/deport_outcome_charge.php).

<sup>109</sup> National Council on Crime & Delinquency. “Under the Microscope: Asian and Pacific Islander Youth in Oakland Needs, Issues, Solutions.” API Youth Violence Prevention Center, 2007. <https://static1.squarespace.com/static/60a87af59bd6bb2e50c4c0eb/t/610976439040ba66d61342b6/1628010052547/Under+the+Microscope.pdf>.

<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

<sup>114</sup> Le, Thao, Isami Arifuku, Cory Louis, and Moishe Krisberg. “Not Invisible: Asian Pacific Islander Juvenile Arrests in Alameda County.” Asian Pacific Islander Youth Violence Prevention Center, 2001. <https://www.issuelab.org/resources/2704/2704.pdf>.

<sup>115</sup> Ibid.

<sup>116</sup> Asian Americans Advancing Justice and Southeast Asia Resource Action Center. “Southeast Asian American Journeys.” 2020. [https://www.searac.org/wp-content/uploads/2020/02/SEARAC\\_NationalSnapshot\\_PrinterFriendly.pdf](https://www.searac.org/wp-content/uploads/2020/02/SEARAC_NationalSnapshot_PrinterFriendly.pdf).

<sup>117</sup> Ibid.

<sup>118</sup> Letter on file with the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders.





- <sup>119</sup> Grey, David. “Risks of Pleading Guilty or No Contest.” <https://davidgreyimmigrationlaw.com/deportation-and-removal/risks-of-pleading-guilty-or-no-contest/>.
- <sup>120</sup> Southeast Asia Resource Action Center. “The Devastating Impact of Deportation on Southeast Asian Americans (1998-2016).” <https://www.searac.org/wp-content/uploads/2018/04/The-Devastating-Impact-of-Deportation-on-Southeast-Asian-Americans-1.pdf>.
- <sup>121</sup> 116th Congress, House Resolution 952, Introduced May 5, 2020. <https://www.govinfo.gov/content/pkg/BILLS-116hres952ih/html/BILLS-116hres952ih.htm>.
- <sup>122</sup> Southeast Asian Refugee Action Center. “The New Way Forward’s Impact on Southeast Asian Americans.” January 20, 2021. <https://www.searac.org/our-voices/community-stories/the-new-way-forwards-impact-on-southeast-asian-americans/>.
- <sup>123</sup> National Asian Pacific American Women’s Forum and Southeast Asian Refugee Action Center. “Dreams Detained, in Her Words.” 2018. [https://www.searac.org/wp-content/uploads/2018/09/dreams\\_detained\\_in\\_her\\_words\\_report-2.pdf](https://www.searac.org/wp-content/uploads/2018/09/dreams_detained_in_her_words_report-2.pdf).
- <sup>124</sup> Southeast Asian Raids. “Laos.” <http://searaid.org/laos/>.
- <sup>125</sup> Exec. Order No. 13993, 86 Fed. Reg. 7051 (2021). <https://www.federalregister.gov/documents/2021/01/25/2021-01768/revision-of-civil-immigration-enforcement-policies-and-priorities>.
- <sup>126</sup> Mayorkas, Alejandro. “Guidelines for the Enforcement of Civil Immigration Law.” September 30, 2021. <https://www.ice.gov/doclib/news/guidelines-civilimmigrationlaw.pdf>. Pekoske, David. “Review of and Interim Revision to Civil Immigration Enforcement and Removal Policies and Priorities.” January 20, 2021. [https://www.dhs.gov/sites/default/files/publications/21\\_0120\\_enforcement-memo\\_signed.pdf](https://www.dhs.gov/sites/default/files/publications/21_0120_enforcement-memo_signed.pdf).
- <sup>127</sup> Johnson, Tae. “Using a Victim-Centered Approach with Noncitizen Crime Victims.” August 10, 2021. <https://www.ice.gov/doclib/news/releases/2021/11005.3.pdf>.
- <sup>128</sup> Johnson, Tae. “Interests of Noncitizen Parents and Legal Guardians of Minor Children or Incapacitated Adults.” July 14, 2022. <https://www.ice.gov/doclib/news/releases/2022/11064.3.pdf>.
- <sup>129</sup> Mayorkas, Alejandro. “Worksite Enforcement: The Strategy to Protect the American Labor Market, the Conditions of the American Worksite, and the Dignity of the Individual.” October 12, 2021. [https://www.dhs.gov/sites/default/files/publications/memo\\_from\\_secretary\\_mayorkas\\_on\\_worksite\\_enforcement.pdf](https://www.dhs.gov/sites/default/files/publications/memo_from_secretary_mayorkas_on_worksite_enforcement.pdf).
- <sup>130</sup> Mayorkas, Alejandro. “Guidelines for Enforcement Actions in or Near Protected Areas.” October 27, 2021. [https://www.dhs.gov/sites/default/files/publications/21\\_1027\\_opa\\_guidelines-enforcement-actions-in-near-protected-areas.pdf](https://www.dhs.gov/sites/default/files/publications/21_1027_opa_guidelines-enforcement-actions-in-near-protected-areas.pdf).
- <sup>131</sup> Texas v. United States, No. 6:21-00016 (S.D. Tex. June 10, 2022). <https://www.courthousenews.com/wp-content/uploads/2022/06/ruling-in-texas-and-louisiana-lawsuit-regarding-biden-deportation-policies.pdf>.
- <sup>132</sup> U.S. Immigration and Customs Enforcement. <https://www.ice.gov/about-ice/opla/prosecutorial-discretion>.
- <sup>133</sup> Chaudry, Ajay, Randy Capps, Juan Manuel Pedroza, Rosa Maria Castañeda, Robert Santos, and Molly M. Scott. “Facing Our Future: Children in the Aftermath of Immigration Enforcement.” The Urban Institute, February 2010. <https://www.urban.org/sites/default/files/publication/28331/412020-Facing-Our-Future.PDF>.
- <sup>134</sup> U.S. Department of Labor. “H-1B Program.” <https://www.dol.gov/agencies/whd/immigration/h1b>.
- <sup>135</sup> U.S. Citizenship and Immigration Services. “L Visas (L-1A and L-1B) for Temporary Workers.” <https://www.uscis.gov/forms/explore-my-options/l-visas-l-1a-and-l-1b-for-temporary-workers>.



---

<sup>136</sup> U.S. Citizenship and Immigration Services. "Handbook for Employers M-274: 6.5 H-1B Specialty Occupations." April 27, 2020. <https://www.uscis.gov/i-9-central/form-i-9-resources/handbook-for-employers-m-274/60-evidence-of-status-for-certain-categories/65-h-1b-specialty-occupations>.

<sup>137</sup> Path to USA. "H1B Visa Re-validation or Stamping Process." <https://www.path2usa.com/us-visas/h1b-visa/h1-visa-revalidation-re-stamping>.

<sup>138</sup> U.S. Citizenship and Immigration Services. "H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models." July 21, 2022. <https://www.uscis.gov/working-in-the-united-states/h-1b-specialty-occupations>.

<sup>139</sup> Stanford Bechtel International Center. "Getting an H-1 Visa Stamp." <https://bechtel.stanford.edu/immigration/visa-types/h-1b-employee/getting-h-1-visa-stamp>.

<sup>140</sup> U.S. Department of State, Bureau of Consular Affairs. "Administrative Processing Information." <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/administrative-processing-information.html>. ("A visa refusal under section 221(g) of the Immigration and Nationality Act (INA) means the applicant did not establish eligibility for a visa to the satisfaction of the consular officer, as is required under U.S. law, specifically section 291 of the INA. When an applicant is refused under 221(g), it means the consular officer determined that the applicant was not eligible for a visa after completing and executing the visa application and any required interview.")

<sup>141</sup> U.S. Department of State. "Expanded Interview Waivers for Certain Nonimmigrant Visa Applicants." December 23, 2021. <https://www.state.gov/expanded-interview-waivers-for-certain-nonimmigrant-visa-applicants/>.

<sup>142</sup> National Visa Center. "NVC's Role in Your Immigrant Visa Journey." [https://travel.state.gov/content/dam/visas/PDF-other/NVC\\_role\\_in\\_IVs\\_for\\_applicants\\_November\\_2016.pdf](https://travel.state.gov/content/dam/visas/PDF-other/NVC_role_in_IVs_for_applicants_November_2016.pdf).



# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Commission Subcommittee Summaries**

December 2022



# Table of Contents

<b>Introduction</b>	<b>3</b>
<b>Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee</b>	<b>4</b>
Subcommittee Membership	4
Summary of Meetings and Presentations	4
Summary of Recommendations	5
Recommendation: Federal Holiday Recognition and Training Regarding AA and NHPI Communities	6
Recommendation: White House Hosted Gun Violence Summit	8
<b>Health Equity Subcommittee</b>	<b>10</b>
Subcommittee Membership	10
Summary of Meetings and Presentations	10
Summary of Recommendations	11
Recommendation: Target Tobacco Use Prevention and Lung Cancer Screening Efforts to AA and NHPI Communities	12
Recommendation: Increase Services for Survivors of Intimate Partner Violence	14
<b>Immigration and Citizenship Status Subcommittee</b>	<b>17</b>
Subcommittee Membership	17
Summary of Meetings and Presentations	17
Summary of Recommendations	18
Recommendation: Improve the Status of Compact of Free Association Migrants	19
Recommendation: Address Children Aging Out of Legal Status	21
Recommendation: Reduce Visa Appointment Wait Times in Certain Asian Countries	23
<b>Language Access Subcommittee</b>	<b>25</b>
Subcommittee Membership	25
Summary of Meetings and Presentations	25
Summary of Recommendations	26
Recommendation: Establishment of Office of Language Services	27
Recommendation: Translation of Presidential and Vice-Presidential Speeches	29
Recommendation: Translate National Intimate Partner and Sexual Violence Survey into AA and NHPI Languages and Invest in Culturally and Linguistically Accessible Research and Data Collection	31
<b>Data Disaggregation Subcommittee</b>	<b>33</b>
Subcommittee Membership	33
Summary of Meetings and Presentations	33
Summary of Recommendations	34
<b>Economic Equity Subcommittee</b>	<b>35</b>
Subcommittee Membership	35
Summary of Meetings and Presentations	35
Summary of Recommendations	36
Recommendation: Build Capacity for Community Development Corporations	37
Recommendation: Increase AA and NHPI Federal Small Business Contractors	39
Recommendation: Increase AA and NHPI Participation in Apprenticeship Programs	40





## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee
2. Health Equity Subcommittee
3. Immigration and Citizenship Status Subcommittee
4. Language Access Subcommittee
5. Data Disaggregation Subcommittee
6. Economic Equity Subcommittee

Between February 2022 and December 2022, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations, which were transmitted to President Biden in August 2022. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations.

The Commission held its fourth public meeting on December 5-6, 2022, where 13 additional recommendations were considered and discussed. This document includes meeting summaries and final recommendations that were approved by the full Commission at the December two-day meeting.



## Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, and Smita Shah
- **Designated Federal Officer:** Zeyen Wu

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee meets bi-weekly. Following the Commission's third meeting on September 28, 2022, the subcommittee met on October 4, October 18, November 1, November 15, and November 29, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Julia Liou, Chief Executive Officer, Asian Health Services; Paul Luu, Chief Executive Officer, Chinese American Service League (CASL):** Presented on what their respective organizations were doing to prevent and address anti-Asian hate in local communities as Asian American Pacific Islander (AAPI) Action Centers in Oakland, California and Chicago, Illinois.
- **Yvonne Hsu, Chief Policy and Government Affairs Officer, National Asian Pacific American Women's Forum (NAPAWF):** Presented on the NAPAWF's work to protect AAPI women against anti-Asian hate.
- **Anisha Singh, Executive Director, Sikh Coalition:** Presented on what the Sikh Coalition is doing to prevent and address anti-Asian hate in local communities as an AAPI Action Center in New York, New York.
- **Gloria Pan, Senior Vice President, MomsRising.org; Donna Norton,**



**Executive VP and Chief Advancement & Strategy Officer,  
MomsRising.org:** Presented on gun violence prevention efforts and the AA  
and NHPI community.

## Summary of Recommendations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee approved the following two draft recommendations to present at the December 5 and December 6, 2022, full Commission meeting:

- **Recommendation:** The Commission recommends that the President direct the Domestic Policy Council, which is charged with implementing Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities, to review and make recommendations regarding equity issues as they relate to AA and NHPI communities, particularly regarding the recognition of ethnic, national, religious holidays, and cultural heritage months as well as eliminating bias and bigotry within government-wide law enforcement and military trainers, training materials, and terminology.
- **Recommendation:** The Commission recommends that the White House convene a summit on addressing and preventing gun violence targeting AA and NHPI communities.



## Recommendation: Federal Holiday Recognition and Training Regarding AA and NHPI Communities

### Problem Statement:

The federal government has not ensured that guidance and training materials issued by law enforcement and military agencies regarding AA and NHPI communities are factual and free of bias and stereotypes. In addition, AA and NHPI religious, cultural, and ethnic celebrations have not been recognized and celebrated in ways that are consistent with the celebrations for other communities.

### Recommendation:

The Commission recommends that the President direct the Domestic Policy Council, which is charged with implementing Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities through the Federal Government, to review and make recommendations regarding equity issues as they relate to AA and NHPI communities. The review and recommendations should include the following:

- Conduct a government-wide review of law enforcement and military trainers, training materials, and terminology regarding AA and NHPI histories, cultures, and religions in order to eliminate bias and bigotry.
- Review White House and federal agencies' recognition of AA and NHPI ethnic, national, and religious holidays and cultural heritage months in order to assess the equity of current federal government practices. The interagency group should further make recommendations to ensure the treatment of all communities are both consistent and equitable. Examples include, but are not limited to, Asian American, Native Hawaiian, and Pacific Islander Heritage Month (May), Vaisakhi, Lunar New Year, Eid, and Diwali.

### Background and Rationale:

On January 20, 2021, the President signed Executive Order (EO) 13985 On Advancing Racial Equity and Support for Underserved Communities through the Federal Government.<sup>1</sup>

The intention of the policy is to ensure that “the Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.”<sup>2</sup>





EO 13985 defines equity as “the consistent and systemic fair, just, and impartial treatment of all individuals” and specifically named Asian American communities among those who had been denied such treatment in the past. The White House tasked the Domestic Policy Council to coordinate and execute on the EO directives.<sup>3</sup> In order to ensure AA and NHPI communities have confidence in government, these communities must feel the government treats them with both fairness and respect. A review of government training materials undertaken during the Obama administration revealed troubling use of bias and stereotypes by the federal government in law enforcement trainings.<sup>4</sup> This review was limited and, unfortunately, was never completed. President Biden has a unique opportunity under EO 13985 to eradicate bias towards AA and NHPI and other communities of color in the federal government’s materials.

In addition, maintaining consistency in the recognition and acknowledgement of ethnic, national, and religious holidays that represent the rich diversity of communities in America will demonstrate the seriousness of the government’s commitment to relationship building.



## Recommendation: White House Hosted Gun Violence Summit

### Problem Statement:

The AA and NHPI communities have been impacted by racially motivated mass shootings for decades. Since the start of the pandemic, the AA and NHPI community continues to endure another wave of anti-Asian sentiment and violence.

### Recommendation:

The Commission recommends that the White House shall convene an intersectional summit focusing on the impact and prevention of gun violence in the AA and NHPI and other marginalized communities within the next two years.

### Background and Rationale:

The AA and NHPI communities have been impacted by racially motivated mass shootings for decades. In fact, the 1994 assault weapons ban was catalyzed, in part, by a 1989 mass shooting in an elementary school in Stockton, California.<sup>5</sup> All five of the children killed by the gunman that day were of Southeast Asian descent.<sup>6</sup> The intense Islamophobia post 9/11 led to one of the largest mass shootings at an AA and NHPI house of worship, where a white supremacist gunman opened fire on a peaceful crowd of Sikhs praying at a Gurdwara in Oak Creek, Wisconsin.<sup>7</sup> The AA and NHPI community is enduring yet another wave of anti-Asian sentiment during the COVID-19 pandemic: a white gunman murdered six Asian American women in Atlanta,<sup>8</sup> and another assailant murdered several Sikh Americans while at work in Indianapolis.<sup>9</sup>

The Center for the Study of Hate and Extremism found that while the total number of hate crimes in 18 large cities across the United States declined by 6% from 2019 to 2020, hate crimes targeting Asians rose by 145%.<sup>10</sup> Strikingly, an AAPI Data survey found that 16% of Asian Americans and 14% of Native Hawaiian or Pacific Islanders reported experiencing a hate crime or incident from January 2021 through March 2022.<sup>11</sup> The intersection of racism, hate, and gun violence in the U.S. is a path that is paved with the blood of minority communities. As a result, many Asian Americans are rushing to buy firearms for self-defense.<sup>12</sup> More research using disaggregated data techniques to find and protect communities that are at risk for gun violence and death is needed.

President Biden has made historic strides to help curb the destructive effects of gun violence. The Bipartisan Safer Communities Act is the most significant gun violence reduction legislation to pass Congress in 30 years.<sup>13</sup> This administration's efforts have helped provide law enforcement with the tools and resources needed to reduce gun



violence while also funding programs that are aimed at preventing community and gun violence.

While AA and NHPI communities writ large overwhelmingly support gun safety measures and gun violence prevention, it is important to shine a spotlight on the safety concerns of Asian Americans who are vulnerable to disinformation campaigns and messaging around gun safety. A national summit convened by the White House would bring together AA and NHPI leaders, community groups, data driven organizations, healthcare providers, researchers, government agencies, and other stakeholders to create a common framework for guiding future policy recommendations to mitigate the danger posed by gun violence towards the AA and NHPI community.



## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, and Mia Ives-Ruble
- **Members:** Victoria Huynh, Dr. Kimberly Chang, Michelle Ka'uhane, and Dr. Kamal Kalsi
- **Non-Commission Member:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Caroline Goon

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets bi-weekly. Following the Commission's third meeting on September 28, 2022, the subcommittee met on October 6, October 20, November 3, November 17, and December 1, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Katherine Chon, Director, Office on Trafficking in Persons (OTIP), Administration for Children and Families, Senior Advisor on Human Trafficking, U.S. Department of Health and Human Services (HHS):** Provided an overview of OTIP's mission, program services, funding opportunities for AA and NHPI organizations.
- **Dr. Ashish Jha, White House COVID-19 Response Coordinator:** Provided an overview of the current COVID-19 status and the White House's plan for the upcoming fall and winter season for the AA and NHPI communities to get boosters. Discussed misinformation about the COVID vaccine, especially on culturally specific social media platforms, and ways to fight the misinformation with accurate information.
- **Julie Wong, Secretary's Advisory Committee on Apprenticeship, Staff Lead for Diversity, Equity, Inclusion, and Accessibility (DEIA) Subcommittee, Employment and Training Administration (ETA), U.S. Department of Labor (DOL); Lauren Smith, Region 6 State Director, Healthcare Industry Liaison, ETA, DOL; Bernie Treml, Regional Director of Healthcare Industry Liaison, ETA, DOL; Corinna Pereira, Region 6 Multi-State Navigator, ETA, DOL:** Provided an overview of DOL funding resources and determinations for the Apprenticeship Program





and possible collaborations with the HHS Bureau of Health Workforce on strengthening resources for healthcare workers in the AA and NHPI communities.

- **David Dyjack, Executive Director, National Environmental Health Association (NEHA):** Provided an overview of NEHA’s mission, services, and insights on impacts of environmental health on AA and NHPI communities.

## Summary of Recommendations:

The Health Equity Subcommittee approved the following two draft recommendations for presentation at the December 5 and December 6, 2022, full Commission meeting:

- **Recommendation:** The Commission recommends that the U.S. Department of Health and Human Services take a number of steps to address the high lung cancer rates in AA and NHPIs due to tobacco use and ensure that more funding and resources should go towards lung cancer screening, disaggregated data collection and research, and efforts towards the prevention and cessation of e-cigarettes and other tobacco use.
- **Recommendation:** The Commission recommends that the U.S. Department of Health and Human Services take a number of steps to address intimate partner violence and its health impacts on AA and NHPIs by ensuring that all HHS healthcare delivery programs and funding mechanisms include language accessibility for AA and NHPI communities; including universal education and screening in data collection and quality measures; issuing guidance on the inclusion of medical advocacy and trauma services coverage by Medicaid; and issuing guidance on privacy, safety, and confidentiality of medical records for intimate partner violence survivors.



## Recommendation: Target Tobacco Use Prevention and Lung Cancer Screening Efforts to AA and NHPI Communities

### Problem Statement:

Lung cancer is the leading cause of cancer deaths for AA and NHPI communities.<sup>14</sup> One of the largest and most modifiable risk for lung cancer is tobacco use. Tobacco use is an important cause of cancer death among AA and NHPI communities.<sup>15</sup>

### Recommendations:

The Commission recommends that the U.S. Department of Health and Human Services (HHS) take a number of steps to address the high lung cancer rates in AA and NHPIs due to tobacco use and ensure that more funding and resources go towards lung cancer screening, disaggregated data collection and research, and prevention and cessation efforts of e-cigarettes and other tobacco use. HHS should begin implementation of the following actions by October 1, 2023:

- HHS agencies should provide more resources and support for AA and NHPI community-based organizations to increase efforts towards lung cancer screening and tobacco control among AA and NHPI communities.
- Screening for lung cancer using low-dose CT scans can detect cancer at an earlier stage and decrease lung cancer death rates by 20%.<sup>16</sup> The Centers for Medicare & Medicaid Services (CMS) should require that all institutions receiving federal funding, including Medicare and Medicaid funds, report quality measures on the rates of lung cancer screening among eligible AA and NHPI communities.
- The Health Resources and Services Administration (HRSA) should require all grantees of the Bureau of Primary Health Care to report lung cancer screening quality measures (percent eligible who received screening) as part of the Uniform Data System.
- The National Institutes of Health (NIH) should fund more research studies to better understand the etiology and risk factors for the increased incidence and mortality of lung cancer among smoking and non-smoking AA and NHPI individuals.
- The Surveillance, Epidemiology, and End Results (SEER) Program should provide disaggregated health data for AA and NHPI communities in order to better understand the trend of lung cancer incidence and survival rates between different AA and NHPI groups.



- The Office of Minority Health (OMH) should provide funding for outreach programs to educate AA and NHPI communities about lung cancer prevention and screening, and support efforts to promote smoking cessation and early detection of lung cancer.
- The Centers for Disease Control and Prevention (CDC) should prioritize AA and NHPI communities in all tobacco control and prevention efforts, especially in its health promotion efforts on e-cigarettes use and vaping among adolescents and young adults.
- Efforts aimed at addressing tobacco use in diverse AA and NHPI communities require a comprehensive, four-pronged approach designed to: (1) increase tobacco prevention and control efforts within the AA and NHPI community, where tobacco issues have not been assigned a high priority; (2) increase efforts within tobacco control organizations, for which AA and NHPIs have not historically been a high priority; (3) increase the involvement of policymakers, among whom neither tobacco control nor the AA and NHPI community has been a high priority; and (4) increase efforts against the tobacco industry marketing among AA and NHPIs.<sup>17</sup>

### **Background and Rationale:**

Studies have found increased incidence rates of lung cancer (adenocarcinoma) amongst AA and NHPI communities. A recent study showed that lung cancer rates increased particularly amongst Filipino and Korean American women.<sup>18</sup> That same study showed a significant rise in the incidence of lung cancer in Chinese American men.<sup>19</sup> Lung cancer death rates attributable to tobacco was 71% in Korean Americans and 69% in AA and NHPI males.<sup>20</sup> Among AA and NHPI young adults, the use of e-cigarettes has been growing. Respondents who identified as Filipino males, Vietnamese males, LGBTQIA, and vocationally trained and employed reported the highest use of e-cigarettes.<sup>21</sup> To address the important problem of increased lung cancer morbidity and mortality, it is imperative that we address tobacco cessation and prevention efforts as well as increased lung cancer screening among AA and NHPI communities.



## Recommendation: Increase Services for Survivors of Intimate Partner Violence

### Problem Statement:

Intimate partner violence (IPV) is far too common. Overall, nearly 50% of women and more than 40% of men reported experiencing contact sexual violence, physical violence, and/or stalking victimization, and almost one in two women and men reported experiencing psychological aggression by an intimate partner in their lifetime.<sup>22</sup> In particular, 16-55% of Asian, Native Hawaiian, and Pacific Islander women in the U.S. experience IPV and/or sexual violence during their lifetime.<sup>23</sup> There is robust evidence showing that universal education and screening for IPV in health care settings can improve health outcomes, and federal policy levers can help increase uptake of these interventions to decrease IPV in AA and NHPI communities.

### Recommendations:

The Commission recommends that the U.S. Department of Health and Human Services (HHS) take a number of steps to address IPV and its health impacts on AA and NHPIs by ensuring that all HHS health care delivery programs and funding mechanisms include language accessibility for AA and NHPI communities; including universal education and screening in data collection and quality measures; issuing guidance on the inclusion of medical advocacy and trauma services coverage by Medicaid; and issuing guidance on privacy, safety, and confidentiality of medical records for IPV survivors. HHS should begin implementation of the following actions by October 1, 2023:

- HHS agencies should provide more resources and support for AA and NHPI community-based organizations to increase efforts towards IPV universal education and screening among AA and NHPI communities.
- CMS should require that all institutions receiving federal funding, including Medicare and Medicaid funds, report quality measures on the rates of IPV universal education and screening.
- CMS should issue guidance that trauma services, including prevention and universal education and medical advocacy or healthcare services provided by IPV service providers, are covered by Medicaid.
- HRSA should require all grantees of the Bureau of Primary Health Care to report two new measures to the Uniform Data System data collection metrics on IPV: number of patients receiving universal education, and number of patients referred





to domestic violence services/resources.

- The Title V Maternal and Child Health Block Grant Program should make home visiting services language accessible and available to AA and NHPI pregnant people and new parents who may be at risk for gender-based violence, and children at risk for experiencing adverse childhood experiences,<sup>24</sup> and should incentivize proposals that include plans for language accessibility.
- The Title V Maternal and Child Health Block Grant Program should change the federal benchmarks for home visitation on domestic violence to include offering culturally competent universal education and trauma informed safety planning with families as described in the federal home visiting Collaborative Improvement Innovation Networks (CollNs).<sup>25</sup>
- The Office of Population Affairs should incentivize Title X grantees, subrecipients, and service sites to incorporate plans for language accessibility in AA and NHPI communities.
- The Office of Population Affairs should encourage and incentivize Title X grantees, subrecipients, and service sites to implement evidence-based interventions like universal education to reduce violence and improve reproductive health outcomes.
- To ensure the safety of survivors of gender-based violence, the Office of the National Coordinator (ONC) must issue clear privacy and confidentiality guidelines that allow patients control over their data and provide specific guidance on how to keep documentation of GBV and exploitation private under the 21st Century Cures Act.
- The HIV/AIDS Bureau (HAB), which administers the Ryan White HIV/AIDS Program (RWHAP) and plays a critical role in helping diagnose, treat, prevent, and respond as part of the “Ending the HIV Epidemic: A Plan for America” initiative, should incentivize grantees to incorporate plans for language accessibility in AA and NHPI communities.
- The HIV/AIDS Bureau (HAB), which administers the Ryan White HIV/AIDS Program (RWHAP) and plays a critical role in helping diagnose, treat, prevent, and respond as part of the “Ending the HIV Epidemic: A Plan for America” initiative, should incentivize grantees to implement evidence-based culturally competent universal education interventions to reduce IPV and improve health outcomes.



## Background and Rationale:

The U.S. Preventive Services Task Force (USPSTF) recommends that clinicians screen for IPV in women of reproductive age and provide or refer women who screen positive to ongoing support services.<sup>26</sup> Furthermore, health care methods that include education, assessment, intervention, and prevention help to empower survivors.<sup>27</sup> In an intervention to reduce unintended pregnancies in women who experience intimate partner violence, using a universal education model was associated with a 71% reduction in pregnancy pressure, and women were 60% more likely to end a relationship because it felt unsafe.<sup>28</sup> Experts in gender-based violence promote expanded health care responses to address IPV as health care providers are trusted and familiar institutions, especially in comparison to other systems.<sup>29</sup>



## Immigration and Citizenship Status Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang and KaYing Yang
- **Members:** Ajay Bhutoria, Simon Pang, Dr. Amy Agbayani, and Dr. Robert Underwood
- **Ex-Officio Member:** Amanda Baran, Chief, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security
- **Designated Federal Officer:** Sarah Edwards

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee meets bi-weekly. Following the Commission’s second meeting on September 28, 2022, the subcommittee met on October 5, October 19, November 2, November 16, and November 30, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Sharvari Dalal-Dheini, Director of Government Relations, American Immigration Lawyers Association (AILA):** Presented on AILA’s work regarding administrative solutions that could help remediate the issue of children aging out of immigration benefit applications.
- **Jocelyn Howard, Chief Executive Officer, We Are Oceania:** Presented on Compact of Free Association (COFA) migrants and access to “mainstream benefits.”
- **Joanne Lin, former Director of Advocacy and Government Affairs, Amnesty International USA; Eleanor Acer, Director, Refugee Protection, Human Rights First:** Presented on barriers to Asian and Pacific Islander asylum seekers within the U.S. immigration system.
- **Ben D’Avanzo, Senior Health Policy Analyst, National Immigration Law Center (NILC):** Presented on barriers to COFA migrants in accessing healthcare and other benefits, particularly at the federal level.



## Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee approved the following three draft recommendations for presentation at the December 5 and December 6, 2022, full Commission meeting:

- **Recommendation:** The Commission recommends that the U.S. government take a series of actions to clarify the status and eligibility of Compact of Free Association (COFA) migrants for services in the U.S. and the territories.
- **Recommendation:** The Commission recommends that the U.S. Citizenship and Immigration Services take a number of steps to address children aging out of their eligibility to be included in their parent's green card application and losing their legal status at the age of 21.
- **Recommendation:** The Commission recommends that the U.S. Department of State take steps to reduce the growing delay in visa appointment times in U.S. embassies globally, especially in India, Pakistan, Nepal, Bangladesh, and other countries.





## Recommendation: Improve the Status of Compact of Free Association Migrants

### Problem Statement:

State, territorial, and local governments do not fully understand the unique immigration status of Compact of Free Association (COFA) migrants. Consequently, they are denied benefits that they are legally entitled to. Furthermore, COFA migrants are excluded from accessing many government programs which contribute to significant disparities in health, education, and employment. COFA migrants are not eligible for most federal programs that are available to other legal noncitizens. These communities were significantly affected by the pandemic and were ineligible for many government assistance programs.

### Recommendation:

The Commission recommends that the federal government take the following actions to clarify the status and eligibility of COFA migrants for services in the United States and the territories:

- The President should direct the U.S. Department of Homeland Security, U.S. Department of Health and Human Services, and the U.S. Department of the Interior to issue a legal advisory and do outreach and training to benefits-granting agencies that clarifies the immigration status of COFA migrants. The President should direct federal agencies which provide health, social, housing, and educational services to clarify the eligibility of COFA migrants for programs under their management and to ensure that states and territories which jointly manage federal programs provide maximum assistance to COFA migrants in a way that does not discriminate against them.
- States and territories need federal resources to cover the additional cost of providing services to COFA migrants through Compact Impact Aid.
- COFA migrants should be eligible for federal programs available to other legal residents who are not U.S. citizens.

### Background and Rationale:

Citizens of the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia are entitled to live, study, and work in the United States and its territories without visas as “nonimmigrants.” These citizens, commonly referred to as



“COFA migrants,” are allowed to migrate and reside legally in the United States and territories under the Compacts of Free Association treaties signed by these countries and the United States.<sup>30</sup>

COFA migrant communities continue to grow throughout the United States and are currently approaching nearly 100,000 people.<sup>31</sup> A 2020 U.S. Government Accountability Office (GAO) report identified 94,399 COFA citizens in the United States and territories, with 49% living in Hawai'i (26%), Guam (20%), and Commonwealth of the Northern Mariana Islands (3%), and 50% residing in the following 11 states: Washington, Arkansas, Oregon, California, Texas, Oklahoma, Arizona Missouri, Georgia, Colorado, and Iowa.<sup>32</sup>

There is widespread misunderstanding about the status of COFA migrants as residents in the United States. They are not U.S. citizens; they are lawful residents and are ineligible to become permanent residents through their COFA non-immigrant status. They are explicitly eligible for certain programs as determined by Congress, such as Pell Grants<sup>33</sup> and Medicaid,<sup>34</sup> and ineligible for others, such as the Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families.<sup>35</sup> COFA migrants are frequently denied access to programs for which they are eligible and are treated as undocumented.<sup>36</sup> COFA migrants are excluded from accessing many government programs, which contributes to significant disparities in health, education, and employment.



## Recommendation: Address Children Aging Out of Legal Status

### Problem Statement:

Children of green card applicants who are aging out as dependents on their parents' applications cannot easily access other forms of legal immigration status to stay in the United States. These young people risk losing their legal status and are currently ineligible for other forms of relief, putting them at risk of deportation. They have no immediate path to a green card or citizenship and could lose their legal status.

### Recommendation:

The Commission recommends that the U.S. Citizenship and Immigration Services (USCIS) take the following steps to address children aging out of their eligibility to be included in their parent's green card application and losing their legal status at the age of 21:

- USCIS should expand the Deferred Action for Childhood Arrivals (DACA) program to include these lawfully admitted dependents who have aged out on their parents' green card application.
- USCIS should create a program allowing young people who are aging out to move automatically to another nonimmigrant visa status, which allows them to live and work in the United States and file for green card applications.
- USCIS should amend its regulations covering dependents of primary visa holders who have aged out of their parents' applications to access an Employment Authorization Document (EAD), allowing them to work in the United States.
- USCIS should allow aged out children to retain their parents' green card application priority date and permit aged out children to file for their green card application using the priority date of the visa petition filed by their parents' employers. USCIS should amend its policy manual to calculate the Child Status Protection Act (CSPA) application date of dependents based on the filing date of the underlying visa application.

### Background and Rationale:

According to the American Immigration Council, over 200,000 "Documented Dreamers," many of whom are from India and China, currently reside in the United States.<sup>37</sup> Documented Dreamers are dependents who migrated legally under their parents' work visas but risk losing their legal residency under their parents' visas when



they turn 21. These children have lived with and depended on their parents in the United States, maintained lawful immigration status, and attended school or college in the United States, but are ineligible to be included in their parents' green card application when they turn 21.<sup>38</sup> If the parents of such children apply for adjustment of status based on an approved I-140 employment-based visa petition after their children have turned 21, their children still cannot be included in the application. Children who are 21 years old or older are not considered dependents under U.S. immigration laws and cannot continue to be included in their parents' green card application.

Once Documented Dreamers age out, unless they can obtain a different permanent or temporary status themselves, such as student status, they face a difficult decision: voluntarily leaving the United States or potential deportation. Challenges still remain for those who manage to obtain temporary status; they could still find themselves without any path to permanent status unless they can graduate college or qualify for temporary employment. Because they maintain lawful status until they turn 21, Documented Dreamers are ineligible for the temporary deportation protections and work authorization provided under the DACA program, which requires a recipient to have "no lawful status on June 15, 2012."<sup>39</sup>

Because of national origin limitations on green card quotas, many children who have been waiting to immigrate with their parents and are residing in the U.S. legally are at risk of losing their ability to access a green card or even their place in line in the queue. As a result, these children are forced to leave the country or pursue very difficult alternative paths to remain. These children have lived in the U.S. for most of their lives, finished their K-12 or college education, and make meaningful contributions to their communities.<sup>40</sup>





## Recommendation: Reduce Visa Appointment Wait Times in Certain Asian Countries

### Problem Statement:

Nonimmigrant visa, visitor visa (B1/B2), student visa (F1/F2), and temporary worker visa (H, L, O, P, Q) appointments with embassies in specific Asian countries and Pacific Islands, including India, Pakistan, Bangladesh, Nepal, Philippines, and Samoa and other countries, have extraordinarily long backlogs, with wait times for some cases ranging between 300-913 days, causing hardship to Asian American and Pacific Islander families inside the U.S. and abroad, as well as major disruptions for students, businesses, and visitors.

### Recommendation:

The Commission recommends the following actions to reduce the growing delay in visa appointment times in U.S. embassies globally, especially in India, Pakistan, Nepal, Bangladesh, Philippines, Samoa, and other countries with excessive wait times:

President Biden should consider issuing a memo to the State Department to reduce the visa appointment wait times to 2-4 weeks maximum for countries with significant backlogs, including India, Pakistan, Nepal, Bangladesh, Philippines, Samoa, and other countries with excessive wait times.

- The State Department should take all necessary steps in order to speed up the visa processing in embassies abroad and reduce the visa appointment wait times from 844+ days to 2-4 weeks maximum for India and other impacted embassies.
- The State Department should allow for virtual interviews where applicable and allow staff from embassies around the world and U.S. consular staff to help conduct virtual interviews to reduce high backlogs.
- The State Department should hire new full-time officers, temporary staff, contractors, or bring back retired consular officers to clear the backlog at relevant embassies in Asia which have wait times of over a month, prioritizing those with 300+ day wait times, and reduce the wait time to 2-4 weeks by clearing the visa appointment backlog.

### Background and Rationale:

Recently, average wait times for visas in places such as India, Pakistan, Bangladesh, Nepal, Philippines, and Samoa have been very lengthy.<sup>41</sup> In India, for example, the



average wait times for a visitor visa appointment is over 914 days, the average wait times for a student visa appointment is over 318 days, and the average wait times for all non-immigrant visas is 390 days, according to the State Department.<sup>42</sup> A similar pattern has been occurring at many U.S. embassies around the world.<sup>43</sup>

These delays are causing problems for students and universities. Major universities such as Yale, Harvard, MIT, Princeton, and Georgetown have raised concerns with Congress and federal agencies, voicing that these delays will have a negative impact on America's talent pool in the long term.<sup>44</sup>

In addition, visitors seeking to come to the United States cannot get an appointment until May 2024 and, as a result, cannot travel. Bloomberg Law estimates that the United States is losing \$11.6 billion in tourism revenue as a result of visa delays and cites India as one of the largest markets impacted.<sup>45</sup> Further, parents and relatives of U.S. citizens and U.S. residents who face significant delays in obtaining a visitor visa cannot visit their families, which separates families and causes hardship.<sup>46</sup> Family members cannot care for sick relatives, and may miss births, graduation ceremonies, funerals, marriages, and other major life events.



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Amy Agbayani, Victoria Huynh, and Dr. Kimberly Chang
- **Members:** Kerry Doi, Grace Huang, Ajay Bhutoria, and Simon Pang
- **Non-Commission Member:** Deena Jang
- **Ex-officio Member:** Laureen Laglagaron, Attorney Advisor, Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice
- **Designated Federal Officer:** Maysee Jacobs

### Summary of Meetings and Presentations:

The Language Access Subcommittee meets bi-weekly. Following the Commission's third meeting on September 28, 2022, the subcommittee met on October 14, October 28, November 4, November 18, and December 2. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Joann Lee, Special Counsel, Legal Aid Foundation of Los Angeles (LAFLA):** Provided an overview of language access in the judicial process, including access to counsel, translation services, and working with AA and NHPI communities.
- **Ana Paula Noguez Mercado, Language Access Coordinator, Office for Access to Justice, U.S. Department of Justice; Emy López, Language Access & Stakeholder Engagement, Office for Access to Justice, U.S. Department of Justice:** Provided an overview of the Department of Justice, Office for Access to Justice (ATJ) and the activities that are provided, including collaboration with federal agencies to ensure limited English proficient (LEP) persons have meaningful language access to programs.



## Summary of Recommendations:

The Language Access Subcommittee approved the following three draft recommendations for presentation at the December 5-6, 2022, full Commission meeting:

- **Recommendation:** The Commission recommends that an Office of Language Services be established to facilitate the provision of language services to include centralized contracts, agency-wide website guidelines, coordination of agency resources for language access, and a directory of community-based organizations serving AA and NHPI LEP communities.
- **Recommendation:** The Commission recommends that transcripts of key speeches by the President and Vice President be translated into multiple AA and NHPI languages as soon as possible.
- **Recommendation:** The Commission recommends that the Centers for Disease Control and Prevention (CDC) should conduct the National Intimate Partner and Sexual Violence Survey in AA and NHPI languages, invest in culturally and linguistically accessible research, expand data collection, and develop a specific survey among NHPIs.





## Recommendation: Establishment of Office of Language Services

### Problem Statement:

Limited English-speaking communities, including AA and NHPIs, routinely face challenges accessing timely and accurate information from federal agencies. There is a dearth of information available on federal agency websites in AA and NHPI languages. What does exist is difficult for AA and NHPIs who are limited English proficient (LEP) to find and sometimes the information is inaccurate. Federal agency helplines are difficult for AA and NHPIs with limited English proficiency to navigate.

### Recommendation:

The Commission recommends that the federal government, starting with the U.S. Department of Health and Human Services (HHS), should establish an Office of Language Services by October 1, 2023, to facilitate the provision of high quality, culturally responsive, timely, and cost-effective language services, including centralized contracts with translation and language line services, development of agency-wide guidelines for website translation, translation of public facing information and accessibility of help lines, testing of language proficiency for multilingual agency staff, and coordination of agency resources for language access, including glossaries and directory of community-based organizations serving AA and NHPI LEP communities that can serve as reviewers and distributors of materials. The Office should be funded from the HHS Service and Supply Fund,<sup>47</sup> which is a revolving fund that provides financing for the provision of common services to customers, and should be housed within the Office of the Assistant Secretary for Public Affairs.

### Background and Rationale:

After hearing from a number of federal agencies and officials, the Language Access Subcommittee learned that only a handful of federal agencies include a dedicated budget for language assistance services, such as translation of website information, public-facing materials, and access to federally-run helplines.<sup>48</sup> Programs conducted by federal agencies generally are determined on a case-by-case basis regarding whether, when, and how to provide access to services and activities for LEP persons.<sup>49</sup> Each program determines its financial and budgetary commitments and independently undergoes the government procurement process to obtain translation and interpretation services.<sup>50</sup> For example, the U.S. Social Security Administration's budget includes funding for a national telephone interpreter line to provide telephonic interpreter services for all its field offices.<sup>51</sup>



Because there is no uniform guidance, even when federal agencies provide translated materials, they are often hard to find for LEP persons, especially those who speak AA and NHPI languages. In addition, because each program within a federal agency is responsible for determining when they will translate information about their program, there is inconsistency with the criteria each agency should use to assess vendors who propose to provide the services.<sup>52</sup> During the Obama administration, the U.S. Department of Justice launched a pilot project to assess language line vendors for quality and allow multiple components to use the selected vendor on a reimbursement basis.<sup>53</sup>

A centralized Office of Language Services for each federal agency would provide cost effective, efficient, and high-quality services and facilitate the use of consistent standards and community review and engagement.



## Recommendation: Translation of Presidential and Vice-Presidential Speeches

### Problem Statement:

The speeches made by the President of the United States and the Vice President of the United States are only available in English and thus inaccessible to the over 25.1 million limited English proficient population unless they are translated in their languages.

### Recommendation:

The Commission recommends that within three months of this recommendation, transcripts of key speeches by the President of the United States and Vice President of the United States should be translated into multiple AA and NHPI languages and made available on the White House website as soon as possible, and at the latest within a week, and be shared with media and community outreach through the White House Office of Public Engagement.

### Background and Rationale:

The AA and NHPI community is the most rapidly growing ethnic group in the country and is expected to increase to over 35 million individuals by 2060.<sup>54</sup> AA and NHPIs have helped build a strong and vibrant America. Generations of AA and NHPI individuals, families, and communities are composed of diverse and varied ethnicities, languages, and cultures, and include residents of the U.S. Pacific Island territories and Compact of Free Association states. AA and NHPI communities also play an important economic role, having started many businesses that create jobs and contribute billions of dollars to the U.S. economy.<sup>55</sup>

Although we celebrate the large contributions of AA and NHPI communities to our nation, we also recognize that AA and NHPI communities have language barriers and not every community member is English proficient.

The U.S. is home to immigrants from across the globe who speak a wide range of languages. In 2013, approximately 61.6 million individuals spoke a language other than English at home.<sup>56</sup> One in five Asian households in the United States are linguistically isolated; no one in the household can speak English “very well,” as defined by the U.S. Census Bureau.<sup>57</sup> In 2019, 42% of immigrants from Asia reported limited English proficiency.<sup>58</sup>

It is important that AA and NHPI community members are able to read important presidential and vice presidential speeches in their own languages and understand the message and content of those speeches.



## **Recommendation: Translate National Intimate Partner and Sexual Violence Survey into AA and NHPI Languages and Invest in Culturally and Linguistically Accessible Research and Data Collection**

### **Problem Statement:**

One of the largest government supported and most cited sources of evidence used to determine priorities and funding to community-based organizations addressing intimate partner violence (IPV) is the Centers for Disease Control and Prevention's (CDC's) National Intimate Partner and Sexual Violence Survey (NISVS).<sup>59</sup> This random-digit dial telephone survey is ONLY conducted in English and Spanish, leaving out AA and NHPI communities from funding opportunities, services, and resources because LEP AA and NHPIs are missing from this critical national oral survey.

### **Recommendation:**

The Centers for Disease Control and Prevention (CDC) should immediately take steps to conduct the NISVS in AA and NHPI languages. In addition, the CDC should immediately invest in culturally and linguistically accessible research and data collection about the prevalence of domestic violence, sexual assault, and stalking related victimization and injury across AA and NHPI communities with disaggregated data collected, among AA and NHPI subgroups, disaggregated by a minimum of the top 10 Asian American ethnicities by population, as well as develop a specific survey among Native Hawaiians and Pacific Islanders, and that account for a wide range of sociodemographic markers, such as gender and gender-identity, marital status, age, migration history, language(s) spoken, education, and income.

### **Background and Rationale:**

There is a lack of significant research in the contexts of domestic and sexual violence facing AA and NHPIs, which hinders the ability of policymakers and community partners to serve victims and survivors. There is a need for up-to-date prevalence data on victimization and injury rates disaggregated by ethnicity, gender, and gender identity, age, migration history (especially for refugees), immigration status, language(s) spoken, education, employment status, income, and housing status to address the growing needs of victims and survivors in our diverse communities.

According to the NISVS, an ongoing CDC random-digit dial telephone survey (conducted only in English and Spanish) that collects national and state level data on



intimate partner violence, sexual violence, and stalking, approximately 27% of AA and NHPI women report experiencing domestic violence during their lifetime.<sup>60</sup> NISVS also reports that 44% of AA and NHPI women have experienced unwanted sexual contact in their lifetime.<sup>61</sup> IPV is a significant issue within AA and NHPI communities; other studies estimate that 16-55% of AA and NHPI women in the U.S. experience intimate partner physical and/or sexual violence during their lifetime.<sup>62</sup>

The high prevalence rates of domestic violence affirm the need to address the problem. The wide range in prevalence (from 16% in a study of Chinese American women<sup>63</sup> to 55% in a study of Japanese American and Japanese immigrant women<sup>64</sup>) reflects the diversity of AA and NHPI experiences, the importance of disaggregated data, which is absent from many large national studies, and likely shortcomings in research design, including lack of language access. For example, small scale non-representative studies of AA and NHPI subgroups show higher rates of victimization, in particular, when conducted in-language.<sup>65</sup> In addition, World Health Organization data on gender-based violence amongst women in Pacific Island nations estimates that 60-80% of Pacific Islander women and girls experience physical or sexual violence by a partner or other individual in their lifetime.<sup>66</sup> While the NISVS weighs racial and ethnic data, it is in the aggregate across AA and NHPI communities. Moreover, the survey is only conducted with English and Spanish speakers, resulting in what is likely unrepresentative data collection about victimization rates in AA and NHPI communities with higher rates of limited English proficiency.

There are successful models showing that oversampling and outreach to AA and NHPI communities yields high participation and quality data, most notably by the U.S. Census Bureau. In addition, the National Health Interview Survey has included oversamples of Asian Americans since 2006<sup>67</sup> and the National Center for Health Statistics conducted an NHPI survey in 2014, though only in English and Spanish.<sup>68</sup> The National Health and Nutrition Examination Survey has also conducted oversamples of Asian Americans since 2011.<sup>69</sup>





## Data Disaggregation Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Sarah Min, Dr. Raynald Samoa, and Dr. Robert Underwood
- **Members:** Emily Chen and KaYing Yang
- **Non-Commission Members:** Dr. Ninez Ponce and Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Sarah Edwards

### Summary of Meetings and Presentations:

The Data Disaggregation Subcommittee meets bi-weekly. Following the Commission's third meeting on September 28, 2022, the subcommittee met on October 3, October 17, October 31, November 14, and November 28, 2022. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Margo Schwab, Co-chair of the Equitable Data Working Group, Branch Chief for the Statistical and Science Policy, Office of Management and Budget (OMB), and Senior Science Policy Analyst, Office of Information and Regulatory Affairs (OIRA):** Provided information on language data collection in federal government surveys and an update on the Equitable Data Working Group as well as anticipated next steps. Shared about OMB public listening sessions and encouraged more AA and NHPI groups to schedule with OMB.
- **Susan Jenkins, Evaluation Officer, Director of the Division of Evidence, Evaluation and Data Policy, Office of Science and Data Policy, Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services (HHS):** Provided an overview on HHS Data Council's mission and how it coordinates different parts of HHS to implement data policies across program areas, especially the current strategy for collecting data regarding languages spoken (language proficiency and/or preferred).
- **David Raglin, Assistant Division Chief for Operational and Program Analytics, American Community Survey Office, U.S. Census Bureau; Michael Martin, Chief, Education and Social Stratification**



**Branch, Social, Economic, and Housing Statistics Division, U.S. Census Bureau; Nicole Scanniello, Assistant Division Chief for Communications, American Community Survey Office, U.S. Census Bureau; John Baker II, Assistant Division Chief for Surveys, Field Division, U.S. Census Bureau:** Provided information on the American Community Survey's design and methodology for collecting language data.

### Summary of Recommendations:

The Data Disaggregation Subcommittee will not be proposing any recommendations during the December 2022 full Commission meeting. They will be discussing issues that include federal surveys on language data collection, survey designs that incorporate culturally and linguistically appropriate mechanisms, and data reporting on hate crimes. They will solicit feedback from the full Commission and continue collaborating with subcommittees on cross-cutting issues.



## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, and Smita Shah
- **Members:** Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka'uhane, Kevin Kim, and Ai-jen Poo
- **Designated Federal Officer:** Maysee Jacobs

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets bi-weekly. Following the Commission's third meeting on September 28, 2022, the subcommittee met on October 14, October 28, November 4, November 18, and December 2. The subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Aditi Dussault, Senior Advisor, U.S. Small Business Administration (SBA); Shalei Holway, Senior Advisor, Office of Investment and Innovation, SBA; Daniel Upham, Senior Loan Specialist, Office of Capital Access, SBA:** Provided an overview and data on the SBA Microloans and Small Business Investment Company (SBIC) Programs.
- **Seema Agnani, Executive Director, National Coalition for Asian Pacific American Community Development (National CAPACD); Anju Chopra, Director of Policy, National CAPACD; Neel Saxena, Director of Development, National CAPACD:** Provided an overview of National CAPACD and the available resources and programs for AA and NHPI communities to address job training, housing, financial services, and economic development.
- **Joshua Johnson, Director, National Innovation Hub for Diversity, Equity, Innovation & Accessibility in Registered Apprenticeship; Deborah Kobes, Interim Vice President, Jobs for the Future's Center for Apprenticeship & Work-Based Learning:** Provided an overview of Jobs for the Future (JFF) and the Innovation Hub, specific to apprenticeship programs including supporting data.
- **Wendy Chun-Hoon, Director, Women's Bureau, U.S. Department of Labor (DOL); Katherine Swain-Smith, Advisor, Office of the Secretary, DOL; Manny Lamarre, Senior Advisor, Employment and Training**



**Administration, DOL:** Provided an overview about apprenticeship programs, grants/loans for career development, and access to childcare and paid leave.

## Summary of Recommendations:

The Economic Equity Subcommittee approved three draft recommendations for presentation at the December 5-6, 2022, full Commission meeting:

- **Recommendation:** The Commission recommends that the U.S. Small Business Administration, U.S. Department of the Treasury, U.S. Department of Health and Human Services, and U.S. Department of Commerce create a multi-year capacity building fund that can enable Community Development Corporations to build capacity, finance projects, and stabilize small businesses that are focused on creating jobs and improving the economy.
- **Recommendation:** The Commission recommends that the U.S. Small Business Administration award no less than 2% of annual contracts to new AA and NHPI entrants to the federal marketplace.
- **Recommendation:** The Commission recommends that the U.S. Department of Labor target 5% of the overall number of nationwide apprenticeship participants to be AA and NHPIs, which can be achieved through increased community outreach, simplification of the application process, and the removal of financial barriers.



## **Recommendation: Build Capacity for Community Development Corporations**

### **Problem Statement:**

The COVID-19 health crisis, economic hardship, and increased racism from anti-Asian hate rhetoric has decimated AA and NHPI-owned small businesses without any recovery in sight. With xenophobia and anti-Asian sentiment spreading over the country at an alarming rate, the pandemic-induced economic crisis decreased revenue for many Asian American neighborhood businesses by 50-80% and an estimated 233,000 businesses closed from February to April 2020.<sup>70</sup> Yet funding for AA and NHPI communities is minimal. For example, in December 2021, the U.S. Small Business Administration released 2020 data on the amount of federal procurement dollars that went to minority-owned businesses. Although AA and NHPI-owned businesses make up about 10% of all businesses in the U.S.,<sup>71</sup> the data indicated that less than 3% of federal procurement dollars went to these businesses in 2020.<sup>72</sup>

### **Recommendation:**

The Commission recommends that within a year, the federal government, specifically the U.S. Small Business Administration (e.g. Small Business Investment Company (SBIC), Economic Injury Disaster Loan (EIDL), Paycheck Protection Program (PPP), and 7(a), 504 loans, and Microloans), U.S. Department of the Treasury (e.g. Community Development Financial Institutions (CDFI), Minority Depository Institution (MDI), and the Capital Magnet Fund), U.S. Department of Health and Human Services (Office of Community Services, Community Economic Development), and U.S. Department of Commerce (e.g. Minority Business Development Agency (MBDA), Economic Development Agency (EDA), Revolving Loan Fund (RLF)), should create a multi-year funding commitment to enable local Community Development Corporations (CDCs) to build capacity, finance projects, and stabilize small businesses focused on creating jobs and improving the economy.

### **Background and Rationale:**

COVID-19 severely impacted AA and NHPI owned small businesses, which experienced more than a 60% decrease in revenue at the onset of the pandemic (compared to a decrease of 45-50% experienced by peer businesses).<sup>73</sup> In addition, closures of AA and NHPI businesses was widespread, contributing to a 6,900% increase in unemployment filings by AA and NHPIs in states like New York.<sup>74</sup> These communities endured three concurrent crises in 2020: an unprecedented pandemic; small businesses decimated





without adequate assistance; and an onslaught of anti-Asian racism resulting in violent and deadly attacks, vandalism, prejudice, and business rejection.<sup>75</sup> Further exacerbating matters, AA and NHPIs are masked with invisibility perpetuated by the model minority myth and are perceived as a population not needing support. For example, in 2020, less than 3% of federal procurement funds were allocated to AA and NHPI small businesses, yet AA and NHPIs make up 10% of businesses nationally. As far as funding, only 20 cents for every one hundred dollars of grants nationwide went to serving AA and NHPI-focused causes in 2018, even though AA and NHPIs comprised roughly 6% of the population and continue to be the fastest growing minority group.<sup>76</sup>

Supporting AA and NHPI businesses is critical to our recovery. Yet, based on a national survey, 58% of AA and NHPI entrepreneurs had difficulty accessing government relief at the onset of the COVID-19 pandemic due to: (1) limited English proficiency, which prevented many from accessing critical information in a timely manner; (2) confusion over the different relief programs, eligibility requirements, and guidelines; (3) lack of formal banking relationships; and (4) lack of access to basic technology to access programs via online platforms.<sup>77</sup> Smaller and local capital providers, unlike many national nonprofit CDFIs, possess the community relationships, language capability, and/or cultural competency necessary to be effective with and provide technical assistance to the diverse AA and NHPI communities.<sup>78</sup> Consistent investments, funding, and resources are needed, especially as the country continues to recover from the pandemic and community needs are multi-faceted and complex. To advance equity, addressing the need for multi-year funding to local organizations is vital.<sup>79</sup> This type of investment would also directly align with Sections 6(a) and (b) of Executive Order 13985, calling for economic equities. Providing investments for underserved small businesses and their local CDCs will build their capacity and ensure an equitable Main Street recovery.



