



President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders

December 5-6, 2022
Meeting Minutes

Action Items

The Commission voted unanimously to move forward both recommendations, as amended, of the Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee, with Commissioners Luisa Blue, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and Ka Ying Yang recused:

Recommendation One:

- 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.

Recommendation Two:

- 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.

The Commission voted unanimously to move forward all three recommendations of the Language Access Subcommittee, with Commissioners Luisa Blue, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and KaYing Yang recused:

Recommendation One:

- 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, which is a revolving fund authorized under 42 U.S.C. Section 231 and should be housed within the Assistant Secretary for Public Affairs.

Recommendation Two:

- The Commission recommends that within three months of this recommendation that transcripts of key important speeches of 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.

Recommendation Three:

- The Centers for Disease Control and Prevention (CDC) should immediately take steps to conduct the National Intimate Partner and Sexual Violence Survey (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.

The Commission voted unanimously to move forward both recommendations, as amended, of the Health Equity Subcommittee, with Commissioners Luisa Blue, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and KaYing Yang recused:

Recommendation One:

- 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 populations.*
 - Screening for lung cancer using low-dose CT scans can detect cancer at an earlier stage and decrease lung cancer death rates by 20%. 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 populations.
 - 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 populations 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 populations 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 populations 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.

Recommendation Two:

- The Commission recommends that the U.S. Department of Health and Human Services (HHS) take a number of steps to address intimate partner violence (IPV) and its health impacts in AA and NHPIs by ensuring that all HHS health care delivery programs and

funding mechanisms include language accessibility for AA and NHPI populations; 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 populations.*
- 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 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.
- The Health Resources and Services Administration (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 (GBV), and children at risk for experiencing adverse childhood experiences, 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).
- The Office of Population Affairs should incentivize Title X grantees, subrecipients, and service sites to incorporate plans for language accessibility in AA and NHPI populations.
- 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 populations.*

- 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.

The Commission voted unanimously to move forward all three recommendations, as amended, of the Immigration and Citizenship Status Subcommittee, with Commissioners Luisa Blue, Kimberly Chang, Victoria Huynh, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and KaYing Yang recused:

Recommendation One:

- The Commission recommends 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 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.

Recommendation Two:

- The Commission recommends that 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 access to Employment Authorization Document (EAD), allowing them to work in 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.

Recommendation Three:

- 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.

The Commission voted unanimously to move forward all three recommendations, as amended, of the Economic Equity Subcommittee, with Commissioners Luisa Blue, Kimberly Chang, Victoria Huynh, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and KaYing Yang recused:

Recommendation One:

- 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.

Recommendation Two:

- The Commission recommends 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.

Recommendation Three:

- 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.

December 5, 2022
Meeting Convenes at 4pm ET

Caroline Goon, Senior Advisor, White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and Designated Federal Officer (DFO), President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission)

Ms. Goon opened the meeting by welcoming everyone to the fourth quarterly meeting of the Commission, which will convene over two days. She thanked the Commissioners for their work since the last meeting in September, speaking with subject matter experts, deliberating, and preparing recommendations to be shared with the full Commission and the public. Ms. Goon offered a brief explanation of the Commission's commitments pursuant to the Federal Advisory Committee Act (FACA) and thanked the public for submitting written comments through the Federal Register. Information about the Commission is available at www.hhs.gov/about/whiaanhpi, and the public is encouraged to submit written comments to aanhpicommission@hhs.gov.

Welcome and Introduction of Secretary Xavier Becerra

Krystal Ka'ai, Executive Director, White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders

Executive Director Ka'ai welcomed the Commissioners to their fourth meeting and thanked them for their unwavering dedication to serving their communities. She also thanked co-chairs Secretary Xavier Becerra, Ambassador Katherine Tai, and Chief Commissioner Sonal Shah, who have all provided support, guidance, and leadership to the Commission. Executive Director Ka'ai acknowledged Deputy Director Rebecca Lee, DFOs Caroline Goon, Maysee Jacobs, Sarah Edwards, and Zeyen Wu, as well as Deputy Assistant to the President Erika Moritsugu for their hard work and leadership supporting the Commission behind the scenes. She provided an overview of the work since the Commission last convened in September, including finalizing their second set of recommendations, which are being reviewed before transmittal to the President. Executive Director Ka'ai then introduced co-chair Secretary Xavier Becerra, noting his remarkable career achievements and service to marginalized communities.

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

Secretary Becerra thanked Executive Director Ka'ai and the Commission for their commitment to elevating the voices of Asian Americans, Native Hawaiians, and Pacific Islanders (AA and NHPIs). He noted that since day one, the Biden-Harris administration has worked to advance equity, addressing long-standing barriers that have prevented underserved communities from accessing federal programs, services, and resources. Since the Commission was sworn in by Vice President Harris in February, great progress has been made in a number of areas. For example, the Department of Health and Human Services relaunched its language access steering committee to ensure that limited English proficient communities have access to the life-saving information and resources they need to be able to lead healthy lives. Additionally, the

Department of Justice issued hate crimes guidance to raise awareness and share resources with the public on ways to promote the safety and well-being of all communities impacted by hate. A new center of excellence to advance behavioral health equity for AA and NHPI communities was created, and the Substance Abuse and Mental Health Services Administration is working with WHIAANHPI to implement this Commission's recommendation to host an AA and NHPI mental health summit. Secretary Becerra noted that since the Commission last met in September, agencies from across the federal government have been reviewing the Commission's recommendations and he looks forward to seeing many of these recommendations implemented in the coming months. He thanked Chief Commissioner Sonal Shah, members of the Commission, Executive Director Ka'ai and her staff, and Deputy Assistant to the President Erika Moritsugu for their steadfast leadership and ongoing contributions.

White House Approach to Advancing Equity, Justice, and Opportunities for AA and NHPIs

Erika L. Moritsugu, Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison

Ms. Moritsugu thanked Secretary Becerra for his leadership, the Commission for their work, and community members for joining. She shared that all 18 federal agencies that were identified in the recommendations that the Commission approved in May and transmitted to the President in August have responded to initial inquiries, and that those responses have been positive, with many agencies indicating the recommendations align with their goals and initiatives. For example, the Small Business Administration will now take the lead on planning economic summits across the country focused on AA and NHPI communities. The Office of Management and Budget is working with agencies like the National Center for Health Data Statistics to improve and refine the data they collect to support further disaggregation. And the Chief Statistician of the United States announced the launch of a formal review process to revise standards around the collection and reporting of federal race and ethnicity data which will likely be completed in the summer of 2024. Ms. Moritsugu will continue to monitor the ongoing implementation process and share regular updates with the Commission on the feedback received related to the recommendations.

Commission's Charge and Goals for the Meeting

Sonal Shah, Chief Commissioner

Chief Commissioner Sonal Shah thanked Ms. Moritsugu and Secretary Becerra for their leadership, guidance, and partnership. She also thanked Executive Director Ka'ai, the Commissioners, and the public for joining. She explained that additional recommendations will be presented today by the Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee, the Language Access Subcommittee, and the Health Equity Subcommittee, and that discussion will follow each presentation. Tomorrow, Chief Commissioner Sonal Shah will facilitate a conversation about the Commission's legacy and future work. She thanked the public for responding to the request for written comments to the Federal Register, noting that the Commissioners are reviewing comments and will be following up.

Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee Presentation

Co-Chairs: Commissioners Luisa Blue and Dr. Kamal Kalsi

Members: Commissioners Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah, and Dr. Robert Underwood

DFO: Zeyen Wu

Commissioner Grace Huang thanked Chief Commissioner Sonal Shah, DFO Zeyen Wu, the Commissioners, and the public for listening in. She noted that since September, the subcommittee met with several subject matter experts, including:

- **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 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.

Commissioner Grace Huang shared that the subcommittee is focused on the following priority areas: prevention of anti-Asian hate, increasing resources for victims, education about AA and NHPI communities, standardizing hate crimes and hate incident definitions, preventing gun violence targeting AA and NHPI communities, alternative means of reporting hate crimes or hate incidents, increasing federal transparency on data regarding domestic terrorism and white supremacist organizations, and improving federal data collection of hate crimes and hate incidents.

Commissioner Naheed Qureshi presented the subcommittee’s **first recommendation**, explaining that the purpose of this recommendation is to ensure that guidance and training materials issued by military agencies and federal law enforcement are free of bias and stereotypes about the AA and NHPI communities. Additionally, AA and NHPI religious, cultural, and ethnic celebrations have not been recognized and celebrated in ways that are consistent with the celebrations of other communities.

In presenting the recommendation, Commissioner Naheed Qureshi made a slight change, noting that the Domestic Policy Council is actually in charge of implementing Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. Accordingly, the President should direct the Domestic Policy Council to

review and make recommendations regarding equity issues as they relate to AA and NHPI communities. The review and recommendations should include the following actions: conducting 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; and reviewing 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. Further recommendations should be made to ensure that the treatment of all communities is both consistent and equitable.

Questions and Discussion

Commissioner Kamal Kalsi thanked the subcommittee for its recommendation and noted that it is inaccurate and offensive for military and law enforcement to claim low community representation numbers as justification for not recognizing certain holidays. In order to uphold diversity, inclusion, and cultural competence, this barrier must be overcome. Commissioner Naheed Qureshi thanked Commissioner Kamal Kalsi for his comment and noted that the goal of this recommendation is to have the federal government assess and recognize current practices and then adjust accordingly. She added that if it is not possible to be comprehensive in including all communities, policies could begin with one community.

Commissioner Ajay Bhutoria suggested whether certain cultural holidays could be made optional in the federal holiday calendar so that those who celebrate could take those days, but it would not be required for everyone. This could be a potential future recommendation. Commissioner Simon Pang noted that it would be important for the administration to have a regular campaign emphasizing the importance of cultural holidays.

Commissioner Kamal Kalsi then presented the **second recommendation**, noting that 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 waves of anti-Asian sentiment and violence. The subcommittee recommends that the White House 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.

Questions and Discussion

Commissioner Kerry Doi applauded the subcommittee on their work and emphasized the importance of gun violence prevention. He appreciated the recommendation including an intersectional lens and hoped that at least one of the sectors participating at the summit would be from the educational sector, as education is a critical part of the discussion.

Commissioner Grace Huang also appreciated the intersectionality of the recommendation and noted that gender must be considered in this conversation as gender-based violence is prevalent in AA and NHPI communities. Commissioner Victoria Huynh noted that leaders need to continue to talk about gun violence and gun safety to prevent senseless shootings against the AA and NHPI community, such as the one in Georgia last year. It is also important to talk about gun safety in the AA and NHPI community, which is not frequently discussed. Commissioner Smita

Shah thanked the subcommittee for their work and noted the importance of this dialogue in community settings.

Language Access Subcommittee Presentation

Co-Chairs: Commissioners Dr. Amy Agbayani, Victoria Huynh, and Dr. Kimberly Chang

Members: Commissioners Kerry Doi, Grace Huang, Ajay Bhutoria, and Simon Pang

Non-Commission Member: Deeana Jang

Ex-Officio Member: Laureen Laglagaron, U.S. Department of Justice

DFO: Maysee Jacobs

Commissioner Amy Agbayani introduced the members of the subcommittee and shared that the subcommittee received presentations from the following subject matter experts who helped 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's Office for Access to Justice (ATJ) and their activities, including collaboration with federal agencies to ensure limited English proficient (LEP) persons have meaningful language access to programs.

Commissioner Amy Agbayani shared the subcommittee's priority issue areas, which include improving language access in the justice system, increasing public outreach, improving language access funding for health care to serve LEP families, prioritizing and expanding federal funding for AA and NHPI language access, building a pipeline of language translators and interpreters, and translating federal agency communications into multiple languages. The subcommittee identified three problem areas and recommendations for each.

Deeana Jang presented the **first problem statement and recommendation**. She thanked former and current subcommittee members for their work on the first recommendation which is timely as Attorney General Merrick Garland recently issued a memo to federal agencies reinforcing the need to further enhance access to multilingual information by the federal government, specifically focusing on whether agencies are effectively reaching individuals with limited English proficiency when disseminating information about federal resources, programs, and services and whether agencies can adapt their digital communication to welcome individuals with limited English proficiency.