## Recommendation: Increase AA and NHPI Federal Small Business Contractors

### Problem Statement:

AA and NHPI communities contribute immensely to the nation's economy. However, within the federal marketplace, the number of new minority-owned AA and NHPI small business entrants is in decline. The current decline in the number of small business suppliers needs to be addressed so that AA and NHPI businesses can access resources, find opportunities, and enter the federal marketplace.

### Recommendation:

The Commission recommends that the U.S. Small Business Administration (SBA) should aim to increase the number of new AA and NHPI small business entrants to the federal marketplace, with the goal of awarding new AA and NHPI enterprises with no less than 2% of all annual contracts. This will help address the decline in the small business supplier base. SBA and Small Business Development Centers (SBDCs) should also take a series of actions to achieve this goal, including the following:

- Increase their partnerships and outreach to AA and NHPI community organizations.
- Address the challenge of the declining rate in entry of small businesses to the federal marketplace as contractors by simplifying the process and forms for small business owners to become federal contractors.
- Establish an onboarding process for new small business entrants to the federal marketplace and provide new entrants with support, publicize procurement needs, offer business development counseling, offer small business loans, and provide streamlined access to government procurement opportunities to help the new entrants become more competitive.
- Agencies should publish a report twice a year showing the total contract award and a breakdown of the awards by ethnic categories, including AA and NHPI award recipients.

### Background and Rationale:

AA and NHPI small businesses face challenges in gaining access to economic opportunities, including navigating the hurdles in becoming a federal contractor and competitive challenges in entering the federal marketplace.



## Recommendation: Increase AA and NHPI Participation in Apprenticeship Programs

### Problem Statement:

There is a low rate of participation from AA and NHPI communities in national apprenticeship programs. Based on available data regarding participants in national apprenticeship programs between 2010 and 2019, the percentage of AA and NHPIs is low (2.1% and 1.6%, respectively) compared to the participation rate of other racial and ethnic groups, including white participants and Black or African American participants.

### Recommendation:

The Commission recommends that the U.S. Department of Labor (DOL) and all federal grantees who have an apprenticeship program increase the number of AA and NHPI apprenticeship participants with a 2025 target goal where 5% of the overall number of nationwide apprenticeship participants are AA and NHPI. This can be achieved by using the following steps to increase community outreach, simplify the application process, and remove financial barriers:

- Build a more diverse pipeline of applicants and candidates into the recruitment process for enrolling in apprenticeships by connecting with AA and NHPI community organizations across the country to increase recruitment of underserved AA and NHPI communities. These entities should also increase outreach into vocational, career, technical schools, trade organizations, American Job Centers, unions, pre-apprenticeship programs, and community colleges.
- Increase community outreach in multiple languages via AA and NHPI community organizations about apprenticeship programs available by reviewing and updating recruitment materials in multiple AA and NHPI languages. Available apprenticeships can be advertised via job fairs, community events, annual parades, and/or large events organized in AA and NHPI communities.
- Ensure applicants have easy access to browse all available apprenticeship vacancies and eligibility requirements, including any prerequisites, all of which should be readily available.
- Provide a support system to boost self-confidence for applicants by connecting with mentors, counselors, peers, and community organizations. Bring speakers from the community for recruitment into apprenticeship programs.



- Remove financial barriers for apprentices by providing support and funding through participating organizations and addressing barriers to success, such as unreliable transportation, unstable housing, and childcare needs.

### **Background and Rationale:**

According to DOL demographic data provided by 686,000 apprentices between 2010 and 2019, 77.5% identified as white, 15.3% as Black, 2.9% American Indian/Alaska Native, 2.1% Asian, 1.6% Native Hawaiian/Other Pacific Islander, and 0.5% as multi-racial.<sup>80</sup> In 2019 alone, the share of apprenticeship participants for Asian Americans was only 2.2% and 1.3% for Native Hawaiian or Other Pacific Islanders.<sup>81</sup>

Apprenticeships stimulate economic and career growth and provide individuals with a stable income and marketable skills. Apprenticeships create a pathway to middle-class jobs without debt for those without a four-year degree.<sup>82</sup> The low AA and NHPI apprenticeship rate may be attributed to a lack of awareness of apprenticeship programs and benefits in the community, lack of understanding of apprenticeship programs, eligibility requirements, language access issues, limitations dealing with transportation, childcare, and housing, or a lack of self-confidence and role models in apprenticeship industries.



## References

- <sup>1</sup> Exec. Order No. 13985, 86 Fed. Reg. 7009 (2021). <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.
- <sup>2</sup> Ibid.
- <sup>3</sup> Ibid.
- <sup>4</sup> Khan, Azmat. “FBI Training Materials: Mainstream Muslims Are Violent, Radical.” September 15, 2011. <https://www.pbs.org/wgbh/frontline/article/fbi-training-materials-mainstream-muslims-are-violent-radical/>. Ackerman, Spencer. “FBI Teaches Agents: ‘Mainstream’ Muslims Are ‘Violent, Radical.’” September 14, 2011. <https://www.wired.com/2011/09/fbi-muslims-radical/>. Letter to Lisa O. Monaco, Assistant to the President for Homeland Security. August 14, 2014. [https://muslimadvocates.org/files/FINALCoalitionLetterTrainings\\_8.14.14.pdf](https://muslimadvocates.org/files/FINALCoalitionLetterTrainings_8.14.14.pdf).
- <sup>5</sup> Ingraham, Christopher. “The Real Reason Congress Banned Assault Weapons in 1994 – And Why it Worked.” The Washington Post, February 22, 2018. <https://www.washingtonpost.com/news/wonk/wp/2018/02/22/the-real-reason-congress-banned-assault-weapons-in-1994-and-why-it-worked/>.
- <sup>6</sup> Weik, Taylor. “The Cleveland Elementary School Shooting in Stockton Was Forgotten by History.” Teen Vogue, May 26, 2022. <https://www.teenvogue.com/story/cleveland-elementary-school-shooting>.
- <sup>7</sup> Dinesh, Ramde and Todd Richmond. “Wisconsin Temple Shooting: Oak Creek Incident Leaves At Least 7 Dead (LIVE UPDATES).” The Huffington Post, August 5, 2012. [https://web.archive.org/web/20120806011601/http://www.huffingtonpost.com/2012/08/05/wisconsin-temple-shooting-sikh-oak-creek\\_n\\_1744761.html#10\\_listen-radio-station-reporting-from-the-temple](https://web.archive.org/web/20120806011601/http://www.huffingtonpost.com/2012/08/05/wisconsin-temple-shooting-sikh-oak-creek_n_1744761.html#10_listen-radio-station-reporting-from-the-temple).
- <sup>8</sup> “Eight Dead in Atlanta Spa Shootings, With Fears of Anti-Asian Bias.” The New York Times, March 17, 2021. <https://www.nytimes.com/live/2021/03/17/us/shooting-atlanta-acworth/six-of-the-eight-victims-were-women-of-asian-descent?smid=url-share>.
- <sup>9</sup> Muhammed, Jeannette and Emma Bowman. “Indianapolis Sikh Community Mourns 4 of its Members Killed in Shooting.” National Public Radio, April 18, 2021. <https://www.npr.org/2021/04/17/988382654/indianapolis-sikh-community-mourns-as-4-of-its-members-are-killed-in-shooting>.
- <sup>10</sup> Center for the Study of Hate & Extremism. “Fact Sheet: Anti-Asian Prejudice March 2021.” March 2021. <https://www.csusb.edu/sites/default/files/FACT%20SHEET-%20Anti-Asian%20Hate%202020%20rev%203.21.21.pdf>.
- <sup>11</sup> AAPI Data. “Press Release: New Survey from Momentive and AAPI Data Offers Important Corrective on Hate in America.” March 16, 2022. <http://aapidata.com/blog/discrimination-survey-2022/>.
- <sup>12</sup> Chan, Melissa. “‘I’ve Never Seen This Level of Fear.’ Why Asian Americans are Joining the Rush to Buy Guns.” Time, July 21, 2021. <https://time.com/6080988/asians-buying-guns/>. Alfonseca, Kiara. “What’s Behind the Rise in Gun Ownership for People of Color?” ABC News, November 4, 2021. <https://abcnews.go.com/US/rise-gun-ownership-people-color/story?id=80008877>. Smith, Aaron, “More Asian-Americans are Buying Guns for Protection from Hate Crimes.” Forbes, March 18, 2021. <https://www.forbes.com/sites/aaronsmith/2021/03/18/asian-americans-buy-guns-for-protection-from-hate-crimes>. Yu, Wufei. “The West’s Asian Americans Arm Up for Self-Defense.” High Country News, May 20, 2021. <https://www.hcn.org/issues/53.6/south-guns-the-wests-asian-americans-arm-up-for-self-defense>.
- <sup>13</sup> Bipartisan Safer Communities Act, Public Law 117-159 (2022). <https://www.govinfo.gov/content/pkg/COMPS-16976/uslm/COMPS-16976.xml>.





- <sup>14</sup> Centers for Disease Control and Prevention. “Asian, Native Hawaiian, and Pacific Islander People Experience a Health Burden from Commercial Tobacco.” <https://www.cdc.gov/tobacco/health-equity/anhpi/health-burden.html>.
- <sup>15</sup> Lew, Rod and Sora Park Tanjasiri. “Slowing the Epidemic of Tobacco Use Among Asian Americans and Pacific Islanders.” *American Journal of Public Health*, 93(5): 764-8 (May 2003). <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.93.5.764>.
- <sup>16</sup> Pinsky, Paul, Timothy R. Church, Grant Izmirlan, and Barnett S. Kramer. “The National Lung Screening Trial: Results Stratified by Demographics, Smoking History, and Lung Cancer Histology.” *Cancer*, 119(22): 3976-83 (August 2013). <https://pubmed.ncbi.nlm.nih.gov/24037918/>.  
De Koning, Harry, Carlijn M. van der Aalst, Pim A. de Jong, et al. “Reduced Lung-Cancer Mortality with Volume CT Screening in a Randomized Trial.” *New England Journal of Medicine*, 382(6): 503-513 (February 6, 2020). <https://www.nejm.org/doi/full/10.1056/nejmoa1911793>.
- <sup>17</sup> Lew, Rod and Sora Park Tanjasiri. “Slowing the Epidemic of Tobacco Use Among Asian Americans and Pacific Islanders.” *American Journal of Public Health*, 93(5): 764-8 (May 2003). <https://ajph.aphapublications.org/doi/full/10.2105/AJPH.93.5.764>.
- <sup>18</sup> Cheng, Iona, Gem Le, Anne-Michelle Noone, et al. “Lung Cancer Incidence Trends by Histology Type Among Asian American, Native Hawaiian, and Pacific Islander Populations in the United States, 1990–2010.” *Cancer Epidemiology, Biomarkers & Prevention*, 23(11): 2250-65 (November 23, 2014).
- <sup>19</sup> Ibid.
- <sup>20</sup> Leistikow, Bruce, Moon Chen, and Alexander Tsodikov. “Tobacco Smoke Overload and Ethnic, State, Gender, and Temporal Cancer Mortality Disparities in Asian-Americans and Pacific Islander-Americans.” *Preventive Medicine*, 42(6): 430-4 (June 2006). <https://pubmed.ncbi.nlm.nih.gov/16563478/>.
- <sup>21</sup> Maglalang, Dale Dagar, Cati Brown-Johnson, and Judith Prochaska. “Associations with E-Cigarette Use Among Asian American and Pacific Islander Young Adults in California.” *Preventive Medicine*, 4: 29-32 (May 17, 2016). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4929057/>.
- <sup>22</sup> Leemis, Ruth, Norah Friar, Srijana Khatiwada, et al. “The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Intimate Partner Violence.” Centers for Disease Control and Prevention, October 2022. [https://www.cdc.gov/violenceprevention/pdf/nisvs/NISVSReportonIPV\\_2022.pdf](https://www.cdc.gov/violenceprevention/pdf/nisvs/NISVSReportonIPV_2022.pdf).
- <sup>23</sup> Yoshihama, Mieko, Chic Dabby, and Shirley Luo. “Facts & Stats: Domestic Violence in Asian & Pacific Islander Homes, 2020.” Asian Pacific Institute on Gender Based Violence, October 2020. <https://www.api-gbv.org/resources/facts-stats-dv-api-homes/>.
- <sup>24</sup> Centers for Disease Control and Prevention. “Adverse Childhood Experiences (ACEs).” April 2, 2021. <https://www.cdc.gov/violenceprevention/aces/>.
- <sup>25</sup> Home Visiting Collaborative Improvement and Innovation Network. <https://hv-coiin.edc.org>.
- <sup>26</sup> U.S. Preventive Services Task Force. “Intimate Partner Violence, Elder Abuse, and Abuse of Vulnerable Adults: Screening.” October 23, 2018. <https://www.uspreventiveservicestaskforce.org/uspstf/recommendation/intimate-partner-violence-and-abuse-of-elderly-and-vulnerable-adults-screening>.
- <sup>27</sup> Decker, Michele, Shannon Frattaroli, Brigid McCaw, et al. “Transforming the Healthcare Response to Intimate Partner Violence and Taking Best Practices to Scale.” *Journal of Women’s Health*, 21(12): 1222–1229 (December 2012). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3654819/>.
- <sup>28</sup> Ibid.



<sup>29</sup> Futures Without Violence. “Health and Public Health Recommendations for the Gender-based Violence National Action Plan.” September 2021. <https://policy.futureswithoutviolence.org/wp-content/uploads/2022/06/FUTURES-Health-Recommendations-for-the-GBV-National-Action-Plan-FINAL.pdf>.

<sup>30</sup> U.S. Department of the Interior. “Compact of Free Association Act of 1985.” <https://www.doi.gov/oia/about/compact>. Hawaii Department of Business, Economic Development, and Tourism. “COFA Migrants in Hawaii.” February 2020. [https://files.hawaii.gov/dbedt/economic/reports/COFA\\_Migrants\\_in\\_Hawaii\\_Final.pdf](https://files.hawaii.gov/dbedt/economic/reports/COFA_Migrants_in_Hawaii_Final.pdf).

<sup>31</sup> U.S. Government Accountability Office. “Report to the Chairman of the Committee on Energy and Natural Resources, U.S. Senate: Compacts of Free Association Populations in U.S. Areas Have Grown, with Varying Reported Effects.” June 2020. <https://www.gao.gov/assets/gao-20-491.pdf>.

<sup>32</sup> Ibid.

<sup>33</sup> U.S. Department of Education, Office of Federal Student Aid. “Many Non-U.S. Citizens Qualify for Federal Student Aid.” <https://studentaid.gov/understand-aid/eligibility/requirements/non-us-citizens>.

<sup>34</sup> Centers for Medicare & Medicaid Services. “Medicaid Eligibility for Compact of Free Association (COFA) Migrants.” May 4, 2021. <https://www.medicare.gov/medicaid/eligibility/downloads/state-impl-short-term-workarounds-and-outreach-strategies.pdf>.

<sup>35</sup> Broder, Tanya, Gabrielle Lessard, and Avidah Moussavian. “Overview of Immigrant Eligibility for Federal Programs.” National Immigration Law Center, October 2022. <https://www.nilc.org/issues/economic-support/overview-immeligfedprograms/>.

<sup>36</sup> Ibid.

<sup>37</sup> American Immigration Council. “Documented Dreamers: An Overview.” August 20, 2021. <https://www.americanimmigrationcouncil.org/research/documented-dreamers-overview>.

<sup>38</sup> U.S. Citizenship and Immigration Services. “Child Status Protection Act (CSPA).” May 31, 2022. <https://www.uscis.gov/green-card/green-card-processes-and-procedures/child-status-protection-act-cspa>. (CSPA does not address this issue and provides limited protection for aging out children.)

<sup>39</sup> American Immigration Council. “Documented Dreamers: An Overview.” August 20, 2021. <https://www.americanimmigrationcouncil.org/research/documented-dreamers-overview>.

<sup>40</sup> Stuart, Anderson. “New LawsUIT Tries to Save Immigrant Children From ‘Aging Out.’” Forbes, January 7, 2020. <https://www.forbes.com/sites/stuartanderson/2020/01/07/new-lawsuit-tries-to-save-immigrant-children-from-aging-out/?sh=149627caff36>.

<sup>41</sup> U.S. Department of State, Bureau of Consular Affairs. “Visa Appointment Wait Times.” <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/wait-times.html>.

<sup>42</sup> Ibid.

<sup>43</sup> The White House. “Presidential Memorandum – Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century.” November 21, 2014. <https://obamawhitehouse.archives.gov/the-press-office/2014/11/21/presidential-memorandum-modernizing-and-streamlining-us-immigrant-visa-s>. (In 2012, President Obama issued a memorandum to reduce the wait time from several months, thereby streamlining the visa process. President Trump rescinded that memorandum, which contributed to the delays for visa appointments.)

<sup>44</sup> Neelakantan, Shailaja. “Colleges Fear Losing International Students Over Visa Delays.” Higher Ed Dive, July 19, 2019. <https://www.highereddive.com/news/colleges-fear-losing-international-students-over-visa-delays/559153/>. Georgetown University. “Universities Voice Concern About Visa Delays, Access Barriers for International Students.” The Feed, July 26, 2019. <https://feed.georgetown.edu/access-affordability/universities-voice-concern-about-visa-delays-access-barriers-for-international-students/>.



<sup>45</sup> Kreighbaum, Andrew. “Business, Tourist Visa Delays Will Cost Economy \$11.6 Billion.” Bloomberg Law, October 6, 2022. <https://news.bloomberglaw.com/daily-labor-report/business-tourist-visa-delays-will-cost-us-economy-11-6-billion>.

<sup>46</sup> Anderson, Stuart. “Obtaining A Visa in India Hasn’t Been ‘A Practical Option.’” Forbes, October 4, 2022. <https://www.forbes.com/sites/stuartanderson/2022/10/04/obtaining-a-visa-in-india-hasnt-been-a-practical-option/?sh=45043b9d475f>.

<sup>47</sup> 42 U.S.C. § 231. <https://www.govinfo.gov/app/details/USCODE-2010-title42/USCODE-2010-title42-chap6A-subchapI-partA-sec231>. U.S. Department of Health and Human Services. “Service and Supply Fund.” 2016-2018. <https://www.hhs.gov/sites/default/files/combined-service-and-supply-fund.pdf>.

<sup>48</sup> President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders. Language Access Subcommittee Meetings. July 8, 2022, and October 28, 2022.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> U.S. Social Security Administration. “Fiscal Year 2022-23 Social Security Administration Language Access Plan.” 2022-2023. <https://www.ssa.gov/pubs/LAP2022-23.pdf>.

<sup>52</sup> U.S. General Services Administration. “Foreign Language Services Ordering Guide.” July 2020. [https://www.gsa.gov/cdnstatic/Foreign\\_Language\\_Services\\_%281%29.pdf](https://www.gsa.gov/cdnstatic/Foreign_Language_Services_%281%29.pdf).

<sup>53</sup> White House Initiative on Asian Americans and Pacific Islanders. “Improving Access for the Asian American and Pacific Islander Community, Federal Agency Accomplishments.” May 2012. [https://obamawhitehouse.archives.gov/sites/default/files/docs/report\\_-\\_pathways\\_agency\\_accomplishments\\_may2012.pdf](https://obamawhitehouse.archives.gov/sites/default/files/docs/report_-_pathways_agency_accomplishments_may2012.pdf).

<sup>54</sup> Budiman, Abby and Neil G. Ruiz. “Asian Americans are the Fastest-Growing Racial or Ethnic Group in the U.S.” Pew Research Center, April 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/>.

<sup>55</sup> U.S. Department of Commerce. “Recognizing AANHPI Heritage Month: Commerce Department Offers Valuable Resources and Services for Entrepreneurs and Minority and Women-Owned Businesses.” May 25, 2021. <https://www.commerce.gov/news/blog/2021/05/recognizing-aanhpi-heritage-month-commerce-department-offers-valuable-resources>.

<sup>56</sup> Zong, Jie and Jeanne Batalova. “The Limited English Proficient Population in the United States in 2013.” The Migration Policy Institute, July 8, 2015. <https://www.migrationpolicy.org/article/limited-english-proficient-population-united-states-2013>.

<sup>57</sup> Runes, Charmaine and Yuju Park. “Census 2020: Ensuring ‘Hard-to-Count’ Asian Americans Count at the Federal, State, and Local Levels.” The Urban Institute, July 9, 2018. <https://www.urban.org/urban-wire/census-2020-ensuring-hard-count-asian-americans-count-federal-state-and-local-levels>.

<sup>58</sup> Hanna, Mary and Jeanne Batalova. “Immigrants from Asia in the United States.” The Migration Policy Institute, March 10, 2021. [https://www.migrationpolicy.org/article/immigrants-asia-united-states-2020#English\\_Proficiency](https://www.migrationpolicy.org/article/immigrants-asia-united-states-2020#English_Proficiency).

<sup>59</sup> Centers for Disease Control and Prevention. “The National Intimate Partner and Sexual Violence Survey (NISVS).” July 19, 2021. <https://www.cdc.gov/violenceprevention/datasources/nisvs/index.html>.

<sup>60</sup> Leemis, Ruth, Norah Friar, Srijana Khatiwada, et al. “The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Intimate Partner Violence.” Centers for Disease Control and Prevention, October 2022. [https://www.cdc.gov/violenceprevention/pdf/nisvs/NISVSReportonIPV\\_2022.pdf](https://www.cdc.gov/violenceprevention/pdf/nisvs/NISVSReportonIPV_2022.pdf).



- <sup>61</sup> Basile, Kathleen, Sharon G. Smith, Marcie-jo Kresnow, et al. “The National Intimate Partner and Sexual Violence Survey: 2016/2017 Report on Sexual Violence.” Centers for Disease Control and Prevention, June 2022. <https://www.cdc.gov/violenceprevention/pdf/nisvs/nisvsreportonsexualviolence.pdf>.
- <sup>62</sup> Yoshihama, Mieko, Chic Dabby, and Shirley Luo. “Facts & Stats: Domestic Violence in Asian & Pacific Islander Homes, 2020.” Asian Pacific Institute on Gender Based Violence, October 2020. <https://www.api-gbv.org/resources/facts-stats-dv-api-homes/>.
- <sup>63</sup> Hicks, Madelyn Hsiao-Rei. “The Prevalence and Characteristics of Intimate Partner Violence in a Community Study of Chinese American Women.” *Journal of Interpersonal Violence*, 21(10): 1249-69 (October 2006). <https://pubmed.ncbi.nlm.nih.gov/16940395/>. Li, Yang, Tina Bloom, Kayla Herbell, and Linda F. C. Bullock. “Prevalence and Risk Factors of Intimate Partner Violence Among Chinese Immigrant Women.” *Journal of Advanced Nursing*, 76(10): 2559-2571 (July 19, 2020). <https://doi.org/10.1111/jan.14458>.
- <sup>64</sup> Yoshihama, Mieko. “Domestic Violence Against Women of Japanese Descent in Los Angeles: Two Methods of Estimating Prevalence.” *Violence Against Women*, 5(8): 869–897 (August 1999). <https://doi.org/10.1177/107780199221815>.
- <sup>65</sup> Rai, Abha and Y. Joon Choi. “Domestic Violence Victimization Among South Asian Immigrant Men and Women in the United States.” *Journal of Interpersonal Violence*, 37(17-18): 1-36 (May 21, 2021). <https://doi.org/10.1177/08862605211015262>. Fix, Rebecca, Nancy Nava, and Rebecca Rodriguez. “Disparities in Adolescent Dating Violence and Associated Internalizing and Externalizing Mental Health Symptoms by Gender, Race/Ethnicity, and Sexual Orientation.” *Journal of Interpersonal Violence*, 37(17–18) (March 6, 2021). <https://doi.org/10.1177/0886260521997944>.
- <sup>66</sup> United Nations Population Fund, Pacific Sub-Regional Office. “Population and Development Profiles: Pacific Island Countries.” April 2014. [https://pacific.unfpa.org/sites/default/files/pub-pdf/web\\_140414\\_UNFPAPopulationandDevelopmentProfiles-PacificSub-RegionExtendedv1LRv2\\_o.pdf](https://pacific.unfpa.org/sites/default/files/pub-pdf/web_140414_UNFPAPopulationandDevelopmentProfiles-PacificSub-RegionExtendedv1LRv2_o.pdf).
- <sup>67</sup> Centers for Disease Control and Prevention. “National Health Interview Survey.” November 6, 2015. [https://www.cdc.gov/nchs/nhis/rhoi/rhoi\\_history.htm](https://www.cdc.gov/nchs/nhis/rhoi/rhoi_history.htm).
- <sup>68</sup> Centers for Disease Control and Prevention. “Native Hawaiian and Pacific Islander (NHPI) National Health Interview Survey (NHIS).” August 28, 2017. <https://www.cdc.gov/nchs/nhis/nhpi.html>.
- <sup>69</sup> Paulose-Ram, Ryne, Vicki Burt, Lisa Broitman, and Namanjeet Ahluwalia. “Overview of Asian American Data Collection, Release, and Analysis: National Health and Nutrition Examination Survey 2011–2018.” *American Journal of Public Health*, 107(6): 916-921 (June 2017). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5425904/>.
- <sup>70</sup> Rogers, Kate. “Asian-owned Small Businesses Saw an Outsized Pandemic Impact Last Year.” CNBC, March 3, 2021. <https://www.cnbc.com/2021/03/03/asian-owned-small-businesses-saw-an-outsized-pandemic-impact-last-year-.html>. Marte, Jonnelle. “Asian-American Businesses Suffer Outsized Pandemic Toll.” Reuters, April 14, 2021. <https://www.reuters.com/business/finance/asian-american-businesses-suffer-outsized-pandemic-toll-2021-04-14/>. Mar, Donald and Paul Ong. “COVID 19’s Employment Disruptions to Asian Americans.” July 20, 2020. [https://www.aasc.ucla.edu/resources/policyreports/COVID19\\_Employment\\_CNK-AASC\\_072020.pdf](https://www.aasc.ucla.edu/resources/policyreports/COVID19_Employment_CNK-AASC_072020.pdf).
- <sup>71</sup> U.S. Census Bureau. “Annual Business Survey Release Provides Data on Minority- and Women-Owned Businesses.” May 19, 2020. <https://www.census.gov/newsroom/press-releases/2020/annual-business-survey-data.html>; U.S. Census Bureau. “Fun Facts: Asian American and Pacific Islander Heritage Month.” <https://www2.census.gov/programs-surveys/sis/resources/aapi-ff.pdf>.
- <sup>72</sup> U.S. Small Business Administration. “SBA Releases FY 2020 Disaggregated Contracting Data.” December 1, 2021. <https://www.sba.gov/blog/sba-releases-fy-2020-disaggregated-contracting-data>.



<sup>73</sup> JP Morgan Chase & Co. “Small Business Financial Outcomes During the Onset of COVID-19.” June 2020. <https://www.jpmorganchase.com/institute/research/small-business/small-business-financial-outcomes-during-the-onset-of-covid-19#finding-4>.

<sup>74</sup> Liao, Shannon. “Unemployment Claims from Asian Americans Have Spiked 6,900% in New York. Here’s Why.” CNN Business, May 1, 2020. <https://www.cnn.com/2020/05/01/economy/unemployment-benefits-new-york-asian-americans/index.html>.

<sup>75</sup> Fox, Michelle. “‘We Were Scared’: Asian-Owned Small Businesses Devastated by Double Whammy of COVID and Hate Crime.” Consumer News and Business Channel, May 10, 2021. <https://www.cnbc.com/2021/05/10/covid-and-racism-are-devastating-for-many-asian-owned-small-businesses.html>.

<sup>76</sup> Asian Americans/Pacific Islanders in Philanthropy. “Seeking to Soar: Foundation Funding for Asian American and Pacific Islander Communities.” December 2022. [https://aapip.org/wp-content/uploads/2021/07/seeking\\_to\\_soar\\_foundation\\_funding\\_for\\_aapi\\_communities\\_1.pdf](https://aapip.org/wp-content/uploads/2021/07/seeking_to_soar_foundation_funding_for_aapi_communities_1.pdf).

<sup>77</sup> National Coalition for Asian Pacific American Community Development. “58% of AAPI Entrepreneurs.” May 19, 2021. <https://www.nationalcapacd.org/uncategorized/58-of-aapi-entrepreneurs>.

<sup>78</sup> National Coalition for Asian Pacific American Community Development. “Small Business, Big Dreams: A Survey of Economic Development Organizations and Their Small Business Clients in Low-Income Asian American and Pacific Islander Communities.” [https://www.nationalcapacd.org/wp-content/uploads/2019/03/CAPACD\\_SmallBusinessReport\\_final\\_web.pdf](https://www.nationalcapacd.org/wp-content/uploads/2019/03/CAPACD_SmallBusinessReport_final_web.pdf).

<sup>79</sup> Ford, Lesleigh, Bhavani Arabandi, Cary Lou, et al. “Advancing Equity for AAPI Communities.” The Urban Institute, July 2021. [https://www.urban.org/sites/default/files/publication/104527/advancing-equity-for-aapi-communities\\_o.pdf](https://www.urban.org/sites/default/files/publication/104527/advancing-equity-for-aapi-communities_o.pdf).

<sup>80</sup> U.S. Department of Labor. “U.S. Apprenticeship Overview.” <https://www.dol.gov/sites/dolgov/files/OPA/files/20211103-apprenticeship-equity.pdf>.

<sup>81</sup> Ibid. (See Table 1: Share of Apprenticeship Participants (2010-2019).)

<sup>82</sup> Schwartz, Nelson. “A New Look at Apprenticeships as a Path to the Middle Class.” New York Times, July 13, 2015. <https://www.nytimes.com/2015/07/14/business/economy/a-new-look-at-apprenticeships-as-a-path-to-the-middle-class.html>.





# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Commission Subcommittee Summaries**

March 2023



# Table of Contents

- Introduction** **1**
- Subcommittee on Belonging, Inclusion, Anti-Asian Hate and Anti-Discrimination** **2**
  - Subcommittee Membership 2
  - Summary of Meetings and Presentations 2
  - Summary of Recommendations 3
  - Recommendation: Establish Permanent Staff and Agency Home to Support WHIAANHPI and the President’s Advisory Commission 4
  - Recommendation: Increase Access to Victim Services for AA and NHPI Victims 6
- Subcommittee on Language Access** **8**
  - Subcommittee Membership 8
  - Summary of Meetings and Presentations 8
  - Summary of Recommendations 9
  - Recommendation: Improve Language Assistance Services in 988 Suicide & Crisis Lifeline 10
- Subcommittee on Data Disaggregation** **12**
  - Subcommittee Membership 12
  - Summary of Meetings and Presentations 12
  - Summary of Recommendations 13
  - Recommendation: Data Inclusion for U.S. Territories 14
- Subcommittee on Health Equity** **16**
  - Subcommittee Membership 16
  - Summary of Meetings and Presentations 16
  - Summary of Recommendations 17
  - Recommendation: Establish an AA and NHPI Youth Mental Health Campaign 19
  - Recommendation: Establish National Programs to Raise Awareness, Evaluate, and Address Health Disparities, Such as Heart Disease and Obesity, in AA and NHPI Sub-groups Living in the United States, Specifically with a Focus on Children and Youth 21
  - Recommendation: Collect Language Access Data from Federally Funded Community Health Centers, and Develop Measures for Reporting in the Uniform Data System 23
- Subcommittee on Economic Equity** **25**
  - Subcommittee Membership 25
  - Summary of Meetings and Presentations 25
  - Summary of Recommendations 26
  - Recommendation: Increase Export Opportunities for AA and NHPI Small Businesses 27
- Subcommittee on Immigration and Citizenship Status** **29**
  - Subcommittee Membership 29
  - Summary of Meetings and Presentations 29
  - Summary of Recommendations 30
  - Recommendation: Expand Access to Legal Representation for Noncitizens in Removal Proceedings 31
  - Recommendation: Extend H1-B Visa Grace Period for Finding Employer Sponsor 33
- References** **34**



## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States. At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee
2. Health Equity Subcommittee
3. Immigration and Citizenship Status Subcommittee
4. Language Access Subcommittee
5. Data Disaggregation Subcommittee
6. Economic Equity Subcommittee

Between February 2022 and March 2023, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations, which were transmitted to President Biden in August 2022. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations. At its December 5-6, 2022, virtual meeting, the Commission voted to advance 13 additional recommendations.

The Commission held its fifth public meeting on March 14, 2023, where 10 additional recommendations were approved by the full Commission. This document includes meeting summaries and the final recommendations approved at the March 2023 meeting.



## Subcommittee on Belonging, Inclusion, Anti-Asian Hate and Anti-Discrimination

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah
- **Non-Commissioner Member:** Madihha Ahussain
- **DFO:** Zeyen Wu

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee meets bi-weekly. Following the Commission's fourth quarterly meeting on December 5 and December 6, 2022, the Subcommittee met on December 13, 2022, January 10, January 24, February 14, February 21, and March 7, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Mary McCord, Executive Director, Institute for Constitutional Advocacy and Protection (ICAP), Visiting Professor of Law at Georgetown University Law Center:** Provided an overview about hate and white supremacist ideology, as well as specific commentary about the context of hate incidents against AA and NHPI communities arising from the COVID-19 pandemic.
- **Kate Peterson, Director of State Victim Resource Division, Office for Victims of Crime (OVC), U.S. Department of Justice; Jasmine D'Addario-Fobian, Director of Discretionary Programs Division, OVC, U.S. Department of Justice:** Provided an overview of the operations of OVC, including sources of funds, programs, grantees, and other information. The speakers also provided information about AA and NHPI-serving grantees.
- **Cynthia Deitle, former FBI Special Agent, and former Director, Civil Rights Reform, Matthew Shepard Foundation:** Provided information about the investigatory operations and outreach mechanisms of the FBI and local law enforcement as it pertains to communities vulnerable



to hate incidents, as well as ideas and initiatives to improve hate crimes reporting and tracking.

- **Chris Hsiung, Undersheriff, San Mateo County, California:** Provided information on hate crimes investigations and reporting issues from a law enforcement perspective.

## Summary of Recommendations:

The Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee approved the following two recommendations at the March 14, 2023, full Commission meeting:

- **Recommendation:** The Commission recommends that the federal government establish a permanent home agency with permanent career and political staff, and ongoing funding, to support the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders.
- **Recommendation:** The Commission recommends that the U.S. Department of Justice's Office for Victims of Crime (OVC) increase the availability and accessibility of victim services for AA and NHPI crime victims through outreach, increased emphasis on AA and NHPI-serving organizations, and expanding the capacity of existing grantees to serve AA and NHPI communities.





## **Recommendation: Establish Permanent Staff and Agency Home to Support WHIAANHPI and the President’s Advisory Commission**

### **Problem Statement:**

The White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) is established via Executive Order 14031. Since its inception during this current administration, it has been staffed predominantly by part-time and temporary personnel that sometimes rotate through for assignments as short as three months. This undermines the President’s Advisory Commission on AA and NHPis (Commission) ability to execute longer term goals, degrades institutional memory, and limits the effectiveness of the Commission’s efforts as it must constantly work through the churn of new staff.

### **Recommendation:**

The federal government should establish a permanent home agency with permanent career and political staff (Full Time Employees), and continue to include ongoing funding in the President’s budget to support the work of WHIAANHPI and the President’s Advisory Commission on AA and NHPis.

### **Background and Rationale:**

The White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) is a critical organization that works to improve the lives of Asian Americans, Native Hawaiians, and Pacific Islanders across the country. However, for the Initiative to be truly effective, it needs a permanent home agency and more permanent support staff.

Establishing a permanent home agency and more permanent staff members would provide greater stability and continuity to the Initiative’s work. The current model of moving to a new agency every few years and relying mostly on short-term detailees can lead to inconsistent progress and limited institutional memory.

The President’s Advisory Commission on Educational Excellence for African Americans, and the President’s Advisory Commission on Advancing Educational Equity, Excellence, and Economic Opportunity for Hispanics have always been housed within the U.S. Department of Education, and have full-time career staff that support these Commissions. WHIAANHPI should mirror those other President’s Advisory Commissions and have full-time career staff that span administrations.



More permanent staff would enable WHIAANHPI to expand its reach and impact. With additional resources, WHIAANHPI could work more closely with local communities, engage more stakeholders, and carry out more robust public education and outreach efforts. This, in turn, would help to raise awareness of the issues faced by AA and NHPIs and lead to more effective policy solutions.

More permanent staff would help to ensure that WHIAANHPI's work across administrations is guided by a clear strategic vision and plan. With more staff in place, WHIAANHPI could work more closely with partners to set long-term goals, develop and implement effective strategies, and track progress over time. This would ensure that WHIAANHPI is making the greatest possible impact, and that it is accountable to the communities it serves.

More permanent staff and a permanent home agency would help to create a more sustainable funding model for the Initiative. Currently, WHIAANHPI relies on funding contributions from U.S. Department of Health and Human Services divisions that can be unpredictable. By establishing a stable staffing structure, the Initiative could better position itself to seek out consistent funding to sustain its work into the future.

Finally, having more permanent staff would help to create a more professional and effective organization. With more staff in place, the Initiative could invest in training, technology, and other resources that would help to build its capacity and improve its overall performance. This, in turn, would help to ensure that the Initiative is providing the highest quality of service to AA and NHPI communities.



## **Recommendation: Increase Access to Victim Services for AA and NHPI Victims**

### **Problem Statement:**

While there has been increased attention on the harm and trauma that AA and NHPI community members continue to face from hate-crimes and other interpersonal violence, many AA and NHPI community members face barriers accessing culturally and linguistically appropriate victim services and supports.<sup>1</sup> In addition, AA and NHPI culturally specific organizations face challenges accessing funding to provide such services,<sup>2</sup> in part due to unfamiliarity with the funding structures imposed by State and territorial funding formulas, as well as minimal guidance or support provided to State and territorial grantees about how to reach, much less fund, trusted AA and NHPI community organizations.

### **Recommendation:**

The Office for Victims of Crime (OVC) in the Department of Justice should increase the availability of, and accessibility of victim services for AA and NHPI crime victims, including victims of bias and hate incidents. This includes addressing barriers to funding for culturally specific organizations that are trusted in AA and NHPI communities by: (1) investing in increased outreach, both by OVC and grantee States and Territories to culturally specific organizations about funding opportunities, (2) modifying OVC's funding agreements with States and Territories to increase the pass-through funds granted to culturally specific organizations serving AA and NHPIs, other Black, Indigenous, and People of Color (BIPOC) communities, and other disabled BIPOC organizations, (3) supporting OVC grantees and subgrantees to strengthen the cultural relevance of programs and linguistic capacity to serve AA and NHPI communities.

### **Background and Rationale:**

According to a recent national survey of over 1,000 AAPI respondents, one in five Asian Americans and one in five Pacific Islanders experienced a hate incident in 2020 or 2021, with 62.9% reporting verbal harassment, 16.1% reporting physical assaults, and 8.6% reporting online harassment.<sup>3</sup> There was a 224% increase of reported hate crimes against AAPI community members from 2020 to 2021,<sup>4</sup> and a 2022 survey of over 2,400 AAPI women showed that during the previous year, 74% of AAPI women reported personally experiencing racism and/or discrimination, 38% reported experiencing sexual harassment, and 12% reported experiencing gender and/or race-based physical violence.<sup>5</sup>



The Victims of Crime Act is the largest federal funding source supporting victim services in the United States. The OVC administers victim services funding, as well as victims' compensation, primarily through state formulas funding, and also administers discretionary victim-services related initiatives.<sup>6</sup> During FY 2023, the President requested \$1.75 billion for Crime Victims Fund programs in his budget proposal, including a new initiative in the U.S. Department of Justice's Civil Rights Division, aimed at fighting gender-based violence, discrimination, and harassment.<sup>7</sup>

Because AA and NHPI victims are significantly less likely to contact law enforcement for assistance following a hate crime than other victims,<sup>8</sup> investment in programs and resources that communities trust is particularly important. AA and NHPI community-based organizations often play the role of serving as "volunteer" or unpaid liaisons and interpreters for mainstream organizations that lack experience and expertise working in AA and NHPI communities.

OVC was unable to produce data on how many AA and NHPI-culturally specific organizations receive funding when requested by the President's Advisory Commission Subcommittee, in particular, related to addressing hate-crimes.<sup>9</sup> Although OVC collects information about grantee program recipients/clients/customers and crime types, OVC could strengthen its data collection and reporting of data about the primary and preferred languages that crime victims speak, read, and write. Such data would be useful to measure accountability for access to funding for underserved communities, including developing benchmarks for State and/or territorial planning for funding distribution that engages culturally specific organizations, including trusted members of BIPOC, LGBTQ, and deaf/hard of hearing communities, as well as those with other disabilities.

In addition, when AA and NHPI victims reach out for help, they often face significant challenges accessing existing programs that are funded to support victims. For example, despite legal obligations for recipients of federal funding to provide language access, victims are often unaware of, or unable to navigate such programs.

Currently, OVC does not obligate its grantees to engage in language access assessment and planning to ascertain and address the needs of community members whose first primary spoken language is not English. In order to strengthen the capacity of its grantees and subgrantees, OVC could support language access efforts by designating specific federal resources to engage in language access planning and development of programming, including specifically dedicating funding for interpretation and translation services in languages of lesser diffusion. In order to meaningfully reach AA and NHPI victims, these resources and initiatives should be invested in trusted community-based supports and programs that are culturally relevant and linguistically accessible.



## Subcommittee on Language Access

### Subcommittee Membership:

- **Co-Chairs:** Dr. Amy Agbayani, Victoria Huynh, Dr. Kimberly Chang
- **Members:** Kerry Doi, Grace Huang, Ajay Bhutoria, Simon Pang
- **Ex-officio Member:** Laureen Laglagaron, Attorney Advisor, Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice
- **DFO:** Zeyen Wu

### Summary of Meetings and Presentations:

The Language Access Subcommittee meets bi-weekly. Following the Commission's fourth quarterly meeting on December 5 and December 6, 2022, the Subcommittee met on January 3, January 20, February 3, February 17, and March 3, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Cannon Han, Senior Program Manager, Asian Pacific Institute for Gender Based Violence:** Provided information on language access challenges/barriers of AA and NHPI limited English proficient (LEP) communities, and recommendations based on implementation of Title VI in state and local government.
- **Dr. Keiki Kawai'ae'a, Director of Ka Haka 'Ula O Ke'elikōlani College of Hawaiian Language, University of Hawai'i at Hilo; Member, Native Educator Education Committee of the National Indian Education Association; Board Member, World's Indigenous Nations Higher Education Consortium:** Provided background on the history of Native Hawaiian language preservation and current language revitalization efforts, including programs, funding, and federal support, for Native Hawaiian language promotion and preservation.
- **Stanton K. Enomoto, Senior Program Director, Office of Native Hawaiian Relations, U.S. Department of the Interior:** Provided an overview on the relationship between Native Hawaiians and the federal government, and shared information about current federal efforts to incorporate Native Hawaiian language and perspectives into the Department of Interior's work.





- **Monica Johnson, Director, 988 and Behavioral Health Crisis Coordinating Office, Office of the Assistant Secretary, Substance Abuse and Mental Health Services Administration, U.S. Department Health and Human Services (HHS-SAMHSA); John Palmieri, Deputy Director, 988 and Behavioral Health Crisis Coordinating Office, Office of the Assistant Secretary, HHS-SAMHSA; James Wright, Division Director, Crisis Operations, 988 and Behavioral Health Crisis Coordinating Office, Office of the Assistant Secretary, HHS-SAMHSA:** Provided background on the structure and basic operations of the 988 Suicide and Crisis Lifeline, and information about current interpretation and in-language options for 988.

### Summary of Recommendations:

The Language Access Subcommittee approved the following recommendation at the March 14, 2023, full Commission meeting:

- **Recommendation:** The Commission recommends expanding the availability and access to the 988 Suicide and Crisis Lifeline through providing language assistance services in multiple AA and NHPI languages and expanding outreach to AA and NHPI communities.



## Recommendation: Improve Language Assistance Services in 988 Suicide & Crisis Lifeline

### Problem Statement:

The 988 Suicide & Crisis Lifeline only offers in-language support in English and Spanish, which is not accessible to many limited-English proficient (LEP) individuals in AA and NHPI communities.

### Recommendation:

The Commission recommends expanding the availability and access to the 988 Suicide and Crisis Lifeline through providing language assistance services in multiple AA and NHPI languages and expanding outreach to AA and NHPI communities:

- By September 2023, the Substance Abuse and Mental Health Services Administration (SAMHSA) should translate 988 materials in webpages, social media, listserv announcements, and public outreach material into the top AA and NHPI languages, consistent with the HHS Equity Action Plan, to address the inequities causing underutilization of the 988 Lifeline by AA and NHPI populations;
- By September 2023, SAMHSA should partner with federal agencies, including the U.S. Department of Education, to focus on youth outreach in schools and colleges, as well as AA and NHPI community organizations and media, to promote the 988 service and the availability of mental health services;
- By 2024, SAMHSA should develop a national action plan with regional language specificity to expand the capacity of the 988 Suicide & Crisis Lifeline to provide 24/7 live in-language counseling services in the top AA and NHPI languages (in addition to interpretation services), and increasing resources to community-based AA and NHPI organizations that can serve languages of lesser diffusion.

### Background and Rationale:

Currently, the 988 hotline, text, and chat functions only offer in-language support in English and Spanish, which may not be accessible to all individuals in the United States.<sup>10</sup> The 988 hotline is a vital resource for individuals experiencing mental health crises and offers the most easily accessible mental health support in the country. It is an essential tool for individuals in emotional distress to access crucial help and support.



There are several benefits to offering 988 services in multiple AA and NHPI languages. First and foremost, it would increase access to support for people who may not speak English or Spanish. This is especially important in times of crisis, when being able to speak with a trained crisis counselor in one's own language can be especially helpful. When individuals call 988, they should be connected to a trained crisis counselor who will listen to concerns and offer support and resources to help individuals in crisis through the situation. Options should be provided to select counselors who speak AA and NHPI languages.

Second, offering the service in-language in multiple AA and NHPI languages would help to reduce the stigma surrounding mental health and substance use issues within AA and NHPI communities. Many people may be reluctant to seek help for these issues due to cultural or language barriers, and providing support in their own language could encourage more people to seek the help they need.<sup>11</sup>

Finally, offering 988 services in multiple AA and NHPI languages would show that HHS values the diversity of the United States and is committed to providing equal access and support for all communities.



## Subcommittee on Data Disaggregation

### Subcommittee Membership:

- **Co-Chairs:** Sarah Min, Dr. Raynald Samoa, Dr. Robert Underwood
- **Members:** Emily Chen, KaYing Yang
- **Non-Commission Members:** Dr. Ninez Ponce, Dr. Joseph Keawe Kaholokula
- **DFO:** Sarah Edwards

### Summary of Meetings and Presentations:

The Data Disaggregation Subcommittee meets bi-weekly. Following the Commission's fourth quarterly meeting on December 5 and December 6, 2022, the Subcommittee met on December 12, 2022, January 9, January 23, February 6, February 27, and March 6, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Anna Owens, Deputy Chief, Office of Strategic Alliance, U.S. Census Bureau; Mayumi Hairston Escalante, Partner Liaison, Office of Strategic Alliance, U.S. Census Bureau; Nicole Scanniello, Assistant Division Chief for Communications, American Community Survey Office, U.S. Census Bureau; Bina “Kawe” Mossman-Saafi, Branch Chief, Congressional Affairs Office, Office of Congressional and Intergovernmental Affairs, U.S. Census Bureau:** Presented an overview on the U.S. Census Bureau's Office of Strategic Alliance, as well as their outreach strategies to reach AA and NHPI communities and facilitate data sharing.
- **Neil Weare, President and Founder, Equally American; Cara Brumfield, Associate Director, Center on Poverty and Inequality, Georgetown Law; Jae June Lee, Policy & Data Analyst, Center on Poverty and Inequality, Georgetown Law:** Presented on advancing data equity in the U.S. territories.



## Summary of Recommendations:

The Data Disaggregation Subcommittee approved the following recommendation at the March 14, 2023, full Commission meeting:

- The Commission recommends that the White House issue an Executive Order that gives the U.S Territories comparable treatment to Puerto Rico in the standards, policies, and norms in federal departments and agencies regarding the treatment of U.S. Territories in the statistical system.





## Recommendation: Data Inclusion for U.S. Territories

### Problem Statement:

Of the five U.S. Territories, only Puerto Rico receives more state-like treatment in the federal statistical system as a result of the 1992 Presidential Memorandum signed by President George H.W. Bush.<sup>12</sup> The other U.S. territories—American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands—are not included in the federal statistical system. This disproportionately and unfairly excludes the people living in those territories from essential statistical data on housing, labor force participation, demographic changes, and environmental challenges that in turn excludes them from visibility in policy making, political representation<sup>13</sup> and \$1.5 trillion in federal funding that is issued based on these data.<sup>14</sup>

### Recommendation:

The Commission recommends that the White House issue an Executive Order that gives the U.S. Territories comparable treatment to Puerto Rico in the standards, policies, and norms in federal departments and agencies regarding the treatment of U.S. Territories in the statistical system.

### Background and Rationale:

The five U.S. Territories—Puerto Rico, the U.S. Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa, equal 3.6 million people or the equivalent of the five smallest U.S. states combined.<sup>15</sup> Despite the notable population, the U.S. Territories are largely neglected from the federal statistical systems. There are four primary surveys contributing to population, household, and workforce data: the Decennial Census (Census), the American Community Survey (ACS), the Population Estimates, and the Current Population Survey (CPS).<sup>16</sup> Of these four data sets, most U.S. Territories are only represented in one, the Decennial Census.<sup>17</sup> The exception to this is Puerto Rico, which is represented in three of the four surveys.<sup>18</sup>

The overwhelming majority of the populations of the remaining territories represent people of color, and the three Pacific Island territories have mostly AA and NHPI populations. This level of exclusion is simultaneously a racial justice as well as an equity issue. The data from these surveys are used to inform policy in areas of housing, education, healthcare, and political representation, among other key issues.<sup>19</sup> Further, these data are used to determine allocations for federal funding exceeding \$1.5 trillion.<sup>20</sup> Subsequently, the absence of data denies the territories the ability to access data on



their economic, health care, educational, population migration and “social vulnerability” indices which has dramatic impacts on policy making. For example, the failure to include territories in the other datasets affects the allocation of housing programs, road construction, employment programs and response to climate change.<sup>21</sup>

Additionally, the exclusion from federal data paves the way to exclusion from private data collections and reporting. Recently, IMPLAN, a private firm that conducts economic impact research, announced that they will no longer include the Pacific Island territories due to the inadequacy of the Census generated economic data.<sup>22</sup> In 2021, President Biden declared that “there can be no second-class citizens in the United States of America”,<sup>23</sup> and signed Executive Order 14031 which solidified his commitment to equitable, disaggregated data for the AA and NHPI community.<sup>24</sup>



## Subcommittee on Health Equity

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, Mia Ives-Ruble
- **Members:** Victoria Huynh, Dr. Kimberly Chang, Michelle Ka'uhane, Dr. Kamal Kalsi, Ajay Bhutoria
- **Non-Commission Member:** Dr. Quyen Ngo-Metzger
- **DFO:** Caroline Goon

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets bi-weekly. Following the Commission's fourth quarterly meeting on December 5 and December 6, 2022, the Subcommittee met on December 15, 2022, January 12, February 9, February 23, and March 9, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Amy Alexander, MD, President & Founding Member, Association for College Psychiatry, President-Elect, Association of Women Psychiatrists, Director, Student Mental Health Fellowship, and Clinical Assistant Professor, Department of Psychiatry and Behavioral Sciences, Stanford University School of Medicine;**  
**Anne S. Li, MD, DFAACAP, Director, Children's Comprehensive Psychiatric Emergency Program, NYC Bellevue Hospital Center, and Clinical Assistant Professor, Department of Child and Adolescent Psychiatry, New York University Langone;**  
**Warren Y.K. Ng, MD, MPH, President, American Academy of Child and Adolescent Psychiatry, Medical Director, Outpatient Behavioral Health, Director, Clinical Services Child and Adolescent Psychiatry, Professor of Psychiatry, Columbia University Medical Center and New York-Presbyterian/Morgan Stanley Children's Hospital;**  
**Donna Tran, MPH, National President, Asian Pacific American Medical Student Association, Medical Student Rep, Association for College Psychiatry;**  
**Maryam Zulfiqar, MD, Student Mental Health Fellow, Department of Psychiatry and Behavioral Sciences, Stanford University School of Medicine:** Provided an overview on the



landscape of mental health, bullying, suicide prevention, and other topics of concern to the AA and NHPI population.

- **Eliseo J. Perez-Stable, MD, Director, National Institute on Minority Health and Health Disparities, National Institutes of Health (NIH); Shobha Srinivasan, PhD, Senior Advisor for Health Disparities, Office of the Director, Division of Cancer Control and Population Sciences, National Cancer Institute, NIH; Yuling Hong, MD, PhD, FAHA, Chief, Epidemiology Branch, National Heart, Lung, Blood Institute, NIH; T. Jake Liang, MD, Chief, Liver Diseases Branch, National Institute of Diabetes and Digestive and Kidney Diseases, NIH; Gabriel Lai, PhD, Program Director, Environmental Epidemiology Branch, Epidemiology and Genomics Research Program, Division of Cancer Control and Population Sciences, National Cancer Institute, NIH:** Provided an overview of the current landscape of AA and NHPI health disparities/outcomes research, and highlighted barriers and challenges to supporting this work, including low funding rates for AA and NHPI research grants.
- **Mina Fedor, Founder and Executive Director, AAPI Youth Rising; Jaslene Lai, Founding Board Member and Website Manager, AAPI Youth Rising; Ethan Su, Board Member and Middle-School Representative, AAPI Youth Rising:** Provided information and perspective on the barriers and challenges facing AA and NHPI youth as it relates to mental health and other health inequities that affect AA and NHPI youth.
- **Carter Blakey, Deputy Director, Office of Disease Prevention and Health Promotion (ODPHP), Office of the Assistant Secretary for Health (OASH), U.S. Department of Health and Human Services (HHS); Emmeline Ochiai, Senior Advisor, ODPHP/OASH/HHS:** Provided an overview of the Healthy People 2030 Framework and how its mission is to promote, strengthen, and evaluate the nation's efforts to improve the health and well-being of all people.

## Summary of Recommendations:

The Health Equity Subcommittee approved the following three recommendations at the March 14, 2023, full Commission meeting:

- **Recommendation:** The Commission recommends that the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Education



(ED) launch an AA and NHPI youth mental health campaign; increase targeted funding to the National Institutes of Health (NIH) for research on culturally competent effective treatments and approaches for AA and NHPI individuals with mental health symptoms; and expand the Substance Abuse and Mental Health Services Administration (SAMHSA) minority fellowship programs and Health Resources and Services Administration (HRSA) loan repayment programs to target AA and NHPI behavioral health trainees and professionals.

- **Recommendation:** The Commission recommends that HHS and ED establish national programs to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth.
- **Recommendation:** The Commission recommends that HRSA collect language access data from federally-funded community health centers, and develop measures for reporting in the Uniform Data System (UDS) on the percentages and numbers of patients with preferred languages other than English, including data on the languages spoken; the percent and number of patients who are limited English proficient (LEP); and the percent and number of visits in which professional interpreters were utilized for LEP patients.





## Recommendation: Establish an AA and NHPI Youth Mental Health Campaign

### Problem Statement:

While the leading cause of death for AA and NHPI youth is suicide, AA and NHPI youth are some of the least likely to utilize mental health services.

### Recommendation:

- As part of the national AA and NHPI mental health summit, the Commission recommends the launch of an AA and NHPI youth mental health campaign run by a collaboration between the U.S. Department of Health and Human Services (HHS) and U.S. Department of Education (ED).
  - Campaign would include a community volunteer mentorship component similar to the Obama Administration’s “My Brother’s Keeper” initiative<sup>25</sup> to help create healthy mental health environments that build resilient AA and NHPI youth.
  - Create an education campaign for AA and NHPI youth on culturally competent healthy mental health practices and take into account other parts of their identity, including generation, multi-racial, refugee, and adoptive status.
  - Run ads partnering with AA and NHPI celebrities discussing the importance of claiming cultural and community identity, however defined, which are protective factors against racism, homophobia, and ableism, and their impacts on mental health. Publish ads on platforms utilized by AA and NHPI communities.
- Increase targeted funding to the National Institutes of Health (NIH) for research on culturally competent effective treatments and approaches for AA and NHPI individuals with mental health symptoms.
- Expand the Substance Abuse and Mental Health Services Administration (SAMHSA) minority fellowship programs and Health Resources and Services Administration (HRSA) loan repayment programs to target AA and NHPI behavioral health trainees and professionals.



## Background and Rationale:

Mental health issues for AA and NHPI youth are on the rise. Suicide was a leading cause of death for Asian Americans and Pacific Islanders youth in 2019.<sup>26</sup> Major depressive episodes rose in AA and NHPI youth from 10 percent to 13.6 percent from 2015 to 2018.<sup>27</sup> As stigma and discrimination rose throughout the pandemic, Asian Americans who experienced these issues saw an increase in anxiety, depression, and sleep issues.<sup>28</sup> In the first quarter of 2021 alone, anti-Asian hate crimes rose 164 percent.<sup>29</sup> There is a significant need for culturally competent mental health professionals. In 2020, the U.S. population included 7.2 percent Asians and 0.5 percent Pacific Islanders.<sup>30</sup> Unfortunately, only 1.1 percent of mental health counselors were Asian in 2022.<sup>31</sup>



## **Recommendation: Establish National Programs to Raise Awareness, Evaluate, and Address Health Disparities, Such as Heart Disease and Obesity, in AA and NHPI Sub-groups Living in the United States, Specifically with a Focus on Children and Youth**

### **Problem Statement:**

There is a need to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth. There is limited data from research studies that examine treatment patterns and outcomes in AA sub-groups, such as South Asians,<sup>32</sup> and a lack of national education campaigns that are targeted at AA and NHPI communities.<sup>33</sup>

### **Recommendation:**

The Commission recommends the establishment of national programs by the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Education (ED) to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth.

- Development of obesity monitoring and intervention programs by the Centers for Disease Control and Prevention (CDC) that focuses on AA and NHPI children and youth to dispel misconceptions and educate AA and NHPI communities on how to stay healthy and reduce the impact of chronic diseases using culturally relevant materials, resources, and languages.
- Creation of a centralized database containing research and data as well as nutritional options related to AA and NHPI communities that are affected by heart disease and obesity, such as South Asians.<sup>34</sup>
- Work with SAMHSA, HRSA, HHS Office of Minority Health (HHS OMH), and CMS to increase training, technical assistance, and resources for healthcare providers to improve cultural competency and language barriers and ensure that the needs of AA and NHPI patients are being met.
- Ensure agency-wide collaboration between HHS and ED to create and disseminate relevant educational information via community outreach in multiple AA and NHPI languages. The resources developed should be implemented in school health curriculums and be targeted to AA and NHPI



children and youth on topics such as the detrimental effects of high sugar consumption, and education on how to read food nutrition labels.

- Collaborate with Federally Qualified Health Centers (FQHCs), community, and patient stakeholders.

### **Background and Rationale:**

Heart disease (cardiovascular disease) is more than just heart attacks and is a broad category that includes disorders related to heart function, blood vessels, muscle, and electrical system and valves. In 2020 alone, cardiovascular disease killed about 697,000 individuals in the United States, which comes out to 1 in every 5 deaths.<sup>35</sup> Heart disease is a leading cause of death among AA and NHPIs (18.9% of deaths in Asians, and 20.8% of deaths in Native Hawaiian or Pacific Islander).<sup>36</sup> A major risk factor for heart disease is obesity, and for Non-Hispanic Asian children and youth between 6-17 years of age, 11% of this population is obese.<sup>37</sup> Cultural misconceptions and limited access for certain AA and NHPI populations, such as those who are Limited-English Proficient (LEP), to preventive care and treatment for obesity exacerbate the problem among these populations.



## **Recommendation: Collect Language Access Data from Federally Funded Community Health Centers, and Develop Measures for Reporting in the Uniform Data System**

### **Problem Statement:**

Professional/Certified Interpreters provide better health outcomes than ad hoc interpreters (e.g., family members and bilingual, not certified staff).

### **Recommendation:**

By 2024, for AA and NHPI communities, as well as other limited English proficient (LEP) populations, the Health Resources and Services Administration (HRSA) should collect language access data from federally-funded community health centers (CHC). HRSA should develop measures for reporting in the Uniform Data System (UDS) on percentages and number of patients with preferred languages other than English, including data on the languages spoken; the percent and number of patients who are LEP; and the percent and number of visits when professional/certified interpreters were utilized for LEP patients, excluding the utilization of family members as interpreters.

HHS should permanently require the collection of language access data beyond the May 11, 2023 expiration of the COVID-19 Public Health Emergency declaration.

### **Background and Rationale:**

Professional/Certified Interpreters provide better health outcomes than ad hoc interpreters (e.g., family members and bilingual, not certified staff). Among four groups of AAPI women, 75.2% of women sampled preferred to speak a non-English language with their medical provider. Of this sample, 31.8% did not use any kind of interpretation and 44.9% used family and friends (ad hoc interpreters). Those who used medical interpreters had the highest percentage of mammograms and clinical breast exams (CBE) compared with other groups (no medical interpreters or ad hoc interpreters). Further analysis shows that those who used medical interpreters had 1.85 greater odds of a mammogram, 3.03 greater odds of a CBE, and 2.34 greater odds of a Pap smear than those who did not use any type of interpreter after controlling for other variables (ex. age, education, years in U.S., etc.).<sup>38</sup>

In all four areas examined — Communication (e.g., errors and comprehension), Utilization, Clinical Outcomes, and Satisfaction with care — the use of professional interpreters is associated with improved clinical care at a higher rate than the use of ad hoc interpreters. In fact, the “utilization” studies collected showed that use of trained





professional interpreters is associated with decreased disparities between patients with a language barrier as compared with patients receiving care from language concordant clinicians/staff.<sup>39</sup>

Migrant and refugee families with LEP reported greater satisfaction with aspects of care when a professional interpreter service was used compared with using ad hoc interpreters in any model (in-person, video, or telephone).<sup>40</sup>

The most methodologically rigorous studies on interpreter services and communication reveal the following: (1) those who need but do not get interpreters have a poor self-reported understanding of their diagnosis and treatment plan and frequently wish their health care provider had explained things better; (2) ad hoc interpreters misinterpret or omit up to half of all physicians' questions, are more likely to commit errors with potential clinical consequences, have a higher risk of not mentioning medication side effects, and ignore embarrassing issues when children are ad hoc interpreters; and (3) interpreter services can affect communication and the quality of psychiatric encounters, including positive effects of bilingual providers, and an adverse impact of ad hoc and no interpreters.<sup>41</sup>



## Subcommittee on Economic Equity

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, Smita Shah
- **Members:** Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka'uhane, Kevin Kim, Ai-jen Poo
- **DFO:** Caroline Goon

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets bi-weekly. Following the Commission's fourth quarterly meeting on December 5 and December 6, 2022, the Subcommittee met on January 6, January 20, February 3, February 17, and March 3, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Summer Lee Haunani Sylva, Senior Advisor for Native Hawaiian Affairs, Office of the Secretary, U.S. Department of the Interior (DOI):** Provided an overview of DOI's initiatives for the Native Hawaiian community, including its draft consultation policy and procedures, Hawaiian Homes Commission Act oversight, and native language revitalization efforts.
- **Exodie C. Roe, III, Associate Administrator for the Office of Small and Disadvantaged Business Utilization (OSDBU), General Services Administration (GSA); Paul Martin, Director, IT Services Contract Operations Division, GSA; Carena Jackson, Acting Director, Small Business Compliance and Goaling Division, OSDBU, GSA:** Provided an overview of the GSA contracting and procurement process, including the selection, awards, and post-awards process, and data related to AA and NHPIs.
- **Arun Venkataraman, Assistant Secretary of Commerce for Global Markets, and Director General of the U.S. and Foreign Commercial Service, International Trade Administration:** Provided an overview of the resources available to small businesses, and information related to the increase of global exports from the United States.
- **William W. Beach, Commissioner of Labor Statistics, Bureau of Labor Statistics, U.S. Department of Labor:** Provided an overview of



the Bureau of Labor Statistics and shared relevant data regarding industries that AA and NHPI workers are concentrated in, including low-wage industries.

## Summary of Recommendations:

The Economic Equity Subcommittee approved the following recommendation at the March 14, 2023, full Commission meeting:

- **Recommendation:** The Commission recommends that the federal government provides support and resources to AA and NHPI small businesses to help them expand their export operations in order to help reduce the U.S. import/export trade imbalance.



## Recommendation: Increase Export Opportunities for AA and NHPI Small Businesses

### Problem Statement:

AA and NHPI small businesses face barriers in accessing international markets, limiting their potential for growth and expansion. As a result, they miss out on the opportunities and benefits of exporting their products and services.

### Recommendation:

By June 30, 2024, the federal government should provide support and resources to AA and NHPI small businesses to help them expand their export operations in order to help reduce the U.S. import/export trade imbalance. In addition, the steps below will help to bring an increasing number of AA and NHPI small businesses into the export marketplace:

- Increase awareness of tools and resources available through the Commerce Department, the United States Trade Development Agency (USTDA), Export-Import Bank of the U.S., and the Small Business Administration (SBA) for small AA and NHPI-owned businesses looking to expand their exports via targeted outreach sessions with AA and NHPI small businesses. Increase outreach to AA and NHPI communities and organizations to raise awareness of the benefits of exporting for small businesses.
- Gather and share data on export demands from other countries with AA and NHPI small businesses. Establish measurements to track if AA and NHPI small businesses are eligible, matched and benefiting.
- Provide training, educational programs, and language assistance to AA and NHPI small business owners on how to effectively navigate the export process and identify potential international markets for their products and services.
- Utilize U.S. consulates and embassies to provide AA and NHPI small businesses with global market outreach, including matchmaking and networking opportunities with foreign buyers and distributors. Develop targeted outreach programs to connect small AA and NHPI-owned businesses with potential international buyers and partners.
- Increase funding for market research and trade missions to help small AA and NHPI-owned businesses identify new export opportunities. Invest in trade promotion and export assistance programs that specifically target small AA and NHPI-owned businesses. Offer grants and low-interest loans to small AA



and NHPI-owned businesses to help them invest in the infrastructure and equipment needed to expand their exports.

- Provide technical assistance to small AA and NHPI-owned businesses to help them comply with international trade regulations and standards.
- Facilitate trade missions and delegations to key international markets to provide AA and NHPI small businesses with the opportunity to showcase their products and services to potential buyers and partners.

### **Background and Rationale:**

Increasing exports for small businesses in the United States can bring a lot of benefits such as increased revenue and job creation, exposure to new markets and customers, and access to a larger pool of suppliers and partners. AA and NHPI small businesses are diverse, have unique characteristics, and are an essential part of the American economy. By providing them with the support and resources they need to expand their export operations, we can help them to grow and thrive, which will ultimately benefit the entire country.





## Subcommittee on Immigration and Citizenship Status

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang, KaYing Yang
- **Members:** Ajay Bhutoria, Simon Pang, Dr. Amy Agbayani, Dr. Robert Underwood
- **Ex-Officio Member:** Carol Wu, Senior Policy Advisor, Immigration Section, Office for Civil Rights and Civil Liberties, Department of Homeland Security
- **DFO:** Sarah Edwards

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee meets bi-weekly. Following the Commission's fourth quarterly meeting on December 5 and December 6, 2022, the Subcommittee met on, January 11, January 25, February 8, February 14, February 22, and March 9, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Matt Adams, Legal Director, Northwest Immigration Rights Project:** Presented an overview on the U.S. Citizenship and Immigration Services (USCIS) Controlled Application Review and Resolution Program (CARRP), including the factors used to make determinations and recommendations to improve the process.
- **Jennifer Sudweeks, Foreign Service Officer, Bureau of Consular Affairs, U.S. State Department:** Presented on the processing of immigrant visas, including family-based, employment-based, and diversity visas.
- **Mary Cheng, Deputy Director, Executive Office for Immigration Review, U.S. Department of Justice (DOJ); Lauren Alder Reid, Assistant Director, Executive Office for Immigration Review, DOJ:** Presented on language access in immigration courts, including how current policies and resources impact decision making for limited English proficient or non-English speakers.



## Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee approved the following two recommendations at the March 14, 2023, full Commission meeting:

- **Recommendation:** The Commission recommends that the U.S. Department of Justice (DOJ) and the U.S. Department of Homeland Security (DHS) expand access to legal representation for those in removal proceedings through grants to non-profit and other legal aid organizations with the purpose of providing universal legal representation. The President's annual budget request to Congress for FY 2025 and future years should include allocations to support these programs.
- **Recommendation:** The Commission recommends that DHS' U.S. Citizenship and Immigration Services (USCIS) extends the grace period for H1-B workers from 60 days to 180 days to allow those who have lost their jobs to find a new sponsor, without threatening their status or the status of their families.



## Recommendation: Expand Access to Legal Representation for Noncitizens in Removal Proceedings

### Problem Statement:

Despite the dire consequences of deportation on directly impacted Asian American and Pacific Islander (AAPI) individuals, families, and communities, individuals subject to removal are not provided with court-appointed counsel, who can greatly influence the outcome of immigration cases.

### Recommendation:

The Commission recommends that the U.S. Department of Justice (DOJ) and U.S. Department of Homeland Security (DHS) expand access to legal representation for those in removal proceedings through grants to non-profit and other legal aid organizations with the purpose of providing universal legal representation by taking the following steps:

- The President's annual budget request to Congress for FY 2025 and future years should include allocations to support programs to provide indigent legal representation for individuals in immigration court proceedings.
- The Administration should explore what funds are available within DHS, DOJ, and other agencies that could be used to support increasing indigent legal representation (i.e., appointed counsel) in immigration proceedings in all jurisdictions, including at the Board of Immigration Appeals (BIA).

### Background/Rationale:

The negative impacts of deportation are felt by AAPI individuals, families, and communities.<sup>42</sup> Some who are removed are repatriated to dangerous environments, and removals may result in torture, rape, and murder.<sup>43</sup> Individuals who have been deported often struggle to support their families, and coupled with the trauma and stigma of the deportation, may find it difficult to maintain contact with family members.<sup>44</sup> Separation of children from a parent due to deportation is associated with economic hardship, housing instability, and food insecurity.<sup>45</sup>

Individuals of Chinese, Indian, Nepalese, Bangladeshi, Pakistani, Filipino, and Vietnamese descent were among the top 25 nationalities of individuals placed into removal proceedings in Fiscal Years 2014-2018.<sup>46</sup> Legal representation in immigration court can greatly reduce the likelihood of deportation. However, less than 50% of litigants in immigration court have counsel.<sup>47</sup> Individuals with legal representation



are five times more likely to seek relief from deportation<sup>48</sup> and detained individuals are 10.5 times more likely to win relief, when represented by counsel.<sup>49</sup> Further, when individuals have legal counsel, they are exponentially more likely to participate in the legal process, appearing for their hearings over 96% of the time, because a lawyer can help them navigate the system and manage language barriers.<sup>50</sup> These statistics are unsurprising given the complexity of federal immigration law and the barriers and challenges individuals face as they attempt to prepare their cases, including recent trauma, lack of financial resources, unfamiliarity with the U.S. legal system, and language inaccessibility.

Although individuals have the right to legal counsel in immigration court proceedings, they do not have the right to counsel appointed free of cost. For individuals who are detained, approximately 70-80% are unrepresented.<sup>51</sup> The Administration has made public statements committing to reduce barriers in access to justice and the courts, including addressing the need for legal services, restoring the Department of Justice's Access to Justice function and reinvigorating the White House Legal Aid Interagency Roundtable.<sup>52</sup> Given the devastating impacts of deportation on AAPI families, increasing access to legal counsel for all in immigration court proceedings should be a priority in the Administration's efforts to increase access to justice for all.

For some additional context, there exist some government-funded programs that support legal representation in immigration proceedings. For example, the National Qualified Representative Program provides appointed counsel for detained individuals who have serious mental or developmental disabilities and are unable to represent themselves.<sup>53</sup> There is also a legal representative program for Unaccompanied Children funded by the Department of Health and Human Services' Office of Refugee Resettlement.<sup>54</sup> Some DOJ discretionary grant programs support legal representation for victims of domestic and dating violence, sexual assault, and stalking in immigration proceedings.<sup>55</sup> In addition, more than 40 states and localities have created programs to provide legal representation to individuals facing removal proceedings. For instance, California currently allocates over \$50 million in funding per year to immigration legal services.<sup>56</sup>



## Recommendation: Extend H1-B Visa Grace Period for Finding Employer Sponsor

### Problem Statement:

Individuals who have been residing in the United States on H1-B<sup>57</sup> visas face hardship and disruption as job loss results in the risk of losing their ability to remain in the United States if they are unable to find new employer sponsors within 60 days of being laid off. Burdensome H1-B visa restrictions and lengthy processes make it challenging for H1-B visa holders to complete the necessary processes within 60 days.<sup>58</sup>

### Recommendation:

The Commission recommends that the Department of Homeland Security's U.S. Citizenship and Immigration Services (DHS USCIS) extend the grace period for H1-B workers from 60 days to 180 days to allow those who have lost their jobs to find a new sponsor, without threatening their status or the status of their families.

### Background and Rationale:

H1-B visa holders face significant consequences when they are laid off from their jobs<sup>59</sup> that has direct implications to workers from India, China, South Korea, the Philippines, Taiwan, and Pakistan as countries among the top ten holders of H1-B visas.<sup>60</sup> After termination, H1-B visa holders have a 60-day grace period during which they must seek a change of immigration status, have another employer file an H1-B petition on their behalf,<sup>61</sup> or leave the United States.<sup>62</sup>

H1-B workers encounter many barriers that make it difficult to complete all requirements for maintaining their status within the current 60-day grace period. The job market can be challenging, which is especially true for workers in specialized fields.<sup>63</sup> If individuals are able to complete multiple rounds of interviews and receive a job offer within the short period of time, they still face the time-consuming and complex process of transferring their H1-B status.<sup>64</sup> Additionally, based on delays at USCIS, this process can take longer than 60 days to complete.<sup>65</sup>

H1-B workers who are unable to find a new job or transfer their H1-B visa within the 60-day grace period are required to leave the United States. Some workers have been in the U.S. for several years or decades. These individuals suffer stress and anxiety as they are forced to uproot their families and rapidly sell their homes and other assets.<sup>66</sup> Extending the grace period beyond 60 days improves the likelihood impacted workers will be able to successfully transition and supports the Administration's goals to improve socioeconomic status and employment opportunities for the AA and NHPI communities.





## References

<sup>1</sup> Ishak, Natasha. “AAPI Community Groups have received little government support since the Atlanta Shootings.” March 16, 2022. <https://prismreports.org/2022/03/16/aapi-communities-atlanta-shooting/>.

<sup>2</sup> Ibid.

<sup>3</sup> Aggie, Yellow Horse, Russell Jeung, and Ronae Matriano. “Stop AAPI Hate National Report: 3/19/20 - 6/30/21.” Stop AAPI Hate, 2021. <https://stopaapihate.org/wp-content/uploads/2021/11/21-SAH-NationalReport2-v2.pdf>.

<sup>4</sup> Leven, Brian, Kiana Perst, Analissa Veniola, et al. “Report to the Nation: 2020s-Dawn of a Decade of Rising Hate.” California State University - San Bernardino, 2022. <https://www.csusb.edu/sites/default/files/2022-08/Report%20To%20The%20Nation8-4-22.pdf>.

<sup>5</sup> Pillai, Drishti and Alyssa Lindsey. “The State of Safety for Asian American and Pacific Islander Women in the U.S.” <https://www.napawf.org/our-work/march-2022/state-of-safety>.

<sup>6</sup> Office for Victims of Crime. “About OVC Funding.” January 6, 2023. <https://ovc.ojp.gov/funding>.

<sup>7</sup> Office of Justice Programs. “FY 2023 Budget Request Overview.” U.S. Government Publishing Office. “Commerce, Justice, Science, and Related Agencies Appropriations Bill.” In House Report 117-395, June 30, 2022. <https://www.govinfo.gov/content/pkg/CRPT-117hrpt395/html/CRPT-117hrpt395.htm>.

<sup>8</sup> Lantz, Brendan and Marin Wenger. “Are Asian Victims Less Likely to Report Hate Crime Victimization to the Police? Implications for Research and Policy in the Wake of the COVID-19 Pandemic.” *Crime & Delinquency*, 68(8), 1292–1319, August 20, 2021. <https://doi.org/10.1177/0011287211041521>.

<sup>9</sup> Meeting of the President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders, Subcommittee on Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination, January 24, 2023.

<sup>10</sup> 988 Suicide and Crisis Lifeline. <https://988lifeline.org/>.

<sup>11</sup> American Psychiatric Association. “Mental Health Facts For Asian Americans/Pacific Islanders.” 2020. <https://www.psychiatry.org/File%20Library/Psychiatrists/Cultural-Competency/Mental-Health-Disparities/Mental-Health-Facts-for-Asian-Americans-Pacific-Islanders.pdf>.

<sup>12</sup> U.S. Government Publishing Office. Public Papers of the Presidents of the United States: George H.W. Bush (1992-1993, Book II) – Memorandum on the Commonwealth of Puerto Rico. In Public Papers of the Presidents of the United States: George H.W. Bush (1992-1993, Book II) (p.2171), November 30, 1992. <https://www.govinfo.gov/content/pkg/PPP-1992-book2/html/PPP-1992-book2-doc-pg2171.htm>.

<sup>13</sup> June Lee, Jae, Cara Brumfield, and Neil Weare. “Advancing Data Equity for U.S. Territories.” Georgetown Law Center on Poverty and Inequality, 2022. <https://www.georgetownpoverty.org/wp-content/uploads/2022/11/AdvancingDataEquityUSTerritories-Nov2022.pdf>.

<sup>14</sup> Fienberg, Howard, Mary Jo Hoeksema, and Steve Jost. “America’s Essential Data at Risk: A Vision to Preserve and Enhance the American Community Survey.” Census Project, March 2022. [https://censusproject.files.wordpress.com/2022/03/census\\_white-paper\\_final\\_march\\_2022.pdf](https://censusproject.files.wordpress.com/2022/03/census_white-paper_final_march_2022.pdf).

<sup>15</sup> June Lee, Jae, Cara Brumfield, and Neil Weare. “Advancing Data Equity for U.S. Territories.” Georgetown Law Center on Poverty and Inequality, 2022. <https://www.georgetownpoverty.org/wp-content/uploads/2022/11/AdvancingDataEquityUSTerritories-Nov2022.pdf>.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.



<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> U.S. Congress Joint Hearing before the Subcommittee on Information Policy, Census, and National Archives, “Census Data: Special Issues Related to U.S. Territories.” May 2008. Statement of Frank L. Mills, PH.D., Director, Eastern Caribbean Center, University of the Virgin Islands. <https://www.govinfo.gov/content/pkg/CHRG-110hhrg44911/html/CHRG-110hhrg44911.htm>.

<sup>22</sup> IMPLAN Data Team. “U.S. Territory Data.” <https://support.implan.com/hc/en-us/articles/1260801708470-U-S-Territory-Data>.

<sup>23</sup> Limtiaco, Steve. “Biden: There can be no second-class citizens.” Pacific Daily News, June 8, 2021. [https://www.guampdn.com/news/local/biden-there-can-be-no-second-class-citizens/article\\_583fd1be-c74e-5088-9ce8-34c83a3c1739.html](https://www.guampdn.com/news/local/biden-there-can-be-no-second-class-citizens/article_583fd1be-c74e-5088-9ce8-34c83a3c1739.html).

<sup>24</sup> Executive Order No. 14031, 86 Fed. Reg. 29675 (2021).

<sup>25</sup> The White House. “My Brother’s Keeper.” <https://obamawhitehouse.archives.gov/my-brothers-keeper>.

<sup>26</sup> U.S. Department of Health and Human Services, Office of Minority Health. “Mental and Behavioral Health – Asian Americans.” <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=54#1>.

<sup>27</sup> Substance Abuse and Mental Health Services Administration. “2018 National Survey On Drug Use And Health: Asians/Native Hawaiians And Other Pacific Islanders (NHOPI).” [https://www.samhsa.gov/data/sites/default/files/reports/rpt23248/3\\_Asian\\_NHOPI\\_2020\\_01\\_14\\_508.pdf](https://www.samhsa.gov/data/sites/default/files/reports/rpt23248/3_Asian_NHOPI_2020_01_14_508.pdf).

<sup>28</sup> Lee, Suyeon and Sara F. Waters. “Asians and Asian Americans’ experiences of racial discrimination during the COVID-19 pandemic: Impacts on health outcomes and the buffering role of social support.” *Stigma and Health*, 6(1), 70–78, 2021. <https://psycnet.apa.org/fulltext/2020-77454-001.html>.

<sup>29</sup> Levin, Brian. “Report to the Nation: Anti-Asian Prejudice & Hate Crime,” Center for the Study of Hate & Extremism, California State University San Bernardino. 2021.

<sup>30</sup> Jones, Nicholas, Rachel Marks, Roberto Ramirez, et al. “2020 Census Illuminates Racial and Ethnic Composition of the Country.” U.S. Census Bureau, August 12, 2021. <https://www.census.gov/library/stories/2021/08/improved-race-ethnicity-measures-reveal-united-states-population-much-more-multiracial.html>.

<sup>31</sup> U.S. Bureau of Labor Statistics. “Household Data Annual Averages: Employed persons by detailed occupation, sex, race, and Hispanic or Latino ethnicity.” <https://www.bls.gov/cps/cpsaat11.pdf>.

<sup>32</sup> Palaniappan, Latha, Maria Rosario Araneta, Themistocles Assimes, et al. “Call to Action: Cardiovascular Disease in Asian Americans: A Science Advisory From the American Heart Association.” *American Heart Association*, 122(12), 1242–1252 (August 23, 2010). Yom, Stephanie and Maichou Lor. “Advancing Health Disparities Research: The Need to Include Asian American Subgroup Populations.” *Journal of racial and ethnic health disparities*, 9(6), 2248–2282 (2022). <https://doi.org/10.1007/s40615-021-01164-8>.

<sup>33</sup> Kwon, SC, S Patel, C Choy, et al. “Implementing health promotion activities using community-engaged approaches in Asian American faith-based organizations in New York City and New Jersey.” *Translational behavioral medicine*, 7(3), 444–466 (2017). <https://doi.org/10.1007/s13142-017-0506-0>.

<sup>34</sup> H.R.3131 - 116th Congress (2019-2020): South Asian Heart Health Awareness and Research Act of 2020. (September 30, 2020). <https://www.congress.gov/bill/116th-congress/house-bill/3131>.

<sup>35</sup> Centers for Disease Control and Prevention. “Heart Disease Facts.” October 14, 2022. <https://www.cdc.gov/heartdisease/facts.htm>.

<sup>36</sup> Ibid.



- <sup>37</sup> U.S. Department of Health and Human Services, Office of Minority Health. “Obesity and Asian Americans.” March 26, 2020. <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=55>.
- <sup>38</sup> Dang, Jeff, Jessica Lee, Jacqueline Tran, et al. “The role of medical interpretation on breast and cervical cancer screening among Asian American and Pacific Islander women.” *J Cancer Educ* 25(2): 253-262. PMID: PMC2878591 (2020) <https://pubmed.ncbi.nlm.nih.gov/20352398/>.
- <sup>39</sup> Karliner, Leah, Elizabeth Jacobs, Alice Chen, et al. “Do professional interpreters improve clinical care for patients with limited English proficiency? A systematic review of the literature.” *Health Serv Res* 42(2): 727-754. PMID: PMC1955368 (2007). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1955368/>.
- <sup>40</sup> Boylen, Susan, Sarah Cherian, Fenella Gill, et al. “Impact of professional interpreters on outcomes for hospitalized children from migrant and refugee families with limited English proficiency: a systematic review.” *JBIM Evid Synth* 18(7): 1360-1388. PMID: 32813387 (2020). <https://pubmed.ncbi.nlm.nih.gov/32813387/>.
- <sup>41</sup> Flores, Glenn. “The impact of medical interpreter services on the quality of health care: a systematic review.” *Med Care Res Rev* 62(3): 255-299. PMID: 15894705 (2005). <https://pubmed.ncbi.nlm.nih.gov/15894705/>.
- <sup>42</sup> Southeast Asia Resource Action Center. “The Devastating Impact of Deportation on Southeast Asian Americans.” 2018. <https://www.searac.org/wp-content/uploads/2018/04/The-Devastating-Impact-of-Deportation-on-Southeast-Asian-Americans-1.pdf>.
- <sup>43</sup> Stillman, Sarah. “When Deportation is a Death Sentence,” *The New Yorker*, January 8, 2018, <https://www.newyorker.com/magazine/2018/01/15/when-deportation-is-a-death-sentence>. U.S. Department of State. 2022 Report to Congress Pursuant to Section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018. <https://www.state.gov/2022-report-to-congress-pursuant-to-section-5-of-the-elie-wiesel-genocide-and-atrocities-prevention-act-of-2018/>.
- <sup>44</sup> Artiga, Samantha and Barbara Lyons. “Family Consequences of Detention/Deportation: Effects of Finances, Health, and Well Being.” Kaiser Family Foundation, 2018. <https://www.kff.org/report-section/family-consequences-of-detention-deportation-effects-on-finances-health-and-well-being-issue-brief/>.
- <sup>45</sup> Chaudhary, Ajay, Randolph Capps, Juan Pedroza, et.al. “Facing our future: Children in the aftermath of immigration enforcement.” The Urban Institute, February 2, 2010. <https://www.urban.org/sites/default/files/publication/28331/412020-Facing-Our-Future.PDF>.
- <sup>46</sup> U.S. Department of Justice. “Statistics Yearbook Fiscal Year 2018.” <https://www.justice.gov/eoir/file/1198896/download>.
- <sup>47</sup> U.S. Department of Justice. “Executive Office For Immigration Review Adjudication Statistics.” January 16, 2023. <https://www.justice.gov/eoir/page/file/1062991/download>.
- <sup>48</sup> Eagly, Ingrid and Steven Shafer. “Access to Counsel in Immigration Court.” American Immigration Council, September 28, 2016. <https://www.americanimmigrationcouncil.org/research/access-counsel-immigration-court>.
- <sup>49</sup> Straut-Eppsteiner, Holly. “U.S. Immigration Courts: Access to Counsel in Removal Proceedings and Legal Access Programs.” Congressional Research Service, July 6, 2022. <https://crsreports.congress.gov/product/pdf/IF/IF12158/3>.
- <sup>50</sup> Ingrid, Eagly and Steven Shafer. “Measuring In Absentia Removal in Immigration Court.” American Immigration Council, January 28, 2021. <https://www.americanimmigrationcouncil.org/research/measuring-absentia-removal-immigration-court>.
- <sup>51</sup> TRAC Immigration. “State and County Details on Deportation Proceedings in Immigration Court.” 2019. <https://trac.syr.edu/phptools/immigration/ntahist/>.



<sup>52</sup> The White House. “Memorandum on restoring the Department of Justice’s access to justice function and reinvigorating the White House Legal Aid Interagency Roundtable.” May 18, 2021. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/18/memorandum-on-restoring-the-department-of-justices-access-to-justice-function-and-reinvigorating-the-white-house-legal-aid-interagency-roundtable/>.

<sup>53</sup> Corradini, Michael. “National Qualified Representative Program.” Vera Institute of Justice. <https://www.vera.org/projects/national-qualified-representative-program>.

<sup>54</sup> Vera Institute of Justice. “Legal Services for Unaccompanied Children.” <https://www.vera.org/projects/legal-services-for-unaccompanied-children>.

<sup>55</sup> U.S. Department of Justice, Office on Violence Against Women. “Legal Assistance for Victims Program.” <https://www.justice.gov/ovw/page/file/1548296/download>.

<sup>56</sup> American Immigration Lawyers Association and American Immigration Council. “Policy Brief: The Biden Administration and Congress Must Guarantee Legal Representation for People Facing Removal.” January 2021. <https://www.aila.org/advo-media/aila-policy-briefs/legal-representation>.

<sup>57</sup> U.S. Department of Labor. “H-1B Program.” <https://www.dol.gov/agencies/whd/immigration/h1b>.

<sup>58</sup> Gyamfi Asiedu, Kwasi. “‘A race against time’: U.S. tech layoffs put foreign workers on ticking clock.” Los Angeles Time, February 19, 2023. <https://www.latimes.com/politics/story/2023-02-19/tech-layoffs-foreign-worker-visa-time-limit>.

<sup>59</sup> Chen, Te-Ping. “Tech Layoffs Hit H1B Visa Workers Hard.” The Wall Street Journal, February 10, 2023. <https://www.wsj.com/articles/tech-layoffs-hit-h1b-visa-workers-hard-ca03c2cd>.

<sup>60</sup> “H-1B Visa Statistics by Country of Birth.” <https://immigrationroad.com/visa/h1b-worker/h1b-visa-statistics.php>.

<sup>61</sup> U.S. Citizenship and Immigration Services. “Options for Nonimmigrant Workers Following Termination of Employment.” December 19, 2022. <https://www.uscis.gov/newsroom/alerts/options-for-nonimmigrant-workers-following-termination-of-employment>.

<sup>62</sup> Ojeda, Rommel and April Xu. “What Can H1B Visa Holders Do After Being Laid Off?” Documented New York, February 8, 2023. <https://documentedny.com/2023/02/08/h1b-visa-layoffs-lottery-twitter-facebook-amazon-meta/>.

<sup>63</sup> Kreighbaum, Andrew. “Rolling Tech Layoffs Snag Green Card Prospects for H-1B Workers.” Bloomberg Law, January 31, 2023. <https://news.bloomberglaw.com/daily-labor-report/rolling-tech-layoffs-snap-green-card-prospects-for-h-1b-workers>.

<sup>64</sup> Anderson, Stuart. “Twitter And Other Tech Layoffs Raise H-1B Visa Employment Issues.” Forbes, November 4, 2022. <https://www.forbes.com/sites/stuartanderson/2022/11/04/twitter-and-other-tech-layoffs-raise-h-1b-visa-employment-issues/?sh=a2ce8204db60>.

<sup>65</sup> Gyamfi Asiedu, Kwasi. “‘A race against time’: U.S. tech layoffs put foreign workers on ticking clock.” Los Angeles Time, February 19, 2023. <https://www.latimes.com/politics/story/2023-02-19/tech-layoffs-foreign-worker-visa-time-limit>.

<sup>66</sup> Shah, Simone. “‘A Failed and Broken System’ Tech Layoffs Set the Clock Ticking for Foreign Workers.” Time, December 23, 2022. <https://time.com/6239846/tech-layoffs-visa-h1b/>.



# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Report with Recommendations**

**July 2023**





# Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Immigration and Citizenship Status Subcommittee</b>	<b>2</b>
Subcommittee Membership	2
Summary of Meetings and Presentations	2
Summary of Recommendations	3
Recommendation: Improve Access to I-94 Cards and Address Related Immigration Issues for COFA Migrants	5
Recommendation: Provide Language Access for AAPIs Detained by ICE	7
Recommendation: Issue Regulation to Provide Guidance on Gender-Based Persecution	9
Recommendation: Increase Language Access in the CBP One™ Mobile Application	11
Recommendation: Recapture Unused Green Cards	13
<b>Health Equity Subcommittee</b>	<b>15</b>
Subcommittee Membership	15
Summary of Meetings and Presentations	15
Summary of Recommendations	16
Recommendation: Accessibility and Reproductive Cancer Education	18
Recommendation: COVID-19 and Ongoing Impacts on AA and NHPIs	20
Recommendation: Mental Health Support for AA and NHPI Students	22
Recommendation: Increased Support for Limited English Proficiency Patients Among Medically Underserved Populations	24
<b>Language Access Subcommittee</b>	<b>27</b>
Subcommittee Membership	27
Summary of Meetings and Presentations	27
Summary of Recommendations	28
Recommendation: Language Access and Concordance for Limited English Proficient (LEP) Individuals in the EHealth Program	30
Recommendation: Expanding Federal Programs that are Relevant to Native Hawaiian Language Supports	32
Recommendation: Include Community-Based Advocates and Prioritize Language Access in Human Trafficking Screening Protocol	34
Recommendation: Develop Standards on Use of Artificial Intelligence and Process to Address Impact of AI Errors On AA and NHPI Communities	36
Recommendation: Language Access, Equity, and Justice National Summit	38
Recommendation: Language Access and Equity Executive Order	40



<b>Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee</b>	<b>42</b>
Subcommittee Membership	42
Summary of Meetings and Presentations	42
Summary of Recommendations	43
Recommendation: Launch a National Arts Competition and National Ad Campaign to Support a Sense of Belonging	44
<b>Data Disaggregation Subcommittee</b>	<b>47</b>
Subcommittee Membership	47
Summary of Meetings and Presentations	47
Summary of Recommendations	49
Recommendation: Include Community-Based Organizations Among Academics, Federal Agencies and Other Experts when Reviewing Asian and Pacific Island Ethnic Groups for the 2030 Census	50
Recommendation: Establish a Best Practice Approach to Collecting and Disaggregating NHPI Data Within HHS	52
<b>Economic Equity Subcommittee</b>	<b>53</b>
Subcommittee Membership	53
Summary of Meetings and Presentations	53
Summary of Recommendations	54
Recommendation: National Listening Session with Nail Salon Workers and Owners	55
Recommendation: Mercantile Licenses for Eligible Native Hawaiians	57
<b>References</b>	<b>59</b>



## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee
2. Health Equity Subcommittee
3. Immigration and Citizenship Status Subcommittee
4. Language Access Subcommittee
5. Data Disaggregation Subcommittee
6. Economic Equity Subcommittee.

Between February 2022 and July 2023, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations, which were transmitted to President Biden in August 2022. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations. At its December 5-6, 2022, virtual meeting, the Commission voted to advance 13 additional recommendations. At its March 14, 2023, in-person meeting, the Commission voted unanimously to move forward with 10 additional recommendations.

The Commission held its sixth public meeting on July 6, 2023, where 20 additional recommendations were approved by the full Commission. This document includes meeting summaries and the final recommendations approved at the July 2023 meeting.



## Immigration and Citizenship Status Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang, KaYing Yang
- **Members:** Dr. Amy Agbayani, Ajay Bhutoria, Simon Pang, Dr. Robert Underwood
- **Ex-Officio Member:** Carol Wu
- **Designated Federal Officer:** Linda Cheng

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee meets bi-weekly. Following the Commission's fifth quarterly meeting on March 14, 2023, the Subcommittee met on March 22, April 19, May 17, May 31, June 14, and June 28, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Doug Rand, Senior Advisor to the Director of U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS):** Presented on USCIS's authorities to change policies and the regulatory processes within USCIS.
- **Monica Burke, Acting Assistant Director, Custody Management, Enforcement and Removal Operations, DHS/U.S. Immigration and Customs Enforcement (ICE) and Valentina Seeley, Acting Deputy Assistant Director, Office of Partnership and Engagement, DHS/ICE:** Addressed questions related to language access in immigration detention centers, alternatives to detention, and overview about the Office of Partnership and Engagement.
- **Blaine Bookey, Legal Director, Center for Gender and Refugee Studies, University of California College of the Law:** Presented on the landscape of gender-based asylum and the changes in policies over the past years, as well as provided feedback on how the government can improve protections for those seeking gender-based asylum.



- **Shoba Sivaprasad Wadhia, Officer, Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security (DHS):** Presented on efforts by DHS to implement the Case Management Pilot Program (CMPP), a congressionally mandated pilot program exploring alternatives to detention.
- **Mary Cheng, Deputy Director, Executive Office of Immigration Review (EOIR), U.S. Department of Justice (DOJ) and Lauren Alder Reid, Assistant Director for Policy, DOJ/EOIR:** Presented on the backlog in cases in immigration court and the methods used to improve speed and volume of case processing.

## Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee presented the following five recommendations at the July 6, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that DHS should streamline and expedite the process for accessing and/or replacing lost or distorted I-94 cards, making it more affordable and efficient, with a turnaround time of less than three weeks; DHS should also exempt or waive fees for Compacts of Free Association (COFA) migrants who apply for replacement I-94 cards.
- **Recommendation:** The Commission recommends that the Executive Office of Immigration Review (EOIR) in DOJ should issue guidance for Immigration Judges to not order individuals removed who have not been provided language services to assist with completion of relevant applications for immigration relief. In addition, DHS Immigration and Customs Enforcement (ICE) should allocate at least 1% of its Enforcement and Removal budget toward the provision of professional and competent translation, interpretation, and other language services for individuals who are detained and have limited or no English proficiency to be able to participate and access all available programs and services while in immigration detention.
- **Recommendation:** The Commission recommends that the U.S. Department of Justice (DOJ) and U.S. Department of Homeland Security (DHS) should promptly issue new asylum regulations and track performance metrics to provide consistency in the U.S.' treatment of gender-based violence as a basis for humanitarian protection and asylum in U.S. immigration policy.





- **Recommendation:** The Commission recommends that DHS should translate the CBP One™ mobile application into multiple languages, including but not limited to Asian and Pacific Islander languages.
- **Recommendation:** The Commission recommends that DHS and the Department of State should recapture unused green cards for family and employment categories from FY 1992 through 2025 and adopt a new policy that should be applied retroactively that confirms all green cards, per annual limit, remain available for an eligible immigrant even if the agencies cannot process the relevant paperwork in that fiscal year.



## Recommendation: Improve Access to I-94 Cards and Address Related Immigration Issues for COFA Migrants

### Problem Statement:

COFA migrants from the three freely associated nations of Palau, the Marshall Islands, and the Federated States of Micronesia have the right to freely enter the United States, seek employment and reside indefinitely in the United States. This is negotiated between the United States and the three Pacific nations. COFA migrants face multiple challenges related to proving that they are lawfully in the United States. Their status was originally validated by an I-94 issued upon entry. Many COFA citizens face significant delays and costs in replacing U.S. entry receipts, known as I-94 cards, creating difficulty in getting housing, jobs, drivers' licenses, and unemployment insurance<sup>1</sup> In addition, at times, their identification documents do not match information in the e-verification system, creating more problems with maintaining employment.

### Recommendation:

The Commission recommends that DHS should streamline and expedite the process for accessing and/or replacing lost or distorted I-94<sup>2</sup> cards, making it more affordable and efficient, with a turnaround time of less than three weeks.<sup>3</sup> The Commission also recommends that DHS should exempt or waive fees for COFA migrants who apply for replacement I-94s.<sup>4</sup>

### Background and Rationale:

Under the Compacts of Free Association (COFA) first approved in Public Law 99-239 (1986),<sup>5</sup> and Public Law 99-658 (1994),<sup>6</sup> and later amended in Public Law 108-188 (2003),<sup>7</sup> citizens of the Freely Associated States of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau are legal nonimmigrants allowed, for indefinite periods of time, to live, work, and study in the United States without a visa. This population is approximately 94,000.<sup>8</sup> Due to their particular immigration status in the U.S., COFA migrants face multiple challenges to access work, government benefits, in part due to difficulties obtaining accurate I-94 forms, navigating the e-verification process, and lack of awareness of employers and other entities about their legal rights in the US. While USCIS/DHS/CBP has a process for individuals to



retrieve their form I-94 admission record online,<sup>9</sup> records are not available for five years after entry, and many individuals face difficulty in navigating the process.<sup>10</sup> In addition, employers and schools are often unaware of the legal rights of COFA migrants to work or obtain educational benefits and could use further outreach through the appropriate government agency about the unique challenges that COFA migrants face in obtaining accurate documentation, preventing wrongful termination or denial of services.

Until 2014, the I-94s were issued only in paper form and attached as well as recorded to a specific passport. If the form was lost, a \$445 fee was charged to find a copy.<sup>11</sup> If a passport had been renewed since the individual's first entry into the United States, the I-94 had to be reconstructed. Many found it easier to cross the border in Canada and/or Mexico and re-enter upon which they would be issued a new I-94.<sup>12</sup> Recently, these I-94s can be requested at Deferred Inspection Sites managed by CBP in selected cities.<sup>13</sup> However, there are still fees unlike the issuance of Employment Authorization Documents (EAD) for which fees are waived.

Improving the e-verification process and ensuring consistent information from DHS will further alleviate the stress and hardship COFA migrants experience in navigating immigration.<sup>14</sup>



## **Recommendation: Provide Language Access for AAPIs Detained by ICE**

### **Problem Statement:**

AA and PI individuals who are detained by Immigration and Customs Enforcement (ICE) fail to understand and are unable to fully participate in immigration proceedings. Failure to provide language services results in wrongful removals, prolonged detention, and other harms to Limited English Proficiency noncitizens in violation of federal law and policies, as well as the federal government's commitment to equity, due process, and justice.

### **Recommendation:**

The Commission recommends that the Executive Office of Immigration Review (EOIR) in DOJ should issue guidance for Immigration Judges to not order individuals removed who have not been provided language services to assist with completion of relevant applications for immigration relief. In addition, DHS/ICE should allocate at least 1% of its Enforcement and Removal budget toward the provision of professional and competent translation, interpretation, and other language services for individuals who are detained and have limited or no English proficiency to be able to participate and access any and all programs and services in immigration detention. This includes but is not limited to language services for all communications between detained individuals and employees of the detention facility, ICE and other DHS components, in the law library, medical care, and translation of immigration forms.

Finally, the Commission recommends that DHS/ICE require any and all of their procurements for services involving interaction with immigrants, include a requirement for competent language translation services.

### **Background and Rationale:**

According to information from EOIR, detained individuals have access to information about the immigration court process in six languages through EOIR's Immigration Court Online Resource (ICOR).<sup>15</sup> The agency also offers Legal Orientation Programs<sup>16</sup> in 35 locations.<sup>17</sup> The languages available at each location varies, but each location offers at least two languages and works with interpreters as necessary and possible.<sup>18</sup> (EOIR also reported that detainees have access to tablets in detention centers to be able to communicate in the facilities).<sup>19</sup>



ICE is obligated to comply with Executive Order 13166,<sup>20</sup> to provide adequate language assistance for individuals with limited or no English proficiency to meaningfully participate in federally conducted activities like immigration enforcement, interviews, the removal process and immigration detention.

ICE (including its contractors and subcontractors) is also required to provide language services under DHS's and its own Language Access Plans, as well as the specific sets of detention standards ICE has issued for each of its detention facilities, including the Performance-Based National detention standards (PBNDS) issued in 2011 and revised in 2016,<sup>21</sup> and the 2019 National Detention Standards.<sup>22</sup> These detention standards include specific guidelines and rules related to language access in law libraries, the medical care context, and other services and programs provided in detention.<sup>23</sup> However, it is widely reported that language services in detention are insufficient.<sup>24</sup>

Reports from the Office of Civil Rights and Civil Liberties (CRCL),<sup>25</sup> the Office of Inspector General (OIG),<sup>26</sup> and advocates at large regarding language access issues in detention, indicate inconsistent use of interpreters and/or language line during the intake process, lack of timely and accurate interpretation or translation, lack of translation or oral interpretation of informational forms or those that required signatures in a language the detained person comprehends, and other examples of failure to meet the standards set out in the PBNDS and the DHS Language Access Plan.

Importantly, the lack of language services has serious consequences on people's removal proceedings and time in detention. For example, advocates encounter detained asylum seekers being ordered removed because they are unable to fill out the asylum application (Form I-589), which is only available in English. Lack of proper translation and interpretation services in detention and in immigration proceedings has resulted in the removal of detained persons who have bona fide claims for immigration relief yet are unable to vindicate their rights.<sup>27</sup>

At its worst, language barriers and an inability to communicate important information can lead to death if detainees cannot impart information in a timely way, participate in a meaningful health evaluation, and possibly inform ICE of urgent medical needs.<sup>28</sup>

The federal government has made language access a priority. In November 2022, the Attorney General (AG) issued a memorandum<sup>29</sup> aimed at strengthening the federal government's commitment to language access under Executive Order 13166, committing the Justice Department to addressing linguistic barriers in governmental services, by asking the Assistant Attorney General for Civil Rights to work with the recently appointed Language Access Coordinator in the Office for Access to Justice to work across agencies to identify and coordinate on best practices. Further, DHS has created an Equity Action Plan<sup>30</sup> highlighting the need to address language access gaps to ensure LEP individuals can vindicate their rights and access legal information and resources.





## Recommendation: Issue Regulation to Provide Guidance on Gender-Based Persecution

### Problem Statement:

There is a lack of clear policy governing how DOJ and DHS should treat claims of gender-based persecution by survivors of domestic violence, sexual assault, forced marriage, and other forms of gender-based violence seeking protection under U.S. asylum law and policy.

### Recommendation:

The Commission recommends that DOJ and DHS should promptly issue new asylum regulations and track performance metrics to provide consistency in the U.S.'s treatment of gender-based violence as a basis for humanitarian protection and asylum in U.S. immigration policy.

### Background and Rationale:

Between fiscal years 2012 and 2021, approximately 1/3 to 1/2 of the individuals granted asylum in the United States were from Asian or Pacific Island nations, including individuals from Bangladesh, Burma, Cambodia, China, Fiji, India, Indonesia, Laos, Malaysia, Mongolia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Vietnam.<sup>31</sup>

U.S. immigration law provides that certain non-citizens who might otherwise be removed from the United States may be granted relief because they would likely face persecution in their country of origin. To qualify for asylum, an applicant must show either past persecution or a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.<sup>32</sup> The applicant must also show persecution by the government or groups that the government is unable or unwilling to control.<sup>33</sup>

In June of 2018, AG Jeff Sessions overturned an asylum applicant's grant of asylum by the Board of Immigration Appeals (BIA) and vacated an earlier BIA precedent decision that had confirmed that domestic violence survivors could qualify for asylum in the United States. The decision in *Matter of A-B*<sup>34</sup> held that individuals who feared domestic violence in their home countries generally do not qualify for asylum based on those grounds. Furthermore, on December 11, 2020, the prior administration sought to codify *Matter of A-B*, along with other asylum related decisions, in a final rule that would foreclose asylum to many applicants.<sup>35</sup>



On February 2, 2021, President Biden issued an Executive Order addressing migration to the U.S., and the availability of asylum for individuals seeking to enter the country,<sup>36</sup> directing the AG and the Secretary of Homeland Security to review the availability of asylum for applicants fleeing gang or domestic violence, and to issue joint regulations that clarify the meaning of a “particular social group” within 270 days.<sup>37</sup> In June 2021, AG Merrick Garland vacated his predecessor’s decision,<sup>38</sup> restoring past case guidance for survivors. More than 270 days have passed since the directive to issue regulations.

According to advocates<sup>39</sup> working with survivors of gender-based persecution, the lack of clear guidance in the form of regulations has created confusion and inconsistency in both the understanding and the application of the law, and has caused meritorious claims to be denied, thus sending survivors back into harm’s way.



## Recommendation: Increase Language Access in the CBP One™ Mobile Application

### Problem Statement:

DHS is mandating the use of the CBP One™ mobile application (CBP One™) for certain migrants to schedule presentation appointments at Ports of Entry (POE) along the southwest border of the United States to seek humanitarian protections in this country.<sup>40</sup> CBP One™, however, is only translated into Spanish and Haitian Creole,<sup>41</sup> and the demographics of individuals arriving to the southwest border extend far beyond those from Spanish-speaking and Haitian Creole-speaking countries.

### Recommendation:

DHS should translate the CBP One™ mobile application into multiple languages, including but not limited to Asian and Pacific Islander languages.

### Background and Rationale:

For a migrant to schedule a presentation appointment at a POE, the migrant must use a mobile application created by DHS Customs and Border Protection (CBP) called CBP One™.<sup>42</sup> A migrant can only schedule an appointment by using the application on a cell phone which allows for the system to activate geolocation and to take a “live photo” of the migrant. These are security features to ensure that the migrant is located in the northern part of Mexico and is actually the person who is seeking an appointment slot. CBP One™ is only available in English, Spanish, and Haitian Creole, even though migrants arriving to the southwest border of the United States are also coming from India and China, among other countries.<sup>43</sup>

On February 23, 2023, DHS and DOJ released a joint notice of proposed rulemaking entitled, “Circumvention of Lawful Pathways,”<sup>44</sup> which became effective on May 11, 2023 with the final rule published on May 16, 2023.<sup>45</sup> The rule creates a rebuttable presumption of asylum ineligibility for all asylum seekers entering through the southwest border, without proper documentation for lawful admission, and who have traveled through a country that is a party to the 1951 Refugee Convention<sup>46</sup> or the 1967 Protocol relating to the Status of Refugees.<sup>47</sup> One exception to this rebuttable presumption is if a migrant, “[p]resented at a port of entry, pursuant to a pre-scheduled time and place, or presented at a port of entry without a pre-scheduled time and place, if the alien demonstrates by a preponderance of the evidence that it was not possible to access or use the DHS scheduling system due to a language barrier, illiteracy, significant technical failure, or other ongoing and serious obstacle.”<sup>48</sup>



The presumption may also be rebutted if the migrant can demonstrate, “by a preponderance of the evidence that exceptionally compelling circumstances exist, including if the alien demonstrates that, at the time of entry, the alien or a member of the alien’s family...(A) Faced an acute medical emergency; (B) Faced an imminent and extreme threat to life or safety, such as an imminent threat of rape, kidnapping, torture, or murder; or (C) Satisfied the definition of ‘victim of a severe form of trafficking in persons’....”<sup>49</sup>

Because of the important nature of this mobile application for an individual to present at a POE in the United States, particularly for individuals from India and China, CBP One™ needs to be translated into more languages. Although migrants may continue to present at POEs, the individual Port has the discretion of determining whether there is capacity to process more individuals outside of CBP One™ appointments.



## Recommendation: Recapture Unused Green Cards

### Problem Statement:

DHS is authorized by Congress to issue up to 480,000 family-based immigrant visas (Green Cards) and 140,000 employment-based green cards annually.<sup>50</sup> However, bureaucratic delays in the green card application process have resulted in the full number of available green cards not being issued, despite a significant number of people waiting in backlogs to receive them.<sup>51</sup>

### Recommendation:

The Commission recommends that DHS and the Department of State should recapture unused green cards for family and employment categories from FY 1992 through 2025.