The subcommittee thus 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, which is a revolving fund authorized under 42 U.S.C. Section 231, and should be housed within the Assistant Secretary for Public Affairs.

Questions and Discussion

Commissioner Teresita Batayola asked if there was a way to ensure adequate resources for communities, especially in light of what happened during the pandemic and vaccine hesitation and community groups stepping in. Deeana Jang noted that this is a great point and will be addressed in one of the subcommittee's other recommendations which focuses on resources for community-based organizations that do this work without compensation. The government could potentially provide resources by, for example, requiring government contractors to subcontract and compensate community-based organizations with language expertise.

Commissioner Kamal Kalsi noted that this is a common practice in corporate America to consolidate translation services across different platforms for efficiency. Commissioner Smita Shah asked if the Federal Emergency Management Agency (FEMA) could also be involved within the context of emergency needs. Deeana Jang responded that they would welcome a way to include FEMA and explained that they had prioritized HHS given its critical programs serving AA and NHPI communities. She also reminded Commissioners that there was also a recommendation from May on emergency services, which could be further developed, and that FEMA could be included in a new recommendation.

Commissioner Amy Agbayani emphasized that the subcommittee wants to ensure that smaller language communities are included, as it is easy to prioritize the top five languages and ignore those with smaller populations. Commissioner Kevin Kim asked if there is any federal law that requires a certain number of languages to be translated in documents and telephonic services. He noted that in New York City, local law mandates that services and resources are translated in a number of required languages. Deeana Jang responded that the Voting Rights Act has thresholds for when bilingual ballots must be provided in specific languages, but under civil rights laws, similar requirements are not included beyond the general LEP guidance which is dependent on particular contexts. Commissioner Kevin Kim suggested that this could be part of a future recommendation.

Commissioner Teresita Batayola added that another dimension to the language issue is funding. Apart from the pandemic, communities struggled with the Census, the public charge rule, and voter education and turn out. It was and continues to be hard for communities to determine what information is reliable unless that information comes from already trusted sources, which tends to be long-standing community-based organizations. In an era of alternative facts, she urged the subcommittee to think about how the federal government can invest in communities to provide more reliable information.

Chief Commissioner Sonal Shah asked Deeana Jang if the subcommittee wanted to modify the recommendation to incorporate languages that are not as widely used. Deeana Jang responded that she was interested in first reviewing the responses to the Federal Register Notice as they might provide some promising practices and ideas. Chief Commissioner Sonal Shah agreed and added that it could be helpful to invite a speaker to the subcommittee to talk about best practices.

Commissioner Kimberly Chang further explained the subcommittee's intention is to recommend that the federal government set up an infrastructure and that the details about language thresholds and which languages agencies need to prioritize could come later. She suggested that the Commission approve this recommendation and then focus on implementing best practices. Deeana Jang agreed and added that federal agencies currently have a number of helplines and language lines, which can include multiple languages.

Chief Commissioner Sonal Shah summarized the comments, including better supporting community-based organizations, exploring FEMA and emergency needs, ensuring non-majority languages are prioritized, and the importance of language lines.

Commissioner Ajay Bhutoria presented the **second recommendation**. He explained that currently, 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. The subcommittee recommends that within three months of this recommendation, transcripts of key important speeches of the President 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.

Questions and Discussion

Commissioner Raynald Samoa expressed support for the recommendation and noted the importance of including U.S. territories for translations.

Commissioner Kimberly Chang presented the subcommittee's **third recommendation**. She noted that 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) National Intimate Partner and Sexual Violence Survey (NISVS). 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.

The subcommittee recommends that the CDC immediately take steps to conduct the NISVS survey 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 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, languages spoken, education, and income.

Questions and Discussion

Commissioner Grace Huang thanked Commissioner Kimberly Chang for her leadership and explained that in the gender-based violence field, funders rely on this data for determining priorities and allocations of resources. She noted the importance of prevalence studies, especially lifetime prevalence studies, because as one ages, it becomes more likely that they will have experienced victimization. Moreover, she emphasized that current data indicating low to nonexistent rates of victimization is inaccurate, especially in communities with limited English proficiency. Commissioner Kimberly Chang agreed, adding that observations with her patients show a different reality. She also noted that the recommendation is co-endorsed by the Health Equity Subcommittee.

Commissioner Kerry Doi acknowledged not knowing the extent of the problem and thanked Commissioner Kimberly Chang for presenting the recommendation. Commissioner Teresita Batayola underscored the need for culturally and linguistically accessible research because too often governments over rely on traditional mail surveys or phone calls, both of which are ineffective in AA and NHPI communities. Commissioner Kevin Kim added that in New York City, AA and NHPI communities do not respond well to phone calls or emails so the real challenge is finding other ways to engage the community, such as working with local community partners or texting and social media although security and privacy are concerns.

Commissioner Raynald Samoa agreed with Commissioner Kevin Kim and added that traditional surveillance methods are notoriously bad at collecting data on Pacific Islanders and his solution has been working with community-based organizations to find better ways to assess the numbers. Commissioner Grace Huang shared ongoing conversations she has had with the CDC on this particular topic and that there is an opportunity to help design the studies to be more culturally responsive and accurate. She noted that it might be worth adding some direction in terms of partnering with communities and developing a stronger research design.

Chief Commissioner Sonal Shah asked if the next recommendation should focus on designing the survey in a way that ensures that community is effectively included. Commissioner Teresita Batayola noted that not having enough data because collection is inappropriate and ineffective is harmful. She is interested in figuring out what is an effective, culturally, and linguistically appropriate approach to research. She added that the Commission could start developing a list of surveys that need modifications. Commissioner Grace Huang proposed that the Health Equity Subcommittee could also think about an appropriate research design and framework.