The Commission also recommends that the State Department, in cooperation with the Department of Homeland Security, should adopt a new policy that confirms all green cards, per annual limit, remain available for an eligible immigrant even if the agencies cannot process the relevant paperwork in that fiscal year. This policy should be applied retroactively to recapture green cards that were unused before the new policy goes into effect.

### Background and Rationale:

In many fiscal years, fewer green cards are issued than authorized by law.<sup>52</sup> Despite large backlogs, underutilization of green cards represents lost opportunities for the U.S., harms green card applicants, and keeps families separated, particularly Indian American, Filipino American, and Chinese American families.<sup>53</sup> People in the employment-based backlog are mostly in the United States, working for long periods on H-1B or other temporary worker visas.<sup>54</sup> The lack of a green card limits their mobility in the labor force and their contributions to the U.S. economy. Children of these temporary workers risk aging out of their immigration status when they turn 21.<sup>55</sup>

Green cards that go unused in the family-based system in one fiscal year become available in the next fiscal year in the employment-based system.<sup>56</sup> Unused employment based green cards, however, do not roll over to the family system and are ultimately lost.<sup>57</sup> From FY 1992-FY 2019, at least 221,000 green cards from the family visa and employment systems went unused, resulting in worsening backlogs.<sup>58</sup>





As proposed by the Niskanen Center, to reduce the green card backlogs, DHS should “recapture” and make available green cards that were authorized by Congress in previous years but were ultimately never issued due to delay in bureaucratic process.<sup>59</sup> Recapturing these green cards could reduce the years-long backlogs without increasing annual immigration levels. According to the Congressional Research Service, over the past two decades, the number of people on the waiting list for family-sponsored green cards has grown by over 100%. As of 2020, there were approximately 4.2 million individuals waiting for family-sponsored green cards, with an average wait time of 6 years. For employment-based green cards, there were approximately 1.2 million individuals waiting, with an average wait time of 6 years.<sup>60</sup>

Multiple green card recapture proposals have been introduced in the 117th Congress, including bipartisan legislation to recapture green cards that USCIS has previously failed to issue. Administrative errors also lead to unused green cards each year, resulting in reduced economic activity and lower levels of total legal immigration. Recapturing unused green cards could add billions of dollars to the economy and help reduce the backlog for families waiting for green cards.<sup>61</sup>

The State Department and DHS should work together to recapture unused green cards from 1992 through 2023 for the employment-based green card category. Additionally, they should adopt a new policy to confirm that a green card remains available for an immigrant whether or not the relevant paperwork can be processed in that fiscal year. This technical fix would ensure that the administration issues all the green cards that Congress intended to be distributed each year, reduce unnecessary bureaucratic limitations on legal immigration, and generate billions in economic activity and revenue to federal, state, and local governments.<sup>62</sup>



## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, Mia Ives-Rublee
- **Members:** Victoria Huynh, Dr. Kimberly Chang, Michelle Ka'uhane, Kamal Kalsi, Ajay Bhutoria
- **Non-Commission Member:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Viviane Chao

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets bi-weekly. Following the Commission's fifth quarterly meeting on March 14, 2023, the Subcommittee met on April 6, April 20, May 18, June 1, June 15, and June 29, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Sherry Hirota, former President, Asian Health Services:** Presented an overview of medical underserved area/medically underserved population (MUA/MUP) definitions, and how including Limited English Proficiency (LEP) as a category of MUP could improve health disparities and increase equity, justice, and opportunity for Limited English Proficient AA and NHPI people.
- **Tu Quach, PhD, President, Asian Health Services:** Together with Ms. Hirota, presented an overview of MUA/MUP definitions, and how including LEP as a category of MUP could improve health disparities and increase equity, justice, and opportunity for Limited English Proficient AA and NHPI people.
- **Matthew Tejada, Director, Office of Environmental Justice, U.S. Environmental Protection Agency:** Presented information on the funding distribution of the Inflation Reduction Act funds, and the design and deployment of Inflation Reduction Act (IRA) funds designated for environmental justice.
- **Alyssa Burgess, Director of Career Pathways and Kristina Alnajjar, Chief Operating Officer, Washington Association for Community Health (WACH),** to discuss and share how Washington Association for Community Health has made progress on accelerating workforce development through its healthcare apprenticeship program.



## Summary of Recommendations:

The Health Equity Subcommittee presented the following four recommendations at the July 6, 2-23, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that both the U.S. Department of Justice's Disability Rights Section and the U.S. Department of Health and Human Services' Office for Civil Rights should adopt and enforce the Access Board's recommendations on medical diagnostic equipment accessibility standards to improve the ability of disabled people and older adults to be evaluated and diagnosed by their providers, as well as to provide federal grants to support community health centers and increase access to cancer education to non-English speaking communities in culturally competent, easy to understand language.
- **Recommendation:** The Commission recommends that the U.S. Department of Health and Human Services and the U.S. Department of Education issue guidelines and invest in reducing student-to-counselor ratios in public schools and colleges to improve Tier 1 mental health support for students, inclusive of Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI). This would include setting a guideline for a maximum ratio of 250:1 for schools and colleges to ensure adequate mental health support for students, providing additional funding to increase the number of counselors and mental health professionals available to students, particularly those with a significant AA and NHPI population; providing training to counselors and mental health professionals to address the unique mental health needs of AA and NHPI; providing information on available resources; encouraging public schools and colleges to prioritize mental health support as part of their overall wellness programs; and having Department of Education establish a reporting system that requires public schools and colleges to report their student-to-counselor ratios annually, and to set goals for improvement.
- **Recommendation:** The Commission recommends that there should be greater capacity to collect, disaggregate, analyze, and publish data impacts of COVID-19 with emphasis on disaggregated data for Native Hawaiians and Pacific Islanders, language preference, immigrant, refugee and COFA populations and for disability, LGBTQ+ and other marginalized communities regarding rates of testing, vaccination and booster rates, hospitalization and death rates, as well as long-term health effects of COVID-19. This would include conducting culturally and linguistically appropriate targeted public health campaigns on the benefits of vaccines; taking immediate steps to address barriers to care, treatment and medication for underserved populations; conducting digital literacy efforts and provide resources for digital equipment and connectivity for underserved communities, including AA and NHPI; establishing a standard across federal agencies for data collection, disaggregation, analyses, and publishing of public



health emergencies, natural disasters and human-made disasters; and providing program funding to community-based organizations to address these issues based upon the data collected. This recommendation is directed to HHS Operating Divisions including the Centers for Disease Control and Prevention, Office of Minority Health, the National Institutes of Health, as well as the Health Resources and Services Administration, the Administration for Children and Families, the Administration for Community Living, and the Centers for Medicare and Medicaid Services (CMS).

- The Commission recommends that HHS should increase the weight of limited English proficiency (LEP) in medically underserved areas (MUA) and medically underserved populations (MUP) definition and formula to determine scores for allocating federal funding to new access points for health centers and encouraging health professionals to work at high-need health centers; they also recommend that HHS should revisit and review all recommendations put forward in the 10/31/2011 “Negotiated Rulemaking Committee on the Designation of Medically Underserved Populations and Health Professional Shortage Areas: Final Report to the Secretary” and HHS/OCR should review different federal definitions of vulnerable populations, social deprivation, marginalized populations, socioeconomically disadvantaged, social determinants of health, language and cultural barriers, underserved populations, and high-risk populations to ensure that LEP is included in all definitions.



## Recommendation: Accessibility and Reproductive Cancer Education

### Problem Statement:

When disaggregating the data, Asian American, Native Hawaiians, and Pacific Islanders have high rates of specific cancers including breast cancer, gastrointestinal cancer. Cancer is the leading cause of death in Asian Americans.<sup>63, 64, 65</sup> Yet many individuals are unable to obtain preventative or early detection care due to numerous issues including lack of accessible clinics and hospitals, lack of health insurance, lack of information, and providers poor cultural and/or language competency.<sup>66, 67, 68, 69</sup>

### Recommendation:

Both the U.S. Department of Justice's (DOJ) Disability Rights Section and the U.S. Department of Health and Human Services' Office for Civil Rights (HHS OCR) should adopt and enforce the Access Board's recommendations on medical diagnostic equipment accessibility standards to improve the ability of disabled people and older adults to be evaluated and diagnosed by their providers.<sup>70</sup>

Provide federal grants to help community health centers to add more accessible equipment in their facilities.

Increase access to cancer education to non-English speaking communities in culturally competent, easy to understand language.

### Background and Rationale:

President Biden reignited the Cancer Moonshot Initiative in 2022. Asian Americans and Native Hawaiians and Pacific Islanders number one cause of death is cancer.<sup>71, 72</sup> This is likely due to a number of barriers that cause Asian Americans to not receive cancer screenings resulting in worse prognoses and higher mortality. Disabled Asian Americans face even higher hurdles to obtaining evaluation and treatment due to significant stigma and inaccessibility. The American Community survey (ACS) indicates that 1.5 million Asian Americans have a disability and it is believed by many to be highly undercounted.<sup>73</sup> It is essential that we address barriers to improve outcomes and decrease mortality rates.





Cancer screening rates for Asian Americans are significantly lower than their white counterparts.<sup>74</sup> Seventy five percent of Asian American women received cervical cancer screenings compared to 83 percent of white women. Breast cancer screenings were even lower. Sixty four percent of Asian American women received breast cancer screenings compared to 72 percent of white women.

Research indicates that Asian Americans, Native Hawaiians, and Pacific Islanders have significant differences in late-stage diagnosis of cancers when disaggregating the data. For breast cancer, Japanese people were late stage diagnosed 25.7 percent of the time compared to Pacific Islanders who were late stage diagnosed 40.3 percent of the time. For cervical cancer, 61.1 percent of Koreans were diagnosed late.

Disabled people face a similar issue. A study completed in 2017 showed that 41 percent of the people who utilized mobility devices faced accessibility issues with exam or treatment rooms within the past 12 months.<sup>75</sup> A 2013 National Health Interview Survey showed that pap smears and mammograms were completed less often on disabled women comparatively to non-disabled women.<sup>76</sup> Thus, disabled women are much more likely to die from cancer due to late-stage diagnosis and other factors like lack of aggressive treatment.<sup>77</sup>



## Recommendation: COVID-19 and Ongoing Impacts on AA and NHPIs

### Problem Statement:

The COVID-19 pandemic disproportionately affected AANHPI communities during the Public Health Emergency and on an ongoing basis beyond rates in infection, access to care, hospitalization, and death rates.<sup>78</sup> Devastating impacts have included Anti-Asian Hate, decimation of AA and NHPI health care workforce, and pronounced mental health crises caused by isolation, job losses, business closures and other factors.<sup>79, 80</sup>

The Commission calls for more federal resources and attention to the AA and NHPI communities for collecting, disaggregating, and reporting data, increasing awareness of COVID-19 and its prevention and care, and for the federal government to better address healthcare access, including access to telehealth.

### Recommendation:

The Commission recommends to:

Collect, disaggregate, analyze and publish accurate data impacts of COVID-19 on AA and NHPI with emphasis on:

- Disaggregated data for Native Hawaiians and Pacific Islanders
- Disaggregated data for language preference
- Disaggregated data for immigrant, refugee, and COFA populations
- Disaggregated data for disability, LGBTQ+, and other marginalized communities
- Disaggregated data beginning March 2020 for rates of testing, vaccination and booster rates, hospitalization and death rates, as well as the long-term effects of COVID-19
- Conduct culturally and linguistically appropriate targeted public health campaigns on the benefits of vaccines, address vaccine hesitancy, and conduct community-specific vaccination days
  - o Partner with trusted community organizations
  - o Re-establish funding and resources for targeted vaccinations



- Identify the appropriate federal agencies for the data analysis and reports, and public health campaigns, starting with the Centers for Disease Control and Prevention, Office of Minority Health, the National Institutes of Health, as well as the Health Resources and Services Administration, the Administration for Children and Families, the Administration for Community Living, and the Centers for Medicare and Medicaid Services (CMS).
- Take immediate steps to address ongoing barriers to care, treatment and medication for underserved populations (which were accentuated during the pandemic), especially for those who are immigrant, refugee, or COFA. Continue to expand Medicaid coverage and include coverage for those who are limited by the 5-year bar (legally present in this country but uncovered for their first 5 years).
- With telehealth now a normal means of accessing care, address the digital divide:
  - o Conduct digital literacy efforts and provide resources for digital equipment and connectivity for underserved communities, including AA and NHPI.
  - o Establish a standard across federal agencies for accurate data collection, disaggregation, analyses, and publishing of public health emergencies, natural disasters and human-made disasters, including violence against communities.
  - o Provide program funding to community-based organizations to address these issues based upon the data collected.

### **Background and Rationale:**

The Public Health Emergency declared for COVID-19 was issued on January 31, 2020, renewed on January 7, 2021, and ended on May 11, 2023. During the pandemic, AA and NHPI communities were disproportionately affected with its rates of infections and experienced barriers to testing and vaccinations.<sup>81</sup> Though no longer a pandemic, COVID-19 infections and hospitalizations still occur, with increased concerns about the long-term impacts on individuals who contracted COVID-19.<sup>82</sup> Additionally, with the wide availability of home tests and the current COVID-19 variants being less threatening, serious under-reporting of cases is likely occurring.<sup>83,84</sup> Nevertheless, there is need to know the depth of disproportionate and ongoing impacts to the AA and NHPI communities and the need to increase awareness and vaccination efforts that dispel the misinformation and reluctance in our communities for vaccinations.<sup>85,86</sup>



## Recommendation: Mental Health Support for AA and NHPI Students

### Problem Statement:

There is a critical need for mental health support for students in schools and colleges.<sup>87,88</sup> Currently, the student-to-counselor ratio in most schools is 400:1 or worse, and this has become normalized, which is unacceptable. This ratio creates a significant barrier to students in need of mental health support, leading to adverse outcomes, including increased dropout rates, academic underachievement, and higher rates of depression and anxiety. This issue is particularly significant for Asian American, Native Hawaiian, and Pacific Islander students, who face unique challenges in accessing mental health resources due to cultural and linguistic barriers.

### Recommendation:

The Commission recommends that the U.S. Department of Health and Human Services and the U.S. Department of Education issue guidelines and invest in reducing student-to-counselor ratios in public schools and colleges to improve Tier 1 mental health support for students, inclusive of Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI).

Specifically, the Commission recommends to:

- Set a guideline for a maximum ratio of 250:1 for schools and colleges to ensure adequate mental health support for students.
- Provide additional funding to public schools and colleges to increase the number of counselors, guardians/ parent/family engagement, and mental health professionals available to students, particularly those with a significant Asian American, Native Hawaiian, and Pacific Islanders student population and also at Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI).
- Provide training to counselors and mental health professionals to address the unique mental health needs of Asian Americans, Native Hawaiians, and Pacific Islanders.



- The Department of Health and Human Services and the Department of Education should issue guidelines that encourage schools and colleges to invest in reducing student-to-counselor ratios.
- The guidelines should provide information on available resources, such as federal grants and loan forgiveness programs for counselors who work in public schools and colleges.
- The guidelines should encourage public schools and colleges to prioritize culturally competent mental health support as part of their overall wellness programs.
- The Department of Education should establish a reporting system that requires public schools and colleges to report their student-to-counselor ratios annually, and to set goals for improvement, including at AANAPISI-designated educational institutions.

## **Background and Rationale:**

Mental health issues are a growing concern for students in schools and colleges, especially for AA and NHPI students who face unique challenges related to mental health.<sup>89</sup> The COVID-19 pandemic has further exacerbated the problem, with students facing increased stress, anxiety, and depression. Despite the growing need for mental health support, student-to-counselor ratios have remained unacceptably high.<sup>90</sup> This situation is unsustainable and threatens the well-being of our students.<sup>91</sup> We urge the Department of Health and Human Services and the Department of Education to act and issue guidelines that will improve Tier 1 mental health support.





## Recommendation: Increased Support for Limited English Proficiency Patients among Medically Underserved Populations

### Problem Statement:

Health centers are community-based and patient-directed organizations that provide affordable, accessible, high-quality primary health care services to individuals and families, including people experiencing homelessness, agricultural workers, residents of public housing, and veterans.<sup>92</sup> The federal government awards competitive funding to provide care for medically underserved populations (MUP) and medically underserved areas (MUA).<sup>93</sup> The Health Resources Services Administration (HRSA) also calculates an Unmet Needs Score (UNS) to evaluate the need for new Health Center Program investments, including new access points and provides loan forgiveness to health professionals (e.g., doctors and dentists) working at community health centers through loan forgiveness.<sup>94</sup> Limited English Proficiency (LEP) currently has very low weights in these scores and language access is still limited to bonus points, despite AAPI advocates and researchers fighting to include language access as factor for Unmet Need Score for over 20 years.<sup>95</sup> This has real implications in limiting the growth of AANHPI serving health centers and reaching vulnerable AANHPI people needing health care: despite HRSA funding nearly 1,400 health centers, serving over 30 million patients, and despite Asian Americans being the fastest-growing race group in the United States, with nearly 1/3 of Asian Americans with limited English proficiency,<sup>96</sup> there are now only 35 health centers serving AANHPI (within the Association of Asian Pacific Community Health Organizations).<sup>97</sup>

### Recommendation:

The Commission recommends that:

- HHS should increase the weight of limited English proficiency (LEP) in medically underserved areas (MUA) and medically underserved populations (MUP) definition and formula to determine scores for allocating federal funding to new and existing access points for health centers and encouraging health professionals to work at high-need health centers.
- HHS should revisit and review all recommendations put forward in the 10/31/2011 “Negotiated Rulemaking Committee on the Designation of Medically Underserved Populations and Health Professional Shortage Areas: Final Report to the Secretary.”



- The HHS OCR should review different federal definitions of vulnerable populations, social deprivation, marginalized populations, socioeconomically disadvantaged, social determinants of health, language and cultural barriers, underserved populations, and high-risk populations.
- Ensure that LEP is included in all definitions, particularly since resource allocation and grant eligibility are driven by such definitions in the various agencies.
- LEP should always be considered in any federal government equity framework.



## Background and Rationale:

In the US, 68 million people speak a language other than English, the total population with LEP is 26 million, the largest language group with LEP is Spanish at 16,299,869 (63% of total LEP), and the next four largest language groups with LEP (14.4%) are of Asian languages (Chinese, including Mandarin and Cantonese, Vietnamese, Tagalog, and Korean).<sup>98</sup>

Nearly twice as many people with limited English live in poverty than people who are English proficient.<sup>99</sup> Nearly half of adults with limited English do not have a high school diploma.<sup>100</sup> Immigrants with limited English are more likely to report poor health than English speaking immigrants.<sup>101</sup> Californians with LEP are three times as likely to lack access to the internet, and a quarter of this population has no access to a computer.<sup>102</sup> LEP status is a barrier to healthcare access and yields poorer health outcomes. The pandemic revealed that non-English speaking COVID-19 patients experienced higher fatality rates,<sup>103</sup> and further that people with LEP did not have language accessible information for the COVID-19 vaccines.<sup>104</sup> Furthermore, this is a priority of this administration. On his first day in office, President Biden signed Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, “which instructs agencies to focus their civil rights authorities and offices on emerging threats, such as...language access services.”<sup>105</sup>

Despite well-documented health access barriers and health disparities for LEP populations, and despite LEP being included within various definitions of “vulnerable populations,” “underserved populations,” “social deprivation” from HHS overall,<sup>106</sup> the Bureau of Health Workforce,<sup>107</sup> and the CDC,<sup>108</sup> there are no standard definitions, and not all agencies include LEP within these definitions or categories. It is critical that LEP be included in these definitions, as they are used to drive resource allocation and policymaking.

Furthermore, for medically underserved LEP Asian populations, for 20 years, AAPI advocates and researchers fought to include language access as factor for Unmet Need Score, because population-based issues were overshadowed by geography/place-based issues. In the formula determining the score to allocate resources to open new access point federally qualified community health centers, language access and LEP status is still limited to bonus points. This ignores on-the-ground evidence that culture trumps geography,<sup>109</sup> and the Negotiated Rulemaking Committee on the Designation of Medically Underserved Populations and Health Professional Shortage Areas Final Report to the Secretary (10/31/11) recommended changes these rules.<sup>110</sup>



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Amy Agbayani, Victoria Huynh, Dr. Kimberly Chang
- **Members:** Kerry Doi, Grace Huang, Ajay Bhutoria, Simon Pang
- **Ex-Officio Member:** Laureen Laglagaron
- **Designated Federal Officer** Viviane Chao

### Summary of Meetings and Presentations:

The Language Access Subcommittee meets bi-weekly. Following the Commission's fifth quarterly meeting on March 14, 2023, the Subcommittee met on March 31, April 14, April 28, May 12, May 26, June 2, June 9, and June 23, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Victoria Udalova, Senior Economist and Program Manager, EHealth, U.S. Census Bureau:** Presented an overview on the U.S. Census Bureau's Enhancing Health Data (EHealth) program partnership with American Board of Family Medicine (ABFM) and Stanford University to conduct research on social determinants of health in the primary care setting and explore ways to improve current survey data collection efforts.
- **Morgan Rodman, Executive Director, White House Council on Native American Affairs; Naomi Miguel, Executive Director, White House Initiative on Advancing Education Equity, Excellence, and Economic Opportunity for Native Americans:** Presented an overview of their respective efforts related to native language preservation, including the Biden-Harris Administration's 10-Year National Plan on Native Language Revitalization.
- **LaShawn McIver, Director, Office of Minority Health, Centers for Medicare and Medicaid (CMS):** Discussed language access efforts relating to recipients of CMS funding, and data collected by CMS about spoken languages.
- **Irene Bueno, former Deputy Assistant Secretary, HHS and Special Assistant to President Clinton, Domestic Policy Council:** Presented background and efforts related to the development of Executive Order 13166 under the Clinton Administration.



## Summary of Recommendations:

The Language Access Subcommittee presented the following six recommendations at the July 6, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the U.S. Census Bureau EHealth program includes analysis on language access and concordance for Limited English Proficient (LEP) individuals and populations, as a routine and standard part of all research projects/programs/collaborations with any external partner, as part of the interests of the federal government in understanding and addressing health disparities and health inequities affecting LEP populations.
- **Recommendation:** The Commission recommends that the U.S. Department of the Interior should increase support for the implementation of The Native American Languages Act of 1990 (NALA), and continue and expand federal programs that are relevant to Native Hawaiian language support.
- **Recommendation:** The Commission recommends that the federal partners stipulated in the National Strategy to Combat Human Trafficking work in partnership with and include community-based victim advocates, community-based organizations, and community-based survivors, and prioritize language access, in the development of this protocol.
- **Recommendation:** The Commission recommends that the Office of the U.S. Chief Technology Officer, U.S. Digital Services in consultation with U.S. DOJ Civil Rights Division: i) develop standards/guidelines around the use of machine-translation or Artificial Intelligence (AI) translation technology when it is appropriate or inappropriate to use by the federal government, federal contractors, or federal grantees; and ii) develop a process for addressing harmful impacts as well as remedies with respect to machine translation or AI errors.





- **Recommendation:** The Commission recommends that WHIAANHPI, the White House Office of Public Engagement (OPE), and the Department of Justice (DOJ) convene a biennial national “Language Access, Equity, and Justice” Summit in regions with growing language access needs and identify enforcement mechanisms in each federal agency and expand agencies’ capacity to strengthen accountability measures, train personnel on language access requirements, and establish consistent reporting and processes for addressing language access complaints.
- **Recommendation:** The Commission recommends that by December 2023, the President establish a Task Force on Language Access and Equity to assess the current state of language access affairs, establish language access data collection standards and consistent enforcement strategies, and explore the creation of a new Executive Order on Language Access and Equity. The mission of this Task Force will be to establish language access data collection standards and consistent language access enforcement strategies across all federal agencies and report to the Attorney General. This initiative will build upon E.O. 13166 and provide further recommendations for an enhanced E.O., known as the Language Access and Equity Executive Order, to be issued in 2024.



## **Recommendation: Language Access and Concordance for Limited English Proficient (LEP) Individuals in the EHealth Program**

### **Problem Statement:**

The U.S. Census Bureau EHealth Program<sup>111</sup> is a research program that identifies existing gaps in the federal statistics which can be filled by enhancing health records with existing assets that are unique to the Census Bureau, by strategically re-using administrative records, including health records, to improve measurement of patient and provider characteristics and advance understanding of population health. Because the US Census Bureau collects data on languages spoken through the American Community Survey, this program has the potential to identify and produce research on health disparities and health inequities based on language access of patients, and language concordance with providers, when collaborating with external partners for health records data. To date, language access/concordance is not being analyzed or included in the current EHealth research collaborations.

### **Recommendation:**

The Commission recommends that the U.S. Census Bureau EHealth program includes analysis on language access and concordance for limited English proficient (LEP) individuals and populations, as a routine and standard part of all research projects/programs/collaborations with any external partner, as part of the interests of the federal government in understanding and addressing health disparities and health inequities affecting LEP populations.

### **Background and Rationale:**

The U.S. Census Bureau EHealth Program is a new program that has great potential to move the research needle to finally generate robust data on language access and health disparity since the Bureau can connect language data with individualized healthcare datasets.<sup>112</sup> To date, none of the current EHealth partnerships have analyzed data on languages, because the external partners have not requested that analysis. The federal government, however, as an equal partner in the research projects (by way of the Census Bureau datasets) has a national interest in analyzing the language data with health outcomes and can leverage that position to require a standard and routine analysis of language access and concordance with any partnership.



LEP status is a barrier to healthcare access and yields poorer health outcomes. The pandemic revealed that non-English speaking COVID-19 patients experienced higher fatality rates<sup>113</sup> and further that people with LEP did not have language accessible information for the COVID-19 vaccines.<sup>114</sup> Further, 67.3 million people (21.9% of U.S. residents) speak a language other than English at home.<sup>115</sup> While small research studies show that language access and use of professional interpreters can improve health outcomes,<sup>116</sup> healthcare access and cancer screenings like mammograms and Pap smears,<sup>117</sup> there is a need for additional large-scale research which the EHealth program has the potential and capacity to do, given their large datasets with language information and their ability to partner with large health systems with individualized patient and provider information. The EHealth Program “data joining promises important new insights as health outcomes are highly correlated with many of the subjects on which the Census Bureau already collects data (income, poverty, race, health insurance, labor markets, and other social determinants of health). By strategically repurposing and linking this already available data, we are building a data infrastructure that empowers researchers, policy makers, and the public to uncover helpful new insights on patients, providers, and population health.”<sup>118</sup>



## Recommendation: Expanding Federal Programs that are Relevant to Native Hawaiian Language Support

### Problem Statement:

The Hawaiian language – ‘Ōlelo Hawai‘i – has long been identified as endangered.<sup>119</sup> A revitalization movement has developed strong appreciation and demand for the language. Hawaiian is now recognized as an official language of the state of Hawai‘i. There have been positive educational outcomes among students studying the language, especially in immersion schools.<sup>120</sup> Schools and higher education institutions face major challenges, primarily with funding to maintain and increase the number of Hawaiian language speakers. Distinctive needs of Native American languages are not adequately included in federal initiatives serving language minorities in, media, arts, etc.

The Native American Languages Act of 1990 (NALA) created federal policy supportive of Native Americans relative to their languages. Hawaiian and the Native Hawaiian people are recognized as a Native American language and as a Native American people, respectively, in NALA.<sup>121</sup> There is a need to fully implement NALA with adequate resources and planning that includes Hawaiian language revitalization expertise in coordination with other Native American language revitalization communities.

### Recommendation:

The Commission recommends that:

- The Department of the Interior should increase support for the implementation of The Native American Languages Act of 1990 (NALA), e.g., develop new programs specifically focused on building on the success of Native American language medium/immersion education (NALA Section 104 (3)).
- Continue and expand federal programs that are relevant to Native Hawaiian language support for all educational levels, e.g., those in Elementary Secondary Education Act (ESEA), Every Student Succeeds Act (ESSA), and the National Native American Language Resource Center.



## Background and Rationale:

Hawaiian was the primary language of all Native Hawaiians at the time of U.S. annexation in 1898. During the Hawaiian Monarchy, Hawaiian was used for daily Native life as well as for government activities including the schools. The U.S. imposed compulsory use of English in all those fields. Children were punished for using Hawaiian in public and boarding schools. The last unbroken line of speakers of Hawaiian as their normal family and peer group language were born around 1920 on all the islands except for one tiny population. By statehood in 1959, few individuals under 40 spoke Hawaiian.

In 1978, at the height of a “Hawaiian Renaissance” a state constitutional convention was held. The new constitution required state promotion of Hawaiian. A provision also allowed for, but did not require, its use as an official language.<sup>122</sup> In 1983 a grassroots movement to revitalize Hawaiian language/medium schooling began. Its language nest preschools form the base from which public P-12 Hawaiian medium/immersion schooling has developed and then expanded to a state Hawaiian language college. While in 1983, 2,000 people (primarily elders) were counted as speaking Hawaiian, the 2015-2019 Community Survey of the U.S. Census found some 25,000 speakers.<sup>123</sup> Those large numbers are based in self-reported data, reflective of widespread pride and efforts to use isolated words and phrases rather than full proficiency. There are, however, growing numbers of families where children are being raised with Hawaiian as their first language combined with enrollment in Hawaiian medium/immersion schools. Such schooling is producing highly biliterate youth, whose high school graduation and college going rates exceed those of other Native Hawaiians and the larger population of all ethnic groups.

According to the 2019 U.S. Census Bureau estimate, there are 284,996 Native Hawaiians in Hawai‘i (18% of the population). A large number of Native Hawaiians now live outside Hawai‘i, perhaps over 50%, primarily on the West Coast. There continue to be significant disparities in health, income, employment, college attainment and incarceration for Native Hawaiians.<sup>124</sup>





## **Recommendation: Include Community-Based Advocates and Prioritize Language Access in Human Trafficking Screening Protocol**

### **Problem Statement:**

Human Trafficking affects Asian Americans, Native Hawaiians, and Pacific Islanders. The Attorney General and The Department of Justice's National Strategy to Combat Human Trafficking<sup>125</sup> have clearly stated that human trafficking victims should be prioritized for identification and offered protection and services during law enforcement operations. Language access, cultural competency, and confidential advocacy services are key to victim identification, protection, and service provision. Despite the high numbers of people with limited English proficiency who are victimized, there is no mention of language access or interpretation in the National Strategy. Furthermore, community-based victim advocacy organizations are not specified in the development of the victim identification protocol in the National Strategy to Combat Human Trafficking.

### **Recommendation:**

In compliance with The National Strategy to Combat Human Trafficking, Chapter 1., Action Item 1.1, the Commission recommends that the federal partners stipulated in the National Strategy, work in partnership with and include community-based victim advocates, community-based organizations, and community-based survivors, and prioritize language access in the development of the Law Enforcement Victim Screening protocol. Advocates should be brought into the process early on to ensure the protocol is framed in a survivor-centered, trauma-informed way and prioritizes language access and cultural responsiveness. Currently, community-based victim advocates are not included in the development of the protocol and there is no mention of language access or interpretation priorities.



## Background and Rationale:

The latest report of a new study on sex trafficking in Hawai`i reveals 64% of survivors identified as being all or some part Native Hawai`ian and more widespread than many believed. The report on sex trafficking and children is part three of a study by the Hawaii State Commission on the Status of Women and Arizona State University. The first report of the study focused on the market for online sex buyers in Hawai`i. The second report shared 22 stories of women and girl survivors of sex trafficking.<sup>126</sup> Furthermore, Asians constitute a majority of victims in national labor and sex trafficking cases in Illicit Massage Establishments/Businesses.<sup>127</sup> The National Strategy to Combat Human Trafficking, Chapter 2, Section D, Page 22, states that “Protecting victims of human trafficking from inappropriate arrest, detention, and prosecution, and providing foreign national victims with immigration options to avoid removal, are central tenets of the TVPA. Victims of human trafficking should not be inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked.” Yet, victims are still being prosecuted and not prioritized in current human trafficking cases.<sup>128</sup> Furthermore, The Office for Victims of Crime (OVC) has long recommended a multi-disciplinary approach to combatting trafficking.<sup>129</sup> Particularly, when focusing on law enforcement, it is crucial law enforcement work with community-based organizations to provide immediate and necessary support to survivors of trafficking. This framework is a shift from traditional law enforcement strategy for investigations because the priority is on the stability and safety of the survivor. Community based victim advocates are the most equipped to provide a survivor centered, trauma informed space for survivors. Being culturally responsive and providing language access are core components of being survivor centered.



## **Recommendation: Develop Standards on Use of Artificial Intelligence and Process to Address Impact of AI Errors on AA and NHPI Communities**

### **Problem Statement:**

Currently there are no overarching federal guidelines for machine-translated, machine-assisted, or artificial intelligence translations for the federal government, federal contractors, or federal grantees; no systematic ways of collecting data or complaints about harms when it is used; and no mechanisms for redress for people when machine-translations cause harms for people. Whereas web standards have been developed for persons with a disability,<sup>130</sup> there are no equivalent standards for persons with LEP.

### **Recommendation:**

The Commission recommends that the Office of the U.S. Chief Technology Officer, U.S. Digital Services in consultation with U.S. DOJ Civil Rights Division:

1. Develop standards/guidelines/guardrails and human oversight around the use of machine-translation or Artificial Intelligence (AI) translation technology and applications to use by the federal government, federal contractors, or federal grantees
2. Develop a process for addressing harmful impacts as well as remedies with respect to AI errors and assess when it is inappropriate to use machine translation/AI, especially as it affects marginalized communities.
3. The Commission recommends that the Biden-Harris Administration's recent announcement regarding Advanced Tech Accountability and Protect the Rights of the American Public include consultation with marginalized communities, including AA and NHPI communities.



## Background and Rationale:

Federal language rights are noted in several laws: Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), the Patient Protection and Affordable Care Act (ACA), Section 1557, Omnibus Crime Control and Safe Streets Act of 1968, Section 504 of the 1973 Rehabilitation Act, the Fair Housing Act, and the Workforce Innovation and Opportunity Act. Various regulations and guidance documents such as Executive Order 13166 (2000), and Legal Services Corporation Program Letter 04-2 (“Services to Client Eligible Individuals with Limited English Proficiency”) reinforce the priority of meaningful language access to public services. There are twelve components of “meaningful access” for language access:<sup>131</sup> 1) agency plan and protocols, 2) partnership with communities, 3) early and ongoing identification of language needs, 4) services through multilingual staff or trained/qualified interpreters in real-time, 5) language data (collection and analysis), 6) in-language outreach, 7) professionally translated documents (no machine-translated only), 8) budget and ongoing funding, 9) multilingual staff, 10) monitoring and oversight, 11) staff training, and 12) strategic and systemic change.

Currently there are no overarching federal guidelines for machine-translated, machine-assisted, or artificial intelligence translations for the federal government, federal contractors, or federal grantees; no systematic ways of collecting data or complaints about harms when it is used; and no mechanisms for redress for people when machine-translations cause harms for people. This technology has the potential for and has already yielded some proven harmful impacts due to inaccuracies and missed nuances in translations.<sup>132, 133</sup> In January 2021, the Virginia Department of Health’s FAQ page on the COVID-19 vaccine used Google machine-translation to translate “the vaccine is not required” to “la vacuna no es necesaria” — “the vaccine is not necessary.” Recent news reports revealed that machine-translation by the US government produce serious errors resulting in inappropriate rejection of asylum for Afghan refugees.<sup>135, 136</sup>

Current federal guidelines are piecemeal: the ACA Section 1557 stipulates that if machine-translation is used, the translation must be reviewed by a qualified human translator. There are some guidelines for federal digital services and websites at [www.lep.gov/digital-services-and-websites](http://www.lep.gov/digital-services-and-websites), and a 2021 Memorandum of Agreement with US DOJ and Fort Bend County Texas.<sup>137</sup>



## Recommendation: Language Access, Equity, and Justice National Summit

### Problem Statement:

Despite the increasing requirements for equitable language access as a result of Executive Order 13166 and subsequent Executive Orders, the limited English proficient Asian American, Native Hawaiian, and Pacific Islanders (AA and NHPI) community still faces significant systemic barriers that prevent meaningful access to critical government services. Inconsistent community engagement across federal agencies regarding language access may contribute to language access gaps, inequitable policies, and missed opportunities for collaboration and innovation.

### Recommendation:

The Commission recommends that WHIAANHPI, the White House Office of Public Engagement (OPE), and the Department of Justice (DOJ) convene a biennial national “Language Access, Equity, and Justice” Summit in regions with growing language access needs.

The Commission makes the following recommendations for the Summit:

- Host the event in a hybrid model to accommodate virtual and in-person guests from across the nation.
- Provide a progress report on current language access plans and the current state of language access enforcement and implementation of existing language access civil rights laws across all the federal Office of Civil Rights (OCR) by designated Language Access Coordinators or personnel.
- Create an intentional space to solicit feedback on the updated federal agency language access plans.
- Empower and accommodate limited English persons by providing simultaneous interpretation, translated materials in multiple AA and NHPI languages, and be inclusive of languages of lesser diffusion.





- Center and incorporate the voices and stories of community stakeholders who have been directly impacted by language access issues.
- Incorporate national and local key AA and NHPI stakeholders and subject matter experts in the program planning process.
- Upon successful execution of the Summit, the lead federal agency should provide a public summary of the program, federal recommendations, community feedback, and lessons learned to be shared with participants, related interagency workgroups, and federal agencies.

### **Background and Rationale:**

More than two decades after the signing of Executive Order (E.O.) 13166, the Attorney General issued a memorandum emphasizing the need to strengthen the federal government's commitment to language access.<sup>138</sup> The memorandum requested each federal agency to provide an updated language access plan within 180 days of November 21, 2022.<sup>139</sup> In conjunction with this request, WHIAANHPI, DOJ, and OPE should engage partners to seek feedback and establish partnerships with AA and NHPI serving organizations addressing language access issues, particularly those supporting language preservation and the inclusion of languages of lesser diffusion. A biennial national language access summit will support the implementation of E.O. 14031, specifically the directive to advance efforts to “end language access and other barriers faced by AA and NHPI communities in accessing government benefits and services.”<sup>140</sup> The summit will provide a platform for community leaders, advocates, and affected communities to share their lived experiences, insights, and recommendations. It should facilitate the exchange of best practices and lessons learned, creating a space for sharing knowledge and fostering partnerships. The biennial summit will encourage collaboration and resource sharing among participants to promote innovation and enhance language access initiatives.



## Recommendation: Language Access and Equity Executive Order

### Problem Statement:

Although Executive Order (E.O.) 13166 was signed over 22 years ago as a tremendous step in addressing language access issues in the United States, there are still significant gaps in language access for Asian American, Native Hawaiian, and Pacific Islanders (AA and NHPI) limited English proficient (LEP) individuals. AA and NHPI LEP individuals continue to face significant language barriers while accessing federal government services. Several factors may contribute to these challenges, including inconsistent implementation of E.O. 13166, resource constraints, inconsistencies in language access reporting, a lack of AA and NHPI specific data on language access, and the absence of standardized language access data collection guidelines across all federal agencies. The absence of language access baseline data across all federal agencies presents a significant challenge to ensuring the AA and NHPI LEP individuals have meaningful access.

### Recommendation:

The Commission recommends that by December 2023, the President establish a Task Force on Language Access and Equity to assess the current state of language access affairs and explore language for a new Executive Order on Language Access and Equity. The mission of this Task Force will be to establish language access data collection standards and consistent language access enforcement strategies across all federal agencies and report to the Attorney General. This initiative will build upon E.O. 13166 and provide further recommendations for an enhanced E.O., known as the Language Access and Equity Executive Order, to be issued in 2024.

The following areas should be addressed by the Task Force:

- The Task Force should include the participation and involvement of the following agencies and offices: the White House, Domestic Policy Council (DPC), Chief of Staff's office, Department of Justice (DOJ), Office of Civil Rights (OCR), Federal Coordination and Compliance Section, Office of Legal Counsel, Office of Management and Budget (OMB), Department of Health and Human Services (DHHS), Department of Homeland Security (DHS), and current designated federal Language Access Coordinators and/or personnel.
- This Task Force should also engage with AA and NHPI and other community language access advocates, language service providers, and stakeholders to identify the language access service gaps for LEP AA and NHPI individuals.



- The Task Force should identify all service entry points within each federal agency where barriers exist for LEP AA and NHPI communities. These entry points are areas where individuals interact with the federal government online, on the phone, in person, or through other forms of communication.
- The Task Force should establish a language access data collection protocol that includes the collection of disaggregated data for AA and NHPI language needs to enable a more accurate assessment of language access gaps within this diverse community.
- The Task Force should identify enforcement mechanisms in each federal agency and expand agencies' capacity to strengthen accountability measures, train personnel on language access requirements, and establish consistent reporting and processes for addressing language access complaints.
- The Task Force should provide a final report to the public.

### Background and Rationale:

Although federal agencies have made significant strides since the issuance of the E.O. 13166, there remains a clear need to further enhance access to multilingual information and services.<sup>141</sup> One of the major weaknesses is the Executive Order (E.O.) 13166's lack of enforcement authority.<sup>142</sup> Although agencies bear specific responsibilities, the order does not hold them accountable for performance.<sup>143</sup> The Department of Justice in its Federal Coordination and Compliance Section (FCCS) plays a critical role in coordinating enforcement efforts for the Title VI of the Civil Rights Act of 1964. However, the FCCS is limited in enforcement power. Agencies like DHHS emphasized “adequate budgeting for the provision of language assistance services (i.e., interpretation and translation costs), data collection and reporting strategies, and whether additional rulemaking, guidance, executive action, or federal legislation is needed to fill any gaps in language access services by the Department and its grantees.”<sup>144</sup>

The changing landscape and technological advances have brought forth new considerations for meaningful access for limited English proficient communities. Therefore, it is imperative that the White House takes decisive and directive action to further language equity through explicit prioritization of data collection and enforcement of meaningful access to limited English proficient communities.

The issuance of a new “Language Access and Equity” Executive Order (E.O.) by the President of the United States will explicitly prioritize and strengthen the commitment to equal access, inclusivity, and language across the nation. As a Commission, we believe that language access legislation or an enhanced Language Access and Equity executive action is long overdue and that language barriers should not continue to hinder individuals from fully participating in accessing essential government services. The issuance of an enhanced EO will be a major step forward in obligating federal agencies to focus resources, personnel, and enforcement tools on addressing language access barriers within the federal government.



## Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah
- **Non-Commissioner Member:** Madihha Ahussain
- **Designated Federal Officer:** Linda Cheng

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee meets bi-weekly. Following the Commission's fifth quarterly meeting on March 14, 2023, the Subcommittee met on March 21, April 4, April 18, May 16, May 30, June 13, and June 27, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Maulik Pancholy, Chair and Co-Founder, ACT to Change, and Belinda Lei, Founding Board Member, ACT to Change:** Presented on the mission and origins of ACT to Change, a youth-focused anti-bullying organization, and summarized current efforts to combat bullying against AA and NHPI youth.
- **Lynn Rosenthal, Director of Sexual Assault and Violence Prevention, U.S. Department of Health and Human Services; former White House Advisor on Violence Against Women under the Obama-Biden Administration:** Presented on the coordination and roll out of the "It's On Us" campaign against campus sexual assault.
- **Thenmozhi Soundararajan, Executive Director, Equality Labs:** Presented on caste discrimination in the United States and efforts to combat this form of intra-ethnic discrimination.
- **Anna Mok, President, Executive Chairperson & Co-Founder, Ascend & Ascend Foundation:** Presented on Ascend's efforts to promote AA and NHPI leadership at high levels in corporate and nonprofit organizations.



## Summary of Recommendations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee presented the following recommendation at the July 6, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the federal government establish a national arts competition and corresponding national ad campaign that is implemented through interagency coordination to support policies that create belonging while combating hate and discrimination.





## Recommendation: Launch a National Arts Competition and National Ad Campaign to Support a Sense of Belonging

### Problem Statement:

The start of the COVID-19 pandemic marked an alarming rise in hate crimes and acts of violence against Asian Americans, Native Hawaiians, and Pacific Islanders. Since March 2020, there have been more than 11,000 acts of hate committed against our communities and reported to Stop AAPI Hate. While there has been some public attention focused on this issue, there has been a lack of ongoing focus by high-level federal leaders and influencers. This cycle of violence shows no signs of abating anytime soon.

### Recommendation:

The Commission recommends combating this problem and increasing public awareness about the growing issue of violent hate crimes against AA and NHPI, as well as discrimination against other minority groups, by having the federal government create a multi-prong campaign to support its policy efforts. These efforts will include: designating interns/fellows from federal agencies to develop a first of its kind anti-racism arts competition and corresponding public ad campaign.

The campaign has the following elements:

1. Establish an interagency policy working group. This interagency working group should include the Secretary of Homeland Security, the Attorney General, and the Secretary of Health and Human Services to develop a plan and coordinate the Administration's strategies to prevent, combat, and support victims of race-based bias and violence. This group will be coordinated by an advisor in the White House. Other members should include the Secretaries of the SBA, NEA, NEH, DOE, etc., and they should convene subject matter experts and peers in the private sector, along with nonprofit social justice leaders.
2. The interagency working group will spearhead committees to advance its policy initiatives by doing the following:
  - a. Support opportunities for young people by creating internships/fellowships within the interagency working group with the specific goals of creating belonging and helping combat anti-Asian hate, discrimination, and violence by working together on the following activities in (b)-(d).
  - b. Chaired by the NEA, the committee will develop a national arts competition with the goal of awarding scholarships for artwork showcasing the theme in various forms and media (i.e., poetry, music, painting, theatre, photography, film, etc.). The endowment will support robust participation and engagement as well as dedicate resources to support the national arts competition, culminating in a special awards ceremony, featuring influential hosts and presenters.



- c. Administered by NEA and NEH, create an accompanying national ad campaign to celebrate winners of the competition, display their work, while using the campaign as a platform to speak out against hate, violence, discrimination, and create belonging.
- d. Explore public-private partnerships to support development of the national arts competition and corresponding ad campaign.
- e. Make recommendations to OMB about resources needed to implement agency strategies to prevent and combat race-based bias and violence, and support victims, support internships, staff the interagency working group for program administration, as well as fund the ad campaign and arts competition.

### Background and Rationale:

The start of the COVID-19 pandemic marked an alarming rise in hate crimes and violence against the AANHPI community. Since March 2020, there have been more than 11,000 acts of hate committed against Asian Americans, Native Hawaiian, Pacific Islanders (AANHPIs) reported to Stop AAPI Hate.<sup>145</sup> There have also been headlines in the news noting Anti-Asian hate crimes increasing by nearly 150% in 2020.<sup>146</sup> Sadly, this cycle of violence shows no signs of abating any time soon.

Racism and discrimination are not new for the AANHPI community. From the Chinese Exclusion Act in 1880s<sup>147</sup> and Japanese Internment Camps<sup>148</sup> in WWII to 9/11 and Hate Incidents against people of South Asian, Arab, and Middle Eastern descent during 9/11 and sky rocketing hate incidents against AANHPIs during COVID-19, AANHPIs have a long-storied battle against racism in the US.<sup>149</sup>

Stop AAPI Hate recently commissioned a national study, conducted by NORC at the University of Chicago<sup>150</sup> and found:

1. Nearly half (49%) of Asian Americans and Pacific Islanders (AAPIs) nationwide have experienced discrimination or unfair treatment that may be illegal.
2. AAPIs know they have rights and want accountability for unlawful discrimination, yet few who experienced what they believed to be a civil rights violation report it.
3. AAPIs want a better understanding of how to enforce their rights and want new laws to protect their civil rights.



Relatedly, according to another national commissioned survey, 78% of Asian Americans do not fully feel that they belong and are accepted in the U.S., with 58% of Asian Americans saying the top reason for feeling like they don't belong is from experiencing discrimination directly due to their race. Asian Americans feel like they don't belong in the workplace (39%), in online spaces/ social media (39%), in their own neighborhoods (33%), and in schools (32%).<sup>151</sup>

Unfortunately, this feeling of not belonging contributes to poor mental health.<sup>152</sup> Among AAPI young people, over 10.2% of AAPI's aged 18-25, and over 15% of AAPIs aged 12-17 reported serious thoughts or had planned suicide within the last year, according to a profile based on a 2021 National Survey released by Substance Abuse and Mental Health Services Administration, (SAMHSA).<sup>153</sup>

These headlines and statistics are alarming to most but not at all surprising to those in the AANHPI community. To counter the fear, anxiety and anger that are all too common in the AANHPI community, we need bold, far reaching, and creative solutions that support a sense of belonging. We therefore recommend fostering inter-agency coordination, creating new internships, by launching the National Arts Competition and corresponding National Ad Campaign.



## Data Disaggregation Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Sarah Min, Dr. Raynald Samoa, Dr. Robert Underwood
- **Members:** Emily Chen, KaYing Yang
- **Non-Commission Members:** Dr. Ninez Ponce, Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Janet Cushing

### Summary of Meetings and Presentations:

The Data Disaggregation Subcommittee meets bi-weekly. Following the Commission's fifth quarterly meeting on March 14, 2023, the Subcommittee met on March 20, April 3, April 17, May 1, May 15, June 5, June 12, and June 26, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Rachel Marks, Chief, Racial Statistics Branch, Population Division, U.S. Census Bureau; Ditas Katague, Associate Director for Communications, U.S. Census Bureau; John Stelmachowicz, Partner Relationship Manager, Office of Strategic Alliances, U.S. Census Bureau; Megan Maury, Senior Advisor, Office of the Director, U.S. Census Bureau; Melissa Bruce, Acting Special Inspector General, U.S. Department of Treasury; Lopaka Baptiste, Intergovernmental Affairs Specialist, U.S. Census Bureau; Mayumi Escalante, Supervisory Survey Statistician for Commodity Analysis Branch, Foreign Trade Division, U.S. Census Bureau:** Presented on the classification of Hmong in the 2020 Census and American Community Survey.
- **Kham Moua, National Deputy Director, Southeast Asia Resource Action Center (SEARAC), Anna Byon, Director of National Policy, SEARAC:** Presented an overview of the geopolitical definition of Southeast Asian individuals and the implications of such population classification.



- **Alan Simon, Director, Division of Health and Nutrition Examination Surveys, National Center for Health Statistics, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services:** Presented an overview of the National Health and Nutrition Examination Surveys program to include how data is collected and the future plans for the survey, including the feasibility and challenges of oversampling AA and NHPI and exploring conducting the survey in AA and NHPI concentrated regions, like Hawaii.
- **Denice Ross, Deputy U.S. Chief Technology Officer and U.S. Chief Data Scientist, Office of Science and Technology Policy:** Presented an overview of the progress of the Equitable Data Working Group and its priorities.





## Summary of Recommendations:

The Data Disaggregation Subcommittee presented the following recommendation at the July 6, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the U.S. Census Bureau should directly engage with and include input from relevant and diverse community-based organizations (CBOs) when classifying various populations, and increase resources, staffing, and funding to work with a larger network of CBOs.
- **Recommendation:** The Commission recommends that the U.S. Department of Health and Human Services establish a task force to address privacy and legal concerns and expand the capacity of data collection methods to facilitate collection and disaggregation of Native Hawaiian and Pacific Islander (NHPI) data.



## **Recommendation: Include Community-Based Organizations among Academics, Federal Agencies and Other Experts when Reviewing Asian and Pacific Island Ethnic Groups for the 2030 Census**

### **Problem Statement:**

Certain populations within the Asian and Native Hawaiian and Pacific Islander category are racially and ethnically misclassified.<sup>154, 155</sup>

### **Recommendation:**

The Commission recommends that the Census Bureau include feedback and input from relevant and diverse community-based organizations when classifying various populations.

- The Census Bureau should engage directly with CBOs and jointly determine classifications that are culturally and linguistically appropriate.
- The Equitable Data Working Group should ensure there is funding from the U.S. Census directed to CBOs in order for them to engage.
- The Office of Strategic Alliances within the Census Bureau should increase resources (including staff representative of the AA and NHPI populations) to work with a larger network of community organizations

### **Background and Rationale:**

Communities have expressed concerns about the lack of robust and authentic community engagement, especially from smaller diverse groups within the AA and NHPI community. A recent example of this is in the 2020 Census State Redistricting Data (Public Law 94-171) Summary File (see Appendix F: Hispanic Origin and Race Code List), which showed the misclassification of Hmong under the East Asian Category (see page 161) derived from Census rationale using the criteria of “original peoples.” This community was unaware of the new classification until the Census product was released.<sup>156</sup>



During our March 20th meeting with the Census Bureau, the speakers acknowledged that the Hmong population is not the only example where the definition of “original peoples” is imperfect.<sup>157, 158, 159, 160, 161</sup> Another example is the South African population and how a majority of South Africans that live in the U.S. are White, but on the Census, they are classified as Black.<sup>162</sup>

Furthermore, frequently NHPI groups are identified based on their geographical origin, which includes Melanesia, Micronesia, and Polynesia. These terms mask the ethnic groups and political relationships and aspirations that inhabit those areas.<sup>163</sup>

Prior to this reclassification, the Hmong American community has historically indicated that they are from the country of Laos. Since 1975, the majority of Hmong Americans in the United States came from Laos as refugees after the Vietnam War because they were among other ethnic groups recruited by the US Central Intelligence Agency to serve as soldiers in the Secret War. There are significant Hmong populations in Southeast Asia, including Thailand, Laos, Vietnam and smaller populations in Myanmar. There are millions of Hmong in Southern China but very few have migrated to the US.<sup>164</sup>

While the 2020 Census allows people to self-identify, the example above illustrates how a lack of deep community engagement can lead to conflicts with a community’s self-identification. In a letter in March 2023 penned by SEARAC and 57 organizations, it stated that “Lumping the relatively small Hmong American community – approximately 323,000 in 2020 –with much larger Asian American communities numbering in the millions, that originate from East Asia and have different histories and outcomes in the U.S., will obscure the disparities and unique challenges experienced by Hmong American and other Southeast Asian American communities. Without accurately identifying the Hmong American community, critical government programs that are reliant on these data sets will fail to identify the disparities and inequities this population experiences and meet its needs.”<sup>165</sup>

According to the Census presentation on the classification of Hmong in the 2020 Census and American Community Survey, the update for the Asian population census code began in 2013, after reviewing the 2010 Census code lists. In the fall of 2014, the draft code lists that included the new regional groups were sent to get expert review and feedback. In soliciting feedback for the proposed list of Asian nationalities and ethnic groups, the panel included academics, as well as other federal agencies.<sup>166</sup> Despite these outreach efforts, the Census products still produced datasets that were inaccurate and inaccessible to the communities that need it for their own advocacy.<sup>167</sup>



## **Recommendation: Establish a Best Practice Approach to Collecting and Disaggregating NHPI Data within HHS**

### **Problem Statement:**

Many federal agencies face the same challenges to collecting and reporting NHPI data, which often results in either no NHPI data being collected/reported or NHPI data being aggregated with other racial/ethnic populations at data collection and/or in reporting.<sup>168, 169</sup> Not having NHPI-specific data results in these communities being excluded from policies, legislation, and funding that otherwise would benefit NHPI communities.

### **Recommendation:**

- The HHS should establish a task force, which includes NHPI CBOs, to address privacy and legal concerns and expand the capacity of data collection methods to facilitate collection and disaggregation of NHPI data.
- The NIH, CDC, and OMH should issue RFAs to spur innovations in collecting and analyzing data on NHPI populations.