Health Equity Subcommittee Presentation

Co-Chairs: Commissioners Teresita Batayola, Kerry Doi, and Mia Ives-Rublee

Members: Commissioners Victoria Huynh, Dr. Kimberly Chang, Michelle Ka‘uhane, and Dr. Kamal Kalsi

Non-Commission Member: Dr. Quyen Ngo-Metzger

DFO: Caroline Goon

Commissioner Mia Ives-Rublee thanked the leadership, DFOs, and the subcommittee’s other co-chairs, Commissioners Teresita Batayola and Kerry Doi, for their work. She noted that the subcommittee met with multiple presenters on a range of issues, which informed 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, U.S. Department of Labor (DOL), Employment and Training Administration (ETA); Lauren Smith, Region 6 State Director, Healthcare Industry Liaison DOL, ETA; Bernie Treml, Regional Director of Healthcare Industry Liaison, DOL, ETA; Corinna Pereira, Region 6 Multi-State Navigator, DOL, ETA:** 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.

Commissioner Mia Ives-Rublee shared that the subcommittee’s priority issues include combating domestic, intimate, physical and/or sexual violence; increasing resources to address mental health; human trafficking; COVID-19 and equitable response; environmental justice; challenges in accessing healthcare; and the healthcare workforce.

Dr. Quyen Ngo-Metzger presented the subcommittee’s **first recommendation**, explaining that lung cancer is the leading cause of cancer deaths for AA and NHPI populations. One of the largest and most modifiable risks for lung cancer is tobacco use. Tobacco use is an important cause of cancer death among AA and NHPI populations. The subcommittee 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, as well as efforts towards the prevention and cessation of e-cigarettes and other tobacco use.

HHS should begin implementation of the following actions by October 1, 2023:

- Screening for lung cancer using low-dose CT scans which can detect cancer at an earlier stage and decrease lung cancer death rates by 20%. 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 populations.
- 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 populations 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 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 CDC should prioritize AA and NHPI populations 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 populations 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.

Questions and Discussion

Commissioner Ajay Bhutoria referenced the subcommittee's list of priorities and asked if obesity could be added to that list and he be added to the subcommittee, offering his assistance in creating a recommendation that could potentially request the Department of Education to revise its curriculum for elementary and high schools related to nutrition and food habits.

Commissioner Teresita Batayola noted that one of the topics that the subcommittee is currently discussing relates to funding resources and how we can ensure that resources are directed to grassroot organizations which are trusted by communities. She suggested adding language to the recommendation reflecting this, and Dr. Quyen Ngo-Metzger agreed. Commissioner Teresita Batayola also suggested adding similar language to Dr. Kimberly Chang's forthcoming recommendation.

Commissioner Raynald Samoa noted the importance of this recommendation and asked for details about the data utilized. He added that some research reports indicate that NHPI communities experience higher mortality with other types of cancer. He urged the subcommittee to reference the claims and cautioned against broad statements about the AA and NHPI communities. Commissioner Raynald Samoa also emphasized the need for disaggregated data and the importance of sharing relevant data directly with the appropriate agencies so that changes can occur, specifically in reference to the SEER Program. Dr. Quyen Ngo-Metzger responded that the subcommittee will confirm the responsible agencies, and noted that all data that they have is currently aggregated.

Commissioner Raynald Samoa agreed with the intent of the recommendation and noted that limited data does not tell an accurate story; some of the data utilized in these cancer studies is old and redundant, pointing out a discrepancy with a 14-year gap in the data on the impacts of lung cancer on AA and NHPI communities. More intentional research needs to be utilized. Chief Commissioner Sonal Shah asked if Commissioner Raynald Samoa wanted to add other types of cancers to the recommendation or if he was suggesting a new recommendation. Commissioner Raynald Samoa responded that he does not want to delay the recommendation; therefore, he is in favor of approving this recommendation and then developing another recommendation in the future. Chief Commissioner Sonal Shah suggested the subcommittee work on a follow-up recommendation.

Commissioner Raynald Samoa added that the lack of AA and NHPI disaggregated reports and data means that we do not know what information exists about our communities. Nobody has looked outside of agencies for what is being reported and what needs to be provided to make data equitable. He emphasized the need to understand the full extent of the problem before making recommendations. Commissioner Kamal Kalsi suggested considering a future recommendation to create a comprehensive report on cancers which would benefit the community. Commissioner Grace Huang asked if the Data Disaggregation Subcommittee has recommendations that could apply here. Commissioner Raynald Samoa shared that the Data Disaggregation Subcommittee has been focused on examining the resources available and how surveys are conducted. Commissioner Robert Underwood added that some agencies are very responsive while others are not and endorsed the recommendation as it is currently written.

Chief Commissioner Sonal Shah suggested incorporating language about community-based organizations in the recommendation and that the Health Equity and Data Disaggregation Subcommittees work together to pinpoint areas where data disaggregation would be helpful from a health perspective.

Commissioner Kimberly Chang presented the **second recommendation**, explaining that intimate partner violence (IPV) is common: 16-55% of AA and NHPI women in the U.S. experience IPV and/or sexual violence during their lifetime. 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 populations. The subcommittee recommends that 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 populations; 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:

- 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, 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).
- The Office of Population Affairs should incentivize Title X grantees, subrecipients, and service sites to incorporate plans for language accessibility in AA and NHPI populations. Additionally, 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 must issue clear privacy and confidentiality guidelines that allow patients control over their data and provide specific guidance on how to keep documentation of gender-based violence and exploitation private under the 21st Century Cures Act.
- The HIV/AIDS Bureau (HAB), which administers the 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.

Questions and Discussion

Commissioner Grace Huang thanked Commissioner Kimberly Chang for the recommendation and suggested adding language about inclusion or partnership with culturally specific AA and

NHPI organizations as they are doing important unpaid work in the community. Commissioner Kimberly Chang also suggested amending the recommendation to add language related to the HIV/AIDS Bureau to incentivize recipients and service sites to implement language access.

Commission Discussion and Vote on Subcommittees' Recommendations

Chief Commissioner Sonal Shah presented the recommendations from the Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination, Language Access, and Health Equity Subcommittees, and the full Commission voted separately on each recommendation. Commissioners Luisa Blue, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and KaYing Yang were recused.

Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on federal holiday recognition and training regarding AA and NHPI communities, as amended (italics below):

- 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.

The Commission voted unanimously to adopt the second recommendation, focused on addressing gun violence:

- 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.

Language Access Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on establishing an Office of Language Services:

- The Commission recommends that the federal government, starting with the U.S. Department of Health and Human Services, 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, which is a revolving fund authorized under 42 U.S.C. Section 231 and should be housed within the Assistant Secretary for Public Affairs.

The Commission voted unanimously to adopt the second recommendation, focused on translating presidential and vice-presidential speeches:

- The Commission recommends that within three months of this recommendation that transcripts of key important speeches of 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.

The Commission voted unanimously to adopt the third recommendation, focused on translating the National Intimate Partner and Sexual Violence Survey into AA and NHPI languages and investing in culturally and linguistically accessible research:

- The CDC should immediately take steps to conduct the NISVS survey 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.

Health Equity Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on tobacco use prevention and lung cancer screening efforts, as amended (*italics below*):

- 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 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 populations.*
 - Screening for lung cancer using low-dose CT scans can detect cancer at an earlier stage and decrease lung cancer death rates by 20%. 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 populations.
 - 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 populations 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 populations 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 populations 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.

The Commission voted unanimously to adopt the second recommendation, focused on increasing services for survivors of intimate partner violence, as amended (*italics below*):

- The Commission recommends that the U.S. Department of Health and Human Services take a number of steps to address IPV and its health impacts in AA and NHPIs by ensuring that all HHS health care delivery programs and funding mechanisms include language accessibility for AA and NHPI populations; 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 populations.*
 - 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 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.
 - The Health Resources and Services Administration (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, 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 (CollINs).
 - The Office of Population Affairs should incentivize Title X grantees, subrecipients, and service sites to incorporate plans for language accessibility in AA and NHPI populations.

- 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 populations.*
- 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.

Adjournment

Chief Commissioner Sonal Shah thanked all the Commissioners for the depth of the conversations with the recommendations and congratulated the subcommittees on their hard work. She also thanked the public for participating.

Ms. Goon thanked Chief Commissioner Sonal Shah and the Commissioners for the engaging and productive conversation and adjourned day one of the two-day meeting.

December 6, 2022
Meeting Convenes at 4pm ET

Opening Remarks

Caroline Goon, Senior Advisor, White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and Designated Federal Officer (DFO), President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission)

Ms. Goon opened the meeting by welcoming everyone to the second and final day of the fourth quarterly meeting of the Commission. She thanked the Commissioners for their work since the last meeting in September, speaking with subject matter experts, deliberating, and preparing recommendations that will be shared in detail at today's meeting. Ms. Goon offered a brief explanation of the Commission's commitments pursuant to the Federal Advisory Committee Act (FACA). Ms. Goon thanked the public for submitting written comments through the Federal Register. Information about the Commission is available at www.hhs.gov/about/whiaanhpi, and the public is encouraged to submit written comments to aanhpicommission@hhs.gov.

Welcome and Introduction of Ambassador Katherine Tai

Krystal Ka'ai, Executive Director, White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders

Executive Director Ka'ai welcomed the Commissioners to the second day of their fourth public meeting and began her remarks by thanking the Commissioners, as well as co-chairs Secretary Xavier Becerra, Ambassador Katherine Tai, and Deputy Assistant to the President Erika Moritsugu for their leadership and hard work supporting the Commission. She provided an overview of the work since the Commission last convened in September, including finalizing and submitting their thoughtfully analyzed and community-grounded recommendations to the President. The Commission's work has continued to have an impact on the larger AA and NHPI community.

Ambassador Katherine Tai, United States Trade Representative

Ambassador Tai expressed her deep appreciation to Executive Director Ka'ai and her team for their work centering AA and NHPI community members. Since February when the Commission was sworn in by Vice President Harris, Commissioners have regularly met with community leaders, stakeholders, and federal government officials and convened two in-person meetings at the White House. Ambassador Tai noted the care, detail, and attention to each recommendation drafted and delivered to the President. She went on to emphasize that the Biden-Harris administration has immense support for the Commission and condemns all hate and discrimination towards AA and NHPI communities. She shared that, over the past year, she had the opportunity to meet with AA and NHPI communities in different states, as well as AA and NHPI college and university students. She encouraged the Commission to continue their advocacy efforts as their work helps ensure that communities who are often in the shadows and

have been historically underserved and underrepresented are now centered in policies, programs, and outreach.

Recap of Day One, Strategic Directions Discussion, and Goals for the Meeting

Chief Commissioner Sonal Shah extended gratitude to Secretary Becerra and Ambassador Tai for their support of the Commission. She also emphasized the cross-purpose of and communication between the six subcommittees. It is inspiring to see that many of the recommendations that were sent to the President in August are now being implemented. Chief Commissioner Sonal Shah thanked Executive Director Ka'ai, Deputy Assistant to the President Erika Moritsugu, Deputy Director Rebecca Lee, the Commissioners, and the DFOs for their service and commitment.

Chief Commissioner Sonal Shah summarized the first day of the two-day Commission meeting, noting that the Commission and the public heard from the Belonging, Inclusion, Anti-Asian Hate, and Anti-Discrimination, Language Access, and Health Equity Subcommittees, which presented recommendations that the full Commission unanimously voted to move forward to the President. Today, the Immigration and Citizenship Status, Data Disaggregation, and Economic Equity Subcommittees will present their priority areas and corresponding recommendations.

Chief Commissioner Sonal Shah then welcomed feedback and comments, encouraging the Commissioners to think about the strategic direction and legacy of their work in the coming year. Commissioner Ajay Bhutoria made a request to present recommendations on combating obesity to the Health Equity Subcommittee. Commissioner Kamal Kalsi suggested examining the length of time DFOs spend at WHIAANHPI and with the Commission in order to reduce turnover and provide more stability.

Commissioner Amy Agbayani pointed out that the combined category "AA and NHPI" is actually separated out in the Census and that more attention must be given to the specific needs of NHPIs. Commissioner Raynald Samoa agreed and emphasized that the Commission must find ways to prioritize NHPI issues. Chief Commissioner Sonal Shah echoed those comments and urged the Commission to consider issues impacting NHPI communities with the next round of recommendations. Commissioner Kerry Doi noted that the Commissioners reflect the diversity of AA and NHPI communities throughout the United States and emphasized the need to be on the same page about what it truly means for work to be transformational and aspirational. Chief Commissioner Sonal Shah thanked Commissioner Kerry Doi for keeping the Commission accountable. She also noted the importance of implementation in transformational work.