### **Background and Rationale:**

Over the past 18 months, many of the agencies we have spoken with have identified similar challenges to collecting and disaggregating data on the NHPI population. This includes National Ambulatory Medical Care Survey (NHANES) and the National Hospital Ambulatory Medical Care Survey (NHAMCS), and the Census Bureau. The challenges include but are not limited to concerns around small sample size, a risk of disclosure, or associating the data to specific individuals, and costs associated with overrecruiting and/or travel to Hawai`i and the U.S. territories.<sup>170</sup>

There are innovative approaches that can be taken in order to collect data. Other organizations have implemented ways to create hybrid probability/non-probability samples to identify smaller populations. Another example is that NHPI data collected from different states can be pooled together and/or pooled across three-year periods to make up for the smaller population in one geographic area.<sup>171</sup>

In 2014, NCHS conducted the Native Hawaiian and Pacific Islander National Health Interview Survey (NHPI NHIS), in which about 3,000 households containing one or more NHPI residents were surveyed across all 50 states.<sup>172</sup> The scale and scope of the survey was unprecedented, however, there has not been one like it after for almost nine years.

The Office of Minority Health has launched a toolkit on best practices, so there is foundational work around this issue.<sup>173</sup>



## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, Smita Shah
- **Members:** Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka`uhane, Kevin Kim, Ai-jen Poo
- **Designated Federal Officer:** Janet Cushing

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets bi-weekly. Following the Commission's fifth quarterly meeting on March 14, 2023, the Subcommittee met on March 31, April 14, April 28, May 12, May 26, June 2, June 9, and June 23, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Lisa Fu, Executive Director, California Healthy Nail Salon Collaborative; Duanduan Chen, Secretary, Chinese-American Nail Salon Association:** Presented an overview on the health and safety concerns for nail salon workers, discussed the economic concerns and health and safety issues, especially as it relates to AA and NHPI populations and workers in the industry.
- **Geraldine S. Aglipay, Regional Administrator, Great Lakes Region, U.S. Small Business Administration:** Discussed and shared ways to strengthen collaborative innovation across sectors and industries to create financial security, with a lens on AA and NHPI communities.
- **Trudy Rebert, Policy Advisor, Office of the Assistant Secretary for Policy, Department of Labor:** Presented an overview of what the U.S. Department of Labor is doing to ensure rights and protections for immigrant workers.





## Summary of Recommendations:

The Economic Equity Subcommittee presented the following two recommendations at the July 6, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that by May 2024, the U.S. Department of Labor (DOL), U.S. Department of Health and Human Services (HHS), and U.S. Small Business Administration (SBA) should convene a national listening session with nail salon workers and nail salon owners to discuss and address the economic concerns, health and safety issues, and labor rights issues, culminating with the issuance of a study on the state of the industry and a national action plan to support nail salon workers and owners.
- **Recommendation:** The Commission recommends that the U.S. Department of Interior start beneficiary consultation on mercantile licensing on Hawaiian Home Lands and promulgate federal rules that provide clarity for beneficiaries to access lands for mercantile purposes; a budget for beneficiary consultation should be included in the President's Fiscal Year 2025 budget.



## Recommendation: National Listening Session with Nail Salon Workers and Owners

### Problem Statement:

There is an opportunity to help improve the economic, health, and safety concerns for nail salon workers and owners who experienced significant harms (economic impacts as well as anti-Asian hate and racism incidents) during the COVID-19 pandemic, by collaborating with the owners and workers in the salons.

### Recommendation:

By May 2024, the Department of Labor (DOL), Department of Health and Human Services (HHS), and Small Business Administration (SBA) should convene listening sessions for each region and engage CBOs to organize nail salon workers and nail salon owners to participate, discuss, and address the economic concerns, health and safety issues, and labor rights issues, culminating with the issuance of a study on the state of the industry and a national action plan to support workers and owners.

### Background and Rationale:

The nail salon industry is dominated by small family-owned operations with 9 out of 10 salons having fewer than 10 employees. Nationally, the workforce is 76% Asian, 81% female, 79% foreign born (with 74% born in Vietnam), and the top five states with the highest number of nail salons are CA, FL, NY, TX, and GA.<sup>174</sup> There are nearly 40,000 nail salons nationwide, with nearly 400,000 licensed manicurists and cosmetologists, with 39% identifying as independent contractors.<sup>175</sup> COVID-19 caused significant economic harms for nail salon workers: 1) workers returned to a sector with reduced employment and business; 2) nail salon workers' health and safety required new protocols once they returned to work; and 3) nail salon workers' income was impacted despite their ability to return to work (the majority of workers >95% in the study did not receive hazard pay in the pandemic, earnings stayed the same or decreased since reopening, and a majority of workers found themselves financially insecure or uncertain about their ability to pay for food).<sup>176</sup>



Another report showed that salon closures during the COVID-19 pandemic created tremendous economic uncertainty for nail salon workers and owners: 90% were unable to find other work during this period, 91% applied to the state's unemployment insurance, 32% applied for Pandemic Unemployment Assistance. After reopening, both owners and workers faced significant economic hardship: Over half (57%) of workers struggled to pay for their household expenses and necessities and 48% indicated they needed to get food from a food bank after COVID-19 started, and among owners, 60% reported being uncertain about their ability to pay for food and other necessities for the next month. Further, though most owners (90%) reported not making any pay cuts to workers after reopening, the majority (83%) of workers reported decreased earnings. Financial insecurity is common: 86% of workers earned less than \$400 per week and the percentage of workers working 20 or less hours had doubled, with 75% of workers compared to 37% before the pandemic. A large portion of workers (43%) and owners (63%) reported needing help accessing emergency funds to help cover bills, food, etc. More than half of workers (43%) and owners (55%) indicated that they need PPE to protect themselves at work.

Finally, this report showed that both owners and workers want information on workplace modifications, labor laws, and regulations, and owners want more information about small business loans and grant applications.<sup>177</sup>



## Recommendation: Mercantile Licenses for Eligible Native Hawaiians

### Problem Statement:

The lack of mercantile licenses issued by the State Department of Hawaiian Homelands (DHHL) poses significant challenges to the economic development and financial stability of native Hawaiian businesses and homestead communities. According to DHHL's FY22 Annual Report, 429 licenses are issued encumbering 22,893.220 acres of land; of these licenses, not a single mercantile license is awarded to an eligible native Hawaiian.<sup>178</sup> The native Hawaiian beneficiaries for whom the HHCA is intended, have been neglected in the issuance of land for mercantile purposes under section 207 of the Hawaiian Homes Commission Act.

### Recommendation:

Direct the Department of Interior to start beneficiary consultation on mercantile licensing and promulgate federal rules that provide clarity for beneficiaries to access lands for mercantile purposes, as this would help make the Hawaiian Homes Commission Act work for its intended beneficiaries.

- In addition, the Commission recommends establishing a budget for beneficiary consultation on mercantile licensing within the Office of Native Hawaiian Relations at the Department of Interior should be included in the FY25 budget.
- Finally, the Commission recommends that all land dispositions under the HHA, Section 204, must include a minimum 50% partnership with a Native Hawaiian person or entity controlled by Native Hawaiians.

### Background and Rationale:

The Hawaiian Homes Commission Act (HHCA), also known as the Hawaiian Homestead Act, was enacted by the United States Congress in 1920 with the aim of rehabilitating and providing land to native Hawaiians. The Act established the State Department of Hawaiian Homelands (DHHL) and authorized the issuance of homestead leases to qualified individuals of native Hawaiian ancestry. The core purpose and intent of the HHCA, which includes mercantile licenses, is Section 207.



This section of the Act outlines the authority of DHHL to issue licenses for mercantile purposes on Hawaiian homelands. It grants the department the power to regulate and control the licensing of commercial activities on these lands, with the intent of supporting economic development and promoting self-sufficiency among native Hawaiians. Under Section 207, the DHHL is responsible for establishing rules and regulations regarding the application, approval, and terms of mercantile licenses. The purpose of including mercantile licenses within the HHCA is to provide opportunities for native Hawaiians to engage in commercial activities on their homestead lands. By allowing businesses to operate on these lands, the HHCA seeks to promote economic growth, create job opportunities, and generate revenue for the benefit of native Hawaiian community.<sup>179</sup>

Section 204 of the HHCA describes the disposition of lands, “not required” for native Hawaiian homesteading as described in Section 207.<sup>180</sup> However, while not a single mercantile license is issued to a native Hawaiian, the DHHL’s FY22 Annual Report accounts for 123 general leases encumbering 2,826.569 acres to the public for non-homesteading purposes.<sup>181</sup>





## References

---

- <sup>1</sup> Boiko-Weyrauch, A. (2020, September 22). Small slip of paper stands between Pacific Islanders in Washington and unemployment benefits. <https://www.kuow.org/stories/this-small-slip-of-paper-stands-between-pacific-islanders-in-washington-and-unemployment-benefits>
- <sup>2</sup> I94 - Official website. (n.d.). <https://i94.cbp.dhs.gov/I94/#/home>
- <sup>3</sup> Processing times for an initial issuance or replacement I-94 depends on the service center but it ranges from 5 months to 34 months. See Check Case Processing Times. (n.d.). U.S. Citizenship and Immigration Services. <https://egov.uscis.gov/processing-times/>
- <sup>4</sup> According to USCIS, <https://www.uscis.gov/i-102>, the current filing fee for the form I-102 is \$445.00. I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document. (n.d.). U.S. Citizenship and Immigration Services. <https://www.uscis.gov/i-102>. There is a pending proposal to raise the fee to \$680. <https://www.federalregister.gov/documents/2023/01/04/2022-27066/us-citizenship-and-immigration-services-fee-schedule-and-changes-to-certain-other-immigration> See U.S. Citizenship and Immigration Services Changes to Certain Other Immigration Benefits Requirements. 88 Fed. Reg. 402 (Jan. 4, 2023). <https://www.federalregister.gov/documents/2023/01/04/2022-27066/us-citizenship-and-immigration-services-fee-schedule-and-changes-to-certain-other-immigration>
- <sup>5</sup> Compact of Free Association Act of 1985, Pub. L. No. 99-239, 99 Stat. 1770 (codified at 48 U.S.C. § 1681-1695)
- <sup>6</sup> Palau Compact of Free Association Act of 1986, Pub. L. No. 99-658, 100 Stat. 3672
- <sup>7</sup> Compact of Free Association Amendments Act of 2003, Pub. L. No. 108-188, 117 Stat. 272
- <sup>8</sup> Compacts of Free Association: Populations in U.S. Areas Have Grown, with Varying Reported Effects. (n.d.). U.S. GAO. <https://www.gao.gov/products/gao-20-491>
- <sup>9</sup> See, I94 - Official website. (n.d.). <https://i94.cbp.dhs.gov/I94/#/home>
- <sup>10</sup> Hofschneider, A., & Hofschneider, A. (2019). Pacific Islanders Go To Extremes To Retrieve Key Immigration Records. Honolulu Civil Beat. <https://www.civilbeat.org/2019/10/pacific-islanders-go-to-extremes-to-retrieve-key-immigration-records/>
- <sup>11</sup> According to USCIS, <https://www.uscis.gov/i-102>, the current filing fee for the form I-102 is \$445.00. I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Document. (n.d.). U.S. Citizenship and Immigration Services. <https://www.uscis.gov/i-102>. There is a pending proposal to raise the fee to \$680. <https://www.federalregister.gov/documents/2023/01/04/2022-27066/us-citizenship-and-immigration-services-fee-schedule-and-changes-to-certain-other-immigration> See U.S. Citizenship and Immigration Services Changes to Certain Other Immigration Benefits Requirements. 88 Fed. Reg. 402 (Jan. 4, 2023). <https://www.federalregister.gov/documents/2023/01/04/2022-27066/us-citizenship-and-immigration-services-fee-schedule-and-changes-to-certain-other-immigration>
- <sup>12</sup> Hofschneider, A., & Hofschneider, A. (2019). Pacific Islanders Go To Extremes To Retrieve Key Immigration Records. Honolulu Civil Beat. <https://www.civilbeat.org/2019/10/pacific-islanders-go-to-extremes-to-retrieve-key-immigration-records/>
- <sup>13</sup> Deferred inspection sites. (n.d.). U.S. Customs And Border Protection. <https://www.cbp.gov/contact/ports/deferred-inspection-sites>
- <sup>14</sup> Hofschneider, A., & Hofschneider, A. (2019). Pacific Islanders Go To Extremes To Retrieve Key Immigration Records. Honolulu Civil Beat. <https://www.civilbeat.org/2019/10/pacific-islanders-go-to-extremes-to-retrieve-key-immigration-records/>
- <sup>15</sup> See, ICOR. (2023, May 5). <https://icor.eoir.justice.gov/en/#explore>
- <sup>16</sup> Legal Orientation Program. (2023, January 6). <https://www.justice.gov/eoir/legal-orientation-program>
- <sup>17</sup> S. Edwards, email with EOIR, January 2023
- <sup>18</sup> Cheng, Mary and Alder Reid, Lauren, U.S. DOJ, EOIR (2023). Causes of Backlog in Immigration Court and Methods to Improve Case Processing. [Unpublished presentation]
- <sup>19</sup> Cheng, Mary and Alder Reid, Lauren, U.S. DOJ, EOIR (2023). Causes of Backlog in Immigration Court and Methods to Improve Case Processing. [Unpublished presentation]
- <sup>20</sup> Executive Order 13166. (2022, November 21). [https://www.justice.gov/crt/executive-order-13166#:~:text=On%20August%2011%2C%202000%2C%20the,\(LEP\)%2C%20and%20develop%20and](https://www.justice.gov/crt/executive-order-13166#:~:text=On%20August%2011%2C%202000%2C%20the,(LEP)%2C%20and%20develop%20and)



- <sup>21</sup> *Performance-Based National Detention Standards 2011*. (2011). U.S. Immigration and Customs Enforcement. <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>
- <sup>22</sup> *National Detention Standards for Non-Dedicated Facilities, Revised 2019*. (2019). U.S. Immigration and Customs Enforcement. <https://www.ice.gov/doclib/detention-standards/2019/nds2019.pdf>
- <sup>23</sup> *Language Access in Immigration Court*. (2023). U.S. Department of Justice. <https://www.justice.gov/eoir/book/file/1586686/download>
- <sup>24</sup> E.g., *Trauma at the Border: The Human Cost of Inhumane Immigration Policies*. (2019, Oct.). U.S. Comm’n on Civil Rights. (“...often times, documents and legal resources are only in English and detainees will sign documents without understanding what they are signing”). <https://www.usccr.gov/files/pubs/2019/10-24-Trauma-at-the-Border.pdf> at 111; *With Liberty and Justice for All: The State of Civil Rights at Immigration Detention Facilities*. (2015, Sept.). U.S. Comm’n on Civil Rights. (“DHS does not sufficiently train employees to interact with detainees who do not speak English or Spanish and who face other communication barriers because of political, cultural, and socio- economic differences”). [http://www.usccr.gov/pubs/Statutory\\_Enforcement\\_Report2015.pdf](http://www.usccr.gov/pubs/Statutory_Enforcement_Report2015.pdf) at 125; DeChalus, C. (2019, Oct. 1). *Suffering in Many Languages*. Pulitzer Center. <https://pulitzercenter.org/stories/suffering-many-languages>
- <sup>25</sup> Venture, Veronica & Salvano-Dunn, Dana. (2018, April 25). *Adelanto Correctional Facility Complaint Nos. U.S. Department of Homeland Security*. U.S Department of Homeland Security. <https://www.dhs.gov/sites/default/files/publications/adelanto-expert-memo-04-25-18.pdf>
- <sup>26</sup> E.g., E.g., *Results of an Unannounced Inspection of Northwest ICE Processing Center in Tacoma, Washington*. (2023, May 23) U.S. Department of Homeland Security. <https://www.oig.dhs.gov/sites/default/files/assets/2023-05/OIG-23-26-May23.pdf> at p. 8
- <sup>27</sup> Misick, B. (2022, Feb. 3). *Seeking asylum in the U.S. is not easy. It's harder when you speak a rare language*. New Orleans Public Radio. <https://www.wno.org/immigration/2022-02-03/seeking-asylum-in-the-u-s-is-not-easy-its-harder-when-you-speak-a-rare-language>.
- <sup>28</sup> Parmar, P., Ross, M., Terp, S., Kearl, N., Fischer, B., Grassini, M., ... & Burner, E. (2021, Aug. 21). Mapping factors associated with deaths in immigration detention in the United States, 2011-2018: A thematic analysis. *The Lancet Regional Health-Americas*. [https://www.thelancet.com/journals/lanam/article/PIIS2667-193X\(21\)00032-6/fulltext](https://www.thelancet.com/journals/lanam/article/PIIS2667-193X(21)00032-6/fulltext)
- <sup>29</sup> Attorney General. (2022, Nov. 21). *Strengthening the Federal Government’s Commitment to Language Access*. U.S. Department of Justice. <https://www.justice.gov/file/1553196/download>
- <sup>30</sup> *U.S. Department of Homeland Security, Equity Action Plan, Pursuant to Executive Order 13985*. (2022, Jan. 25). U.S. Department of Homeland Security. <https://www.dhs.gov/sites/default/files/2022-04/DHS%20Equity%20Action%20Plan%20%28Final%29-0.pdf>
- <sup>31</sup> *Yearbook of Immigration Statistics 2021*. (2021). U.S. Department of Homeland Security. <https://www.dhs.gov/immigration-statistics/yearbook/2021>, tables 17 and 19
- <sup>32</sup> 8 U.S.C. §1101(a)(42)
- <sup>33</sup> E.g., *In re Acosta*, 19 I. & N. Dec. 211, 222 (BIA 1985)



- <sup>34</sup> *Matter of A-B-*, 27 I. & N. Dec. 316 (A.G.2018). <https://www.justice.gov/eoir/page/file/1070866/download>
- <sup>35</sup> Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review, 85 Fed. Reg. 80274 (December 11, 2020). <https://www.govinfo.gov/content/pkg/FR-2020-12-11/pdf/2020-26875.pdf>
- <sup>36</sup> House, W. (2021). Executive Order on Creating a Comprehensive Regional Framework to Address the Causes of Migration, to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border. *The White House*. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/executive-order-creating-a-comprehensive-regional-framework-to-address-the-causes-of-migration-to-manage-migration-throughout-north-and-central-america-and-to-provide-safe-and-orderly-processing/>
- <sup>37</sup> *Id.*, at §4(c)(i) and (ii).
- <sup>38</sup> *Matter of A-B-*, 27 I. & N. Dec. 316 (A.G.2018). <https://www.justice.gov/eoir/page/file/1404796/download> *Id.*, at §4(c)(i) and (ii).
- <sup>39</sup> Bookey, Blaine, Center for Gender and Refugee Studies (2023). Landscape of Gender-Based Asylum [Unpublished presentation]
- <sup>40</sup> *CBP One™ Mobile Application*. (n.d.). U.S. Customs And Border Protection. <https://www.cbp.gov/about/mobile-apps-directory/cbpone>
- <sup>41</sup> *See id.*
- <sup>42</sup> *Id.*
- <sup>43</sup> Wola. (2022). Migration, country by country, at the U.S.-Mexico border. WOLA. <https://www.wola.org/2022/11/migration-country-by-country-at-the-u-s-mexico-border/>; Martinez, M. (2023, February 4). Russian, Chinese migrants showing up at US-Mexico border after South Americans banned. *New York Post*. <https://nypost.com/2023/02/03/russian-and-chinese-migrants-showing-up-at-us-mexico-border/>
- <sup>44</sup> *Circumvention of Lawful Pathways*. (2023, May 16). Federal Register. <https://www.federalregister.gov/documents/2023/05/16/2023-10146/circumvention-of-lawful-pathways>
- <sup>45</sup> The Circumvention of Lawful Pathways rule is currently under litigation. At the time of this recommendation's publication, the rule was vacated by the U.S. District Court for the Northern District of California on July 25, 2023.
- <sup>46</sup> *UNTC*. (n.d.). *United Nations Treaty Collection*. [https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&mtdsg\\_no=V-2&chapter=5&Temp=mtdsg2&clang=\\_en](https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&mtdsg_no=V-2&chapter=5&Temp=mtdsg2&clang=_en)
- <sup>47</sup> *UNTC*. (n.d.-b.). *United Nations Treaty Collection*. [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=V-5&chapter=5](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=V-5&chapter=5)
- <sup>48</sup> Federal Register. (2023, May 16). *Circumvention of Lawful Pathways* <https://www.federalregister.gov/documents/2023/05/16/2023-10146/circumvention-of-lawful-pathways>
- <sup>49</sup> *See id.*
- <sup>50</sup> Bier, D. (2021). *Different Green Card Recapture Proposals Offer Wildly Divergent Outcomes*. Cato Institute. <https://www.cato.org/blog/different-green-card-recapture-proposals-offer-wildly-divergent-outcomes>



- <sup>51</sup> Congressman Krishnamoorthi (2023, March 10). *Congressmen Krishnamoorthi And Bucshon Introduce Bipartisan Bill To Improve The Legal Immigration System And Eliminate Visa Backlogs* [Press Release]. <https://krishnamoorthi.house.gov/media/press-releases/congressmen-krishnamoorthi-and-bucshon-introduce-bipartisan-bill-improve-legal>
- <sup>52</sup> Boundless. (2022, January 1). *Over 200,000 Green Cards Wasted in 2021 as Backlog Explodes*. <https://www.boundless.com/blog/uscis-wastes-200k-green-cards-backlog-triples/5&chapter=5>
- <sup>53</sup> [Fwd.us](https://www.fwd.us). (2022, September 14). *Family-Based Immigration Backlogs*. <https://www.fwd.us/news/family-based-immigration-backlogs/>
- <sup>54</sup> Gilmer, E., Kreighbaum, A. (2022, June 24). *Decades Worth of Unused Immigrant Visas Salvaged in House Bill*. Bloomberg Government. <https://about.bgov.com/news/decades-worth-of-unused-immigrant-visas-salvaged-in-house-bill/>
- <sup>55</sup> Kavi, A. (2022, April 30). *They Grew Up Legally in the U.S., but Can't Stay After They Turn 21*. The New York Times. <https://www.nytimes.com/2022/04/30/us/politics/documented-dreamers.html>
- <sup>56</sup> [Fwd.us](https://www.fwd.us). (2022, Sept. 14). *Green card recapture and reform would reduce immigration backlogs*. <https://www.fwd.us/news/green-card-recapture/>
- <sup>57</sup> Gilmer, E., Kreighbaum, A. (2022, June 24). *Decades Worth of Unused Immigrant Visas Salvaged in House Bill*. Bloomberg Government. <https://about.bgov.com/news/decades-worth-of-unused-immigrant-visas-salvaged-in-house-bill/>
- <sup>58</sup> Bier, D. (2019, June 18). *Immigration Wait Times from Quotas Have Doubled: Green Card Backlogs Are Long, Growing, and Inequitable*. Cato Institute. <https://www.cato.org/publications/policy-analysis/immigration-wait-times-quotas-have-doubled-green-card-backlogs-are-long#introduction>
- <sup>59</sup> La Corte, M., Esterline, C., Guerra, G. (2023, Feb. 6). *5 Immigration Proposals the Biden Administration Should Consider This Year*. Niskanen Center. <https://www.niskanencenter.org/5-immigration-proposals-the-biden-administration-should-consider-this-year/>
- <sup>60</sup> The Economic Times. (2022, April 8). *Bill introduced in US Congress to recapture 380k unused family, employment-based visas*. <https://economictimes.indiatimes.com/nri/migrate/bill-introduced-in-us-congress-to-recapture-380k-unused-family-employment-based-visas/articleshow/90721431.cms?from=mdr>
- <sup>61</sup> The Economic Times. (2022, April 8). *Bill introduced in US Congress to recapture 380k unused family, employment-based visas*. <https://economictimes.indiatimes.com/nri/migrate/bill-introduced-in-us-congress-to-recapture-380k-unused-family-employment-based-visas/articleshow/90721431.cms?from=mdr>
- <sup>62</sup> La Corte, M., Esterline, C., Guerra, G. (2023, February 6). *5 Immigration Proposals the Biden Administration Should Consider This Year*. Niskanen Center. <https://www.niskanencenter.org/5-immigration-proposals-the-biden-administration-should-consider-this-year/>
- <sup>63</sup> Gomez, S. L., Quach, T., Horn-Ross, P. L., Pham, J. T., Cockburn, M., Chang, E. T., Keegan, T. H., Glaser, S. L., & Clarke, C. A. (2010). Hidden breast cancer disparities in Asian women: disaggregating incidence rates by ethnicity and migrant status. *American journal of public health, 100 Suppl 1*(Suppl 1), S125–S131. <https://doi.org/10.2105/AJPH.2009.163931>
- <sup>64</sup> Taylor, V. M., Ko, L. K., Hwang, J. H., Sin, M. K., & Inadomi, J. M. (2014). Gastric cancer in Asian American populations: a neglected health disparity. *Asian Pacific journal of cancer prevention: APJCP, 15*(24), 10565–10571. <https://doi.org/10.7314/apjcp.2014.15.24.10565>



- <sup>65</sup> Lee, R.J., Madan, R.A., Kim, J., Posadas, E.M. and Yu, E.Y. (2021). Disparities in Cancer Care and the Asian American Population. *The Oncol*, 26: 453-460. <https://doi.org/10.1002/onco.13748>
- <sup>66</sup> Lee, S., Martinez, G., Ma, G. X., Hsu, C. E., Robinson, E. S., Bawa, J., & Juon, H. S. (2010). Barriers to health care access in 13 Asian American communities. *American journal of health behavior*, 34(1), 21–30. <https://doi.org/10.5993/ajhb.34.1.3>
- <sup>67</sup> The Henry J. Kaiser Family Foundation. (2000). [Health Insurance Coverage and Access to Care Among Asian Americans and Pacific Islanders](https://www.kff.org/wp-content/uploads/2013/01/health-insurance-coverage-and-access-to-care-among-asian-americans-and-pacific-islanders.pdf). [kff.org/wp-content/uploads/2013/01/health-insurance-coverage-and-access-to-care-among-asian-americans-and-pacific-islanders.pdf](https://www.kff.org/wp-content/uploads/2013/01/health-insurance-coverage-and-access-to-care-among-asian-americans-and-pacific-islanders.pdf)
- <sup>68</sup> Lee, R.J., Madan, R.A., Kim, J., Posadas, E.M. and Yu, E.Y. (2021), Disparities in Cancer Care and the Asian American Population. *The Oncol*, 26: 453-460. <https://doi.org/10.1002/onco.13748>
- <sup>69</sup> Jun, Jungmi. (2020). Cancer/health communication and breast/cervical cancer screening among Asian Americans and five Asian ethnic groups. *Ethnicity & Health*, 25:7, 960-981, DOI: 10.1080/13557858.2018.1478952
- <sup>70</sup> U.S. Access Board. (n.d.) *Medical Diagnostic Equipment Accessibility Standards*. <https://www.access-board.gov/mde/>
- <sup>71</sup> White House. (n.d.) *The President and First Lady's Cancer Moonshot: Ending Cancer as We Know It*. <https://www.whitehouse.gov/cancermoonshot/>
- <sup>72</sup> Lee, R.J., Madan, R.A., Kim, J., Posadas, E.M. and Yu, E.Y. (2021), Disparities in Cancer Care and the Asian American Population. *The Oncol*, 26: 453-460. <https://doi.org/10.1002/onco.13748>
- <sup>73</sup> U.S. Census Bureau. (2021). *American Community Survey 1-Year Estimates*. <https://data.census.gov/table?q=S0201&t=Disability&tid=ACST1Y2021.S1810>
- <sup>74</sup> Lee, R.J., Madan, R.A., Kim, J., Posadas, E.M. and Yu, E.Y. (2021), Disparities in Cancer Care and the Asian American Population. *The Oncol*, 26: 453-460. <https://doi.org/10.1002/onco.13748>.
- <sup>75</sup> Ordway, A., Garbaccio, C., Richardson, M., Matrone, K., and Johnson, K. (2020). Health care access and the Americans with Disabilities Act: A mixed methods study. *Disability and Health Journal*, 14(1), <https://www.sciencedirect.com/science/article/abs/pii/S1936657420300984>
- <sup>76</sup> Steele, C.B., Townsend, J.S., Courtney-Long, E.A., and Young, M. (2017). Prevalence of Cancer Screening Among Adults With Disabilities, United States, 2013. *Centers for Disease Control and Prevention*, DOI: <http://dx.doi.org/10.5888/pcd14.160312>
- <sup>77</sup> Choi JY, Yeob KE, Hong SH, et al. Disparities in the Diagnosis, Treatment, and Survival Rate of Cervical Cancer among Women with and without Disabilities. *Cancer Control*. 2021;28. doi:10.1177/10732748211055268
- <sup>78</sup> Wang, D., Gee, G. C., Bahiru, E., Yang, E. H., & Hsu, J. J. (2020). Asian-Americans and Pacific Islanders in COVID-19: Emerging Disparities Amid Discrimination. *Journal of general internal medicine*, 35(12), 3685–3688. <https://doi.org/10.1007/s11606-020-06264-5>
- <sup>79</sup> Gee, G. C., Morey, B. N., Bacong, A. M., Doan, T. T., & Penaia, C. S. (2022). Considerations of Racism and Data Equity Among Asian Americans, Native Hawaiians, And Pacific Islanders in the Context of COVID-19. *Current epidemiology reports*, 9(2), 77–86. <https://doi.org/10.1007/s40471-022-00283-y>





- <sup>80</sup> Monto, M. A., & Marquez, J. (2023). Data Disaggregation Reveals Disproportionate Levels of COVID-19 Risk Among Filipinx in the USA. *Journal of racial and ethnic health disparities*, 10(3), 1398–1402. <https://doi.org/10.1007/s40615-022-01325-3>
- <sup>81</sup> Hawai'i Advisory Committee. (2021). *Covid-19 and Pacific Islander Communities in Hawai'i*. U.S. Commission on Civil Rights. <https://www.usccr.gov/files/2021/05-19-HI-SAC-COVID-19-and-Pacific-Islanders-Report.pdf>
- <sup>82</sup> Palakiko, D. M., Daniels, S. A., Haitzuka, K., DeFries, K., Kamakawiwo'ole, S., Tolentino, N. K., Buenconsejo-Lum, L. E., Palafox, N. A., Zhi, Q., & Qureshi, K. (2021). A Report on the Impact of the COVID-19 Pandemic on the Health and Social Welfare of the Native Hawaiian Population in Hawai'i. *Hawai'i journal of health & social welfare*, 80(9 Suppl 1), 62–70.
- <sup>83</sup> Gee, G. C., Morey, B. N., Bacong, A. M., Doan, T. T., & Penaia, C. S. (2022). Considerations of Racism and Data Equity Among Asian Americans, Native Hawaiians, And Pacific Islanders in the Context of COVID-19. *Current epidemiology reports*, 9(2), 77–86. <https://doi.org/10.1007/s40471-022-00283-y>
- <sup>84</sup> Taparra K. (2021). Pacific Islanders Searching for Inclusion in Medicine. *JAMA health forum*, 2(2), e210153. <https://doi.org/10.1001/jamahealthforum.2021.0153>
- <sup>85</sup> Palakiko, D. M., Daniels, S. A., Haitzuka, K., DeFries, K., Kamakawiwo'ole, S., Tolentino, N. K., Buenconsejo-Lum, L. E., Palafox, N. A., Zhi, Q., & Qureshi, K. (2021). A Report on the Impact of the COVID-19 Pandemic on the Health and Social Welfare of the Native Hawaiian Population in Hawai'i. *Hawai'i journal of health & social welfare*, 80(9 Suppl 1), 62–70.
- <sup>86</sup> Hawai'i Advisory Committee. (2021). *Covid-19 and Pacific Islander Communities in Hawai'i*. U.S. Commission on Civil Rights. <https://www.usccr.gov/files/2021/05-19-HI-SAC-COVID-19-and-Pacific-Islanders-Report.pdf>
- <sup>87</sup> Petersen, A. (2023, February 12). *With Therapists in Short Supply, College Students Counsel Each Other*. The Wall Street Journal. [https://www.wsj.com/articles/with-therapists-in-short-supply-college-students-counsel-each-other-b9cb5eb2?utm\\_source=facebook&utm\\_medium=news\\_tab&mibextid=Zxz2cZ](https://www.wsj.com/articles/with-therapists-in-short-supply-college-students-counsel-each-other-b9cb5eb2?utm_source=facebook&utm_medium=news_tab&mibextid=Zxz2cZ).
- <sup>88</sup> Shen-Berro, J. (2023, January 9). *New data shows fewer students per counselor at nation's schools, but caseloads remain high*. Chalk Beat. <https://www.chalkbeat.org/2023/1/9/23543064/counselors-students-ratio-schools-caseload-asca-enrollment>
- <sup>89</sup> Lee, S., Juon, H. S., Martinez, G., Hsu, C. E., Robinson, E. S., Bawa, J., & Ma, G. X. (2009). Model minority at risk: expressed needs of mental health by Asian American young adults. *Journal of community health*, 34(2), 144–152. <https://doi.org/10.1007/s10900-008-9137-1>
- <sup>90</sup> Whitson, L. (2020, January). *Mental Health Crisis in California Schools: The Call for More School Counselors*. Georgia School Counselor Association. <https://www.schoolcounselor.org/Newsletters/January-2020/Mental-Health-Crisis-in-California-Schools-The-Ca?st=GA>
- <sup>91</sup> National Association of School Psychologists. *Comprehensive School-based Mental and Behavioral Health Services and School Psychologists*. <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/mental-and-behavioral-health/additional-resources/comprehensive-school-based-mental-and-behavioral-health-services-and-school-psychologists>
- <sup>92</sup> Health Resources & Services Administration. *What is a Health Center?* <https://bphc.hrsa.gov/about-health-centers/what-health-center>
- <sup>93</sup> Health Resources & Services Administration. *Health Professional Shortage Areas (HPSAs) and Medically Underserved Areas/Populations (MUA/P) Shortage Designation Types*. <https://www.hhs.gov/guidance/document/hpsa-and-muap-shortage-designation-types>



- 94 Health Resources & Services Administration. *Unmet Need Score (UNS) and Service Area Status (SAS) Resource Guide* <https://bphc.hrsa.gov/sites/default/files/bphc/funding/uns-resource-guide.pdf>
- 95 Presentation by Sherry Hirota and Dr. Thu Quach to the Health Equity Subcommittee, March 23, 2023.
- 96 Centers for Medicare and Medicaid Services. *Asian American, Native Hawaiians & Pacific Islanders Fact Sheet*. <https://www.cms.gov/files/document/aanhpi-factsheet.pdf>
- 97 Presentation by Sherry Hirota and Dr. Thu Quach to the Health Equity Subcommittee, March 23, 2023.
- 98 U.S. Census, American Community Survey, 2021
- 99 Batalova, J & Zong, J. (2016, November 11). Language Diversity and English Proficiency in the United States. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/language-diversity-and-english-proficiency-united-states>
- 100 Batalova, J & Zong, J., (2016, November 11). Language Diversity and English Proficiency in the United States. Migration Policy Institute. <https://www.migrationpolicy.org/article/language-diversity-and-english-proficiency-united-states>
- 101 Ding, H., Hargraves, L. Stress-Associated Poor Health Among Adult Immigrants with a Language Barrier in the United States. *J Immigrant Minority Health* 11, 446–452 (2009). <https://doi.org/10.1007/s10903-008-9200-0>
- 102 US Census Bureau, American Community Survey, 2019 and 2021
- 103 Bebinger, M. (2021, April 27). Pandemic Imperiled Non-English Speakers More Than Others. *Kaiser Family Foundation Health News*. <https://kffhealthnews.org/news/article/pandemic-imperiled-non-english-speakers-more-than-others/>
- 104 Silva, C. (2021, February 22). 'It's life and death': Non-English speakers struggle to get COVID-19 vaccine across US. *USA Today*. <https://www.usatoday.com/story/news/nation/2021/02/22/covid-19-vaccine-registration-non-english-speakers-left-behind/4503655001/>
- 105 The White House. *President Biden signs Executive Order to Strengthen Racial Equity and Support for Underserved Communities Across the Federal Government*. <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/16/fact-sheet-president-biden-signs-executive-order-to-strengthen-racial-equity-and-support-for-underserved-communities-across-the-federal-government/>
- 106 Department of Health and Human Services. *Serving Vulnerable and Underserved Populations*. [https://www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents/006\\_Serving\\_Vulnerable\\_and\\_Underserved\\_Populations.pdf](https://www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents/006_Serving_Vulnerable_and_Underserved_Populations.pdf)
- 107 Health Resources & Services Administration. *What is Shortage Designation?* <https://bhw.hrsa.gov/workforce-shortage-areas/shortage-designation#mups>
- 108 Agency for Toxic Substances and Disease Registry. *At a Glance: CDC/ATSDR Social Vulnerability Index*. [https://www.atsdr.cdc.gov/placeandhealth/svi/at-a-glance\\_svi.html](https://www.atsdr.cdc.gov/placeandhealth/svi/at-a-glance_svi.html)
- 109 Presentation by Sherry Hirota and Dr. Thu Quach to the Health Equity Subcommittee, March 23, 2023.
- 110 Rural Health Information Hub. *Negotiated Rulemaking Committee on the Designation of Medically Underserved Populations and Health Professional Shortage Areas* <https://www.ruralhealthinfo.org/assets/3262-13308/nrmcfinalreport.pdf>
- 111 United States Census Bureau. *Enhancing Health Data (EHealth) Program*. <https://www.census.gov/programs-surveys/ehealth.html>
- 112 Presentation by Dr. Victoria Udalova to the Language Access Subcommittee, March 31, 2023.



- <sup>113</sup> Bebinger, M. (2021, April 27). Pandemic Imperiled Non-English Speakers More Than Others. Kaiser Family Foundation Health News. <https://kffhealthnews.org/news/article/pandemic-imperiled-non-english-speakers-more-than-others/>
- <sup>114</sup> Silva, C. (2021, February 22). 'It's life and death': Non-English speakers struggle to get COVID-19 vaccine across US. *USA Today*. <https://www.usatoday.com/story/news/nation/2021/02/22/covid-19-vaccine-registration-non-english-speakers-left-behind/4503655001/>
- <sup>115</sup> Zeigler, K. and Camarota, S. (2019, October 29). 67.3 Million in the United States Spoke a Foreign Language at Home in 2018. *Center for Immigration Studies* <https://cis.org/Report/673-Million-United-States-Spoke-Foreign-Language-Home-2018>
- <sup>116</sup> Karliner, L. S., et al. (2007). *Do professional interpreters improve clinical care for patients with limited English proficiency? A systematic review of the literature*. *Health Serv Res* 42(2): 727-754. PMC1955368
- <sup>117</sup> Dang, J., et al. (2010). *The role of medical interpretation on breast and cervical cancer screening among Asian American and Pacific Islander women*. *J Cancer Educ* 25(2): 253-262. PMID: PMC2878591
- <sup>118</sup> United States Census Bureau. *Enhancing Health Data (EHealth) Program*. <https://www.census.gov/programs-surveys/ehealth.html>
- <sup>119</sup> Endangered Languages Project. *Hawaiian*. <https://www.endangeredlanguages.com/lang/125>
- <sup>120</sup> Wilson, William H. 2017. Hawaiian Language Revitalization pages 220-237 in *Languages of the Pacific Islands – Introductory Readings* (Sato, Riroko and Joel Bradshaw eds.). University of Hawai'i at Mānoa
- <sup>121</sup> Congressional Research Service (1990). S. 2167 (101st): *Native American Languages Act*. <https://www.govtrack.us/congress/bills/101/s2167/summary#libraryofcongress>
- <sup>122</sup> Nakata, S. 2017. Language Suppression, Revitalization, and Native Hawaiian Identity. *Diversity and Social Justice Forum*. [https://www.chapman.edu/law/\\_files/publications/2017-dsj/nakata.pdf](https://www.chapman.edu/law/_files/publications/2017-dsj/nakata.pdf)
- <sup>123</sup> Hofschneider, A. (2022, March 21) A New Center Could Help Save Native Languages From Extinction. *Honolulu Civil Beat*. <https://www.civilbeat.org/2022/03/a-new-center-could-help-save-native-languages-from-extinction/>
- <sup>124</sup> Office of Minority Health, Department of Health and Human Services. *Profile: Native Hawaiians/Pacific Islanders*. <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=3&lvlid=65>
- <sup>125</sup> U.S. Department of Justice (2022, Jan) *National Strategy to Combat Human Trafficking*. <https://www.justice.gov/opa/press-release/file/1467431/download>
- <sup>126</sup> National Indigenous Women's Resource Center. *New Study on Hawai'i and Sex Trafficking*. <https://www.niwrc.org/restoration-magazine/june-2020/new-study-hawaii-and-sex-trafficking>
- <sup>127</sup> Department of Justice. *Human Trafficking in Illicit Massage Businesses*. <https://www.justice.gov/usao-md/page/file/1573256/download>
- <sup>128</sup> Chabria, A. (2022, October 30). Bimbos, 'bottom girls' and the ugly reality of misogyny in our justice system. *Los Angeles Times*. <https://www.latimes.com/california/story/2022-10-30/column-sex-trafficked-and-charged-with-a-federal-crime-why-do-we-keep-punishing-victims>
- <sup>129</sup> Office for Victims of Crime, Department of Justice. *Faces of Human Trafficking, A Multidisciplinary Approach* <https://ovc.ojp.gov/>



[sites/g/files/xyckuh226/files/media/document/HT\\_Discussion\\_Guide\\_Video4-508.pdf](https://www.justice.gov/opa/press-release/file/1407751/download)

- 130 Web Accessibility Initiative. *WCAG 2 Overview*. <https://www.w3.org/WAI/standards-guidelines/wcag/>
- 131 Presentation by Joann Lee, Legal Aid Foundation of Los Angeles to the Language Access Subcommittee, November 4, 2022
- 132 Quaglia, S. (2022, September 21). Death By Machine Translation? *Slate*. <https://slate.com/technology/2022/09/machine-translation-accuracy-government-danger.html>
- 133 Presentation by Joann Lee, Legal Aid Foundation of Los Angeles to the Language Access Subcommittee, November 4, 2022, source: American Translators Association: [www.atanet.org](http://www.atanet.org)
- 134 Presentation by Joann Lee, Legal Aid Foundation of Los Angeles to the Language Access Subcommittee, November 4, 2022
- 135 Deck, A. (2023, April 19). AI Translation is jeopardizing Afghan asylum claims. *Rest of World*. <https://restofworld.org/2023/ai-translation-errors-afghan-refugees-asylum/>
- 136 Corkery, A, & Rogin, A. (2023, May 7). *How Language Translation Technology is jeopardizing Afghan asylum-seekers*. *PBS News Weekend*. <https://www.pbs.org/newshour/show/how-language-translation-technology-is-jeopardizing-afghan-asylum-seekers>
- 137 Office of Public Affairs, Department of Justice (2020). *Memorandum of Agreement Between the United States of America and Fort Bend County Department of Justice*. <https://www.justice.gov/opa/press-release/file/1407751/download>
- 138 The Administrative Conference of the United States, & the Department of Justice. (2011, September 22). *Promising Practices for Language Access in Federal Administrative Hearing and Proceedings*. The Department of Justice Promising Practices for Language Access in Federal Administrative Hearings and Proceedings ([justice.gov](http://justice.gov))
- 139 The Attorney General. (2022, November 21). *Memorandum for the Heads of Federal Agencies, Heads of Civil Rights Offices, and General Counsels: Strengthening the Federal Government's Commitment to Language Access*. Office of the Attorney General. <https://www.justice.gov/file/1553196/download>
- 140 White House. (2021, May 28). Executive Order on Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders. <https://www.federalregister.gov/documents/2021/06/03/2021-11792/advancing-equity-justice-and-opportunity-for-asian-americans-native-hawaiians-and-pacific-islanders>
- 141 White House. (2021, January 20). *Executive Order on Advancing Racial Equity for Underserved Communities Through the Federal Government*. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>
- 142 Civil Rights Division. (n.d.). *Civil Rights Offices of Federal Agencies*. U.S. Department of Justice. <https://www.justice.gov/crt/fcs/Agency-OCR-Offices/>
- 143 Letter dated March 28, 2022, from the National Coalition of Asian and Pacific Americans (NCAPA) to PACAANHPI advocating the prioritization of language access.
- 144 Department of Health and Human Services Office for Civil Rights. (2023). *Language Access Annual Report*. <https://www.hhs.gov/sites/default/files/language-access-report-2023.pdf>



- 145 Stop AAPI Hate. (2022, March 31). *Two Years and Thousands of Voices: National Report*. <https://stopaapihate.org/2022/07/20/year-2-report/>
- 146 Yam, K. (2021, March 9). *Anti-Asian hate crimes increased by nearly 150% in 2020, mostly in N.Y. and L.A., new report says*. NBC News. <https://www.nbcnews.com/news/asian-america/anti-asian-hate-crimes-increased-nearly-150-2020-mostly-n-n1260264>
- 147 Chinese Exclusion Act, Publ. L. No. 71, 22 Stat. 58 (1882). <https://www.archives.gov/milestone-documents/chinese-exclusion-act>
- 148 History. (2009, October 29). *Japanese Internment Camps*. <https://www.history.com/topics/world-war-ii/japanese-american-relocation>
- 149 Center for the Study of Hate & Extremism CSUSB. (2020-2021). *Report to the Nation: Anti-Asian Prejudice & Hate Crime*. <https://www.csusb.edu/sites/default/files/Report%20to%20the%20Nation%20-%20Anti-Asian%20Hate%202020%20Final%20Draft%20-%20As%20of%20Apr%202020%202021%206%20PM%20corrected.pdf>
- 150 Stop AAPI Hate. (2023). *Righting Wrongs: How Civil Rights Can Protect Asian Americans & Pacific Islanders Against Racism*. <https://stopaapihate.org/civil-rights-report/>
- 151 The Asian American Foundation. (2023). STAATUS Index 2023: Attitudes towards Asian Americans and Pacific Islanders. [https://staatus-index.s3.amazonaws.com/2023/STAATUS\\_Index\\_2023.pdf](https://staatus-index.s3.amazonaws.com/2023/STAATUS_Index_2023.pdf)
- 152 Allen, K., Kern, P. (2019, June 20). *The Importance of Belonging Across Life: A developmental perspective of our need to belong*. Psychology Today. <https://www.psychologytoday.com/us/blog/sense-belonging/201906/the-importance-belonging-across-life>
- 153 Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Administration, 2021 *National Survey on Drug Use and Health: Among the Asian Population Aged 12 or Older*. <https://www.samhsa.gov/data/sites/default/files/reports/rpt41854/NSDUH%20highlighted%20population%20slides/For%20NSDUH%20highlighted%20population%20slides/2021NSDUHPopulationSlidesAsian050323.pdf>
- 154 *Racial Misclassification, Discrimination, Consciousness, and Self-Rated Health Among Native Hawaiian and Pacific Islander Adults in the USA*. March 2023. *Journal of Racial and Ethnic Health Disparities*. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9997430/>
- 155 Grafova, I., Jarrin, O., (2020). *Beyond Black and White: Mapping Misclassification of Medicare Beneficiaries Race and Ethnicity*. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8602956/>
- 156 Moua, K. (2023). *Overview of Southeast Asians and Classification* [Unpublished presentation]. Southeast Asian Resources Action Center.
- 157 Marks, R. (2023). *Classification of Hmong in the 2020 Census and American Community Survey* [Unpublished presentation]. U.S. Census Bureau.
- 158 Kaur, H. (2023, May 30). *Differences between race and ethnicity and why they're so hard to define*. CNN. <https://www.cnn.com/2023/05/30/us/race-ethnicity-difference-explainer-cec/index.html>





- <sup>159</sup> Gupta, S. (2020, March 8) *To fight discrimination, the U.S. census needs a different race question*. Science News. <https://www.sciencenews.org/article/census-2020-race-ethnicity-questions>
- <sup>160</sup> Lopez, N. (2018, February 28). *The US Census Bureau keeps confusing race and ethnicity*. The Conversation. <https://theconversation.com/the-us-census-bureau-keeps-confusing-race-and-ethnicity-89649>
- <sup>161</sup> National Research Council. (2001). *America Becoming: Racial Trends and Their Consequences: Volume I*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/9599>
- <sup>162</sup> Marks, R. (2023). *Classification of Hmong in the 2020 Census and American Community Survey* [Unpublished presentation]. U.S. Census Bureau.
- <sup>163</sup> D'Arcy, P. (2003). *Cultural Divisions and Island Environments since the Time of Dumont d'Urville*. *Journal of Pacific History*, 38(2), 217–235. <https://doi.org/10.1080/0022334032000120549>
- <sup>164</sup> Yau, J., (2005). *The Foreign-Born Hmong in the United States*. Migration Policy Institute. <https://www.migrationpolicy.org/article/foreign-born-hmong-united-states#1>
- <sup>165</sup> SEARAC and others. (2023, March 2). [Letter from SEARAC and others to U.S. Census Bureau, RE: Feedback on Hmong Coding in the Detailed DHC-A Proof of Concept]. Archived with White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders.
- <sup>166</sup> Marks, R. (2023). *Classification of Hmong in the 2020 Census and American Community Survey* [Unpublished presentation]. U.S. Census Bureau.
- <sup>167</sup> Spickard, P., Rondilla, J., Hippolite Wright, D. (2002). *Pacific Diaspora: Island Peoples in the United States and Across the Pacific*. <https://www.history.ucsb.edu/wp-content/uploads/Spickard-ModelsOfMigration.pdf>
- <sup>168</sup> Simon, A. (2023). *Measuring the Health of Asian Americans, Native Hawaiians, and Pacific Islanders in The National Health and Nutrition Examination Survey* [Unpublished presentation]. National Center for Health Statistics.
- <sup>169</sup> Blumberg, S. (2022). *Native Hawaiian and Pacific Islander (NHPI) National Health Interview Survey in 2014* [Unpublished presentation]. National Center for Health Statistics.
- <sup>170</sup> GCPI ESOI analysis of technical documentation from the Decennial Census, Population Estimates, and Current Population Survey (2022). U.S. Census Bureau. <https://www.census.gov/programs-surveys/popest/technical-documentation.html>
- <sup>171</sup> Simon, A. (2023). *Measuring the health of Asian Americans, Native Hawaiians, and Pacific Islanders in The National Health and Nutrition Examination Survey* [Unpublished presentation] National Center for Health Statistics.
- <sup>172</sup> National Health Interview Survey. (n.d.). CDC National Center for Health Statistics. <https://www.cdc.gov/nchs/nhis/nhpi.html>
- <sup>173</sup> Data Disaggregation Resource Guide. (n.d.). HHS Office of Minority Health. [https://minorityhealth.hhs.gov/assets/pdf/AANHPI-Data-Disaggregation-Resource-Guide\\_Final\\_508c\\_6.14.23.pdf](https://minorityhealth.hhs.gov/assets/pdf/AANHPI-Data-Disaggregation-Resource-Guide_Final_508c_6.14.23.pdf)
- <sup>174</sup> Nail Files: A Study of Nail Salon Workers and Industry in the United States. (2018 November). UCLA Labor Center. [https://www.labor.ucla.edu/wp-content/uploads/2018/11/NAILFILES\\_FINAL.pdf](https://www.labor.ucla.edu/wp-content/uploads/2018/11/NAILFILES_FINAL.pdf)
- <sup>175</sup> *Number of Nail Salon Technicians in the U.S. 2006-2018*. (2022, July 6). Statista. <https://www.statista.com/statistics/276850/nail-technicians-in-the-united-states/>



- 
- <sup>176</sup> Sharma, P., Gonzalez, L., et al. (2022). Working Under Covid-19: *Experiences of Nail Salon Workers in California, New York, Pennsylvania & New Jersey*. UCLA Labor Center. <https://www.labor.ucla.edu/publication/workingundercovid/>
- <sup>177</sup> Herrera, L., Waheed, et al. (2021). Reopening During COVID-19: *The Experience of Nail Salon Workers and Owners in California*. UCLA Labor Center. <https://www.labor.ucla.edu/publication/reopeningduringcovid-2/>
- <sup>178</sup> 2022 Annual Report. (2022). Department of Hawaiian Home Lands. <https://dhhl.hawaii.gov/wp-content/uploads/2023/02/DHHL-FY22-Annual-Report.pdf>
- <sup>179</sup> *Hawaiian Homes Commission Act, 1920*. Department of Hawaiian Home Lands. <https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Hawaiian-Homes-Commission-Act-1921-As-Ammended-Searchable.pdf>
- <sup>180</sup> *Hawaiian Homes Commission Act, 1920*. Department of Hawaiian Home Lands. <https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Hawaiian-Homes-Commission-Act-1921-As-Ammended-Searchable.pdf>
- <sup>181</sup> 2022 Annual Report. (2022). Department of Hawaiian Home Lands. <https://dhhl.hawaii.gov/wp-content/uploads/2023/02/DHHL-FY22-Annual-Report.pdf>



# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Report with Recommendations**

**October 2023**



# Table of Contents

<b>Introduction</b>	<b>4</b>
<b>Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee</b>	<b>5</b>
Subcommittee Membership	5
Summary of Meetings and Presentations	5
Summary of Recommendations	5
Recommendation: Listening Sessions as a Third Pathway to Reporting Hate Crimes	6
<b>Economic Equity Subcommittee</b>	<b>8</b>
Subcommittee Membership	8
Summary of Meetings and Presentations	8
Summary of Recommendations	8
Recommendation 1: Centralize Information on Loans, Grants, and Resources for AA and NHPI Small Businesses	9
Recommendation 2: Addressing The Escalating Wildfire Crisis And Safeguarding AA and NHPI Communities	11
<b>Immigration and Citizenship Status Subcommittee</b>	<b>15</b>
Subcommittee Membership	15
Summary of Meetings and Presentations	15
Summary of Recommendations	15
Recommendation 1: Granting Employment Authorization Documents to Individuals who have Approved I-140 Petitions	16
<b>Data Disaggregation Subcommittee</b>	<b>18</b>
Subcommittee Membership	18
Summary of Meetings and Presentations	18
Summary of Recommendations	18



# Table of Contents

<b>Health Equity Subcommittee</b>	<b>19</b>
Subcommittee Membership	19
Summary of Meetings and Presentations	19
Summary of Recommendations	19
<b>Language Access Subcommittee</b>	<b>20</b>
Subcommittee Membership	20
Summary of Meetings and Presentations	20
Summary of Recommendations	20
<b>References</b>	<b>21</b>





## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee;
2. Health Equity Subcommittee;
3. Immigration and Citizenship Status Subcommittee;
4. Language Access Subcommittee;
5. Data Disaggregation Subcommittee;
6. Economic Equity Subcommittee.

On September 29, 2023, the President signed EO 14109 to extend the Commission's term for two more years through September 2025.

Between February 2022 and October 2023, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations. At its December 5-6, 2022, virtual meeting, the Commission voted to advance 13 additional recommendations. At its March 14, 2023, in-person meeting, the Commission voted unanimously to move forward with 10 additional recommendations. At its July 6, 2023, in-person meeting, the Commission voted unanimously to advance an additional 20 recommendations.

The Commission held its seventh public meeting on October 25-26, 2023, where four additional recommendations were approved by the full Commission. This document includes meeting summaries and the final recommendations approved at the October 2023 meeting.



## Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah
- **Non-Commissioner Member:** Madihha Ahussain
- **Designated Federal Officer:** Linda Cheng

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee meets monthly. Following the Commission's sixth meeting on July 6, 2023, the Subcommittee met on August 1, September 5, and October 3, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Col. Marlowe, Executive Director, Armed Forces Chaplains Board (AFCB), Office of the Deputy Assistant Secretary of Defense:** Presented on the Department of Defense's current policy on religious accommodations.
- **John Yang, President and Executive Director, Asian Americans Advancing Justice – Asian American Justice Center (AAAJ - AAJC):** Presented on affirmative action following the Supreme Court decision in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*.