Immigration and Citizenship Status Subcommittee Presentation

Co-Chairs: Commissioners Grace Huang and KaYing Yang

Members: Commissioners Dr. Amy Agbayani, Ajay Bhutoria, Simon Pang, 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

DFO: Sarah Edwards

Commissioner Grace Huang introduced the subcommittee, recognizing past DFO Carol Wu and current DFO Sarah Edwards for their leadership and support. She noted that the subcommittee met with several subject matter experts who informed their recommendations, including:

- **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.

Commissioner Grace Huang shared that the subcommittee is focused on strengthening asylum processes, improving language access in immigration court proceedings, universal legal representation for individuals facing removal, protection for undocumented individuals, reducing the immigration court backlog, community-based alternatives to immigration detention, and the visiting impact of CARRP (Controlled Application Review and Resolution Program) on immigration status.

Commissioner Robert Underwood presented the first problem statement. He explained that state, territorial, and local governments do not fully understand the unique immigration status of Compact of Free Association (COFA) migrants. Consequently, these communities 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 yet were ineligible for many government assistance programs.

The subcommittee’s **first recommendation** is for the federal government to 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 Departments of Homeland Security, Health and Human Services, and 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.

Questions and Discussion

Commissioner Amy Agbayani explained that there are multiple terms used by government agencies and communities themselves to describe the COFA population. Some examples include citizens of freely associated states or FAS citizens, FAS migrants, citizens of the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau, and COFA citizens or migrants. Commissioner Amy Agbayani pointed out that terms get used interchangeably and clarity is needed.

Commissioner Raynald Samoa noted that the COFA community impacts many areas of our lives that we may not think about. Coastal communities have been recruited by agricultural communities in the U.S. and populations have grown exponentially in the South and Mid west. These communities seek opportunities for their families but are not able to access crucial services. During the pandemic, COFA communities were hit especially hard as they were part of the dairy and poultry industries. Additionally, they were scapegoated and blamed for bringing COVID-19 even though their countries did not have the virus at the time. The U.S. heavily relies on the COFA community for its food. These communities have been treated disrespectfully throughout the years and this recommendation is overdue. Commissioner Michelle Ka‘uhane echoed Commissioner Raynald Samoa’s sentiments and applauded the subcommittee for proposing the recommendation.

Commissioner Grace Huang responded that the subcommittee is aware of this urgent need and acknowledged that many of these changes would require Congress to pass legislation, such as the Compact Impact Fairness Act or LIFT the BAR Act introduced by Senator Hirono. She shared this with the public to ask for support.

Commissioner Robert Underwood thanked everyone for their support and noted that because of their non-immigrant status, COFA members are entitled to be in the United States but do not have a pathway to citizenship and that states may treat them as undocumented.

Commissioner Ajay Bhutoria presented the subcommittee’s **second recommendation**. He explained that children of green card applicants are aging out as dependents on their parents’ applications and 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 work authorization.

The subcommittee 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 the 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.

The Commissioners did not have additional questions or comments following Commissioner Ajay Bhutoria's presentation.

Commissioner Ajay Bhutoria then presented the third problem, explaining that nonimmigrant visa, visitor visa (B1/B2), student visas (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, and other countries, have extraordinarily long backlogs, with wait times for some cases 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.

The subcommittee's **third recommendation** includes the following actions that will help to reduce the growing delay in visa appointment times in U.S. embassies globally, especially in India, Pakistan, Nepal, Bangladesh, and other countries:

- 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, Bangladesh, and other countries in similar situations.
- 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.

Questions and Discussion

Commissioner Teresita Batayola asked for clarity as to what underlying issue, besides long wait times, the subcommittee is trying to address with this recommendation. Commissioner Ajay Bhutoria responded that the recommendation seeks to expedite visa applications. As a result of prolonged delays, families remain separated, admitted college students cannot start their education, businesses are hindered, and individuals could forego needed medical care. Commissioner Teresita Batayola suggested broadening the list of countries named in the recommendation as these delays impact many communities. Chief Commissioner Sonal Shah recommended amending the recommendation to include a few more countries beyond South Asia.

Data Disaggregation Subcommittee Presentation

Co-Chairs: Commissioners Sarah Min, Dr. Raynald Samoa, and Dr. Robert Underwood

Members: Commissioners Emily Chen and KaYing Yang

Non-Commission Members: Dr. Ninez Ponce and Dr. Joseph Keawe Kaholokula

DFO: Sarah Edwards

Commissioner Sarah Min introduced the subcommittee and thanked her co-chairs and fellow committee and non-committee members. She noted that the subcommittee met with several subject matter experts, including:

- **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.

Commissioner Sarah Min shared the subcommittee’s five priority issue areas, which include facilitating improved access for community advocates to use federal agency data to more

effectively inform policy changes; fostering impactful three-way dialogue between communities, academic researchers, and federal agencies for more consistent reporting; highlighting best practices from priority federal agencies for data disaggregation; pursuing joint recommendations with other subcommittees including Health Equity, Language Access, and Belonging, Inclusion, Anti-Asian Hate and Anti-Discrimination; and calling for the investigation of more accurate methods and strategies to capture ethno-cultural, language, and multi-racial identity characteristics for AA and NHPI.

Commissioner Sarah Min provided an update on the subcommittee's work, specifically the inclusion of oral traditions, which was a follow-up topic from the September Commission meeting. The subcommittee's discussion of oral traditions led to further conversations about how a survey is designed and how to incorporate cross-cultural equivalency to address oral traditions and literacy and contextualize data collection. Commissioner Sarah Min noted that the subcommittee discussed the use of technology in data collection and explored whether one method of collection can address one community's needs and at the same disenfranchise another.