## **Summary of Recommendations:**

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee presented the following recommendation at the October 25-26, 2023, meeting, which the Commission approved in a final vote:

- The Commission recommends that WHIAANHPI and collaborating agencies such as the Department of Justice's Civil Rights Division and Community Relations Service schedule in-person listening sessions on a "third pathway to reporting hate crimes" in cities where AA and NHPI hate crimes and incidents have been on the rise. At the end of each session, they publish a publicly available, written report on recommendations to improve the reporting process at the conclusion of these sessions.



## Recommendation: Listening Sessions as a Third Pathway to Reporting Hate Crimes

### Problem Statement:

The Federal Bureau of Investigation (FBI) collects data on hate crimes through its Uniform Crime Reporting (UCR) program, which relies on reporting by local law enforcement agencies.<sup>1</sup> There are significant gaps in federal data on hate crimes that are particularly relevant to AA and NHPI communities, and there is a growing need for a third pathway for reporting hate crimes into the FBI hate crimes database that does not require reporting to a law enforcement agency.

### Recommendation:

The Commission recommends that WHIAANHPI and collaborating agencies, such as the Department of Justice's Civil Rights Division and Community Relations Service, schedule in-person listening sessions with local law enforcement on a "third pathway to reporting hate crimes" in order to provide more opportunities for advocates of AA and NHPI communities, including organizations that are currently working with victims of AA and NHPI hate crimes and incidents, to talk about current challenges, voice potential solutions and share their relevant experiences with regard to this issue. These listening sessions should be held in targeted cities, areas (urban and rural), or regions where the data collected by the FBI, state and local government entities, and community organizations have shown that AA and NHPI hate crimes and incidents have been on the rise.

These listening sessions can also provide opportunities for local, state, and federal agencies to share information with the community on how to file hate crime/incident complaints and that the agencies exist to help the public. After an in-person listening session is completed, a written report will be published and made publicly available.



## Background and Rationale:

Conducting an in-person listening session will allow advocacy groups, community members and victims of hate crimes and leaders/staff of community-based organizations to share their experiences with hate crimes, share any hate crime data that they have collected since the pandemic and offer recommendations on improving the reporting process.

The two main sources of hate crime data are from the Bureau of Justice Statistics National Crime Victimization Survey (NCVS) and the Uniform Crime Reporting program (UCR). The UCR program contains data from city, county, state, tribal, territorial, universities and colleges, and federal law enforcement agencies.<sup>2</sup> These agencies participate voluntarily and not every law enforcement agency in the country participates in the program. The NCVS, is a survey of a nationally representative sample of about 150,000 households who have experienced hate crimes but there are huge discrepancies between these two sources of data.<sup>3</sup> Between 2004 and 2015, the UCR reported an average of 6,739 hate crimes per year while the NCVS reported an average of 250,000 hate crime victimizations per year.<sup>4</sup> This may be due to the definitions of hate crimes differing at the state and federal levels and the collection of hate crime data is not required nationally.<sup>5</sup>

According to a DOJ and HHS publication on hate crimes and incidents during the COVID pandemic, 2020 was the third straight year that the number of police agencies participating in the FBI hate crimes report declined.<sup>6</sup> Over 12,000 law enforcement agencies that do report hate crimes, reported ZERO hate crimes in 2020, including more than 40 police departments in cities with more than 100,000 residents.<sup>7</sup>

There are also barriers to reporting on the individual level. Although the [DOJ website](#) has information about how to report hate crimes in 18 Asian languages, the online tip form is only available in English.<sup>8</sup> There is no information available in any Pacific Island languages. Those who wish to report hate crimes directly to the FBI in a language other than English must call the tip line over the phone and request a translator. Victims may also be distrustful or skeptical of law enforcement. According to NCVS data, 25% of non-reporting victims believed that police would not want to be bothered or get involved in the investigations.<sup>9</sup> Some AAPI immigrant individuals may also hesitate to report hate crimes for fear of being asked questions about their citizenship status. Victims may also not be informed on what a hate crime is, how to report a hate crime, or resources available to them as a victim. This is all exacerbated by language access issues; online support for hate crime victims is only available in English according to the DOJ website.

## Approach to Implementation:

The proposed listening session could be co-scheduled with a regularly scheduled WHIAANHPI in person meeting for the benefit of the entire Commission.

## Timeline:

This listening session shall be established by the Spring of 2024.





## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, Smita Shah
- **Members:** Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka`uhane, Kevin Kim, Ai-jen Poo
- **Designated Federal Officer:** Viviane Chao

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets bi-weekly. Following the Commission's sixth meeting on July 6, 2023, the Subcommittee met on August 4, August 18, September 15, September 25, September 29, and October 13, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Jennifer Kim, Associate Administrator for the Office of Field Operations, U.S. Small Business Administration; and Geraldine S. Aglipay, Regional Administrator, Great Lakes Region, U.S. Small Business Administration:** Presented on federal government small business funding for startups and funds administration.
- **Mike Zupko, Executive Director, Wildland Fire Leadership Council (WFLC):** Presented on WFLC's activities addressing wildfire risk and its mitigation especially as it impacts small businesses and communities including AA and NHPI.



## Summary of Recommendation:

The Economic Equity Subcommittee presented the following recommendations at the October 25-26, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the Small Business Administration (SBA) take the initiative to centralize information on loans, grants, and resources available across different federal agencies and publish it on the SBA website. This centralized hub will serve as a one-stop shop for AA and NHPI small business owners seeking financial support.
- **Recommendation:** The Commission urges federal agencies to address the escalating wildfire crisis across the country, including safeguarding AA and NHPI communities and all citizens. The Commission recommends comprehensive actions to modernize fire systems and technology; implement fire safety education; enhance fire safety measures; support small businesses for fire preparedness, prevention, recovery, and resilience; clear flammable brush and grass; advocate for building codes to resist wildfire embers; and sustain financial support and long-term recovery support to Lahaina and Maui business owners and homeowners.



## **Recommendation: Centralize Information on Loans, Grants, and Resources for Aanhpi Small Businesses**

### **Problem Statement:**

Small businesses owned by individuals from the AANHPI communities are a vital part of our nation's economic landscape. However, navigating the various federal agency websites to find information on small business loans, grants, and resources can be a daunting and time-consuming task. This complexity can deter many AANHPI small business owners from accessing the financial assistance they need to thrive and grow.

### **Recommendation:**

We recommend that the Small Business Administration (SBA) take the initiative to centralize information on loans, grants, and resources available across different federal agencies and publish it on the SBA website. This centralized hub will serve as a one-stop-shop for AA and NHPI small business owners seeking financial support. The following steps outline our recommendation:

**Centralized Information Hub:** SBA should create a dedicated section on its website that compiles comprehensive information on small business loans, grants, and resources offered by various federal agencies. This hub should include detailed descriptions, eligibility criteria, application processes, and contact information for each program.

**Regular Updates:** Ensure that the information on the centralized hub is regularly updated to reflect any changes in program offerings, application deadlines, or eligibility requirements. Timely updates are essential to maintaining the hub's usefulness.

**Community Outreach:** Collaborate with AA and NHPI community organizations and chambers of commerce to promote the centralized information hub among AA and NHPI small businesses, including a launch event. Work together to ensure that AA and NHPI entrepreneurs are aware of this resource and understand how to leverage it for their benefit.

**User-Friendly Interface:** Design the centralized hub with a user-friendly interface that allows small business owners to easily search for and access relevant programs. Provide clear navigation and search functions to make the process seamless. Provide a mechanism to allow users to set up email alerts based on search parameters for loans and grants.

**Multilingual Support:** Recognize the linguistic diversity within the AA and NHPI community and provide information in multiple languages to ensure accessibility and inclusivity.



## Background and Rationale:

The rationale behind this recommendation is rooted in the need for simplifying and streamlining the process of accessing financial support for AANHPI small businesses. By centralizing information on loans, grants, and resources, SBA can:

- Eliminate the confusion and frustration associated with navigating multiple agency websites.
- Increase awareness and accessibility of financial assistance programs within the AANHPI community.
- Empower AANHPI small business owners with the information they need to make informed decisions and successfully apply for available opportunities.
- Strengthen the AANHPI small business sector, contributing to economic growth and prosperity.

In conclusion, centralizing information on loans, grants, and resources for AANHPI small businesses is a proactive step that aligns with SBA's mission to support and promote entrepreneurship. This recommendation aims to make the process of accessing federal assistance more efficient, equitable, and conducive to the growth of AANHPI-owned businesses in our nation.



## Recommendation: Addressing the Escalating Wildfire Crisis and Safeguarding AA and NHPI Communities

### Problem Statement:

Wildfires have become a growing concern in the United States, impacting communities across the nation. Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities, like many others, are at risk from these wildfires, which can be exacerbated by factors such as dry vegetation, high winds, and climate change. The existing systems for wildfire prevention, evacuation, and fire-resistant construction are not universally applied, leaving many communities vulnerable. Immediate action is required to enhance preparedness, mitigate risks, and improve response measures.

Recent wildfires in areas such as Hawaii and California have resulted in loss of life, extensive property damage, and economic losses. The existing emergency response and prevention systems are inadequate to address this escalating crisis, particularly in providing timely warnings and ensuring community preparedness. To safeguard lives, property, and livelihoods, a coordinated effort from various federal agencies is essential.

### Recommendation:

The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders urges federal agencies to address the escalating wildfire crisis across the country, including safeguarding AA and NHPI communities and all citizens. To combat this pressing issue effectively, the Commission recommends the following comprehensive actions:

#### 1. Modernize Fire Systems and Technology:

- a. Collaborate with FEMA, Small Business Administration Office of Disaster resiliency and recovery (ODR&R) to secure funding and resources for the development and deployment of advanced fire response systems and technology. This includes the utilization of satellite systems for real-time fire monitoring, early detection of dry land conditions, and temperature rises.
- b. Invest in research and implementation of sensors and rescue planning technology to improve emergency response and preparedness during wildfires.<sup>10,11</sup>





## 2. Fire Safety Education:

- a. Small Business Administration Office of Disaster Resiliency and Recovery (ODR&R) and other agencies to collaborate closely. Develop and implement a nationwide fire safety education campaign, with a specific focus on small businesses and homeowners in collaboration with SBA. This campaign should disseminate crucial information about proper fire safety practices, emphasize the importance of smoke alarms, and provide guidance on the correct usage of fire extinguishers.
- b. Small Business Administration Office of Disaster Resiliency and Recovery (ODR&R) and other agencies to collaborate closely with local authorities, local fire departments, and community organizations to conduct workshops, training sessions, and outreach programs, ensuring that small businesses and homeowners are well-prepared to respond effectively to fire emergencies.

## 3. Enhance Fire Safety Measures:<sup>12, 13</sup>

- a. Work in close partnership with the U.S. Fire Administration to conduct a comprehensive assessment of current fire safety measures. This assessment should identify shortcomings and areas in need of improvement in the realms of fire prevention, detection, evacuation, and response.
- b. Engage with relevant federal agencies and stakeholders to elevate fire warning standards and protocols. This effort should involve the development of more accurate, timely, and accessible fire warnings and improvements in public communication during fire emergencies including sirens, and voice systems.<sup>14</sup>
- c. Launch public awareness campaigns to educate residents on the various evacuation methods and technologies available, ensuring they understand the significance of each system and how to respond appropriately.

## 4. Support for Small Businesses: Preparedness, Prevention, Recovery and Resiliency:

- a. Forge partnerships with the Small Business Administration Office of Disaster resiliency and recovery (ODR&R) to provide essential financial assistance and resources to small businesses. This support should facilitate the acquisition of fire prevention tools, protective equipment, and comprehensive fire safety training for their employees.
- b. Explore innovative strategies to aid small businesses in enhancing their fire safety measures, encompassing grant opportunities, low-interest loans, and subsidies to encourage the adoption of fire safety equipment and practices.<sup>15</sup>



## **5. Clearing Flammable Brush and Grass:**

- a. Forge partnerships with the Small Business Administration Office of Disaster resiliency and recovery (ODR&R) to work in collaboration with state and local governments to establish and enforce mandatory rules requiring Business owners and homeowners in high-risk areas to clear flammable bush and vegetation around their properties regularly.
- b. Provide financial assistance to homeowners who may require support to comply with mandatory clearance regulations, exploring options such as subsidizing the cost of clearance or offering low-interest loans for eligible residents.

## **6. Building Codes to Resist Wildfire Embers:**

- a. Forge partnerships with the Small Business Administration Office of Disaster Resiliency and Recovery (ODR&R) to advocate for and support the implementation of mandatory wildfire-resistant building codes for new construction in high-risk areas, covering roofing, siding, windows, ventilation, and attic vents.
- b. Develop programs that provide recommendations and incentives for homeowners of existing structures to retrofit their homes to meet wildfire-resistant standards, offering financial support to assist homeowners in making necessary improvements.
- c. Launch public awareness campaigns to inform homeowners about the benefits of wildfire-resistant building practices and the potential cost savings associated with them, encouraging communities to collectively embrace these changes.

## **7. Current case study: design, develop, and publicize plans:**

- a. Sustain financial support for community-led responses that are ongoing and long-term, focused on stabilization and recovery to Lahaina, Maui Business owners and homeowners.
- b. FEMA and ODR&R to ensure there is a process for defining response and recovery milestones and publishing a timeline.



## Background and Rationale:

**Advanced Evacuation Technology:** The recent wildfires have highlighted the shortcomings of current evacuation systems, including the unreliability of cell networks during emergencies and the lack of clarity in warning sirens. Therefore, an upgrade to advanced evacuation technology is imperative. This includes the implementation of modern siren systems capable of broadcasting voice messages to provide clear and specific instructions during emergencies, such as wildfires. Additionally, improving wireless emergency alerts to ensure their effectiveness even during network disruptions is crucial.

**Vegetation Management:** To reduce the risk of wildfires, federal agencies should advocate for the implementation of mandatory rules like those in California and other states, requiring homeowners in high-risk areas to regularly clear flammable brush and vegetation around their properties. Community-wide clearing efforts, particularly in areas prone to wildfires, should also be supported and funded to create buffer zones.

**Wildfire-Resistant Building Codes:** Encouraging states and municipalities to adopt mandatory wildfire-resistant building codes for new construction in high-risk areas is vital. These codes should encompass various aspects of construction, including roofing, siding, windows, ventilation, and attic vents, to ensure structures can withstand embers and reduce the risk of ignition. Retrofitting older homes to meet these standards should also be promoted.

By implementing these holistic recommendations, federal agencies and the White House can play a pivotal role in mitigating the devastating impact of wildfires on AANHPI communities, families, and the nation at large. These actions will not only fortify fire safety but also contribute to the resilience and welfare of small businesses and homeowners residing in high-risk areas. Collaboration, education, and resource allocation are fundamental elements in effectively addressing this urgent and critical issue. <sup>16,17</sup>



## Immigration and Citizenship Status Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang, KaYing Yang
- **Members:** Ajay Bhutoria, Simon Pang, Dr. Amy Agbayani, Dr. Robert Underwood
- **Ex-Officio Member:** Carol Wu
- **Designated Federal Officer:** Linda Cheng

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee meets bi-weekly. Following the Commission's sixth quarterly meeting on July 6, 2023, the Subcommittee met July 26, August 9 and 23, September 6 and 20, and October 4 and 18, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Heidi Altman, Director of Policy, National Immigrant Justice Center and Katharina Obser, Director, Women's Refugee Commission:** Presented on alternatives to immigration detention and an overview of the asylum process.
- **Doug Rand, Senior Advisor to the Director of U.S. Citizenship and Immigration Services (USCIS), U.S. Department of Homeland Security (DHS):** Presented on change in regulation regarding assessing "compelling circumstances" for employment authorization to certain nonimmigrants on the pathway to permanent residence and other visa related issues.
- **Juliana Macedo do Nascimento, Deputy Director of Federal Advocacy, United We Dream:** Presented on alternatives to DACA for undocumented AA and NHPI youth.
- **Hiroshi Motomura, Professor of Law and Faculty Co-Director, Center for Immigration Law and Policy, UCLA, School of Law:** Presented on the legality and viability of alternatives to DACA for undocumented AA and NHPI youth.
- **Julia Gelatt, Associate Director, U.S. Immigration Policy Program, Migration Policy Institute:** Presented on ideas for potential, durable solutions for those currently with temporary protected status.



## Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee presented the following recommendation at the October 25-26, 2023, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the Department of Homeland Security's U.S. Citizenship and Immigration Services (DHS USCIS) grant employment authorization documents (EADs) and travel documents to individuals who have approved I-140 employment-based visa petitions in the EB-1, EB-2, EB-3 categories, who have been waiting in the visa backlog for five or more years, regardless of whether they have filed applications for adjustment of status.





## **Recommendation: Granting Employment Authorization Documents to Individuals Who Have Approved I-140 Petitions**

### **Problem Statement:**

The backlog of employment-based immigration green card visas deprives the United States of a talented foreign-born workforce and places an undue burden on many AAPI individuals and their families. Many AAPI individuals are the beneficiaries of approved I-140s, Immigrant Petition for Alien Workers,<sup>18</sup> but must wait more than a decade, and sometimes many decades, for a visa, which can limit job opportunity and growth.

### **Recommendation:**

Department of Homeland Security's U.S. Citizenship and Immigration Services (DHS USCIS) should grant employment authorization documents (EADs)<sup>19</sup> and travel documents to individuals who have approved I-140 employment-based visa petitions in the EB-1, EB-2, EB-3 categories,<sup>20</sup> as well as those who have been waiting in the visa backlog for five or more years, regardless of whether they have filed applications for adjustment of status. The duration of the EAD and travel documents should last until the application for a green card is finalized.<sup>21</sup>

### **Background and Rationale:**

The form I-140 is an immigration petition filed by an employer on behalf of a high skilled immigrant to obtain Permanent Residency, or a green card. There is a limited number of green cards given to every country each fiscal year.<sup>22</sup> Due to the per country limits, half a million beneficiaries are backlogged, particularly from the Philippines, India, and China, as well as Bangladesh, Pakistan, South Korea, Singapore, Japan, Vietnam, Nepal, and Mexico.<sup>23</sup> The visa bulletin shows that some categories go as far back as 2011 for India and 2018 for China.<sup>24</sup> The backlog of employment-based immigration green card visas deprives the United States of a talented foreign-born workforce and places an undue burden on individuals and their families who hold approved I-140s. This backlog often leads to waiting periods of more than a decade for a visa, limiting job opportunities and hindering economic growth.<sup>25</sup>



## Recommendation: Employment Authorization Documents to Individuals who have Approved I-140 Petitions

While the Biden-Harris Administration has prioritized attracting and retaining global talent in science, technology, engineering, and mathematics (STEM),<sup>26</sup> many highly skilled foreign-born workers face long waits for their immigrant visas, losing out on job opportunities or leaving the country because their prior non-immigrant visas have expired.<sup>27</sup> According to a Forbes article<sup>28</sup> citing a National Foundation for American Policy analysis,<sup>29</sup> “[t]he long wait for employment-based green cards makes it less likely that high-skilled foreign nationals will choose the United States for their careers, which can be seen in international student data. At U.S. universities, Indian graduate students in science and engineering declined by nearly 40%, between 2016 and 2019.”<sup>30</sup> By granting employment authorization documents (EAD) to workers in the employment green card backlog, the United States can continue to benefit from their skills and expertise while immigrant visas are being finalized.<sup>31</sup>

This policy would also improve the lives of many AAPI foreign-born scientists, engineers, and physicians. These individuals often face significant uncertainty and stress as they wait for their visas to be approved. Others face labor abuses and exploitations because their legal status is tethered to sponsors of their non-immigrant employment status.<sup>32</sup> Granting EADs while they await their green cards would provide them and their families with greater stability and security.

Moreover, providing EADs would help AAPI individuals awaiting employment green cards establish startups, transfer between employers without any restrictions (they do not need to be bound to their employers), and bolster employment and economic development in the US to the tune of billions of dollars via successful startups.<sup>33</sup> Furthermore, it will encourage talented skilled immigrants from backlog countries to migrate to USA.

In conclusion, extending employment authorization to individuals with approved I-140 employment-based visa petitions in the visa backlog would not only address their immediate challenges and improve their lives but also unlock their entrepreneurial potential. This policy would not only benefit the talented foreign-born individuals seeking to contribute to the United States but also reinforce the country’s position as a global hub for innovation and entrepreneurship.<sup>34</sup> Overall, extending employment authorization to beneficiaries of approved employment-based immigrant visa petitions would be a win-win for the United States, benefiting both the country and the talented foreign-born individuals seeking to contribute to it.



## Data Disaggregation Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Sarah Min, Dr. Raynald Samoa, Dr. Robert Underwood
- **Members:** Emily Chen, KaYing Yang
- **Non-Commission Members:** Dr. Ninez Ponce, Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Linda Cheng

### Summary of Meetings and Presentations:

The Data Disaggregation Subcommittee meets every three weeks. Following the Commission's sixth meeting on March 14, 2023, the Subcommittee met on August 14, September 11, September 25, and October 16, 2023. The Subcommittee received a presentation from the following subject matter expert who helped to inform their recommendations:

- **Rebecca Delafield, Assistant Professor in the University of Hawai'i John A. Burns School of Medicine Department of Native Hawaiian Health:** Presented on Native Hawaiian and Pacific Islander infant mortality as well as maternal and perinatal health outcomes.

### Summary of Recommendations:

The Data Disaggregation Subcommittee did not submit recommendations for presentation at the October 25-26, 2023, full Commission meeting.



## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, Mia Ives-Ruble
- **Members:** Victoria Huynh, Dr. Kimberly Chang, Michelle Ka'uhane, Dr. Kamal Kalsi, Ajay Bhutoria
- **Non-Commission Members:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Viviane Chao

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets bi-weekly. Following the Commission's sixth meeting on July 6, 2023, the Subcommittee met on July 13, July 27, August 4, September 21, October 5, and October 19, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Wayne Tanaka, Director, Sierra Club of Hawaii:** Presented on efforts around restorative justice for Native Hawaiians to understand the unique impacts of environmental issues across Hawaii.
- **Erwin Tan, Director, Thought Leadership, Health, AARP:** Presented on Amplify AAPI, and data representation of AA and NHPI in nationwide health and retirement surveys.
- **Marti Townsend, Regional Engagement Specialist, Mid-Pacific Office, Earthjustice:** Presented perspectives on federal government engagement with environmental issues across Hawaii.
- **Daphne Kwok, Former Chair, President's Advisory Commission on AAPI and Vice President of Diversity, Equity & Inclusion, Asian American & Pacific Audience Strategy, AARP:** Presented on addressing concerns of AA and NHPI seniors.

### Summary of Recommendation:

The Health Equity Subcommittee did not submit recommendations for presentation at the October 25-26, 2023, full Commission meeting.



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Amy Agbayani, Victoria Huynh, Dr. Kimberly Chang
- **Members:** Kerry Doi, Grace Huang, Ajay Bhutoria, Simon Pang
- **Ex-Officio Member:** Laureen Laglagaron
- **Designated Federal Officer:** Viviane Chao

### Summary of Meetings and Presentations:

The Language Access Subcommittee meets every three weeks. Following the Commission's sixth meeting on July 6, 2023, the Subcommittee met on July 21, August 11, September 1, September 22, and October 13, 2023. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Janan (Ben) Raju, Small Business Administration:** Presented on the Small Business Administration's engagement with the AA and NHPI communities and the impact of language access materials for people from those communities during the COVID-19 pandemic.
- **Laureen Laglagaron, Department of Justice:** Presented on the Department of Justice's review of federal language access plans.
- **Naomi Barry-Perez, Department of Labor:** Presented on the Department of Labor's efforts to undertake an inventory of language access plans for its public-facing programs.
- **Dr. Kyu Rhee, President and CEO of the National Association of Community Health Centers:** Presented on specific trends and impact on cross-cutting issues with healthcare workforce, language access, and health equity for AA and NHPI communities.

### Summary of Recommendations:

The Language Access Subcommittee did not submit recommendations for presentation at the October 25-26, 2023 full Commission meeting.





## References

---

- <sup>1</sup> U.S. Department of Justice. *Uniform Crime Reporting Program, National Incident-based Reporting System*. 2012. [https://ucr.fbi.gov/nibrs/2012/resources/about-the-ucr-program#:~:text=The%20FBI%20UCR%20Program%20is,\(LEAs\)%20throughout%20the%20country.](https://ucr.fbi.gov/nibrs/2012/resources/about-the-ucr-program#:~:text=The%20FBI%20UCR%20Program%20is,(LEAs)%20throughout%20the%20country.)
- <sup>2</sup> Federal Bureau of Investigation. “Crime in the United States.” 2010. <https://ucr.fbi.gov/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/aboutucrmain.>
- <sup>3</sup> Bureau of Justice Statistics. “National Crime Victimization Survey (NCVS).” 2022. <https://bjs.ojp.gov/data-collection/ncvs.>
- <sup>4</sup> Masucci, Madeline, and Langton, Lynn, Ph.D. “Hate Crime Victimization, 2004-2015.” *U.S. Department of Justice, Office of Justice Programs*. June 2017. <https://bjs.ojp.gov/content/pub/pdf/hcv0415.pdf>.
- <sup>5</sup> U.S. Department of Justice. “Laws and Policies.” Last updated December 2023. <https://www.justice.gov/hatecrimes/laws-and-policies.>
- <sup>6</sup> U.S. Department of Justice and U.S. Department of Health and Human Services. “Raising Awareness of Hate Crimes and Hate Incidents During the COVID-19 Pandemic.” May 22, 2022. <https://www.justice.gov/media/1223831/dl?inline=>.
- <sup>7</sup> Contreras, Russell. “DOJ: More Police Departments Declining to Report Hate Crimes.” *Axios*. March 19, 2022. <https://www.axios.com/2022/03/19/doj-police-departments-decline-report-hate-crimes.>
- <sup>8</sup> U.S. Department of Justice. “Report a Hate Crime.” <https://www.justice.gov/hatecrimes/report-a-hate-crime>
- <sup>9</sup> Masucci, Madeline, and Langton, Lynn, Ph.D. “Hate Crime Victimization, 2004-2015.” *U.S. Department of Justice, Office of Justice Programs*. June 2017. <https://bjs.ojp.gov/content/pub/pdf/hcv0415.pdf>.
- <sup>10</sup> WFLC and CS addendum Economic Equity Presentation to Economic Equity Subcommittee on September 15, 2023.
- <sup>11</sup> Wood, Colin. “California’s Fire Agency Opens Emerging Tech Office Ahead of Wildfire Season.” *Statescoop*. July 3, 2023. <https://statescoop.com/californias-fire-agency-opens-emerging-tech-office-ahead-of-wildfire-season/>.
- <sup>12</sup> President’s Council on Advisors on Science and Technology. “Report to the President: Modernizing Wildland Firefighting to Protect Our Firefighters.” February 2023. <https://www.whitehouse.gov/wp-content/uploads/2023/02/PCAST-Wildfires-Report-Feb2023.pdf>.
- <sup>13</sup> Zimmerman, Tom, and Stutler, Joe. “Crafting a Fire System for the Future: A Perspective on Matching Modernization with Changing Complexity in our Wildland Fire Management System.” *International Association of Wildland Fire*. July 3, 2020. <https://www.iawfonline.org/article/crafting-a-fire-system-for-the-future/>.
- <sup>14</sup> Sanchez, Ray. “Hawaii has a Robust Emergency Siren Warning System. It sat Silent During the Deadly Wildfires.” *CNN*. August 13, 2023. <https://www.cnn.com/2023/08/12/us/hawaii-emergency-warning-system-maui-wildfires/index.html>.
- <sup>15</sup> Federal Emergency Management Agency. “National Preparedness Report.” December 2022. [https://www.fema.gov/sites/default/files/documents/fema\\_2022-npr.pdf](https://www.fema.gov/sites/default/files/documents/fema_2022-npr.pdf)
- <sup>16</sup> Federal Emergency Management Agency. “National Preparedness Report.” December 2022. [https://www.fema.gov/sites/default/files/documents/fema\\_2022-2026-strategic-plan.pdf](https://www.fema.gov/sites/default/files/documents/fema_2022-2026-strategic-plan.pdf).
- <sup>17</sup> The White House. “FACT SHEET: Biden-Harris Administration’s Latest Actions to Support Communities Impacted by Maui Wildfires.” August 30, 2023. <https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/30/fact-sheet-biden-harris-administrations-latest-actions-to-support-communities-impacted-by-maui-wildfires-4/>.
- <sup>18</sup> U.S. Citizenship and Immigration Services. “I-140, Immigrant Petition for Alien Workers.” August 2, 2023. <https://www.uscis.gov/i-140>.



- <sup>19</sup> U.S. Citizenship and Immigration Services. “I-765 Application for Employment Authorization.” October 24, 2023. <https://www.uscis.gov/i-765>.
- <sup>20</sup> U.S. Citizenship and Immigration Services. “Green Card for Employment-Based Immigrants.” <https://www.uscis.gov/green-card/green-card-eligibility/green-card-for-employment-based-immigrants>.
- <sup>21</sup> Anderson, Stuart. “Leaked USCIS Memo Points Way to Fix Employment-Based Immigration.” *Forbes Magazine*. June 5, 2023. <https://www.forbes.com/sites/stuartanderson/2023/01/05/leaked-uscis-memo-points-way-to-fix-employment-based-immigration/?sh=536b1afd5b68>
- <sup>22</sup> 8 U.S.C. § 1153(b).
- <sup>23</sup> U.S. Citizenship and Immigration Services. “Number of Form I-140, I-360, I-526 Approved Employment Based Petitions Awaiting Visa Availability.” March 23. [https://www.uscis.gov/sites/default/files/document/data/EB\\_I140\\_I360\\_I526\\_performancedata\\_FY2023\\_Q1\\_Q2.pdf](https://www.uscis.gov/sites/default/files/document/data/EB_I140_I360_I526_performancedata_FY2023_Q1_Q2.pdf)
- <sup>24</sup> U.S. Department of State, Bureau of Consular Affairs. “Visa Bulletin for January 2023.” December 19, 2022. <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2023/visa-bulletin-for-january-2023.html>.
- <sup>25</sup> Anderson, Stuart. “Leaked USCIS Memo Points Ways to Fix Employment Immigration.” *Forbes*. January 5, 2023. <https://www.forbes.com/sites/stuartanderson/2023/01/05/leaked-uscis-memo-points-way-to-fix-employment-based-immigration/?sh=2a6662e25b68>.
- <sup>26</sup> White House. “FACT SHEET: Biden-Harris Administration Actions to Attract STEM Talent and Strengthen our Economy and Competitiveness.” January 21, 2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/01/21/fact-sheet-biden-harris-administration-actions-to-attract-stem-talent-and-strengthen-our-economy-and-competitiveness/>.
- <sup>27</sup> Donovan, Sarah, A., Kandel, William A., and Wilson, Jill H. “U.S. Employment-Based Immigration Policy.” *Congressional Research Service*. July 21, 2022. <https://crsreports.congress.gov/product/pdf/R/R47164>.
- <sup>28</sup> Anderson, Stuart. “Leaked USCIS Memo Points Ways to Fix Employment Immigration.” *Forbes*. January 5, 2023. <https://www.forbes.com/sites/stuartanderson/2023/01/05/leaked-uscis-memo-points-way-to-fix-employment-based-immigration/?sh=2a6662e25b68>
- <sup>29</sup> National Foundation for American Policy. “Analysis of U.S. and Canadian International Student Data.” *NFAP Policy Brief*. March 2022. <https://nfap.com/wp-content/uploads/2022/03/Analysis-of-International-Student-Data.NFAP-Policy-Brief.March-2022.pdf>.
- <sup>30</sup> Anderson, Stuart. “Leaked USCIS Memo Points Ways to Fix Employment Immigration.” *Forbes*. January 5, 2023. <https://www.forbes.com/sites/stuartanderson/2023/01/05/leaked-uscis-memo-points-way-to-fix-employment-based-immigration/?sh=2a6662e25b68>.
- <sup>31</sup> Kreighbaum, Andrew. “Lawmakers Push Biden for Earlier Green Card Applications (2).” *Bloomberg Law*. July 31, 2023. <https://news.bloomberglaw.com/daily-labor-report/lawmakers-push-biden-to-let-immigrants-seek-green-cards-earlier>
- <sup>32</sup> Ibid
- <sup>33</sup> Anderson, Stuart. “Leaked USCIS Memo Points Ways to Fix Employment Immigration.” *Forbes*. January 5, 2023. <https://www.forbes.com/sites/stuartanderson/2023/01/05/leaked-uscis-memo-points-way-to-fix-employment-based-immigration/?sh=2a6662e25b68>.
- <sup>34</sup> Ibid.



# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Report with Recommendations**

**February 2024**



# Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee</b>	<b>2</b>
Subcommittee Membership	2
Summary of Meetings and Presentations	2
Summary of Recommendations	2
Recommendation: Reinvigorating Federal Efforts to Address Bullying of AA and NHPI Youth	3
<b>Data Disaggregation and Education Subcommittee</b>	<b>6</b>
Subcommittee Membership	6
Summary of Meetings and Presentations	6
Summary of Recommendations	6
Recommendation: Increasing Support for AA and NHPI Higher Education Students	7
<b>Economic Equity Subcommittee</b>	<b>10</b>
Subcommittee Membership	10
Summary of Meetings and Presentations	10
Summary of Recommendations	10
<b>Health Equity Subcommittee</b>	<b>11</b>
Subcommittee Membership	11
Summary of Meetings and Presentations	11
Summary of Recommendations	11
Recommendation: Protecting AA and NHPI Communities from Environmental and Human Made Disasters in the Pacific Region	13
Recommendation: Address the Healthcare Workforce Shortage Crisis and Increase Culturally and Linguistically Appropriate Care for AA and NHPI Population	15



# Table of Contents

<b>Immigration and Citizenship Status Subcommittee</b>	<b>18</b>
Subcommittee Membership	18
Summary of Meetings and Presentations	18
Summary of Recommendations	18
Recommendation: End the Department of Homeland Security’s Use of the Controlled Application Review and Resolution Program	19
Recommendation: Prepare to Implement Administrative Solutions Should Deferred Action for Childhood Arrivals End	20
<b>Language Access Subcommittee</b>	<b>22</b>
Subcommittee Membership	22
Summary of Meetings and Presentations	22
Summary of Recommendations	22
Recommendation: Centralize Information on Loans, Grants, and Resources for AA and NHPI Small Businesses	23
<b>References</b>	<b>25</b>





## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee;
2. Health Equity Subcommittee;
3. Immigration and Citizenship Status Subcommittee;
4. Language Access Subcommittee;
5. Data Disaggregation and Education Subcommittee;
6. Economic Equity Subcommittee.

On September 29, 2023, the President signed EO 14109 to extend the Commission's term for two more years through September 2025.

Between February 2022 and October 2023, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations. At its December 5-6, 2022, virtual meeting, the Commission voted to advance 13 additional recommendations. At its March 14, 2023, in-person meeting, the Commission voted unanimously to move forward with 10 additional recommendations. At its July 6, 2023, in-person meeting, the Commission voted unanimously to advance an additional 20 recommendations.

On October 25-26, 2023, the Commission held its seventh public meeting where four additional recommendations were approved by the full Commission. The Commission held its eighth public meeting on February 27, 2024, where seven additional recommendations were approved by the full Commission. This document includes meeting summaries and the final recommendations approved at the February meeting.



## Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Teresita Batayola, Emily Chen, Grace Huang, Victoria Huynh, Daniel Dae Kim, and Smita Shah
- **Non-Commissioner Member:** Madihha Ahussain
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee meets monthly. Following the Commission's seventh public meeting on October 25-26, 2023, the Subcommittee met on November 7, 2023, December 5, 2023, January 2, 2024, and February 6, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Sheila Foran, Special Legal Counsel, Civil Rights Division, U.S. Department of Justice and Robby Monteleone, Attorney Advisor, Executive Office of United States Attorneys:** Presented on the Department of Justice's United Against Hate program.
- **Dr. Sarah DeGue, Senior Health Scientist, Center for Disease Control's Injury Center, Division of Violence Prevention:** Presented on current research and programs for preventing community violence.

### Summary of Recommendation:

The Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee presented the following recommendation at the February 27, 2024, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the Federal Partners in Bullying interagency taskforce be reinvigorated to strengthen federal agencies responses and the federal infrastructure for anti-bullying activities, including in Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities.



## Recommendation: Reinvigorating Federal Efforts to Address Bullying of AA and NHPI Youth

### Problem Statement:

Youth bullying victimization and perpetration is connected to increased risks for negative mental health outcomes and anti-social behaviors, including substance abuse, interpersonal violence and criminal activity.<sup>1</sup> The 2021 Asian American Bullying Survey indicated that 80% of the Asian American respondents reported that they have experienced bullying, in-person, and online<sup>2</sup>. The same report indicated that approximately one-third of adults failed to take action after learning someone was being bullied.<sup>3</sup> A 2019 survey of over 800 California Asian American and Pacific Islander (AAPI) youth reported that half of them had experienced bullying in school.<sup>4</sup>

### Recommendation:

The Administration should reinvigorate the Federal Partners in Bullying Prevention<sup>5</sup> interagency taskforce to strengthen coordination federal agency responses and prioritize the federal infrastructure for anti-bullying activities, including in AA and NHPI communities. The White House should reconvene its anti-bullying summits,<sup>6</sup> and include WHIAANHPI, federal agencies, social media platforms, community organizations, and educators to share strategies, highlight model and promising practices and policies to address bullying, and to address corporate accountability.

The Department of Justice (DOJ), Department of Education (ED), and Department of Health and Human Services (HHS) should increase prioritization of funding and resources in their grants<sup>7</sup> to support anti-bullying programming, prevention, and intervention, and research efforts, especially to support local communities of practice for educators and community members to address bullying against AA and NHPI young people. In addition, as part of their anti-bullying efforts, HHS and DOJ should collaborate to develop a guide for navigating federal mental health and education resources for AA and NHPI students.

The federal website StopBullying.gov should be updated to be more accessible to AA and NHPI communities by providing information and resources in, at a minimum, the top five most frequently used AA and NHPI languages and include more content and resources about preventing and addressing cyberbullying and internet safety as well as information about the impacts of bullying in AA and NHPI communities.

ED, HHS, and DOJ should improve disaggregated data collection about bullying of AA and NHPI youth, and ED should strengthen mechanisms for students and their families to report their experiences of bullying and responses to bullying.



## **Background and Rationale:**

Over 11,400 incidents of anti-AAPI hate have been reported between 2020 and 2022 to Stop AAPI Hate,<sup>8</sup> a U.S.-based coalition dedicated to ending racism and discrimination against Asian Americans and Pacific Islanders. AAPI students experience greater rates of cyberbullying than their peers.<sup>9</sup> Research indicates that youth that are perceived as being foreigners or outsiders, regardless of nativity, can be associated with higher risks of bullying victimization. For example, first- and second-generation Asian and Asian American students report language barriers, different appearance, and immigrant status as common reasons for being bullied.<sup>10</sup> Sikh students reported that they were targeted because they were perceived to be foreigners and because they wore head coverings.<sup>11</sup>

Congress has taken an interest in the role that social media plays in the abuse and exploitation of young people and has conducted hearings on the topics of internet safety for children and online privacy threats,<sup>12</sup> and introduced various pieces of legislation to address online exploitation of children and youth.<sup>13</sup>

In addition, over the past two and half decades, there have been various efforts conducted by federal agencies to address bullying. For example, there is inter-agency coordination through the Federal Partners in Bullying Prevention,<sup>14</sup> a series of federal bullying prevention summits,<sup>15</sup> and various initiatives at HHS Centers for Disease Control, the Substance Abuse and Mental Health Services Administration (SAMHSA), ED Office of Elementary and Secondary Education, Office of Safe and Healthy Students, and DOJ Civil Rights Division,<sup>16</sup> among others. In addition, the StopBullying.gov website was relaunched in 2012, and continues to be a repository for anti-bullying resources developed by the federal government.<sup>17</sup>

In 2014, the Asian American and Pacific Islander Bullying Prevention Task Force (Task Force) was formed in 2014 in response to reports from AAPI advocacy and community groups about the prevalence and severity of bullying of AAPI students. Between 2014 and 2016, members of the AAPI Task Force did outreach nationwide with AAPI students, parents, community members, advocacy groups, and community-based organizations to learn more about the experiences of AAPI students with bullying and to hear recommendations on how schools, school districts, local and state governments, and the federal government should help AAPI communities to address bullying more effectively. The AAPI Taskforce's report<sup>18</sup> identified a series of recommendations for the federal government to improve its response to bullying in AAPI communities. Many of these recommendations remain unimplemented.



For example, the Task Force recommended that the federal website StopBullying.gov include specific information on AAPI's and the issues that they face. The report also recommended that resources and materials be translated into AAPI languages. Currently, StopBullying.gov contains many resources written at a high literacy level, and are only available in English, Spanish, Chinese, and Korean. Given the high level of cyberbullying that AA and NHPI young people experience, the content on StopBullying.gov should be expanded to include information to improve digital awareness for parents, addressing issues such as protecting youth from online bullying, how to file complaints on and about social media platforms, how to remove unwanted and sensitive images online, and resources to support youth about how to be better social media users. StopBullying.gov should also include specific information on AA and NHPIs in the race and national origin sections of Stopbullying.gov.

The Task Force further recommended that additional resources to implement bullying prevention and mental health programs in schools be provided, and that grantees with experience addressing the specific challenges facing AAPI communities share best practices. There have been promising and best practices integrated in the work of DOJ's Office of Juvenile Justice and Delinquency Prevention initiative addressing youth hate crimes and bullying prevention,<sup>19</sup> as well as lessons about bullying and mental health from ED's National Center on Safe Supportive Learning Environments and ED grantees.<sup>20</sup> Lessons learned could be integrated into future and ongoing ED, DOJ, and HHS funding initiatives, prioritizing bullying prevention programming and practices addressing the specific challenges relating to bullying AA and NHPI communities. In addition, ED, DOJ, and HHS' technical assistance initiatives related to bullying could include specific technical assistance, training, and resources to address the impacts of bullying specifically in AA and NHPI communities, including resources in AA and NHPI languages.

Another Task Force recommendation was for the federal government to collect disaggregated data about bullying rates among AAPI communities. Currently existing government data collection from school climate surveys,<sup>21</sup> the Youth Risk Behavior Surveillance System,<sup>22</sup> the National Crime Victimization Survey School Supplement,<sup>23</sup> fail to collect disaggregated data about bullying in AA and NHPI communities in their survey instruments, so disparities are not captured.





# Data Disaggregation And Education Subcommittee

## Subcommittee Membership:

- **Co-Chairs:** Dr. Raynald Samoa and Dr. Robert Underwood
- **Members:** Emily Chen and KaYing Yang
- **Non-Commissioner Member:** Dr. Ninez Ponce and Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Erika Ninoyu

## Summary of Meetings and Presentations:

The Data Disaggregation and Education Subcommittee meets monthly. Following the Commission's seventh public meeting on October 25-26, 2023, the Subcommittee met on January 8, 2024, January 23, 2024, and February 5, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Mike Hoa Nguyen, Assistant Professor of Education and Principal Investigator of The Minority-Serving Institutions Data Project, New York University:** Presented on higher education issues for AANAPISIs and MSIs.
- **Robert Teranishi, Professor of Social Science and Comparative Education, Morgan and Helen Chu Endowed Chair in Asian American Studies, University of California, Los Angeles:** Presented on data disaggregation issues for AA and NHPI students.

## Summary of Recommendation:

The Data Disaggregation and Education Subcommittee presented the following recommendation at the February 27, 2024, meeting, which the Commission approved in a final vote:

- The Commission recommends U.S. Department of Education (ED) increase data disaggregation efforts and resources, including engagement, outreach, financial, and programmatic support for Asian American and Native American Pacific Islander Serving Institutions (AANAPISIs) through several mechanisms.



## **Recommendation: Increasing Support for AA and NHPI Higher Education Students**

### **Problem Statement:**

There is a disparity in the level of funding for higher education opportunities and college completion programmatic efforts through Minority Serving Institutions (MSI) designations. There are many reasons for this disparity related to historical factors and enrollment patterns, but the assistance given to AANAPISIs is inadequate. While many federal agencies provide additional access to resources and services through MSI initiatives and efforts, many AANAPISIs are not considered or consulted on a regular basis regarding these programs due to beliefs such as model minority myths, erroneously aggregated data, and lack of coordinated effort. Additionally, there is a need for data disaggregation to explain the totality and diversity of the Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) community in education.

### **Recommendation:**

1. The U.S. Department of Education (ED) should develop a specific outreach effort and increase financial resources for Asian American and Native American Pacific Islander Serving Institutions (AANAPISI) program support. This should include technical assistance workshops for AANAPISI principal investigators, advocacy with other federal agencies, and additional personnel resources for AANAPISI efforts within the ED.
2. AANAPISI institutions must be specifically included in Minority Serving Institutions (MSI) programs in all federal agencies. There are MSI programs in the National Science Foundation (NSF), U.S. Department of Agriculture (USDA), U.S. Department of Defense (DOD), U.S. Department of Interior (DOI), National Endowment of the Humanities (NEH), U.S. Department of Commerce (DOC), the U.S. Department of Transportation (DOT), and the U.S. Department of Health and Human Services (HHS), which typically accept programs targeted for Native American, Hispanic, and African American communities. The Executive Branch must ensure that all such programs include AANAPISI-eligible institutions by advocating for a more-inclusive definition of MSIs.



3. The Executive Branch should jointly coordinate and collaborate with all White House Initiatives targeting minoritized communities to develop an action plan to remove dual and multiple designation barriers to accessing funding.
4. ED should sponsor another iCount Summit and related research activities in order to fully understand the disproportionate impact of federal data systems and practices on the ability to track educational experiences and outcomes for different ethnic groups within the AA and NHPI community. This should include an examination of the Integrated Postsecondary Education Data System (IPEDS) process and how the “two race” designation is used in counting students and how it is more likely to suppress the representation of particular groups, such as NHPI students.

### **Background and Rationale:**

Higher education opportunities and college completion programmatic efforts have historically been extended to minoritized communities through Minority Serving Institutions (MSI) designations. The federal government has established 11 such programs which include HBCUs and HSI<sup>24</sup>. AANAPISIs have been the vehicle for funding special efforts for the Asian American and Native Hawaiian Pacific Islander communities.<sup>25</sup>

There has been disparity in the level of funding for these efforts. For example, in FY 2022, each eligible AANAPISI institution, if funded, would receive \$78,648. Other designations like HBCU would receive \$4,614,354 and HSI’s would receive \$561,087.<sup>26</sup> There are many reasons for this disparity related to historical factors and enrollment patterns, but the assistance given to AANAPISIs is clearly inadequate. Additionally, higher education institutions can normally seek only one designation. This so-called dual or multiple designation practice places AANAPISIs at a disadvantage since the programs are less well funded.<sup>27</sup>

### **Increase in Resources For AANAPISI Programs**

The underfunding of the AANAPISI programs in comparison to other Minority-Serving Institutions programs is due to the budgetary process between the Congress and the Executive Branch.<sup>28</sup> However, specific advocacy and the use of discretionary resources by ED will assist in enhancing the value of AANAPISIs in the nation. Increased outreach efforts by ED and the assignment of additional personnel and resources to AANAPISI programmatic support will assist in rectifying historic imbalances over the past two decades.



## **Include AANAPISIs in All Federal MSI Programs**

In addition to these programs for specific communities, many federal agencies provide additional access to resources and services through MSI initiatives and efforts.<sup>29</sup> These agencies include the National Science Foundation, DOD, DOT, USDA, DOI, Commerce, and HHS. Without specific guidance, some of these agencies consider only HBCUs, HSIs and Tribal Colleges as primary beneficiaries. Due to model minority myths and lack of coordinated effort, many AANAPISIs are not considered or consulted on a regular basis regarding these programs.

## **Eliminate Dual/Multiple Designations which Affect AANAPISI Participation**

Under current law, institutions of higher education are limited to one minority-serving program in their application for funding for discretionary funding (Part A).<sup>30</sup> The Future Act of 2019 removes these barriers for mandatory funding (Part F). This remains a significant barrier to full access since so many institutions could be eligible for two or more designations.



## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, and Smita Shah
- **Members:** Luisa Blue, Kerry Doi, and Kevin Kim
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets monthly. Following the Commission's seventh public meeting on October 25-26, 2023, the Subcommittee met on November 10, 2023, December 15, 2023, January 12, 2024, February 2, 2024, and February 16, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Hayden Kepley, Deputy Director, National Center for Health Workforce Analysis, and Elizabeth Kittrie, Senior Advisor, Office of the Associate Administrator, Bureau of Health Workforce (BHW), U.S. Department of Health and Human Services:** Presented on Nursing Workforce Shortages and Bureau of Health Workforce efforts to overcome shortages.
- **Dr. Ryan Howe, Director of Hospital and Ambulatory Policy Group and Gift Tee, Director of the Division of Practitioner Services, Centers for Medicare and Medicaid, U.S. Department of Health and Human Services:** Presented on the reimbursement process for home health caregivers.

### Summary of Recommendations:

The Economic Equity Subcommittee did not submit recommendations for presentation at the February 27, 2024, full Commission meeting.





## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, and Mia Ives-Ruble
- **Members:** Dr. Kimberly Chang, Dr. Kamal Kalsi, and Dr. Raynald Samoa
- **Non-Commissioner Member:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets monthly. Following the Commission's seventh public meeting on October 25-26, 2023, the Subcommittee met on November 30, 2023, January 4, 2024, February 2, 2024, February 8, 2024, and February 22, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **John Balbus, Director, HHS Office of Climate Change and Health Equity (OCCHE):** Presented on OCCHE's efforts to address the intersectionality between health equity and climate change and its impacts on the AA and NHPI communities.
- **Ana Mascarenas, Senior Advisor for Environmental Justice and Climate Change, HHS Office of Environmental Justice:** Presented on approaches to the intersection of climate change and environmental justice and OEJ's work.

### Summary of Recommendation:

The Health Equity Subcommittee presented the following two recommendations at the February 27, 2024, meeting, which the Commission approved in a final vote:



- **Recommendation:** Due to significant impacts of recent environmental and human made disasters in the Pacific region, the Commission recommends the U.S. Environmental Protection Agency (EPA) establish a taskforce to address environmental climate change concerns for Hawaii and other Pacific Islands and establish a regional research center and Environmental Justice Thriving Communities Technical Assistance Center or satellite site (EJTCTAC) in Hawaii.
- **Recommendation:** The Commission recommends that the U.S. Department of Health and Human Services, in collaboration with the U.S. Department of Labor (DOL), and the U.S. Department of Education (ED), increase interagency collaborations to address the healthcare workforce shortage crisis, address burnout and mental health needs for providers, and increase culturally and linguistically competent care, with an emphasis on addressing Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) community needs.



## **Recommendation: Protecting AA and NHPI Communities from Environmental and Human Made Disasters in the Pacific Region**

### **Problem Statement:**

Asian Americans, Native Hawaiians, and Pacific Islanders (AA and NHPI) are much more likely to suffer significant negative impacts due to climate change. From land and water contamination to climate disasters, AA and NHPI have dealt with disastrous events that have forced them from their homes and communities. The federal government must improve targeting of resources to AA and NHPI communities to address climate change, particularly in the Pacific region.

### **Recommendation:**

The Commission recommends that the U.S. Environmental Protection Agency (EPA) should do the following:

1. Establish an interagency taskforce to include organizations like EPA, Federal Emergency Management Agency, National Park Service, U.S. Department of Health and Human Services, U.S. Department of Energy, etc. to address environmental climate change concerns for Hawaii and other Pacific Islands.
2. Establish a regional research center<sup>31</sup> in Hawaii to include a water testing laboratory that can deliver reliable test results to Hawaii and other Pacific Islands in a timely manner.
3. Establish an additional Environmental Justice Thriving Communities Technical Assistance Center or satellite site (EJTCTAC) in Hawaii to cover Hawaii and US territories. This will allow Hawaii and the US territories access to technical assistance in obtaining federal grant funding.
4. Provide more transparency to the public on the environmental impacts of the fuel leakage from the Red Hill Underground Fuel Storage Facility. The water and environmental impact studies must be made widely available, and communities should be updated on air, water, and soil quality.



## Background and Rationale:

AA and NHPI communities are much more likely to be negatively impacted by climate change than the general population. With 2°C of global warming, Pacific Islanders are 10 percent more likely to be impacted by inland flooding and Asians are 8 percent more likely to see increased childhood asthma.<sup>32</sup> Asian Americans are 32 percent more likely to live in heat islands,<sup>33</sup> which are urban areas that have higher temperatures than their surrounding locations.<sup>34</sup>

Natural and human-made disasters continue to devastate and destroy AA and NHPI communities. The Vietnamese community in Louisiana, many of whom worked as fishermen, lost their homes and livelihood to Katrina<sup>35</sup> and then the BP oil spill.<sup>36</sup> Twenty-eight thousand Filipinos also had to flee the flood waters of Katrina.<sup>37</sup> In 2021, Hurricane Ida struck land and nearly all the storm's basement deaths in New York City were Asian Americans.<sup>38</sup> Hawaiians have also suffered numerous disasters, including the Red Hill disaster that contaminated communities with toxic fuel and de-icing agents<sup>39</sup> and the massive fire that destroyed the historic Lahaina community and killed over 100 people.<sup>40</sup>

Hawaii and the Pacific Islands face specific issues and challenges around climate change and environmental disasters. Due to their isolation, the islands have difficulty obtaining information because they have to send samples to the mainland. That has led to samples becoming damaged,<sup>41</sup> delaying essential information needed around access to clean water and other natural resources. Hawaii and the Pacific Islands also face sea level rise, erosion, and tsunamis. Chronic erosion has impacted 70 percent of Kauai and Maui beaches.<sup>42</sup> The rise in sea level rise also impacted the aquifers and overflowed into the 83,000 cesspools in Hawaii, pushing contaminated water into farmlands and streets.<sup>43</sup>

As climate change continues to exacerbate environmental and human made disasters, AA and NHPI have become more aware of how it impacts their communities. A survey completed in 2022 found that 70 percent of Asian American voters wanted the government to pass legislation that would reduce the impacts of climate change.<sup>44</sup> Data around the impacts of climate change on AA and NHPI communities remains sparse and AA and NHPI communities continue to have difficulty obtaining information in accessible languages.<sup>45</sup> More must be done to protect these populations.



## **Recommendation: Address the Healthcare Workforce Shortage Crisis and Increase Culturally and Linguistically Appropriate Care for AA and NHPI Population**

### **Problem Statement:**

The workforce shortage problem has been urgent for a long time. Continued provider losses are happening with burnout, worker pay and conditions, and retirements. Populations in need of culturally and linguistically appropriate care face barriers to accessing healthcare and may delay or stop people from seeking care. Resolving the workforce shortage problem and ensuring culturally and linguistically appropriate care will take determination, creativity, the elimination of systemic deterrents, and long-term investments for many years to come.

### **Recommendation:**

The Commission recommends that by June 2024, the U.S. Department of Health and Human Services (HHS) does the following:

1. HHS convenes, in collaboration with the U.S. Department of Labor (DOL) and the U.S. Department of Education (ED), to:
  - a. Assign a workgroup to disaggregate and report healthcare workforce shortage data on AA and NHPI populations across the three executive departments.
  - b. Form a task force to identify needed policies, funding, and programs to address healthcare workforce shortages, with an emphasis on AA and NHPI needs, through a range of training levels, including on-the-job, high school, apprenticeships, vocational school, community college, university, and post-employment opportunities.
  - c. Align workforce development systems, guidance, outreach, and implementation efforts.
2. HHS increase support for community health centers and health center look-alike (LAL) organizations, through the Health Resources and Services Administration (HRSA) Bureau of Health Workforce and the Health Center Program to:
  - a. Implement policies incentivizing more AA and NHPI healthcare professionals to join health centers, including broadening the pipeline for current and future workers to ensure medically underserved populations across the country have access to care. Develop and implement programs targeting underserved populations, particularly those with language and culture competencies, to become part of the healthcare workforce with “earn while you learn” training and apprenticeship programs, signing bonuses, and other supports such as childcare, transportation, uniforms, etc.





- b. Identify existing funds to create an emphasis on attracting, developing, hiring, and retaining workforce from underserved communities at all levels, from caregivers to support workers performing front and back clinical functions to the professional levels. Continue to uplift the impact of critical healthcare workforce programs, including, the National Health Service Corps, which provides scholarships and loan repayment programs to providers; the Teaching Health Center Graduate Program (THCGME), which supports primary care medical and dental residency programs; the Nurse Corps Scholarship Program, which supports educational cost in exchange for a commitment to serve healthcare shortage areas; Title VII Health Professions and Title VIII Nursing Workforce Development Programs, which provide education, professional development and financial aid to train the next generation of health professions in primary care; and the Community Health Worker Training Program, which works to increase the number of community health workers.
  - c. Continue to increase efforts to address healthcare shortages beyond providers and nurses.
  - d. Increase culturally and linguistically competent and appropriate workers who can communicate effectively with AA and NHPI patients, clients, and communities through job-based training opportunities.
3. HRSA Bureau of Health Workforce to work with DOL and ED to increase direct engagement with AA and NHPI communities and providers who serve AA and NHPI communities as it implements its workforce initiatives to share best practices such as:
- a. Methods to decrease the impact of social determinants on the potential pipeline of health workers (e.g., access to affordable training, childcare, transportation, and technology).
  - b. State workforce expansion efforts such as apprenticeship programs and medical and dental assistant apprenticeship programs.
  - c. Efforts to establish and crosswalk competency trainings (i.e., skills, knowledge, aptitude) and career ladder programs that build from entry-level to advanced-level competencies to address clinical, technical, behavioral, cultural, and language gaps.
  - d. Efforts to address the healthcare worker burnout and mental health crisis.



## Background and Rationale:

The crisis with healthcare workforce shortages is multi-dimensional and multi-tiered. The shortage crisis existed prior to the COVID-19 pandemic, worsened during the pandemic, and continues to persist today.<sup>46</sup> The impacts reverberate across the spectrum of healthcare institutions and all populations in need of healthcare. However, the impact on populations in need of culturally and linguistically appropriate care is potentially worse. Language, cultural, and other barriers exist that may delay or stop people from seeking care. Once care is accessed, they might encounter ineffective and confusing care due to the language, culture, and other divides.<sup>47</sup>

The Commission applauds HHS' efforts to address a long-term, persistent, and systemic problem. This includes the July 2023 announcement on a new HHS Health Workforce Initiative that "includes a coordinated Department-wide effort to identify opportunities to improve health workforce recruitment and retention, and career advancement, with equity at the center of this work. It will help to elevate workforce programs and activities across the Department, engage with stakeholders, and identify opportunities to further advance federal efforts to support the workforce."<sup>48</sup>

The recommendations work to ensure that HHS, in collaboration with DOL and ED, is addressing the gaps in care to deliver linguistically and culturally appropriate healthcare to AA and NHPI populations at all levels. At the same time, agencies should leverage AA and NHPI populations as a source of healthcare workers, spanning the range from providers and nurses to key functions that include midlevel professionals, community health workers, caregivers, interpreters, and other workers providing direct and support services.



## Immigration and Citizenship Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang and KaYing Yang
- **Members:** Ajay Bhutoria and Dr. Robert Underwood
- **Ex-Officio Member:** Carol Wu
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee meets monthly. Following the Commission's seventh public meeting on October 25-26, 2023, the Subcommittee met on November 15, 2023, December 13, 2023, January 17, 2024, and February 7, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Elizabeth Mura, Senior Advisor, United States Citizenship and Immigration Services (USCIS), Department of Homeland Security:** Presented on the affirmative asylum process and challenges exacerbating backlogs in processing affirmative asylum applications.

### Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee presented the following recommendations at the February 27, 2024, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the Department of Homeland Security (DHS) end the use of Controlled Application Review and Resolution Program (CARRP) and provide meaningful redress mechanisms for individuals whose cases have been pending for extended periods of time due to USCIS vetting programs.
- **Recommendation:** The Commission recommends that DHS and the Administration look at solutions to provide safety and stability for Deferred Action for Childhood Arrivals (DACA) recipients and DACA eligible individuals, if the DACA program is terminated.



## Recommendation: End the Department of Homeland Security's Use of the Controlled Application Review and Resolution Program

### Problem Statement:

United States Citizenship and Immigration Services (USCIS), under the Department of Homeland Security (DHS), continues to subject individuals from primarily Arab, Middle Eastern, Muslim, and South Asian communities to increased national security vetting under the Controlled Application Review and Resolution Program (CARRP). Without providing these individuals with due process, including proper notification and an opportunity to respond, certain cases have been kept in limbo for years or denied without a meaningful process to appeal in the name of national security.<sup>50</sup>

### Recommendation:

DHS should end the use of CARRP and other USCIS security vetting programs targeting individuals based upon their ethnicity, nationality, or religion. USCIS should also provide a meaningful redress mechanism for those whose cases have been pending for extended periods with USCIS due to these vetting programs.

### Background and Rationale:

In 2008, USCIS issued policy guidance creating a national security vetting program called CARRP that outlined how to identify and address national security concerns in certain immigration-related applications that include naturalization, adjustment of status, and asylum.<sup>51</sup> According to an American Civil Liberties Union (ACLU) report published in 2013, this program disproportionately affects Muslims and those perceived to be Muslim, particularly from Arab, Middle Eastern, and South Asian communities.<sup>52</sup> They allege that CARRP applies “extraordinarily overbroad criteria that treat religious practices, national origin, and innocuous associations and activities as ‘national security concerns’...”<sup>53</sup> The program also relies on the FBI watchlist system, which has very little meaningful oversight and covers a wide swath of individuals who do not present any real threat to the United States.<sup>54</sup> Because of CARRP, individuals waiting for their immigration cases to be resolved remain in limbo for years with no real understanding of why there is a delay or why they receive a denial after waiting for extended periods of time. In addition, the ACLU report alleges that the FBI has been leveraging individuals’ immigration cases to coerce cooperation in surveillance operations, where the individual in question has no other national security concerns.<sup>55</sup>

In 2017, the ACLU filed a class action lawsuit<sup>56</sup> challenging provisions of Executive Order 13769,<sup>57</sup> which has been colloquially known as the “Muslim Ban,” along with allegations that CARRP violated federal laws and due process. The lawsuit remains active.<sup>58</sup>



## **Recommendation: Prepare to Implement Administrative Solutions Should Deferred Action for Childhood Arrivals End**

### **Problem Statement:**

Deferred Action for Childhood Arrivals (DACA) provides temporary immigration relief for certain individuals who came to the United States as children and who do not, otherwise, have immigration status.<sup>59</sup> Since attempts to phase out the program in 2017, DACA has been subject to ongoing litigation which threatens the safety and stability of DACA recipients and DACA eligible individuals.<sup>60</sup>

### **Recommendation:**

If DACA is terminated, the Department of Homeland Security (DHS) and the Administration should adopt solutions to ensure that DACA recipients and other undocumented API individuals who have resided in the United States since they were children are not under threat of removal from the United States and can continue to work lawfully. Such solutions could include, but are not limited to, Temporary Protected Status (TPS), Deferred Enforced Departure (DED), and other parole processes that would ensure the continued safety and stability of DACA recipients and DACA eligible individuals until a more permanent, legislative solution is approved.

### **Background and Rationale:**

There are an estimated 11 million undocumented individuals in the United States<sup>61</sup>, with an estimated 1.7 million undocumented individuals from Asia and the Pacific Islands, comprising approximately 14 percent of the total undocumented population living in the United States.<sup>62</sup> Four Asian countries were among the top 15 countries of birth for U.S. unauthorized immigrants: India (525,000), China (375,000), the Philippines (160,000) and Korea (150,000).<sup>63</sup> Among these unauthorized individuals are a growing number of young people who entered the United States as dependents on their parents' temporary work visas and have aged out of their temporary status.<sup>64</sup> Approximately 90% of this population is between 16-64 years of age, and approximately 74% of this population have some college education, a college degree, or higher education.<sup>65</sup>





On June 15, 2012, then President Obama announced a new DHS policy, providing for prosecutorial discretion with respect to individuals who came to the United States as children.<sup>66</sup> This policy became known as Deferred Action for Childhood Arrivals or DACA, and it protects individuals who came to the United States as children from removal. If these individuals met the timeframe guidance permitted under the policy, as well as certain other criteria related to education, employment, and lack of criminal history, and had no other lawful immigration status, they were eligible to apply for a renewable two-year period of deferred action from removal and received an employment authorization document.<sup>67</sup> As of March 2023, there were approximately 578,680 active DACA recipients.<sup>68</sup>

In 2017, steps were taken by the then Administration to rescind DACA, but the Supreme Court held in 2020 that the termination was arbitrary and capricious and had violated the Administrative Procedure Act.<sup>69</sup> Although the memo rescinding DACA was vacated, and President Biden issued a memorandum directing DHS to preserve and strengthen the program in 2021,<sup>70</sup> DACA continues to be litigated and is being challenged by Texas and several other states. DHS codified the program in regulation,<sup>71</sup> but on September 13, 2023, the U.S. District Court for the Southern District of Texas found the DACA final rule to be unlawful.<sup>72</sup> The court maintained a partial stay for all DACA recipients who had received initial DACA status prior to July 16, 2021, while the case continues to be appealed.<sup>73</sup>

Although a permanent solution for DACA recipients can only be found through legislation, temporary administrative solutions, like Temporary Protected Status (TPS), Deferred Enforced Departure (DED), and parole, should be considered if DACA is terminated successfully. The Secretary of Homeland Security, in consultation with other agencies, may designate a foreign country for TPS if the conditions in the country are such that it would be temporarily unsafe for the country's nationals to be returned.<sup>74</sup> DED can be authorized at the discretion of the President and would ensure that nationals of a country would not be removed from the United States for a certain amount of time.<sup>75</sup> Finally, there are parole processes<sup>76</sup> that could be implemented which would allow DHS to ensure that DACA recipients are protected from removal while granting them the ability to continue to work lawfully.



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Kimberly Chang and Victoria Huynh
- **Members:** Simon Pang
- **Ex-Officio Member:** Laureen Laglagaron
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Language Access Subcommittee meets monthly. Following the Commission's seventh public meeting on October 25-26, 2023, the Subcommittee met on February 2, 2024, February 9, and February 16, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Glenn D. Magpantay, Commissioner, U.S. Commission on Civil Rights and Stephanie Wong, Special Assistant, U.S. Commission on Civil Rights:** Presented on the 2023 Statutory Enforcement Report on "The Federal Response to Anti-Asian Racism in the U.S."

### Summary of Recommendation:

The Language Access Subcommittee presented the following recommendation at the February 27, 2024, meeting, which the Commission approved in a final vote:

- **Recommendation:** The Commission recommends that the Commission report and final meeting of their term be accessible in at least the top three AA and NHPI languages, including 'Ōlelo Hawai'i. The recommendation also encourages future President's Advisory Commissions on AA and NHPIs to include planning and budgeting to ensure public meetings are accessible through simultaneous oral interpretation and recordings, and written translations for materials are available in at least the top 10 AA and NHPI languages.



## **Recommendation: Increasing Resources for Limited English Proficient AA And NHPI Communities**

### **Problem Statement:**

Limited English Proficient AA and NHPI communities that the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (PACAANHPI) serves are unable to access the materials, engage in Commission meetings and participate in discussions and summits.

### **Recommendations:**

The Commission recommends:

- The final 2024 Commission meeting be presented and accessible through simultaneous oral interpretation and recordings, and written translations of meeting materials including, but not limited to, the top three AA and NHPI languages, as well as in 'Ōlelo Hawai'i, to promote language preservation efforts. WHIAANHPI explores public-private partnerships to fund this activity and work with community-based organizations for interpretation, translation, and dissemination.
- The final Commission report be available in at least the top three AA and NHPI languages, as well as in 'Ōlelo Hawai'i, so that AA and NHPI communities and respective ethnic media and community-based organization partners can access the findings and report out to various populations. WHIAANHPI explores public-private partnerships to fund this activity and work with community-based organizations for interpretation, translation, and dissemination.
- Future President's Advisory Commissions on AA and NHPIs should include planning, budgeting, and public-private funding and partnerships with community-based organizations to ensure that the public Commission meetings are accessible through simultaneous oral interpretation and recordings, and written translations in at least the top 10 AA and NHPI languages (for both interpretation of oral meetings and presentations and translation of written materials), as well as in 'Ōlelo Hawai'i.



## Background and Rationale:

Over the last two years, this Commission has produced a number of recommendations, conducted discussions, fielded questions via the Federal Register and convened economic and mental health summits. The Commission should lead efforts to provide language access to include the Limited English proficient communities we represent and demonstrate feasibility to the Executive branch.

In the US, 68 million people speak a language other than English, the total population with LEP is 26 million, the largest language group with LEP is Spanish at 16,299,869 (63% of total LEP), and the next four largest language groups with LEP (14.4%) are of Asian languages (Chinese, including Mandarin and Cantonese, Vietnamese, Tagalog, and Korean).<sup>77</sup>

Nearly twice as many people with limited English live in poverty than people who are English proficient. Nearly half of adults with limited English do not have a high school diploma.<sup>78</sup> Immigrants with limited English are more likely to report poor health than English speaking immigrants.<sup>79</sup> Californians with LEP are 3 times as likely to lack access to the internet, and a quarter of this population has no access to a computer.<sup>80</sup> Furthermore, this is a priority of this administration. On his first day in office, President Biden signed Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, “which instructs agencies to focus their civil rights authorities and offices on emerging threats, such as...language access services.”<sup>81</sup>



## References

---

- <sup>1</sup> Klomek, A. B., Marrocco, F., Kleinman, M., Schonfeld, I. S., & Gould, M. S. (2007). Bullying, depression, and suicidality in adolescents. *Journal of the American Academy of Child & Adolescent Psychiatry*, 46(1), 40-49.
- <sup>2</sup> Act to Change, Admerasia & Next Shark, 2021 Asian American Bullying Survey, <https://acttochange.org/bullyingreport/>
- <sup>3</sup> *Id.*
- <sup>4</sup> Asian American and Pacific Islander Coalition Helping Achieve Racial and Gender Equity. (2019). *Can you see me? School culture and climate for California's AAPI youth*. Retrieved from <http://bit.ly/SEARACYouthReport2019>
- <sup>5</sup> See, <https://www.stopbullying.gov/blog/categories/federal-partners-bullying-prevention>
- <sup>6</sup> There were biennial anti-bullying summits that took place between 2012 and 2018. See, <https://www.stopbullying.gov/blog/2012/08/02/coming-to-you-live-from-washington-d-c-the-bullying-prevention-summit>
- <sup>7</sup> See, grants from ED, <https://safesupportivelearning.ed.gov/training-and-technical-assistance-services>; HHS, National Institutes for Health, <https://www.nichd.nih.gov/grants-contracts/funding-ops-and-notices>, Substance Abuse and Mental Health Services Administration, <https://www.samhsa.gov/grants/grants-dashboard>, Centers for Disease Control, <https://www.cdc.gov/violenceprevention/fundinghub/fundingopportunities/index.html> ; or DOJ Bureau of Justice Assistance <https://bja.ojp.gov/funding/opportunities/o-bja-2022-171118>, or Office of Juvenile Justice and Delinquency Prevention, <https://ojjdp.ojp.gov/funding/current>.
- <sup>8</sup> Stop AAPI Hate, <https://stopaapihate.org/explore-our-data/>
- <sup>9</sup> Patchin, J.W., & Hinduja, S. (2023). Cyberbullying among Asian American youth before and during the COVID-19 pandemic. *Journal of school health*, 93(1), 82-87.
- <sup>10</sup> Qin, D.B., Way, N., & Rana, M. (2008). The “model minority” and their discontent: Examining peer discrimination and harassment of Chinese American immigrant youth. *New directions for child and adolescent development*, 2008 (121), 27-42.
- <sup>11</sup> Atwal, K., & Wang, C. (2019). Religious head covering, being perceived as foreigners, victimization, and adjustment among Sikh American adolescents. *School Psychology*, 34(2), 233.
- <sup>12</sup> See, <https://www.judiciary.senate.gov/committee-activity/hearings/protecting-our-children-online>; <https://www.judiciary.senate.gov/imo/media/doc/2023-02-14-final-publication1.pdf>; <https://apnews.com/article/meta-tiktok-snap-discord-zuckerberg-testify-senate-00754a6bea92aaad62585ed55f219932>; <https://www.judiciary.senate.gov/committee-activity/hearings/big-tech-and-the-online-child-sexual-exploitation-crisis>
- <sup>13</sup> <https://www.judiciary.senate.gov/protecting-children-online#>
- <sup>14</sup> See, <https://www.stopbullying.gov/blog/categories/federal-partners-bullying-prevention>
- <sup>15</sup> E.g, <https://www.stopbullying.gov/blog/2014/08/28/2014-federal-bullying-prevention-summit-addresses-importance-collaboration>
- <sup>16</sup> See, AAPI-Bullying Prevention Taskforce Report, pp. 23-25, at <https://www.stopbullying.gov/sites/default/files/2017-10/AAPI-Bullying-Prevention-Task-Force-Report-2014-2016.pdf>; and resources at <https://www.cdc.gov/violenceprevention/youthviolence/bullyingresearch/fastfact.html>; <https://healthysafekids.org/grantee/safe-schools-healthy-students>; [https://www2.ed.gov/about/offices/list/oese/osh/aboutus.html#:~:text=The%20Office%20of%20Safe%20and%20Learning%2C%20and%20\(3\)%20improve](https://www2.ed.gov/about/offices/list/oese/osh/aboutus.html#:~:text=The%20Office%20of%20Safe%20and%20Learning%2C%20and%20(3)%20improve); and [https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2014/11/18/eos\\_fact\\_sheet\\_aapi\\_massa.pdf](https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2014/11/18/eos_fact_sheet_aapi_massa.pdf).
- <sup>17</sup> <https://oese.ed.gov/2012/04/announcing-the-relaunch-of-stop-bullying-website/>
- <sup>18</sup> <https://www.stopbullying.gov/sites/default/files/2017-10/AAPI-Bullying-Prevention-Task-Force-Report-2014-2016.pdf>
- <sup>19</sup> <https://ojjdp.ojp.gov/programs/preventing-youth-hate-crimes-bullying-initiative>
- <sup>20</sup> <https://safesupportivelearning.ed.gov/about>





- <sup>21</sup> [https://nces.ed.gov/surveys/edscls/pdf/EDSCLS\\_Student\\_Questionnaire\\_English.pdf](https://nces.ed.gov/surveys/edscls/pdf/EDSCLS_Student_Questionnaire_English.pdf)
- <sup>22</sup> <https://www.cdc.gov/healthyouth/data/yrbs/index.htm>
- <sup>23</sup> <https://bjs.ojp.gov/data-collection/school-crime-supplement-scs#2-0>
- <sup>24</sup> Nguyen, M.H., Ramirez, J., & Laderman, S. (2023). What counts as a Minority-Serving Institution?: Toward the utilization of a standardized and uniform definition and typology. *Educational Researcher*, 52(3), 174-179.
- <sup>25</sup> Nguyen, M.H. (2022). Building capacity for student success at Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI): Transforming the educational experiences of Asian American and Pacific Islander Students. *The Journal of Higher Education*, 93(4), 503-531.
- <sup>26</sup> Nguyen, M.H., Gogue, D.T.-L., Espinoza, K.J.C., Neilson, P.A., & Venturanza, R.J. (2023). *Celebrating 15 years of Asian American and Native American Pacific Islander-Serving Institutions*. Washington, DC: APIA Scholars.
- <sup>27</sup> Nguyen, M.H., Ramirez, J., & Laderman, S. (2023). What counts as a Minority-Serving Institution?: Toward the utilization of a standardized and uniform definition and typology. *Educational Researcher*, 52(3), 174-179. Nguyen, M.H. (2019). *Building Capacity at Asian American and Native American Pacific Islander Serving Institutions (AANAPISI): Cultivating Leaders and Civic Engagement through Federal Policy*. (Publication No. 13902219) [Doctoral dissertation, University of California, Los Angeles].
- <sup>28</sup> Nguyen, M.H., Espinoza, K.J., Gogue, D.T.L., & Dong, D.M. (2020). *Looking to the Next Decade: Strengthening Asian American and Native American Pacific Islander Serving Institutions through Policy and Practice*. Washington, DC: National Council of Asian Pacific Americans.
- <sup>29</sup> Nguyen, M.H., Ramirez, J., & Laderman, S. (2023). What counts as a Minority-Serving Institution?: Toward the utilization of a standardized and uniform definition and typology. *Educational Researcher*, 52(3), 174-179. Nguyen, M.H., Hoang, S.B., & Ching, C.D. (2022). Supporting Students of color at broad access colleges and universities: The potential of federal policy. In G.E. Crisp, K. McClurek, C. Orphan (Eds.), *Unlocking Opportunity through Broadly Accessible Institutions* (pp. 119-136). Routledge.
- <sup>30</sup> Hegji, A. (2017). Programs for Minority-Serving Institutions under the Higher Education Act. CRS Report R43237, Version 15. Updated. *Congressional Research Service*. Nguyen, M.H., Ramirez, J., & Laderman, S. (2023). What counts as a Minority-Serving Institution?: Toward the utilization of a standardized and uniform definition and typology. *Educational Researcher*, 52(3), 174-179.
- <sup>31</sup> Sierra Club of Hawaii, “Hawai’i needs an EPA-certified water testing lab,” available at <https://sierraclubhawaii.org/blog/epa-20230901> (last accessed February 1, 2024).
- <sup>32</sup> U.S. Environmental Protection Agency, “Findings on Disproportionate Risks of Climate Change to Asian Individuals and Pacific Islanders.” September 2021, available at [https://www.epa.gov/system/files/documents/2021-11/factsheet\\_asian-and-pacific-islander.pdf](https://www.epa.gov/system/files/documents/2021-11/factsheet_asian-and-pacific-islander.pdf).
- <sup>33</sup> Jesdale, B.M., Morello-Frosch, R., & Cushing, L. (2013). “The racial/ethnic distribution of heat risk-related land cover in relation to residential segregation.” *Environmental Health Perspectives*, 121(7), 811-817, available at <https://pubmed.ncbi.nlm.nih.gov/23694846/>.
- <sup>34</sup> U.S. Environmental Protection Agency, “Heat Island Effect.” available at <https://www.epa.gov/heatislands#:~:text=Heat%20islands%20are%20urbanized%20areas,as%20forests%20and%20water%20bodies>. (last accessed February 1, 2024).
- <sup>35</sup> Vu, L., Vanlandingham, M.J., Do, M., & Bankston, C. L., 3rd (2009). “Evacuation and return of Vietnamese New Orleanians affected by Hurricane Katrina.” *Organization & Environment*, 22(4), 422-436, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2943234/>.
- <sup>36</sup> Ortiz, E. “Five years after BP Gulf oil spill, Vietnamese fishermen still struggling.” *NBC News*, available at <https://www.nbcnews.com/news/asian-america/five-years-after-bp-oil-spill-vietnamese-fisherman-make-slow-n343411>.



- <sup>37</sup> Cherry, S.M. & Lucas, A. (2016). "Faith against the storm: Filipino immigrant mobilizations for Hurricane Katrina evacuees." *Social Compass*, 63(3), available at <https://journals.sagepub.com/doi/10.1177/0037768616654237>.
- <sup>38</sup> Yam, K. & Venkatraman, S. (2021). "Ida's forgotten victims: Nearly all storm's basement deaths were Asian residents obscured by climate injustice." *NBC News*, available at <https://www.nbcnews.com/news/asian-america/ida-s-forgotten-victims-nearly-all-storm-s-basement-deaths-n1281670>.
- <sup>39</sup> Cocks, S. (2023). "Red Hill families exposed to anti icing agent." *Honolulu Star Advertiser*, available at <https://www.staradvertiser.com/2023/03/20/breaking-news/doh-red-hill-families-drank-antifreeze-not-just-jet-fuel/>
- <sup>40</sup> Baker, M. & Schell, L.L. (2024). "Fire blanketed Lahaina in Toxic debris. Where can they put it?" *The New York Times*, available at <https://www.nytimes.com/2024/01/25/us/lahaina-maui-fire-waste-landfill.html>.
- <sup>41</sup> Jedra, C. (2021). "Water samples damaged in latest setback to Honolulu's contamination crisis." *Honolulu Civil Beat*, available at <https://www.civilbeat.org/2021/12/water-samples-damaged-in-latest-setback-to-honolulu-contamination-crisis/>
- <sup>42</sup> U.S. Environmental Protection Agency. (2016). "What climate change means for Hawaii." available at <https://19january2017snapshot.epa.gov/sites/production/files/2016-09/documents/climate-change-hi.pdf>.
- <sup>43</sup> McAvoy, A & The Associated Press. (2023). "Climate Change is turning Hawaii into a giant cesspool - literally." *Fortune*, available at <https://fortune.com/2023/07/06/climate-change-is-turning-hawaii-into-a-giant-cesspool-literally/>.
- <sup>44</sup> APIAVote. (2022). "2022 Asian American Voter Survey." available at <https://apiavote.org/wp-content/uploads/2022-Asian-American-Voter-Survey-Report.pdf>.
- <sup>45</sup> Daniels, C.M. (2022). "FEMA summit seeks to address top civil rights issues in emergency management." *The Hill*, available at <https://thehill.com/homenews/administration/3758715-fema-summit-seeks-to-address-top-civil-rights-issues-in-emergency-management/>.
- <sup>46</sup> Johnson S. R. (2022, July 28) *Staff Shortages Choking the U.S. Healthcare System*. *U.S. News*. <https://www.usnews.com/news/health-news/articles/2022-07-28/staff-shortages-choking-u-s-health-care-system>
- <sup>47</sup> Lee S, Martinez G, Ma GX, Hsu CE, Robinson ES, Bawa J, Juon HS. [Barriers to health care access in 13 Asian American communities](#). *Am J Health Behav*. 2010 Jan-Feb;34(1):21-30. doi: 10.5993/ajhb.34.1.3. PMID: 19663748; PMCID: PMC6628721.
- <sup>48</sup> Department of Health and Human Services. *New HHS Initiative Aims to Strengthen Nation's Health Workforce*. <https://www.hhs.gov/about/news/2023/07/06/new-hhs-initiative-aims-strengthen-nations-health-workforce.html>
- <sup>49</sup> <https://www.aclusocal.org/en/publications/muslims-need-not-apply>
- <sup>50</sup> See id.
- <sup>51</sup> [https://www.uscis.gov/sites/default/files/document/foia/CARRP\\_Guidance.pdf](https://www.uscis.gov/sites/default/files/document/foia/CARRP_Guidance.pdf)
- <sup>52</sup> <https://www.aclusocal.org/en/publications/muslims-need-not-apply>
- <sup>53</sup> See id.
- <sup>54</sup> See id.
- <sup>55</sup> See id.
- <sup>56</sup> <https://www.aclu-wa.org/cases/wagafe-v-trump>



- <sup>57</sup> <https://www.federalregister.gov/documents/2017/02/01/2017-02281/protecting-the-nation-from-foreign-terrorist-entry-into-the-united-states>
- <sup>58</sup> <https://clearinghouse.net/case/15646/>
- <sup>59</sup> See <https://www.uscis.gov/DACA>
- <sup>60</sup> See <https://www.americanimmigrationcouncil.org/research/deferred-action-childhood-arrivals-daca-overview>
- <sup>61</sup> Congressional Research Service (2022), Report R47281, *Unauthorized Immigrants: Frequently Asked Questions*, retrieved from <https://crsreports.congress.gov/product/pdf/R/R47218>
- <sup>62</sup> Budiman, A., and Ruiz, N., (2021), *Key Facts about Asian Americans, a diverse and growing population*, Pew Research Center, retrieved from <https://www.pewresearch.org/short-reads/2021/04/29/key-facts-about-asian-americans/>
- <sup>63</sup> Id.
- <sup>64</sup> American Immigration Council (2021), *Documented Dreamers: An Overview*, retrieved from <https://www.americanimmigrationcouncil.org/research/documented-dreamers-overview>
- <sup>65</sup> Center for Migration Studies (2022), *A Demographic Profile of Undocumented Immigrants from Asia and the Pacific Islands*, retrieved from <https://cmsny.org/undocumented-aapi-millet-061322/>
- <sup>66</sup> See Department of Homeland Security, <https://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>
- <sup>67</sup> See <https://www.uscis.gov/DACA>
- <sup>68</sup> U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, “Count of Active DACA Recipients by month of Current DACA Expiration as of March 31, 2023,” retrieved from [https://www.uscis.gov/sites/default/files/document/data/Active\\_DACA\\_Recipients\\_March\\_31\\_2023.pdf](https://www.uscis.gov/sites/default/files/document/data/Active_DACA_Recipients_March_31_2023.pdf)
- <sup>69</sup> The Supreme Court found that DHS had not taken into consideration the “reliance interests” of the hundreds of thousands of DACA recipient who had depended on the program’s protections and would face considerable hardship should the program be rescinded. See [https://www.nilc.org/issues/daca/alert-supreme-court-overturns-trump-administrations-termination-of-daca/#:~:text=JUNE%2022%2C%202020,Administrative%20Procedure%20Act%20\(APA\)](https://www.nilc.org/issues/daca/alert-supreme-court-overturns-trump-administrations-termination-of-daca/#:~:text=JUNE%2022%2C%202020,Administrative%20Procedure%20Act%20(APA))
- <sup>70</sup> See <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/preserving-and-fortifying-deferred-action-for-childhood-arrivals-daca/>
- <sup>71</sup> See <https://www.federalregister.gov/documents/2022/08/30/2022-18401/deferred-action-for-childhood-arrivals>
- <sup>72</sup> See <https://www.uscis.gov/humanitarian/consideration-of-deferred-action-for-childhood-arrivals-daca/daca-litigation-information-and-frequently-asked-questions>
- <sup>73</sup> See id.
- <sup>74</sup> See <https://www.uscis.gov/humanitarian/temporary-protected-status>
- <sup>75</sup> See <https://www.uscis.gov/humanitarian/deferred-enforced-departure>
- <sup>76</sup> See <https://www.americanimmigrationcouncil.org/research/use-parole-under-immigration-law>
- <sup>77</sup> U.S. Census, American Community Survey, 2021



<sup>78</sup> Batalova, J & Zong, J. (2016, November 11). Language Diversity and English Proficiency in the United States. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/language-diversity-and-english-proficiency-united-states>

<sup>79</sup> Ding, H., Hargraves, L. Stress-Associated Poor Health Among Adult Immigrants with a Language Barrier in the United States. *J Immigrant Minority Health* 11, 446–452 (2009). <https://doi.org/10.1007/s10903-008-9200-0>

<sup>80</sup> US Census Bureau, American Community Survey, 2019 and 2021

<sup>81</sup> The White House. President Biden signs *Executive Order to Strengthen Racial Equity and Support for Underserved Communities Across the Federal Government*. <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/16/fact-sheet-president-biden-signs-executive-order-to-strengthen-racial-equity-and-support-for-underserved-communities-across-the-federal-government/>



# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Report with Recommendations**

**July 2024**





# Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee</b>	<b>2</b>
Summary of Meetings and Presentations	2
Summary of Recommendations	3
Recommendation: Maui wildfire and future disaster recovery and response strategy	4
<b>Data Disaggregation and Education Subcommittee</b>	<b>8</b>
Subcommittee Membership	8
Summary of Meetings and Presentations	8
Summary of Recommendations	9
Recommendation: Queer and Trans Pacific Islander and Asian American LGBTQI+ Representation	10
Recommendation: Mental Health Access for AA and NHPI LGBTQI+ Individuals	11
<b>Economic Equity Subcommittee</b>	<b>12</b>
Subcommittee Membership	12
Summary of Meetings and Presentations	12
Summary of Recommendations	12
<b>Health Equity Subcommittee</b>	<b>13</b>
Subcommittee Membership	13
Summary of Meetings and Presentations	13
Summary of Recommendations	14
Recommendation: Language Access for Federally Qualified Health Centers	15
Recommendation: Artificial Intelligence Bias in Healthcare	18



<b>Immigration and Citizenship Status Subcommittee</b>	<b>20</b>
Subcommittee Membership	20
Summary of Meetings and Presentations	20
Summary of Recommendations	20
Recommendation: Affirmative Asylum Processing Times and Language Access	21
<b>Language Access Subcommittee</b>	<b>23</b>
Subcommittee Membership	23
Summary of Meetings and Presentations	23
Summary of Recommendations	23
Recommendation: Outreach and Education on Section 1557 of Affordable Care Act	24
<b>References</b>	<b>26</b>



## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee;
2. Health Equity Subcommittee;
3. Immigration and Citizenship Status Subcommittee;
4. Language Access Subcommittee;
5. Data Disaggregation Subcommittee;
6. Economic Equity Subcommittee.

On September 29, 2023, the President signed EO 14109 to extend the Commission's term for two more years through September 2025.

Between February 2022 and July 2024, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations. At its December 5-6, 2022, virtual meeting, the Commission voted to advance 13 additional recommendations. At its March 14, 2023, in-person meeting, the Commission voted unanimously to move forward with 10 additional recommendations. At its July 6, 2023, in-person meeting, the Commission voted unanimously to advance an additional 20 recommendations. At its October 25, 2023, in-person meeting, the Commission voted unanimously to advance an additional four recommendations. At its February 27, 2024, in-person meeting, the Commission voted unanimously to advance an additional seven recommendations.

The Commission held its ninth public meeting on July 1, 2024, where the seven additional recommendations were approved by the full Commission. This document includes meeting summaries and the final recommendations approved at the July 2024 meeting.



## Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Teresita Batayola, Emily Chen, Grace Huang, Daniel Dae Kim, and Smita Shah
- **Non-Commissioner Member:** Madihha Ahussain
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee meets monthly and holds ad hoc meetings as needed. Following the Commission's eighth public meeting on February 27, 2024, the Subcommittee met on March 12, 2024; April 16, 2024; May 7, 2024; May 28, 2024; and June 4, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Amy Agbayani, Former Commissioner, President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders:** Shared her personal perspective, as a private citizen, on the Maui wildfire response and recovery efforts.
- **Michelle Ka'uhane, Former Commissioner, President's Advisory Commission on Asian Americans Native Hawaiians, and Pacific Islanders:** Shared her personal perspective, as a private citizen, on the Maui wildfire response and recovery efforts.
- **Robert J. Fenton, Regional Administrator, Region 9, Federal Emergency Management Agency:** Presented on FEMA's response to the Maui wildfires in August 2023.



## Summary of Recommendation:

The Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee approved the following draft recommendation to present at the July 1, 2024, full Commission meeting:

**Recommendation:** The Commission recommends that FEMA and other relevant federal agencies review their actions in the Maui wildfire response and recovery to institutionalize specific response efforts in future disasters. Actions to be reviewed should include the housing crisis and homelessness, promoting language access, engaging local leaders in recovery efforts, prioritizing local hiring in economic recovery, appointing a chief federal disaster coordinator or committee, and conducting proactive outreach on disaster assistance.





## Recommendation: Maui Wildfire and Future Disaster Recovery and Response Strategy

### Problem Statement:

On August 8, 2023, Maui's catastrophic wildfires killed at least 100 people and destroyed thousands of structures, most of them homes. Lahaina, Hawai'i is a historically and culturally significant Native Hawaiian site and is home to a diverse population that includes a vibrant AA and NHPI community, as well as a significant number of Limited English Proficient residents. Maui and its residents, particularly in historic Lahaina, have struggled to recover amidst a severe housing crisis and inadequate support for non-English speaking populations.

### Recommendation:

The Commission recommends that executive branch agencies institutionalize and/or take the following new actions:

#### 1. Housing Crisis Mitigation:

- FEMA should review and assess its actions to date in response to the Maui wildfires, particularly any impact on housing costs and displacement of local residents. Actions under review should include adjustments to high rental payments for emergency housing, which displace long-term renters and drive up rental market values.
- FEMA should ensure that its memorandum released on March 22, 2024, which amends the individual assistance program and policy guide, is fully implemented, including expanded aid for low-income renters and streamlined access to housing repair funds.<sup>1</sup>

#### 2. Homelessness and Unstable Housing:

- The U.S. Interagency Council on Homelessness should focus on Lahaina as a demonstration program, leveraging federal, state, and local resources to resolve homelessness exacerbated by the wildfires. This should align with the Biden-Harris Administration's All In: The Federal Strategic Plan to Prevent and End Homelessness, which aims to reduce homelessness by 25 percent by January 2025.



**3. Language Access and Community Trust:**

- Ensure federal agencies provide language access to AA and NHPI Limited English Proficient persons by translating documents, providing interpreters, and conducting outreach in multiple languages for disaster recovery assistance.
- Engage local influencers and community leaders to build trust and ensure effective communication with the AA and NHPI community.

**4. Economic Recovery and Employment:**

- As much as possible, FEMA should prioritize hiring from the community in Hawai'i for reconstruction efforts and create job training programs to align with new job opportunities during reconstruction and recovery. These priorities should become part of FEMA's ongoing disaster response and recovery procedures.
- Federal agencies should coordinate with local businesses and community organizations to support economic recovery and develop an economic recovery plan centered on the sustainability and long-term growth of the local community that is not limited to the tourism and entertainment sectors.

**5. Long-Term Coordination and Leadership:**

- The President should appoint a long-term Chief Federal Response Coordinator as part of the standard operating procedures in future disaster declarations.
- FEMA should create a local disaster relief committee of representatives from federal, state, and local governments; community stakeholders; and philanthropic organizations to streamline recovery and ensure a cohesive and efficient response.
- FEMA should institutionalize in its standard operating procedures the practice of establishing a long-term recovery office near the disaster site with cultural monitors. This will support culturally responsive decision-making and recovery.

**6. Proactive Outreach and Support:**



- FEMA should conduct proactive outreach to the community about available assistance and federal programs and the potential health and environmental safety risks from disasters. FEMA should also prioritize sharing new information about eligibility rules for COFA citizens.
  - FEMA, in disseminating information and resources, should include diverse communication channels — like social media, community centers, and cultural events — and trusted community leaders.
7. Future Preparedness:
- FEMA should implement lessons learned from the Maui wildfires to improve disaster preparedness and response strategies, ensuring equity and accessibility for all affected communities, with a particular focus on underserved, undocumented, and marginalized communities.

### Background and Rationale:

Months after catastrophic wildfires, Maui communities are still struggling with financial recovery, homelessness, unemployment, physical and mental health issues, insurance problems, and barriers to re-entry and reconstruction.<sup>2</sup> AA and NHPI communities on Maui have faced gaps in access to resources after the wildfires, namely barriers related to language access and immigration status. In 2021, Maui County had a population of 165,000 with a median age of 42 and household income of \$88,249.

Recent Census data demonstrates how linguistically diverse Lahaina is with substantial language needs.<sup>3</sup> A quarter of all Lahaina residents were born overseas, almost double the number for Maui County overall.<sup>4</sup> In Hawaiʻi, Filipinos represent the second-largest ethnic group in the State, accounting for about one-fourth of Hawaiʻi's residents.<sup>5</sup> Of the nearly 48,000 residents that can trace their roots back to the Philippines, about 5,000 of them lived in Lahaina, which comprised approximately 40 percent of the town's population before the fire. Despite their large numbers, many Filipino residents reported difficulties in obtaining information and aid directly after the wildfire when most, if not all, information was provided exclusively in English.<sup>6</sup>

To address immediate needs, the Biden-Harris Administration announced an overhaul



of disaster assistance programs to increase accessibility and equity for those impacted by natural catastrophes, effective March 2024.<sup>7</sup> Announced changes included increased housing assistance for those unable to return home immediately, easier access to money to repair and improve homes, and reduced paperwork. Following the wildfires, the Biden-Harris Administration also appointed FEMA Regional Director, Bob Fenton, as the Chief Federal Response Coordinator for Maui.<sup>8</sup> Additionally, as part of Title II of the Consolidated Appropriations Act of 2024, HR 4366, eligibility for FEMA assistance and other federal programs was clarified for citizens of Compact of Free Association countries (the Marshall Islands, Federated States of Micronesia, and Republic of Palau).

However, the need for both short-term and long-term housing solutions remains paramount. While short term housing needs are being met in patchwork fashion, Maui needs a long-term housing framework. Lahaina Strong, a grassroots group of disaster survivors, has identified locating housing for displaced residents and revitalizing the economy as top priorities.<sup>9</sup> The housing problem exists amid a statewide housing shortage, paired with high housing costs. A University of Hawai'i analysis estimates vacation rentals account for 15 percent of Maui's housing stock and in Lahaina, the amount is 40 percent.<sup>10</sup>

The Hawai'i State Legislature has identified rebuilding Lahaina as one of its priorities. "The shortage of homes for thousands of survivors [has] put into sharper focus the need in Hawai'i for affordable housing to help keep local residents from moving to the mainland."<sup>11</sup> In its work, the legislature has acknowledged that while there is ample federal support for families to find temporary housing, the lack of adequate available housing has led to the displacement of tenants in existing rental units.

Along with the State's efforts to address the housing shortages, the federal Interagency Council to End Homelessness recently released its strategic plan to reduce homelessness, with a stated goal of a 25 percent reduction by January 2025.<sup>12</sup>

In summary, despite best efforts, Maui communities continue to struggle to access basic needs, such as housing. Lahaina's multicultural population, with high percentages of foreign-born and Limited English Proficient residents, demanded a tailored and inclusive recovery approach. As the severity of natural disasters is expected to increase, FEMA and relevant federal agencies must continue to examine its response and recovery programs, to ensure they are meeting the needs of diverse AA and NHPI communities, who continue to be victims of such natural disasters. By addressing these issues comprehensively and with cultural sensitivity, the federal government can help build a more resilient and equitable future for affected communities on Maui and in other disaster response sites.



# Data Disaggregation And Education Subcommittee

## Subcommittee Membership:

- **Co-Chairs:** Dr. Raynald Samoa and Dr. Robert Underwood
- **Members:** Emily Chen and KaYing Yang
- **Non-Commissioner Member:** Dr. Ninez Ponce and Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Erika Ninoyu

## Summary of Meetings and Presentations:

The Data Disaggregation and Education Subcommittee meets monthly and hold ad hoc meetings as needed. Following the Commission's eighth public meeting on February 27, 2024, the Subcommittee met on March 4, 2024; April 1, 2024; May 6, 2024; June 3, 2024; and June 17, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Ikaika Regidor, Education & Training Coordinator, Papa Ola Lōkahi:** Discussed barriers to collecting data on AA and NHPI LGBTQIA+ individuals in the context of healthcare.
- **Amasai Jeke, Program Coordinator, UTOPIA Washington:** Shared recommendations to increase equity, inclusion, justice, and belonging for Queer and Trans Pacific Islanders in the U.S.
- **Daniel Moretti, LGBTQ+ Community Engagement Lead, Obstetrics & Gynecology, Stanford University:** Shared PRIDENet's work to support meaningful engagement of LGBTQIA+ people in research and recommendations from the AANHPI Sexual or Gender Minority (SGM) Advisory Group.
- **Bev Pratt, Senior Statistician, Statistical & Science Policy in Office of Information & Regulatory Affairs, Office of Management & Budget (OMB):** Presented updates on OMB's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity.





## Summary of Recommendation:

The Data Disaggregation and Education Subcommittee approved the following draft recommendation to present at the July 1, 2024, full Commission meeting:

- **Recommendation:** The AA and NHPI community face systemic inequities due to obstacles such as data aggregation and appropriate representation. Sexual and gender minority AA and NHPI face layered oppression due to their intersectional identities that threaten the well-being, justice, inclusion, and belonging in the U.S. The Commission recommends that the Administration and Office of Management and Budget appoint separate AA and QTPI members to advisory boards such as the Sexual Orientation, Gender Identity, and Sex Characteristics (SOGISC) Subcommittee that advises the Federal Committee on Statistical Methodology (FCSM) within the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB); and in collaboration with WHIAANHPI, engage with AA and NHPI communities to celebrate LGBTQI+ members of the AA and NHPI communities during the month of June (Pride Month).
- **Recommendation:** To improve mental health access for AA and QTPI LGBTQI+ individuals, the Commission recommends that agencies such as the Substance Abuse and Mental Health Services Administration (SAMHSA) hold listening sessions with AA and QTPI advocates. These sessions will help identify specific mental health needs, address barriers to care, and develop tailored strategies to provide more effective and inclusive services for these communities.



## **Recommendation: Queer and Trans Pacific Islander (QTPI) and Asian American (AA) LGBTQI+ Representation**

### **Problem Statement:**

AA and NHPI face systemic inequities due to data obstacles such as data aggregation. Sexual and Gender Minorities AA and NHPI face layered oppression due to their intersectional identities that threaten the wellbeing, justice, inclusion and belonging in the U.S.

### **Recommendation:**

Appoint separate QTPI and Asian American members to advisory boards such as the Sexual Orientation, Gender Identity, and Sex Characteristics (SOGISC) Subcommittee that advises the Federal Committee on Statistical Methodology (FCSM) currently under the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) and that during the month of June, the Administration, in collaboration with WHIAANHPI, engage with AA and NHPI communities to celebrate LGBTQIA2S+ members of the AA and NHPI communities. We recommend that these communications specifically use the term Queer and Trans Pacific Islanders (QTPI) to refer to Pacific Islanders who identify with the LGBTQIA2S+ communities.

### **Background and Rationale:**

President Biden signed the historic Executive Order on Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals June 15, 2022.<sup>13</sup> The EO prompted the formation of the Sexual Orientation, Gender Identity, and Sex Characteristics (SOGISC) Subcommittee charged with promoting coordination between federal agencies on issues relating to measuring sexual orientation and gender identity in federal data collections.<sup>14</sup> The SOGISC Subcommittee advises the Federal Committee on Statistical Methodology (FCSM) and the Interagency Council on Statistical Policy (ICSP) on SOGISC measurement issues, provides technical assistance as needed across Federal agencies on SOGISC measurement issues, and oversees meetings of the FCSM Sexual Orientation, Gender Identity, and Sex Characteristics (SOGISC) Interest Group. These developments usher hope for LGBTQ+ communities, but smaller populations such as QTPI have yet to have any contact with the SOGISC. This is particularly concerning as indigenous identities of QTPI are not accurately represents in western categories of gender identity and sexual orientation prompting an acknowledgement of these identities as a means of their inclusion. QTPI are reporting high levels of discrimination in many different sectors including healthcare, education, and employment. Increasing their visibility is one step in working towards their belonging.



## **Recommendation: Mental Health Access for AA and NHPI LGBTQI+ Individuals**

### **Problem Statement:**

AA and NHPI face systemic inequities, including access to mental health services. Sexual and Gender Minorities AA and NHPI face layered oppression due to their intersectional identities that threaten the wellbeing, justice, inclusion and belonging in the U.S.

### **Recommendation:**

To improve access for QTPI and AA LGBTQI+ individuals to federal mental health programs, we recommend agencies such as Substance Abuse and Mental Health Services Administration (SAMHSA), hold listening sessions with QTPI and Asian American advocates to increase access for QTPI and Asian American LGBTQI+ individuals in seeking mental health services.

### **Background and Rationale:**

The Biden administration has honorably committed to supporting LGBTQI+ kids to thrive by supporting the mental health of LGBTQI+ youth and partner with families to affirm LGBTQI+ kids.<sup>15</sup> The Substance Abuse and Mental Health Services Administration (SAMHSA) under the Department of Health and Human Services (HHS) has put forth grant in this effort.<sup>16</sup> QTPI and AA LGBTQI+ individuals reported depression two times as often as their cisgender/heterosexual NH/PI counterparts.<sup>17</sup> One survey of 255 QTPI showed that 60 percent of QTPI reported needing mental health and yet 85 percent reported delaying or avoiding mental health care.<sup>18</sup> There is a current aperture between SAMSA and QTPI communities and hampers the capacity for these efforts to reach QTPI individuals in need of mental health services.



## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Ajay Bhutoria, Simon Pang, and Smita Shah
- **Members:** Luisa Blue, Kerry Doi, and Kevin Kim
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets bimonthly and holds ad hoc meetings as needed. Following the Commission's eighth public meeting on February 27, 2024, the Subcommittee met on March 15, 2024; March 29, 2024; April 26, 2024; May 17, 2024; May 24, 2024; June 7, 2024; and June 21, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Van Tran, Deputy Associate Administrator for the Office of Business Development, U.S. Small Business Administration and Geraldine Aglipay, Region V Administrator, U.S. Small Business Administration:** Presented on the Small Business Administration's programs that support socially and economically disadvantaged small businesses.
- **Jan Garth, Branch Chief of Strategic Planning and Governance Operations, Office of Policy Development Research; Ayreen Cadwallader, Program Analyst, Office of Regional Management; Robert Olson, Data Scientist, Office of Policy Development and Research; and Allyson Parco, Workforce Analyst, Office of Policy Development and Research, Department of Labor:** Presented on Workforce Innovation and Opportunity Act (WIOA) Workforce programs, and related funding and data on how these programs have supported Asian American and Native Hawaiian Pacific Islander communities.

### Summary of Recommendations:

The Economic Equity Subcommittee did not submit recommendations for presentation at the July 1, 2024, full Commission meeting.



## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, and Mia Ives-Ruble
- **Members:** Dr. Kimberly Chang, Dr. Kamal Kalsi, and Dr. Raynald Samoa
- **Non-Commissioner Member:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets monthly and holds ad hoc meetings as needed. Following the Commission's eighth public meeting on February 27, 2024, the Subcommittee met on March 28, 2024; April 25, 2024; June 13, 2024; June 20, 2024; June 24, 2024; and June 27, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Kei Koizumi, Principal Deputy Director for Policy, Office of Science and Technology Policy (OSTP), the White House:** Provided Administration updates on artificial intelligence and its impact on health equity for AA and NHPI communities.
- **Dr. Ashwin Vasan, Commissioner of NYC Department of Health and Mental Hygiene:** Presented on the impact of AA and NHPI mental health in New York City.
- **Adrian Jacques H. Ambrose, MD MPH MBA FAPA, Senior Medical Director, Columbia University Irving Medical Center, Chief Clinical Integration Officer, Department of Psychiatry:** Provided an overview of the impact of artificial intelligence bias on health care.





## Summary of Recommendations:

The Health Equity Subcommittee approved the following draft recommendation to present at the July 1, 2024, full Commission meeting:

- **Recommendation:** Federally qualified health centers (FQHCs) serve approximately 30.5 million patients, including many Medicaid and Medicare recipients and limited English proficient (LEP) individuals, but outdated reimbursement guidance from The Centers for Medicare and Medicaid (CMS) has led to inadequate support. The Commission recommends that CMS update FQHC reimbursement guidance to require state evaluations of the FQHC Prospective Payment System every three years, mandate language access and interpretation services in contracts, enhance payments for these services, and ensure MCOs and plans share patient claims data to improve outcomes. CMS should also consider LEP status in reimbursement models, monitor interpretation usage with CPT code T1013, and enforce language access at the provider level.
- **Recommendation:** AI bias can worsen health disparities for AA and NHPI populations through data, algorithmic, and implementation biases, leading to underrepresentation, lack of transparency, and accessibility issues. Effective oversight and governance are needed to ensure equitable health care recommendations for all patients. The Commission recommends the President direct HHS to require federal contractors using AI in medicine: 1) use diverse datasets and include AA and NHPI representation; 2) report efforts on disaggregated data inclusion; and 3) develop plans to improve AA and NHPI data representation. HHS should integrate these guidelines into the Office of the National Coordinator for Health Information Technology (ONC) Health IT Certification Program, ensuring vendors meet bias mitigation standards, and establish a governance body for accountability with quarterly audits on CMS datasets.



## Recommendation: Language Access for Federally Qualified Health Centers (FQHCs)

### Problem Statement:

Federally qualified health centers (FQHCs) serve 30.5 million patients, half of whom are Medicare recipients. Centers for Medicare & Medicaid Service (CMS) has not updated guidance related to FQHC reimbursement in the last decade, resulting in a lack of adequate funding and reimbursement to support underserved communities through FQHCs, including those serving AA and NHPI populations with a significant proportion of patients who are limited English proficient. Federal, State, and local governments have relied heavily on FQHCs to reach and serve these communities during the COVID-19 pandemic (e.g., language and cultural outreach and access, addressing vaccine hesitancy, social determinants of health, prevention measures), but have not adequately accounted for how to continue these services in reimbursement structures going forward.

### Recommendation:

Centers for Medicare & Medicaid Service (CMS) should:

- Issue a State Health Officials (SHO) letter, and a State Medicaid Directors Letter (SMDL) reinforcing states' obligation to evaluate the FQHC PPS (Prospective Payment System) under Medicaid every 3 years, to exercise their enforcement and oversight over States to provide statutorily required reimbursement to FQHCs.
- Require language access and interpretation for all contracts with managed care organizations (MCOs) and state Medicaid departments, and for Medicare Advantage programs and providers, and require enhanced payment as a part of risk adjustment.
- Require Medicaid MCOs and Medicare Advantage plans to share patient claims data with the patients' providers, particularly primary care providers, so that they may be able to identify appropriate interventions to improve patient outcomes, support overall population health and to address health disparities in the patient populations that area being served.
- Require Medicaid MCOs and Medicare Advantage plans to collect Limited English Proficiency status, interpretation needs, preferred languages used by managed care beneficiaries.



- Through its oversight responsibilities over state procurement requirements for Medicaid MCOs bidding to receive a state Medicaid contract, and Medicare Advantage MCOs or other CMS contracts, work with GSA on procurement requirements to include provision of language access/interpretation and/or enhanced reimbursement strategies to providers.
- Provide reimbursement for language interpretation by:
  - o Adjusting payment models, including Fee for Service and Value-Based Payment, to address limited English proficient (LEP) as a social risk factor to optimize health outcomes and fairness;<sup>19</sup>
  - o Mandating all Medicare Advantage and Medicare plans to provide language access and interpretation at the provider level, with commensurate enhanced reimbursement for interpretation and translation services; and
  - o Monitoring and tracking interpretation use (which could be done through utilization of CPT code T1013 for Sign Language, or Oral Interpretive Services, per 15 minutes. This code should be activated by CMS for reimbursement.

### **Background and Rationale:**

Limited English Proficient patients constitute eight percent<sup>20</sup> (5.02 million) of total Medicare beneficiaries, 12 percent<sup>21</sup> (10.3 million) of total Medicaid beneficiaries, and 1.47 million (nine percent) of total Marketplace beneficiaries.<sup>22</sup>

CMS has regulatory oversight over Medicaid, Medicare, and the insurance Marketplace. CMS can use this oversight authority to require interpretation services and provide or require enhanced reimbursement for this service.