The subcommittee met with speakers who discussed the nuances with primary languages spoken and potential barriers to data collection. Discussions about the HHS Data Council and the American Community Survey revealed other methods of data collection, leading the subcommittee to include as a priority investigating more accurate data collection methods and strategies to capture ethnocultural language and multiracial identity characteristics. The subcommittee agreed that more time is needed to discuss these matters with the goal of pinpointing best practices in data collection.

Economic Equity Subcommittee Presentation

Co-Chairs: Commissioners Ajay Bhutoria, Simon Pang, and Smita Shah

Members: Commissioners Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka'uahane, Kevin Kim, and Ai-jen Poo

DFO: Maysee Jacobs

Commissioner Smita Shah introduced the subcommittee and thanked DFOs Maysee Jacobs and Ms. Goon for their support. The subcommittee met with a number of subject matter experts, including:

- **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; Katherine Swain-Smith, Advisor, Office of the Secretary, U.S. Department of Labor; Manny Lamarre, Senior Advisor, Employment and Training Administration, U.S. Department of Labor:** Provided an overview about apprenticeship programs, grants/loans for career development, and access to childcare and paid leave.

Commissioner Smita Shah detailed the subcommittee’s priority areas, which fall under four broader themes: (1) Opportunities for small business: increasing opportunities for small business, including exports and opportunities for small and community banks to participate in federal programs; (2) Access to job training and workforce development: worker access to childcare, paid leave, and long-term care across all industries, living wages, access to benefits, and training opportunities, and jobs of the future and workforce development; (3) Opportunities for AA and NHPI workers: addressing income inequality and wage gap for AA and NHPI women and access and awareness around grants, contracts, and loans; and (4) Compliance and regulations: ensuring regulations for AA and NHPI investments into crypto markets, reviewing compliance and regulations related to workforce development and apprenticeship programs, and ensuring that regulations regarding small businesses, job opportunities, and workforce development, are inclusive of AA and NHPI issues.

Commissioner Ajay Bhutoria presented the **first recommendation**, noting that AA and NHPI communities contribute immense value 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.

The subcommittee 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.

Questions and Discussion

Commissioner Teresita Batayola asked if this recommendation focuses on those small businesses specifically doing business with the government, and Commissioner Ajay Bhutoria confirmed. Commissioner Naheed Qureshi expressed support for this recommendation and hoped it will be adopted by the administration given its commitment to equity in the AA and NHPI communities. Commissioner Grace Huang also appreciated the recommendation and suggested that it could apply to all federal agencies that disburse funding, noting that some federal agencies have no experience working in various communities and have inaccessible processes and programs that make it challenging for small organizations to apply. Commissioner Smita Shah agreed and noted the need for general regulatory compliance and a broad implementation by all agencies.

Commissioner Ajay Bhutoria presented the **second recommendation**. He explained that there is a low rate of participation from AA and NHPI communities in national apprenticeship programs. Based on available data on 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.

The subcommittee thus recommends 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 taking 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.

Questions and Discussion

Commissioner Teresita Batayola thanked the subcommittee for their work on economic equity. She noted that the Health Equity Subcommittee also discussed apprenticeships to address the severe workforce shortage in the healthcare industry, and she is glad there is synergy across subcommittees. Commissioner Raynald Samoa thanked Commissioner Ajay Bhutoria for the recommendation and shared that one of the biggest issues faced by NHPI communities is economic instability largely because of the lack of generational wealth. He added that the subcommittee's priorities that focus on maintaining access and status are important, but that the majority of NHPIs grapple intensely with systemic racism. This disenfranchisement continues to show up in many contexts, including calculating credit scores for instance, and should be prioritized and named in our recommendations. He noted that NHPIs are not disaggregated in data overhaul measures. Commissioner Ajay Bhutoria agreed and responded that the subcommittee will work on amending its priorities. Chief Commissioner Sonal Shah added that it would be powerful to apply the work of the Data Disaggregation Subcommittee to very specific recommendations such as this one.

Commissioner Kerry Doi appreciated the recommendation and noted Commissioner Michelle Ka'uhane's work running an organization with a community credit-building program.

Commissioner Kerry Doi presented the **third recommendation**. He explained that 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 forced a 50-80% decrease in revenue for many Asian American neighborhood businesses and an estimated 233,000 businesses closed from February to April 2020. Yet funding for AA and NHPI communities is minimal; as of the end of 2021, only 11.8% of Minority Deposit Institutions' funds were allocated to AA and NHPI small businesses while AA and NHPIs make up 30% of minority owned small businesses nationally.

The subcommittee therefore 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 to build capacity, finance projects, and stabilize small businesses focused on creating jobs and improving the economy.

Questions and Discussion

Commissioner Smita Shah thanked Commissioner Kerry Doi for identifying all of the agencies listed in the recommendation. She also thanked Commissioners Kerry Doi and Simon Pang for the expertise and diligence they bring to the subcommittee.

Upon no further questions or comments for the Economic Equity Subcommittee, Chief Commissioner Sonal Shah pivoted back to the Data Disaggregation Subcommittee to allow more time for discussion following Commissioner Sarah Min's presentation.

Commissioner Smita Shah commended the Data Disaggregation Subcommittee for focusing on accurate data collection and expressed gratitude for being able to work together. Chief Commissioner Sonal Shah noted that this work is fundamental to the goals of all the subcommittees and encouraged each subcommittee to reflect on the impact data disaggregation has on their priorities and especially on NHPI communities. Commissioner Robert Underwood emphasized the fundamental importance of collecting, accessing, and disaggregating data and that each of these is critical for crafting appropriate responses to community needs. He remarked that OMB drives other federal agencies to implement data collection practices, but federal agencies sometimes use OMB as an excuse not to act.

Commissioner Grace Huang raised the lack of data in the area of federal financial assistance, primarily assistance administered through state grants. She asked about ways to incentivize states and territories to help with the collection of data, noting the large sums of money that is disbursed with little to no data regarding whether that funding reaches our communities. Commissioner Raynald Samoa replied that there are OMB mandates that regulate the collection of data for those agencies that receive federal funding, which includes states, but questioned if these measures are reinforced. He noted the inconsistencies across states in reporting data, as opposed to collecting data, and provided an example of Nevada which used to report disaggregated data on COVID-19 but stopped after discovering that NHPIs had the highest rates of infection. He speculated that the state went back to reporting aggregated data because it looked better. There is no mandate requiring continued reporting. Commissioner Raynald Samoa further shared that the subcommittee is split on whether to put forward strong mandates for agency reporting, or to allow more leniency and nuance. He noted that OMB is conducting listening sessions to hear from communities about their concerns and needs.