CMS has not updated guidance related to federally qualified health centers (FQHCs) reimbursement in the last decade, resulting in a lack of adequate funding and reimbursement to support underserved communities through FQHCs, including those serving AA and NHPI populations with a significant proportion of patients who are limited English proficient. Federal, State and Local governments have relied heavily on FQHCs to reach and serve these communities during the Covid-19 pandemic (e.g., language and cultural outreach and access, addressing vaccine hesitancy, social determinants of health, prevention measures), but have not adequately accounted for how to continue these services in reimbursement structures going forward. CMS already issued guidance that enabling services (including language access and cultural competency) is under PPS<sup>23</sup>, need them to tell states explicitly that it's covered under Medicaid.

Furthermore, while providers at the grassroots level are required to absorb the operational costs of providing interpretation/translations for patients/clients, the net effect is that LEP individuals receive less access due to providers not accepting patients who are LEP. Thus, reimbursement for providing services to LEP individuals should be a priority.



## Recommendation: Artificial Intelligence (AI) Bias in Healthcare

### Problem Statement:

Artificial intelligence (AI) bias can exacerbate health disparities for AA and NHPI people by three ways: data bias, algorithmic bias, and implementation bias.<sup>24</sup> In the wake of rapidly advancing AI technologies in healthcare, AA and NHPI communities face: 1) lack of representation and poor disaggregation in data training sets; 2) lack of transparency in the algorithm programming and development; and 3) lack of access on the implementation side. Managing AI risk and promoting AI innovation requires effective AI governance to ensure that AA and NHPI are not harmed or left out in access to developing technology.

### Recommendation:

The President should direct the U.S. Department of Health and Human Services (HHS) to:

- Incorporate requirements into all procurement contracts for AI models in medicine to:
  1. Use diverse and representative datasets for training AI algorithms in medicine, by including data from the AA and NHPI populations, and communities that have historically been barred due to language or sociopolitical barriers. This can mitigate bias and ensure that AI systems provide accurate and equitable healthcare recommendations and treatments for all patients;
  2. Incorporate and report efforts that have been made to include disaggregated data of the AA and NHPI communities;
  3. Create, submit, and implement a plan for any contract to recruit and support development to improve the data representation of AA and NHPI communities.
  4. Ensure procurement contracts require AI algorithms used in medicine be transparent and explainable to healthcare providers and patients. The purpose of the transparency is to ensure that patients and providers understand how AI systems are making decisions based on what factors. This can lead to more trust.





- Establish federal governance and oversight bodies to hold AI companies accountable for the use of Medicaid and Medicare datasets, and other federal datasets (e.g., Health Resources and Services Administration Uniform Data System, Veterans Administration). These bodies should ensure representation from AA and NHPI communities;
- Ensure procurement contracts include quarterly performance audits so that marginalized communities are represented within training datasets, are transparent to communities, and have equitable access to AI initiatives; and
- Ensure the Office of the National Coordinator for Health Information Technology (ONC) incorporates the above guidance into health IT vendor certification.

### **Background and Rationale:**

As noted in an October 30, 2023, Executive Order,<sup>25</sup> Artificial Intelligence holds both promise and peril for people. While the Executive Order focuses on the development of safe, secure, and trustworthy AI, there is a significant risk for deepening health inequities for racial and ethnic minorities. The US government and especially HHS has multiple large datasets on health care services and utilization. The US government contracts with organizations that use these datasets to train AI models, especially for Medicaid and Medicare data.



## Immigration and Citizenship Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Grace Huang and KaYing Yang
- **Members:** Ajay Bhutoria and Dr. Robert Underwood
- **Ex-Officio Member:** Carol Wu
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Immigration and Citizenship Status Subcommittee meets monthly and hold ad hoc meetings as needed. Following the Commission's eighth public meeting on February 27, 2024, the Subcommittee met on March 20, 2024; April 17, 2024; May 21, 2024; and June 12, 2024.

### Summary of Recommendations:

The Immigration and Citizenship Status Subcommittee approved the following draft recommendation to present at the July 1, 2024, full Commission meeting:

- **Recommendation:** The Commission recommends the Department of Homeland Security (DHS) make the affirmative asylum process more just and equitable by increasing U.S. Citizenship and Immigration Services (USCIS) capacity to address long processing times in the affirmative asylum backlog, and by issuing regulations that would provide for language interpreters during affirmative asylum interviews.



## Recommendation: Affirmative Asylum Processing Times and Language Access

### Problem Statement:

Individuals from Asia and the Pacific face significant challenges in accessing asylum from the Department of Homeland Security face due to extensive wait times and language barriers in the application and interview process.

### Recommendation:

The Department of Homeland Security (DHS) should make the affirmative asylum process more just and equitable by increasing U.S. Citizenship and Immigration Services (USCIS)' capacity to address long processing times in the affirmative asylum backlog, and by issuing regulations that would provide for language interpreters during affirmative asylum interviews.

### Background and Rationale:

Between Fiscal Years 2013 and 2022, approximately one-third to half of the individuals granted asylum in the U.S. were from Asian or Pacific Island nations, including individuals from Bangladesh, Burma, Cambodia, China, Fiji, India, Indonesia, Laos, Malaysia, Mongolia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Vietnam.<sup>26</sup>

According to the U.S. immigration law, DHS is supposed to conduct an applicant's asylum interview within 45 days of receiving the application and make a decision on the application within 180 days.<sup>27</sup> As of September 2023, more than 1 million asylum applications were pending in the backlog at USCIS.<sup>28</sup> In FY 2023, more than 431,000 affirmative applications (i.e., those cases not before the immigration courts or referred from the U.S. border) were received by USCIS.<sup>29,30</sup> This backlog is resulting in estimated wait times for applicants of over six years.<sup>31</sup>

Under current regulations, affirmative asylum applicants are required to provide their own interpreters during the interview portion.<sup>32</sup> This requirement is overly burdensome, may put individuals fleeing persecution at significant risk, and fails to meet federal



requirements that the government provide meaningful language access.

The current regulation states that, “an applicant unable to proceed with the interview in English must provide, at no expense to USCIS, a competent interpreter fluent in both English and the applicant’s native language or any other language in which the applicant is fluent.” Affirmative asylum interviews are sensitive by nature and require interpreters to have a high level of fluency in English and the applicant’s native language to accurately convey information in a high-stakes setting. By placing the onus on applicants, many of whom may have experienced significant trauma,<sup>33</sup> who may fear contact with individuals from the countries from where they fled, or who lack the resources to hire professional interpreters, DHS is failing to provide meaningful language access to individuals with limited English proficiency.<sup>34</sup> It also possibly raises due process concerns by allowing uncertified and amateur interpreters into a complicated legal process.

Additionally, DHS has demonstrated that it is feasible for the government to proactively provide interpreters during affirmative asylum interviews. During the COVID-19 pandemic from September 23, 2020, to September 13, 2023, USCIS issued a temporary final rule<sup>35</sup> that mandated the use of government contracted telephonic interpreters during affirmative asylum interviews.<sup>36</sup> This was meant to limit exposure during the COVID-19 pandemic, but it has proven to be an effective way to conduct these sensitive and confidential interviews. Furthermore, DHS employs contracted telephonic monitors who listen in during affirmative asylum interviews to ensure that the interpretation is accurate. By using these monitors as the primary interpreter, instead of requiring an applicant to bring an interpreter, there should be no added cost to the government. This further demonstrates a working model for meaningful language access that does not overly burden asylum applicants.



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Kimberly Chang and Victoria Huynh
- **Members:** Simon Pang
- **Ex-Officio Member:** Laureen Laglagaron
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Language Access and Communications Subcommittee meets monthly and holds ad hoc meetings as needed. Following the Commission's eighth public meeting on February 27, 2024, the Subcommittee met on April 5, 2024; April 12, 2024; April 19, 2024; May 10, 2024; and June 14, 2024. The Subcommittee did not have external speakers present since their last Commission meeting.

### Summary of Recommendation:

The Language Access and Communications Subcommittee approved the following draft recommendation to present at the July 1, 2024, full Commission meeting:

- **Recommendation:** The Commission recommends U.S. Department of Health and Human Services (HHS) conduct extensive outreach and education for health care providers and limited English-speaking AA and NHPI communities about new language access obligations under Section 1557 of the ACA. This includes providing in-language materials to inform these communities about their expanded rights and guiding health entities on their responsibilities. Additionally, HHS should develop and distribute model policies based on National Standards for Culturally and Linguistically Appropriate Services (CLAS) for various health entities, including state Medicaid agencies, emergency care providers, managed care programs, and behavioral health programs, among others, to ensure timely and effective implementation of these obligations.





## **Recommendation: Outreach and Education on Section 1557 of Affordable Care Act (ACA)**

### **Problem Statement:**

Asian American and Native Hawaiian and Pacific Islander individuals can face barriers accessing health care and insurance coverage, including language barriers. Often, health care services are not provided in languages for these communities, resulting in disparate health outcomes for AA and PI community members.<sup>37</sup>

### **Recommendation:**

The U.S. Department of Health and Human Services (“HHS”) should engage in widespread outreach and education of healthcare providers and impacted AA and NHPI and other limited English-speaking communities about new language access obligations under recently issued Affordable Care Act section 1557 regulations.<sup>38</sup> Such outreach and education should include in-language materials for impacted communities that inform limited English-speaking people about their expanded rights. Outreach and education efforts should also inform covered health entities about their obligations and support them in implementing these regulations.

HHS should prioritize development and dissemination of model policies in accordance with National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care<sup>39</sup> for various types of health entities, including State Medicaid agencies, emergency rooms and emergency care entities, in managed care programs, and behavioral health programs, among others. Access to accurate and accessible resources for the operationalization of their obligations would reduce hurdles to timely implementation.

### **Background and Rationale:**

More than one in four AA and NHPI adults had limited English proficiency (“LEP”) in 2019.<sup>40</sup> Rates of LEP vary widely across AA and NHPI population subgroups. LEP rates were about 12 percent for NHPI adults and more than 40 percent for Chinese, Bangladeshi, Vietnamese, Nepalese, and Burmese adults.<sup>41</sup> More than half of AA and NHPI adults with LEP do not speak the top three common languages, leaving large gaps even with increased translation services. Healthcare providers and immigrants report that limited language proficiency frequently delays access to available healthcare services and interferes with the development of a therapeutic relationship between the client and the healthcare provider.



Language barriers also impede effective communication between healthcare providers and clients, leading to suboptimal care and dissatisfaction with the care received. Language barriers also interfere with treatment adherence and the use of preventative and screening services, further delaying access to timely care, causing poor chronic disease management, and ultimately results in poor health outcomes. The use of untrained interpreters, family members, or others from the ethnic community is problematic due to inaccurate interpretation, as well as confidentiality problems.<sup>42</sup>

In May of 2024, HHS issued final regulations interpreting Section 1557 of the Affordable Care Act,<sup>43</sup> relating to non-discrimination in health programs. The final regulation requires that health programs, including healthcare providers, insurance issuers, and HHS administered programs, inform people that language assistance services are available. These notices must be provided in English and in at least the 15 most common languages spoken by individuals with LEP in a State(s) served.<sup>44</sup>

The regulation also requires that health entities covered by the rule implement policies and procedures to ensure compliance with the rule. Covered entities must have policies for providing language assistance services for people with LEP and to ensure effective communication and reasonable modifications for people with disabilities. Covered entities are also required to train their staff on these policies and procedures.<sup>45</sup>

HHS has various components that administer health programs covered by the regulations, such as the Centers for Medicare and Medicaid Services, the Health Resources and Services Administration, the Substance Abuse and Mental Health Services Administration, among others. Effective implementation of the Section 1557 regulations should include ensuring that HHS health components are fully informed about the new obligations, as well as supported in updating federal funding grants and contracts, and educating federal funding recipients of the requirements to provide language access.

In addition, HHS has developed preliminary materials describing these obligations, as well as translated a general fact sheet into multiple languages.<sup>46</sup> However, to effectively implement these regulations, impacted communities should be made aware of their rights, as well as mechanisms to enforce their rights, in user-friendly language that is spoken by culturally specific communities. HHS should partner and allocate resources to trusted community organizations, and funding should be provided for these organizations to share information about the anti-discrimination rules directly to families and in public settings, like in the media and in community forums.



## References

---

- 1 Hagmaier, William C. “MEMORANDUM FOR: Regional Administrators.” FEMA, 22 March 2024, [https://www.fema.gov/sites/default/files/documents/fema\\_ifr-implementation\\_IAPPG-Amendment\\_Memo\\_03-22-2024.pdf](https://www.fema.gov/sites/default/files/documents/fema_ifr-implementation_IAPPG-Amendment_Memo_03-22-2024.pdf).
- 2 Hawai'i State Department of Health. “Maui Wildfires Public Health Rapid Needs Assessment Preliminary Report.” Hawai'i State Department of Health, <https://health.hawaii.gov/news/files/2023/10/Maui-Wildfire-RNA-Preliminary-Report.pdf>.
- 3 Leonard, M. “Census Data: Lahaina Was A Very Different Place Than The Rest Of Maui County.” Civil Beat, 4 January 2024, <https://www.civilbeat.org/2024/01/census-data-lahaina-was-a-very-different-place-than-the-rest-of-maui-county/#:~:text=Hawaii%20Fires-,Census%20Data%3A%20Lahaina%20Was%20A%20Very%20Different%20Place%20Than%20The,profile%2C%20a%20new%20report%20shows>.
- 4 United States Census Bureau. “Foreign-Born Population in Lahaina CCD, Maui County, Hawaii.” United States Census Bureau, <https://data.census.gov/all?q=Native%20and%20Foreign-Born&g=060XX00US1500991980>.
- 5 Kelleher, J. “Lahaina’s fire-stricken Filipino residents are key to tourism and local culture. Will they stay?” Associated Press, 11 September 2023, <https://apnews.com/article/lahaina-maui-wildfire-filipino-housekeepers-tourism-5a06eed3e5ebe7466d62b5a9e2f214a0>.
- 6 Lahaina Wildfire Interim Working Groups. “Laulima for Lahaina: Renewing Hearts, Homes, and Community.” Hawaii House of Representatives, December 2023, [https://www.capitol.hawaii.gov/CommitteeFiles/Special/ENRWG/Documents/2023\\_FinalReport-Lahaina-Wildfire-InterimWorking-Group.pdf](https://www.capitol.hawaii.gov/CommitteeFiles/Special/ENRWG/Documents/2023_FinalReport-Lahaina-Wildfire-InterimWorking-Group.pdf).
- 7 Flavelle, C. “As Climate Shocks Worsen, U.S. Disaster Agency Tries a New Approach to Aid.” The New York Times, 19 January 2024, <https://www.nytimes.com/2024/01/19/climate/fema-disaster-aid-climate.html>.
- 8 The White House, “FACT SHEET: Biden-Harris Administration’s Latest Actions to Support Communities Impacted by Maui Wildfires,” The White House, August 21, 2023. <https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/21/fact-sheet-biden-harris-administrations-latest-actions-to-support-communities-impacted-by-maui-wildfires-2/>.
- 9 Ordonio, C. “Lahaina fire survivors rally for housing and sustainable tourism on Legislature’s opening day.” Hawai i Public Radio, 18 January 2024, <https://www.hawaiipublicradio.org/local-news/2024-01-18/lahaina-fire-survivors-rally-for-housing-and-sustainable-tourism-on-legislatures-opening-day>
- 10 Associated Press. “Wildfire prevention and helping Maui recover from flames top the agenda for Hawaii lawmakers.” The Columbian, 14 January 2024, <https://www.columbian.com/news/2024/jan/14/wildfire-prevention-and-helping-maui-recover-from-flames-top-the-agenda-for-hawaii-lawmakers>.
- 11 Nakaso, D. “Hawaii lawmakers eye help for Maui, housing and ethics ahead of 2024 session.” Honolulu Star-Advertiser, 14 January 2024, <https://www.staradvertiser.com/2024/01/14/hawaii-news/hawaii-lawmakers-eye-help-for-maui-housing-and-ethics-ahead-of-2024-session>.
- 12 United States Interagency Council on Homelessness. “Federal Strategic Plan Overview.” United States Interagency Council on Homelessness, <https://www.usich.gov/federal-strategic-plan/overview>.
- 13 86 FR 7023
- 14 Office of Management and Budget. “Sexual Orientation, Gender Identity, and Sex Characteristics Subcommittee.” Federal Committee on Statistical Methodology, 2024, <https://www.fcs.gov/groups/sogisc>.
- 15 86 FR 7009



## References

---

- 16 Substance Abuse and Mental Health Services Administration. “Family Counseling and Support for Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex+ Youth and their Families.” [SAMHSA.gov](https://www.samhsa.gov/grants/grant-announcements/fg-23-004), 16 August 2023, <https://www.samhsa.gov/grants/grant-announcements/fg-23-004>.
- 17 Choi Soon Kyu, et. al. “AAPI LGBT Adults in the US, LGBT Well-Being at the Intersection of Race.” Williams Institute, UCLA School of Law, 3 May 2021.
- 18 Subica A, Samoa R, Jeke A, Sulai A, Johnson T. “Investigating mental health, substance use, trauma, discrimination, and health in sexual and gender minority Pacific Islanders.” 2024.
- 19 Jaffery, Jonathan B., and Safran, Dana Gelb. “Addressing Social Risk Factors In Value-Based Payment: Adjusting Payment Not Performance To Optimize Outcomes and Fairness.” Health Affairs, 19 April 2021, <https://www.healthaffairs.org/content/forefront/addressing-social-risk-factors-adjusting-payment-not-performance>.
- 20 Center for Medicare & Medicaid Services. “Understanding Communication and Language Needs Of Medicare Beneficiaries” Centers for Medicare & Medicaid Services, April 2017, <https://www.cms.gov/About-CMS/Agency-Information/OMH/Downloads/Issue-Briefs-Understanding-Communication-and-Language-Needs-of-Medicare-Beneficiaries.pdf>.
- 21 Gonzales, G. “State Estimates of Limited English Proficiency (LEP) by Health Insurance Status.” State Health Access Data Assistance Center, May 2014. [https://www.shadac.org/sites/default/files/publications/SHADAC\\_Brief\\_40\\_LEP.pdf](https://www.shadac.org/sites/default/files/publications/SHADAC_Brief_40_LEP.pdf),
- 22 Presentation by Dr. LaShawn McIver, OMH/CMS on 4/28/23
- 23 Centers for Medicare & Medicaid Services. “FY 2025 Hospital Inpatient Prospective Payment System (IPPS) and Long-Term Care Hospital Prospective Payment System (LTCH PPS) Proposed Rule – CMS-1808-P Fact Sheet.” Centers for Medicare & Medicaid Services, <https://www.cms.gov/newsroom/fact-sheets/fy-2025-hospital-inpatient-prospective-payment-system-ipps-and-long-term-care-hospital-pros>.
- 24 Ambrose, J. et al. “Equity, Errors, and Ethics of Artificial Intelligence in Vulnerable Populations with Substance Use Disorder.” American Psychiatric Association Annual Meeting, 4 May 2024, [https://s7.goeshow.com/apa/annual/2024/session\\_search.cfm?session\\_key=9E95E511-90B1-1C06-DFD2-D8352722D1C9&session\\_date=Saturday,%20May%202004,%202024](https://s7.goeshow.com/apa/annual/2024/session_search.cfm?session_key=9E95E511-90B1-1C06-DFD2-D8352722D1C9&session_date=Saturday,%20May%202004,%202024).
- 25 89 FR 33380
- 26 U.S. Citizenship and Immigration Services. “Yearbook 2022.” U.S. Citizenship and Immigration Services, Last updated, October 18, 2024, <https://www.dhs.gov/ohss/topics/immigration/yearbook/2022>.
- 27 8 USC 1158(d)(5).
- 28 U.S. Citizenship and Immigration Services. “Completing an Unprecedented 10 Million Immigration Cases in Fiscal Year 2023, USCIS Reduced Its Backlog for the First Time in Over a Decade.” U.S. Citizenship and Immigration Services, 9 February 2024, <https://www.uscis.gov/EOY2023>.
- 29 U.S. Citizenship and Immigration Services. “The Affirmative Asylum Process.” U.S. Citizenship and Immigration Services, 29 March 2023, <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/the-affirmative-asylum-process>.
- 30 U.S. Citizenship and Immigration Services. “Asylum Quarterly Engagement - FY23, Quarter 4, Presentation Talking Points.” U.S. Citizenship and Immigration Services, 19 September 2023, <https://www.uscis.gov/sites/default/files/document/out-reach-engagements/AsylumQuarterlyEngagement-FY23Quarter4PresentationTalkingPoints.pdf>.
- 31 Grenier, A. “High Stakes Asylum, How Long an Asylum Cases Takes and How We Can Do Better,” American Immigration Lawyers Association, 14 June 2023, <https://www.aila.org/library/high-stakes-asylum-how-long-an-asylum-case-takes>.
- 32 8 C.F.R. § 208.9(g)(1)



## References

---

- 33 McVane, B. "PTSD in asylum-seekers: Manifestations and relevance to the asylum process." *Psychiatry Research*, vol. 284, no. 112698, 2020, <https://doi.org/10.1016/j.psychres.2019.112698>.
- 34 65 FR 50121
- 35 88 FR 16372
- 36 U.S. Citizenship and Immigration Services. "Affirmative Asylum Applicants Must Provide Interpreters Starting Sept. 13." U.S. Citizenship and Immigration Services, September 11, 2023, <https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13>.
- 37 Chen, Wei-Ti et al. "Lost in Translation: Impact of Language Barriers and Facilitators on the Health Care of Asian Americans Living with HIV." *Journal of racial and ethnic health disparities*, 12 June 2023, <https://doi.org/10.1007/s40615-023-01674-7>.
- 38 89 FR 37522
- 39 Office of Minority Health, U.S. Department of Health & Human Services. "CLAS Standards – Think Cultural Health." U.S. Department of Health & Human Services, <https://thinkculturalhealth.hhs.gov/clas/standards>.
- 40 Haley, J.M., Zuckerman, S., Rao, N., Karpman, M., and Stern, A. "Many Asian American and Native Hawaiian/Pacific Islander Adults May Face Health Care Access Challenges Related to Limited English Proficiency." Robert Wood Johnson Foundation, December 2022, <https://www.rwjf.org/en/insights/our-research/2022/12/many-asian-american-and-native-hawaiian-pacific-islander-adults-may-face-healthcare-access-challenges-related-to-limited-english-proficiency.html>.
- 41 Dietrich, S., and Hernandez, E. "What Languages Do We Speak in the United States?" U.S. Census Bureau, 6 December 2022, <https://www.census.gov/library/stories/2022/12/languages-we-speak-in-united-states.html>.
- 42 Pandey, M, et al. "Impacts of English language proficiency on healthcare access, use, and outcomes among immigrants: a qualitative study." *BMC Health Serv Research*, vol. 21, no. 741, 2021, <https://doi.org/10.1186/s12913-021-06750-4>.
- 43 45 USC 18116
- 44 45 CFR 92.11
- 45 45 CFR 92.8-92.9
- 46 "Section 1557 of the Patient Protection and Affordable Care Act." [HHS.gov](https://www.hhs.gov), U.S. Department of Health and Human Services, 7 June 2024, <https://www.hhs.gov/civil-rights/for-individuals/section-1557/index.html>.





# **The President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders**

## **Report with Recommendations**

September 2024



# Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee</b>	<b>1</b>
Subcommittee Membership	1
Summary of Meetings and Presentations	1
Summary of Recommendations	1
Recommendation: Gun Violence Prevention Research and Outreach	2
<b>Data Disaggregation And Education Subcommittee</b>	<b>7</b>
Subcommittee Membership	7
Summary of Meetings and Presentations	7
Summary of Recommendations	7
<b>Economic Equity Subcommittee</b>	<b>8</b>
Subcommittee Membership	8
Summary of Meetings and Presentations	8
Summary of Recommendations	8
<b>Health Equity Subcommittee</b>	<b>9</b>
Subcommittee Membership	9
Summary of Meetings and Presentations	9
Summary of Recommendations	9
Recommendation: Insurance Prior Authorizations	10
<b>Language Access Subcommittee</b>	<b>17</b>
Subcommittee Membership	17
Summary of Meetings and Presentations	17
Summary of Recommendations	17
<b>References</b>	<b>18</b>



## Introduction

On May 28, 2021, President Biden signed Executive Order (EO) 14031 establishing the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (the Commission) within the U.S. Department of Health and Human Services (HHS). The 25-member Commission, co-chaired by HHS Secretary Xavier Becerra and U.S. Trade Representative Ambassador Katherine Tai, advises the President on ways the public, private, and non-profit sectors can work together to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities in the United States.

At its inaugural meeting on February 3-4, 2022, the Commissioners formed six subcommittees to advance equity, justice, and opportunity for AA and NHPI communities in accordance with EO 14031:

1. Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee
2. Health Equity Subcommittee
3. Immigration and Citizenship Status Subcommittee
4. Language Access Subcommittee
5. Data Disaggregation Subcommittee
6. Economic Equity Subcommittee.

On September 29, 2023, the President signed EO 14109 to extend the Commission's term for two more years through September 2025.

Between February 2022 and September 2024, the six subcommittees met regularly to gather information and develop recommendations for presentation to the full Commission. The Commission's recommendations are grounded in community and stakeholder feedback and are being submitted to the President on a rolling basis. At its May 12, 2022, in-person meeting, the Commission voted unanimously to move forward 14 recommendations. At its September 28, 2022, in-person meeting, the Commission voted unanimously to move forward an additional nine recommendations. At its December 5-6, 2022, virtual meeting, the Commission voted to advance 13 additional recommendations. At its March 14, 2023, in-person meeting, the Commission voted unanimously to move forward with 10 additional recommendations. At its July 6, 2023, in-person meeting, the Commission voted unanimously to advance an additional 20 recommendations. At its October 25, 2023, in-person meeting, the Commission voted unanimously to advance an additional four recommendations. At its February 27, 2024, in-person meeting, the Commission voted unanimously to advance an additional seven recommendations. At its July 1, 2024 meeting, the Commission unanimously advanced seven recommendations.

The Commission held its tenth public meeting on September 23, 2024, where two additional recommendations were approved by the full Commission. This document includes meeting summaries and the final recommendations approved at the September 2024 meeting.



## Belonging, Inclusion, Anti-Asian Hate, And Anti-Discrimination Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Luisa Blue and Dr. Kamal Kalsi
- **Members:** Teresita Batayola, Emily Chen, Grace Huang, Daniel Dae Kim, and Smita Shah
- **Non-Commissioner Member:** Madihha Ahussain
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee meets monthly and hold ad hoc meetings as needed. Following the Commission's ninth public meeting on July 1, 2024, the Subcommittee met on August 13, 2024, August 27, 2024, and September 3, 2024. The Subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Dr. Tsu-Yin Wu, Professor and Ph.D. Program Director, Eastern Michigan University School of Nursing:** Shared the current scholarship and her ongoing research on the intersections between discrimination and gun violence against AA and NHPI communities.
- **Dr. Frances M. Yang, Research Associate Professor, University of Kansas School of Nursing:** Shared the current scholarship and her ongoing research on the effects of mass shootings on AANHPI communities.

### Summary of Recommendation:

The Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination Subcommittee approved the following draft recommendation to present at the September 23, 2024, full Commission meeting:

- **Recommendation:** The Commission recommends a coordinated effort of government agencies, community groups, organizations, healthcare providers, and researchers to craft policy actions, research priorities, and outreach efforts to prevent gun violence among AA and NHPI communities.



## Recommendation: Gun Violence Prevention Research and Outreach

### Problem Statement:

The Asian American and Native Hawaiian/Pacific Islander (AA and NHPI) communities in the United States have been disproportionately affected by both racially motivated violence and the broader public health crisis of gun violence. During the COVID-19 pandemic, AA and NHPI communities faced a surge in racially motivated violence, exacerbated by discriminatory rhetoric and misinformation about the origins of the virus. This rise in racism and violence led to an increase in firearm purchases among Asian Americans, with studies showing that 43% of Asian Americans who purchased guns during the pandemic were first-time gun owners. In addition, young AA and NHPI's have the fastest growing firearm related suicide rate of any racial/ethnic group.<sup>1</sup> Given this context, it is critical for gun control policies to incorporate the unique challenges faced by the AA and NHPI communities. Addressing these challenges requires a culturally informed approach that recognizes the dual threats of racism and gun violence as well as barriers to access to mental health supports.

### Recommendation:

The White House in conjunction with WHIAANHPI should convene an annual gathering to Prevent Gun Violence. These gatherings shall include AA and NHPI representation and focus on bringing together community groups, organizations, healthcare providers, researchers, government agencies, Judiciary branch representatives, representatives from the Surgeon General's office, and other stakeholders for the purpose of creating policy recommendations and institutional change through informal committees focused on the following ideas:

1. The Centers for Disease Control's research into mass gun violence and effective prevention strategies should include disaggregated data for AA and NHPI communities regarding specific impacts caused by gun violence such as hate crimes, suicide, and other harmful effects.
2. The White House should prioritize a strong evidence-based, culturally appropriate, messaging campaign targeting the AA and NHPI communities, that includes translated materials on reducing gun violence.
3. The convening should discuss reframing gun violence prevention as an on-going exploding public health crisis and developing a whole-of-government, multi-disciplinary response.





4. The convening should discuss systemic policy changes including:
  - a. Engaging in AA and NHPI specific outreach on universal background checks on gun buyers.
  - b. Establishing a national extreme-risk or “red flag” system (based on behaviors and actions) and conducting AA and NHPI specific education campaign about these systems.
  - c. Banning sale of semi-automatic weapons and high capacity magazines to buyers younger than 21 years of age.
  - d. Repealing the liability shield that has been in place since the 2005 passage of the Protection of Lawful Commerce in Arms Act (PLCAA).
  - e. Incentivizing firearms manufacturers and owners to explore technologies such as fingerprint scanners, trigger locks, and safe storage.
  - f. Closing loopholes for acquiring unregistered guns through means such as 3D printed guns, online purchases, and straw purchases, and more.
5. Discuss strategies to prevent and counter violent extremism and extremist ideologies.



## **Background and Rationale:**

The Asian American and Native Hawaiian/Pacific Islander (AA and NHPI) communities in the United States have been disproportionately affected by both racially motivated violence and the broader public health crisis of gun violence. Historical incidents, such as the 1989 mass shooting at Cleveland Elementary School in Stockton, California, which primarily targeted Southeast Asian refugees, illustrate the intersection of racism and gun violence.<sup>2</sup> This incident catalyzed the 1994 assault weapons ban, highlighting the urgent need for policies that address these compounded risks.

During the COVID-19 pandemic, AA and NHPI communities faced a surge in racially motivated violence, exacerbated by discriminatory rhetoric and misinformation about the origins of the virus. Anti-Asian hate crimes in 16 of America's largest cities increased by 145% during the pandemic, according to the Center for the Study of Hate and Extremism.<sup>3</sup> This rise in racism and violence led to an increase in firearm purchases among Asian Americans, with studies showing that 43% of Asian Americans who purchased guns during the pandemic were first-time gun owners.<sup>iii</sup> These new owners often stored firearms unsafely, increasing the risk of firearm-related injuries within these communities.<sup>iii</sup>

The connection between racism and firearm-related behaviors among Asian Americans underscores the need for targeted interventions. Research indicates that experiences of racial discrimination significantly predict the purchase of firearms and ammunition within these communities. This suggests that racism not only drives the fear that leads to gun ownership but also exacerbates the risks associated with unsafe firearm storage and use.<sup>iii</sup>

The United States has more than 120 firearms per 100 people, and averages one mass shooting (a shooting with at least four victims) per day.<sup>4</sup> 40% of adults overall report a gun in the house, and 30% overall report owning one. The United States has more than 120 firearms per 100 people, and averages one mass shooting (a shooting with at least four victims) per day. 40% of adults overall report a gun in the house, and 30% overall report owning one. Data also shows that gun deaths among the Asian American community have been steadily rising from 2018 to 2022.<sup>5</sup>

The Center for Hate and Extremism found that from 2019 to 2020, while the total number of hate crimes in 18 large cities across the US declined 6%, hate crimes targeting Asians rose 145%.<sup>6</sup> Based on imperfect federal hate crime reporting data, the Sikh community consistently ranks as one of the three communities most often targeted in bias incidents. Controlling for each minority group's estimated population size, the Sikh community becomes the most targeted minority community in America per capita.



Given this context, it is critical for gun control policies to incorporate the unique challenges faced by the AA and NHPI communities. Addressing these challenges requires a culturally informed approach that recognizes the dual threats of racism and gun violence. By including disaggregated data on the impacts of gun violence on AA and NHPI communities and promoting culturally appropriate public health campaigns, policymakers can better protect these vulnerable populations and work towards reducing gun violence as a whole.

### **Timeline:**

To be implemented as soon as possible by WHIAANHPI for an indefinite time.

### **Approach for Implementation:**

1. Initial Planning and Coordination (0-12 months):
  - Establish a Working Group: Within 6 months, the White House and WHIAANHPI should establish a working group comprising representatives from AA and NHPI communities, healthcare providers, researchers, government agencies, and other relevant stakeholders.
  - Set Goals and Objectives: In the first 6 months of its formation, the working group will define the specific goals and objectives for the annual gatherings to prevent gun violence, ensuring they align with the broader public health strategy.
2. Data Collection and Analysis (12-15 months):
  - Commission CDC Research: By the 12-month mark, initiate collaboration with the Centers for Disease Control and Prevention (CDC) to begin collecting disaggregated data on the impact of gun violence on AA and NHPI communities, with a focus on hate crimes, suicides, and other related factors.
  - Preliminary Findings Report: At the 15-month mark, the CDC should deliver a preliminary report to the working group, highlighting key trends and areas requiring urgent attention.



3. Development of Messaging Campaign (15-18 months):
  - Culturally Appropriate Campaign Design: Start developing the evidence-based, culturally appropriate messaging campaign by month 15. This will include translating materials and ensuring they resonate with diverse AA and NHPI communities.
  - Pilot Testing: Conduct pilot testing of the messaging materials within select AA and NHPI communities by month 18, making adjustments based on feedback.
4. First Annual Gathering (18-24 months):
  - Convening the Gathering: By month 18, begin organizing the first annual gathering focused on preventing gun violence, with full participation from all identified stakeholders.
  - Policy Recommendations and Strategic Planning: Use the gathering to discuss and refine systemic policy changes, finalize strategic plans, and establish informal committees to drive specific initiatives forward.
5. Ongoing Implementation and Evaluation (Year 2 and Beyond):
  - Policy Implementation: Begin implementing the agreed-upon policy changes and public health interventions immediately following the first annual gathering.
  - Annual Review: At each subsequent annual gathering, review progress, address challenges, and update strategies as needed. The first review will take place 12 months after the initial gathering.



## Data Disaggregation and Education Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Raynald Samoa and Dr. Robert Underwood
- **Members:** Emily Chen and KaYing Yang
- **Non-Commissioner Member:** Dr. Ninez Ponce and Dr. Joseph Keawe Kaholokula
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Data Disaggregation and Education Subcommittee meets monthly and hold ad hoc meetings as needed. Following the Commission's ninth public meeting on July 1, 2024, the Subcommittee met on August 5, 2024, September 2, 2024, and September 9, 2024.

### Summary of Recommendation:

The Data Disaggregation and Education Subcommittee did not submit recommendations for presentation at the September 23, 2024, full Commission meeting.





## Economic Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Simon Pang, and Smita Shah
- **Members:** Luisa Blue, Kerry Doi, and Kevin Kim
- **Designated Federal Officer:** Judith Teruya

### Summary of Meetings and Presentations:

The Economic Equity Subcommittee meets bimonthly and hold ad hoc meetings as needed. Following the Commission’s ninth public meeting on July 1, 2024, the Subcommittee met on August 16, 2024, August 30, 2024, and September 9, 2024.

### Summary of Recommendation:

The Economic Equity Subcommittee did not submit recommendations for presentation at the September 23, 2024, full Commission meeting.



## Health Equity Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Teresita Batayola, Kerry Doi, and Mia Ives-Ruble
- **Members:** Dr. Kimberly Chang, Dr. Kamal Kalsi, and Dr. Raynald Samoa
- **Non-Commissioner Member:** Dr. Quyen Ngo-Metzger
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Health Equity Subcommittee meets monthly and hold ad hoc meetings as needed. Following the Commission's ninth public meeting on July 1, 2024, the Subcommittee met on July 25, 2024, August 22, 2024, and September 10, 2024.

### Summary of Recommendation:

The Health Equity Subcommittee approved the following draft recommendation to present at the September 23, 2024, full Commission meeting:

- **Recommendation:** The Commission recommends the Centers for Medicare & Medicaid Services (CMS) in collaboration with the Center for Consumer Information and Insurance Oversight (CCIIO) implement several key measures to improve transparency and accountability in the prior authorization and claim denial processes: (1) insurance companies should be mandated to publicly disclose their denial rates for various services to enhance transparency; (2) a standardized prior authorization process should be established across all CMS health plans to minimize administrative burdens and delays; (3) an independent review process for denied claims should be created, with comprehensive data collection and regular audits to ensure fairness and support underserved populations; and (4) there should be increased federal oversight, including rigorous monitoring, public accountability metrics, and enhanced penalties for non-compliance, along with mandatory disaggregation of data on Asian American, Native Hawaiian, and Pacific Islander communities to address healthcare disparities.



## Recommendation: Insurance Prior Authorizations

### Problem Statement:

The current system of prior authorization and claim denials by medical insurance companies suffers from significant issues related to transparency and accountability, leading to delays and denials of necessary medical care. While Congress has been working on legislation for several years to help address this issue, it is important to note that these challenges disproportionately impact the Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) community, which already faces considerable barriers to healthcare access and utilization. As the fastest-growing racial/ethnic group in the United States, encompassing over 50 ethnicities, and speaking 100 languages, AA and NHPIs have historically encountered significant health disparities. These include higher rates of chronic diseases, lower screening rates for certain cancers, and poorer quality care compared to other racial/ethnic groups.<sup>7,8,9</sup>

Five primary areas of concern have been identified:

1. **Denial Rates:** According to a study by the Kaiser Family Foundation, 17% of in-network claims were denied in 2021, with denial rates varying widely among insurers, ranging from 2% to 49%.<sup>10,11</sup>
2. **Administrative Burden:** Physicians spend an average of 16.4 hours per week on tasks related to prior authorization, contributing to significant delays in patient care.<sup>12</sup>
3. **Lack of Transparency:** The federal government must urgently continue to expand and revise transparency data reporting requirements for several years, making it difficult for consumers to compare health plans based on denial rates.<sup>13,14</sup>
4. **Impact on Patient Care:** Delays and denials of necessary care can lead to serious adverse events, including hospitalization, disability, and even death.<sup>15</sup>
5. **Economic Consequences:** The administrative burden of prior authorization has significant economic implications for physician practices, with 40% of physicians reporting the need to hire staff exclusively for handling prior authorizations.<sup>xv</sup>



The lack of transparency in insurance coverage data reporting impedes hospitals and healthcare systems from effectively addressing claim denials. Moreover, the federal government has not expanded or revised these reporting requirements in years.<sup>xvi 16i</sup> The significant variability between health plans' prior authorization service lists and approval criteria, coupled with the intense administrative burden and high volume of services requiring prior authorization, frequently results in delays or denials of claims.<sup>17, 18</sup>

### **Recommendation:**

To address these issues, it is imperative CMS in collaboration with the Center for Consumer Information and Insurance Oversight (CCIIO) implement measures to increase transparency and accountability in the prior authorization and claim denial processes. We acknowledge that changes to reporting of metrics (including denials), decreasing decision timeframes further, requiring the use of electronic prior authorization, and other improvements may require change in federal statute. Recommended actions include:

- 1. Mandatory Disclosure of Denial Rates:** Require insurance companies to publicly disclose their denial rates for various medical services and procedures. By building on existing health equity frameworks, we advocate for more comprehensive reporting that includes denial rates for all services. These reports should be categorized by claim type, geographic area, and demographic information to provide a clear picture of who is most affected by denial practices.
- 2. Standardized Prior Authorization Process:** Fully standardizing the prior authorization process across all CMS health plans to reduce administrative burden on healthcare providers and ensure that necessary care is not delayed or denied. We urge CMS, where authorized, to expand these efforts and include all health plans, particularly Qualified Health Plans (QHPs), under the standardized prior authorization rules.



- 3. An independent review process for denied claims:** We recommend the creation of a new independent review process for denied claims across all categories, including specialty care, physical therapy, durable medical equipment, and more.

We recommend the Executive Branch direct CMS to develop a more effective independent review process that includes:

- A. Comprehensive Data Collection and Reporting:** Implement mandatory public reporting of denial trends across all insurance plans. These reports should be categorized by claim type, geographic area, and demographic information to provide a clear picture of who is most affected by denial practices.
  - B. Enhanced Oversight and Accountability:** Empower the CCIIO with the resources and authority needed to conduct detailed analyses of denial patterns and ensure compliance among insurance providers across the board.
  - C. Regular Audits and Evaluations:** Establish routine audits to assess whether claim denials are justified based on medical necessity. These findings should be publicly available to enhance transparency and ensure accountability within insurance companies.
  - D. Support for Underserved Populations:** Develop targeted initiatives aimed at supporting communities disproportionately affected by claim denials, ensuring equitable access to necessary healthcare services for vulnerable populations.
- 4. Increased Oversight:** We recommend significantly increasing independent federal oversight of insurance companies to ensure full compliance with transparency and accountability measures by implementing the following measures:
    - A. Rigorous Monitoring of Insurer Practices:** Develop and enforce stricter monitoring protocols that regularly assess insurance companies' denial rates, algorithms, AI utilization, response times for prior authorizations, and overall adherence to transparency measures.
    - B. Clear and Public Accountability Metrics:** Require insurance companies to publicly disclose their compliance with oversight regulations. This should include denial rates, processing times for prior authorizations, and metrics on how well insurers are serving underserved communities.





- C. Increased Penalties for Non-Compliance:** Strengthen penalties for insurance companies that fail to comply with transparency requirements or engage in discriminatory practices, ensuring there are real consequences for non-compliance.
  - D. Enforcement of Penalties:** Enhance the enforcement of penalties for unjustified denials across all health plans to strengthen accountability. This includes implementing consistent and transparent reporting mechanisms that ensure insurers are held to the same standards regardless of the type of plan.
  - E. Regular Audits of Denial and Approval Practices:** Establish regular, mandatory audits of insurance companies' denial and approval practices to ensure that they are operating fairly and equitably, particularly in relation to underserved populations and vulnerable communities.
- 5. Disaggregation of Data:** We recommend that insurance companies be required to publicly disclose disaggregated data on Asian American (AA) and Native Hawaiian and Pacific Islander (NHPI) communities to ensure transparency in how these populations are served.

We recommend that we take the following steps to ensure disaggregated data collection and reporting:

- A. Leverage Revised OMB Standards:** Utilize the minimum revised OMB standards as a starting point, to require insurance companies to collect and report disaggregated data on AA and NHPI communities. This is crucial for obtaining accurate data that reflects the specific healthcare challenges faced by these populations.
- B. Implement Clear Guidelines for Data Collection and Disclosure:** Develop clear, enforceable guidelines that ensure insurance companies collect disaggregated data ethically and transparently. These guidelines should include consent mechanisms for enrollees and ensure that sensitive data is disclosed responsibly and only in aggregate or appropriately anonymized forms when necessary.
- C. Mandate Regular Reporting on AA and NHPI Communities:** Require insurance companies to publicly report on how AA and NHPI communities are impacted by denial rates, healthcare access, and service utilization. This data should be detailed and disaggregated to uncover disparities in care that are often obscured by aggregate reporting.
- D. Address Legal and Ethical Concerns Proactively:** Work with legal experts and stakeholders to navigate potential legal concerns regarding the disclosure of disaggregated data. This includes ensuring compliance with privacy laws while still achieving transparency and equity goals in healthcare reporting.



## Background and Rationale:

- 1. Mandatory Disclosure of Denial Rates:** Transparency in denial rates is a critical step toward empowering consumers and ensuring equity in healthcare access. Although CMS has established transparency measures such as the Annual Health Equity Analysis of Utilization Management (UM) Policies for Medicare Advantage plans, these efforts fall short of fully addressing the systemic issues related to denial rates across all plans. This data is essential for identifying and addressing inequities in access to care, particularly for underserved populations. True equity in healthcare will not be achieved without full transparency from insurance companies regarding their denial practices.
- 2. Standardized Prior Authorization Process:** While CMS claims progress through the CMS Interoperability and Prior Authorization Final Rule (CMS-0057-F), which mandates the use of Prior Authorization APIs for impacted payers starting in 2026-2027, we believe the scope is insufficient.<sup>19, 20</sup>

Notably, Qualified Health Plans (QHPs) on Federally Facilitated Exchanges (FFE) are excluded from these standardization efforts.<sup>xiv</sup> This exclusion creates significant disparities in the patient experience depending on the type of plan. While Medicaid, CHIP, and some commercial payers will be required to comply with standardized prior authorization measures, QHPs on the FFEs are left out, leaving millions of patients still grappling with inconsistent prior authorization processes and delays in receiving care.

Furthermore, although CMS supports electronic prior authorization, full implementation and compliance aren't required until 2026-2027, leaving a substantial period in which healthcare providers and patients will continue to face these administrative barriers<sup>xiv</sup> are critical for equitable access to healthcare, and excluding certain payers from these standards only exacerbates inefficiencies and patient frustration. Congress should push for the extension of these standards to all health plans to ensure nationwide consistency in prior authorization procedures.



**3. An Independent Review Process for Denied Claims:** While CMS has pointed to the Center for Consumer Information and Insurance Oversight (CCIIO) as having existing authorities for handling independent reviews and public reporting by community type, this approach lacks the detail and scope necessary to effectively address widespread systemic issues.<sup>xiv, xx</sup> The current framework is insufficient to reveal large-scale trends, especially those affecting underserved populations, leaving gaps in identifying and resolving denial disparities.

The existing oversight is too limited in scope to adequately combat unjustified denials. CMS's processes do not collect the granular data needed to identify patterns that disproportionately impact vulnerable communities. Implementing a comprehensive reporting system on denial trends based on claim type and demographic information is crucial for achieving equitable healthcare access. Without it, marginalized groups will continue to experience higher denial rates, further exacerbating disparities.

**4. Penalties for Unjustified Denials:** We propose the imposition of penalties on insurance companies that unjustifiably deny claims, ensuring that companies are held accountable for unfair practices. Such penalties would incentivize timely and fair decisions, reducing the risk of patients being denied critical care.

While CMS acknowledges that some authorities already permit penalties for unjustified denials, current enforcement remains inconsistent. This uneven application allows insurance companies to deny claims without facing meaningful consequences, especially across various health plans.<sup>xiv, xx</sup> The current framework does not provide sufficient deterrence, and without stronger penalties, patients—especially those in vulnerable populations—will continue to suffer from these unjust practices. By taking a stronger stance on unjust denials, the administration can foster a healthcare environment that prioritizes patient welfare and ensures equity in access to care.



**5. Increased Oversight:** While some mechanisms exist to monitor insurance practices, they are insufficient to hold insurers accountable for practices that harm patients, such as unjustified denials and lack of clear reporting.

The current oversight measures lack the scope and enforcement power necessary to effectively protect patients and ensure that insurance companies operate with transparency. Given that unjustified denials and discriminatory practices often go unchecked, it is crucial that CMS enhances its regulatory framework to ensure that all health plans are subject to stricter accountability.

By implementing enhanced oversight measures, we can ensure that insurance companies are held to a higher standard of accountability. This will create a more transparent and equitable healthcare system where patients are protected from unjust practices, and insurers are compelled to prioritize fairness and compliance.

**6. Disaggregation of Data:** Disaggregated data is critical for identifying disparities in healthcare access, usage, and outcomes among diverse groups, which often remain hidden in aggregate data reporting.

CMS raised concerns regarding current limitations, such as the inability to require enrollees to report their race and legal barriers related to public disclosure of sensitive data.<sup>xviii</sup> However, these challenges should not deter progress. The recent revision of the OMB standards provides a path forward to compel insurance companies to collect and report this critical data. While there are complexities, addressing health disparities for AA and NHPI communities requires concrete actions that go beyond what CMS currently mandates.

By taking these actions, we can ensure that disaggregated data is used as a powerful tool to address inequities in healthcare access and outcomes for AA and NHPI communities. This will pave the way for a more inclusive healthcare system that recognizes and addresses the unique needs of all populations.

By implementing these recommendations, policymakers can help reduce health disparities and improve health outcomes, particularly for the AA and NHPI community, which faces unique challenges in accessing quality healthcare.



## Language Access Subcommittee

### Subcommittee Membership:

- **Co-Chairs:** Dr. Kimberly Chang and Victoria Huynh
- **Members:** Simon Pang
- **Ex-Officio Member:** Laureen Laglagaron
- **Designated Federal Officer:** Erika Ninoyu

### Summary of Meetings and Presentations:

The Language Access and Communications Subcommittee meets monthly and hold ad hoc meetings as needed. Following the Commission’s ninth public meeting on July 1, 2024, the Subcommittee met on August 16, 2024, and September 13, 2024.

### Summary of Recommendation:

The Language Access and Communications Subcommittee did not submit recommendations for presentation at the September 23, 2024, full Commission meeting.





# References

---

- <sup>1</sup> Centers for Disease Control and Prevention, Wide-ranging Online Data for Epidemiologic Research (WONDER), “Underlying Cause of Death, 1999-2020,” last accessed September 10, 2024, <https://wonder.cdc.gov/>
- <sup>2</sup> “The Forgotten School Gun Massacre in Stockton, CA.” History News Network, 26 May 2022, [www.historynewsnetwork.org/article/the-forgotten-school-gun-massacre-in-stockton-ca](http://www.historynewsnetwork.org/article/the-forgotten-school-gun-massacre-in-stockton-ca).
- <sup>3</sup> Wu, Tsu-Yin, et al. “Examining Racism and Firearm-Related Risks among Asian Americans in the United States during the COVID-19 Pandemic.” *Science Direct*, 29 Apr. 2022, [doi.org/10.1016/j.pmedr.2022.101800](https://doi.org/10.1016/j.pmedr.2022.101800).
- <sup>4</sup> “Statistics.” *Brady*, [www.bradyunited.org/resources/statistics](http://www.bradyunited.org/resources/statistics). Accessed 9 Sept. 2024.
- <sup>5</sup> Nguyen, Alex, and Sophie Yap. “Gun Violence in Asian and Pacific Islander Communities.” *Giffords Law Center*, 22 May 2024, [giffords.org/lawcenter/report/gun-violence-in-asian-and-pacific-islander-communities/#footnote\\_8\\_55072](https://giffords.org/lawcenter/report/gun-violence-in-asian-and-pacific-islander-communities/#footnote_8_55072).
- <sup>6</sup> FACT SHEET: Anti-Asian Prejudice.” *Center for the Study of Hate and Extremism CSUSB*, Mar. 2021, [www.csusb.edu/sites/default/files/FACT%20SHEET-%20Anti-Asian%20Hate%202020%20rev%203.21.21.pdf](http://www.csusb.edu/sites/default/files/FACT%20SHEET-%20Anti-Asian%20Hate%202020%20rev%203.21.21.pdf).
- <sup>7</sup> Pillai, Drishti, et al. “Health Care Disparities Among Asian, Native Hawaiian, and Other Pacific Islander (NHOPI) People.” Kaiser Family Foundation, 24 May 2023, [www.kff.org/racial-equity-and-health-policy/issue-brief/health-care-disparities-among-asian-native-hawaiian-and-other-pacific-islander-nhopi-people/](http://www.kff.org/racial-equity-and-health-policy/issue-brief/health-care-disparities-among-asian-native-hawaiian-and-other-pacific-islander-nhopi-people/).
- <sup>8</sup> Pfizer. “Health Disparities among Asian Americans and Pacific Islanders.” Pfizer, 2024, [www.pfizer.com/news/articles/health\\_disparities\\_among\\_asian\\_americans\\_and\\_pacific\\_islanders](http://www.pfizer.com/news/articles/health_disparities_among_asian_americans_and_pacific_islanders).
- <sup>9</sup> Koh H, Park JJ. Health Equity Matters for Asian Americans, Native Hawaiians, and Pacific Islanders. *JAMA Forum Archive*. Published online February 8, 2017. doi:10.1001/jamahealthforum.2017.0008
- <sup>10</sup> Bailey, Victoria. “ACA Marketplace Plans Denied Nearly 17% of In-Network Claims in 2021.” *Tech Target*, 13 Feb. 2023, <https://www.techtarget.com/healthcarepayers/news/366603685/ACA-Marketplace-Plans-Denied-Nearly-17-of-In-Network-Claims-in-2021>. Accessed 12 Sept. 2024.
- <sup>11</sup> Rosenthal, Elizabeth. “Denials of Health Insurance Claims Are Rising - and Getting Weirder.” *Fierce Healthcare*, 30 May 2023, <https://www.fiercehealthcare.com/payers/why-largest-pbms-may-be-focusing-specific-markets-study>. Accessed 12 Sept. 2024.
- <sup>12</sup> Corder, J Collins. “Streamlining the Insurance Prior Authorization Debacle.” *Missouri medicine* vol. 115,4 (2018): 312-314.
- <sup>13</sup> “Internal Claims and Appeals and the External Review Process Overview.” Centers for Medicare & Medicaid Services, Nov. 2023.
- <sup>14</sup> Fields, Robin. “How Often Do Health Insurers Say No to Patients? No One Knows.” *ProPublica*, 28 June 2023, <https://www.propublica.org/article/how-often-do-health-insurers-deny-patients-claims>. Accessed 12 Sept. 2024.
- <sup>15</sup> Robeznieks, Andis. “Why Prior Authorization Is Bad for Patients and Bad for Business.” *AMA*, 18 Feb. 2022, <https://www.ama-assn.org/practice-management/prior-authorization/why-prior-authorization-bad-patients-and-bad-business>. Accessed 12 Sept. 2024.
- <sup>16</sup> Gulati, Sumedha. “Highlights of the Health Equity Needs, and Challenges in AANHPI Communities.” California Association of Healthcare Leaders, 13 May 2024, [ache-cahl.org/jedi/highlights-of-the-health-equity-needs-and-challenges-in-aanhpi-communities/](https://ache-cahl.org/jedi/highlights-of-the-health-equity-needs-and-challenges-in-aanhpi-communities/).
- <sup>17</sup> Thompson, Ashley B. “AHA Urges Medpac to Examine Medicare Advantage Denials, Hospital Market Basket: AHA.” *American Hospital Association*, 30 Nov. 2023, [www.aha.org/lettercomment/2023-11-30-aha-urges-medpac-examine-medicare-advantage-denials-hospital-market-basket](http://www.aha.org/lettercomment/2023-11-30-aha-urges-medpac-examine-medicare-advantage-denials-hospital-market-basket).



## References

---

- <sup>18</sup> Berg, Sara. “When Health Plans Delay and Deny, They Must Say Why.” American Medical Association, 11 June 2024, [www.ama-assn.org/practice-management/prior-authorization/when-health-plans-delay-and-deny-they-must-say-why](http://www.ama-assn.org/practice-management/prior-authorization/when-health-plans-delay-and-deny-they-must-say-why).
- <sup>19</sup> United States Centers for Medicare & Medicaid Services. 16 Jan. 2024. <https://www.cms.gov/newsroom/factsheets/cms-interoperability-and-prior-authorization-final-rule-cms-0057-f>.
- <sup>20</sup> “CMS Interoperability and Prior Authorization Final Rule.” American Association of Orthopedic Surgeons, [www.aaos.org/globalassets/advocacy/action-center/aaos-interoperability-and-prior-authorization-final-rule-summary.pdf](http://www.aaos.org/globalassets/advocacy/action-center/aaos-interoperability-and-prior-authorization-final-rule-summary.pdf). Accessed 13 Sept. 2024.

*This page was intentionally left blank.*