Commissioner Ajay Bhutoria suggested having an annual data summit hosted by the White House to promote collaboration around data collection. Commissioner Raynald Samoa reminded the Commission that a data summit was recommended and approved at the September Commission meeting and that WHIAANHPI hosted a Data Equity Summit in collaboration with several stakeholders in May. He noted that efforts have been largely limited to health measures and that other data areas need to be explored. There is a lot of momentum at the federal level, with the Equitable Data Working Group leading a whole-of-government approach, that can be leveraged.

Commissioner Kerry Doi asked if OMB or another entity has gathered data regarding compliance with Executive Order 13985, which focuses on economic equity in all federal programs. Commissioner Raynald Samoa replied that OMB has shared online databases with disaggregated data, but there is no data report currently and it would be useful to have reporting from all sectors. Commissioner Kerry Doi added that meeting with an OMB representative would be helpful for answering some of these necessary questions. Chief Commissioner Sonal Shah asked if it would be possible to get someone to present on government implementation. Commissioner Raynald Samoa added that the subcommittee has asked for OMB representation on the subcommittee but has not heard back.

Commissioner Robert Underwood raised the need for clear guidance from OMB which has already done substantial data work with the Census. He went on to note that OMB is unfamiliar with issues and priorities of COFA migrants. Unless OMB commits to data equity and becomes part of the process, not much can take place. Commissioner Robert Underwood also noted that many federal agencies consistently collect data but do not disaggregate because the results could make them look bad.

Commissioner Raynald Samoa stated that every Commissioner is essentially part of the Data Disaggregation Subcommittee because of the nature of the issue. Chief Commissioner Sonal Shah urged Commissioners not to underestimate the value of asking every speaker who attends a subcommittee meeting to break down the effects on AA and NHPI populations because it has forced honest conversations internally about what data exists and where further disaggregation is needed.

Commission Discussion and Vote on Subcommittees' Recommendations

Chief Commissioner Sonal Shah presented the recommendations from the Immigration and Citizenship Status and Economic Equity Subcommittees, and the full Commission voted separately on each recommendation. Commissioners Luisa Blue, Kimberly Chang, Victoria Huynh, Daniel Dae Kim, Simon Pang, Ai-jen Poo, and KaYing Yang were recused.

Immigration and Citizenship Status Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on improving the status of Compact of Free Association migrants:

- The Commission recommends 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 Department of Homeland Security, Department of Health and Human Services, and the 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.

The Commission voted unanimously to adopt the second recommendation, focused on addressing children aging out of legal status:

- The Commission recommends that U.S. Citizenship and Immigration Services 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 access to Employment Authorization Document (EAD), allowing them to work in 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.

The Commission voted unanimously to adopt the third recommendation, focused on reducing visa appointment wait times in certain Asian countries, as amended (*italics below*):

- 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.

Economic Equity Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on increasing AA and NHPI federal small business contractors:

- 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.

The Commission voted unanimously to adopt the second recommendation, focused on increasing AA and NHPI participation in apprenticeship programs:

- The Commission recommends 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.

The Commission voted unanimously to adopt the third recommendation, focused on building capacity for community development corporations:

- 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.

Meeting Summary and Next Steps

Chief Commissioner Sonal Shah thanked the public for attending the meeting and submitting written comments. She acknowledged the Commissioners for their time and tremendous behind

the scenes work leading up to and throughout the two-day meeting, including meeting with multiple speakers and crafting detailed recommendations. She reminded the Commissioners that as they think about their legacy, it is important to ensure that specific issues related to NHPI communities are incorporated into recommendations, emphasizing the historical and systemic racism that these communities have faced. She appreciated that many of the recommendations were cross-cutting and was amazed at how far the Commission has come in less than a year.

Adjournment

Executive Director Ka'ai thanked Chief Commissioner Sonal Shah for her tremendous and masterful leadership and shared how inspired she is by the Commission's incredible work and tireless dedication. She acknowledged Ambassador Katherine Tai and Secretary Xavier Becerra, Deputy Assistant to the President Erika Moritsugu, Deputy Director Rebecca Lee, past and present DFOs, and all other supporting staff. She noted that in less than a year, the Commission has held four open public Commission meetings, formed six subcommittees that collectively convened over a hundred subcommittee meetings, and heard from subject matter experts in order to develop recommendations. The Commission hosted their first public comment period through the Federal Register this fall, which generated hundreds of responses from the community, submitted their inaugural report to the President, and voted to advance dozens of recommendations to the President with more on the way. Some of these recommendations are already being implemented by various federal agencies and the White House. Executive Director Ka'ai closed by acknowledging the tremendous impact of the Commission.

Ms. Goon thanked Executive Director Ka'ai and the Commissioners for the engaging and productive conversations, the public for tuning in, and all who supported the meeting behind the scenes. She then adjourned the meeting.

In Attendance:

Dr. Amy Agbayani

Teresita Batayola

Secretary Xavier Becerra

Ajay Bhutoria

Dr. Kimberly Chang

Courtney Chappell

Emily Chen

Hari Chon

Kerry Doi

Michelle Tran Duong

Dalin Earls

Fajer Saeed Ebrahim

Sarah Edwards

Caroline Goon

Grace Huang

Victoria Huynh

Maysee Jacobs

Anna Kim

Mia Ives-Ruble

Krystal Ka'ai

Dr. Kamal Kalsi

Michelle Ka'uhane

Kevin D. Kim

Rebecca Lee

Sarah Min

Erika L. Moritsugu

Dana Ng

Emmeline Ochiai

Simon Pang

Andrew Peng

Dr. Raynald Samoa

Smita N. Shah

Sonal Shah

Ambassador Katherine Tai

Robert A. Underwood

Zeyen Wu