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South Asian Public Health Association
Southeast Asia Resource Action Center

NCAPA is a project of Tides Center

Dear President-elect Biden and Vice President-elect Harris,

On behalf of the National Council of Asian Pacific Americans (NCAPA), a coalition of 37 national nonprofit organizations working to represent millions of Asian Americans and Pacific Islanders (AAPIs), we write to share with you our policy priorities that we believe your administration should swiftly implement to support and empower AAPI communities.

Asian Americans and Pacific Islanders are one of the [fastest growing](#) populations in the United States and an increasingly powerful electorate. Last month, AAPIs came out in [record-breaking numbers](#), making up the margin of victory for your campaign in several key battleground states.

With 22 million community members from over 50 ethnic groups, we are a diverse and vibrant community with complex needs that are too often overlooked. This year, our communities have faced a two-fold pandemic of COVID-19 and racism—both scapegoated for the spread of the virus and disproportionately vulnerable to its economic and health impacts.

This dual pandemic has exposed and exacerbated many inequities within our community—from Native Hawaiians and Pacific Islanders reporting the [highest case rates](#) of any racial/ethnic group in several states, to low-income AAPI renters facing [threats of eviction](#), to AAPI students at risk of falling behind in their education because of the [digital homework gap](#), to immigrants fearful of accessing healthcare because of the [public charge rule](#).

Many challenges facing AAPIs were here long before this public health crisis and will likely persist even after. [Decades of Islamophobia](#) have made Muslim, Sikh, and South Asian Americans targets of harassment, surveillance, and xenophobic and racist travel bans like the Muslim Ban. Hundreds of Southeast Asian American refugees and immigrants—particularly those from Cambodia, Laos, and Vietnam—have been [detained and deported](#) as a result of America's war on drugs, mass incarceration, and inhumane 1996 immigration laws. The lack of [disaggregated data](#) for Asian Americans and Native Hawaiians and Pacific Islanders obscures many disparities within our communities and prevents us from identifying and addressing our unique needs.

This is just the tip of the iceberg for what our communities have faced this past year, these last four years, and for decades. However, your administration has the opportunity to right many wrongs faced by communities of color as a result of white supremacy and systemic racism and to ensure that these injustices do not continue.

Your administration has already set historic precedents with Kamala Harris's election as America's first Black and South Asian vice president and with numerous appointments that begin to better reflect the diversity of our country. We are further encouraged by your commitment to racial equity as a day one priority and look forward to decisive action on policies that create meaningful, material change for AAPIs and all people of color.

This is a moment that requires bold leadership. Below we have outlined the priorities from our Civil Rights, Education, Health, Housing & Economic Justice, and Immigration Committees, and the Asian American Tech Table that we believe your administration should swiftly implement to begin building a more just America where AAPIs and all communities of color can succeed and thrive.

Civil Rights

- Support the Jabara-Heyer NO HATE Act to fight against hate crimes, harassment, and discrimination of people of color, including Asian Americans.
- Support the NO BAN Act in order to end racial and religious profiling of Muslim, Arab, and South Asian communities.
- Support the John Lewis Voting Rights Advancement Act to protect and expand voting rights.
- Support the 2020 Census Deadline Extension Act to ensure that census data fully count hard-to-count populations, including Asian Americans and Pacific Islanders, and that those groups receive their fair share of federal funding and political representation.
- Support the Equality Act to protect LGBTQ Americans, especially LGBTQ people of color who experience the intersection of homophobia, transphobia, and racism.
- End the racial profiling and unjust prosecutions of Asian American and Asian immigrant scientists, researchers and scholars, especially those of Chinese descent who have been targets of misguided scrutiny.

Immigration

- **White House**
 - Day one Executive Order repealing the Trump Administration's Muslim, African, and immigration bans and restarting immigrant visa processing.
 - Day one Executive Order issuing a moratorium on deportations while repealing other Trump Administration immigration regulations and policies (including the public charge rule, asylum bars, and others).
 - Rescind the DHS Notice of Proposed Rulemaking on [Employment Authorization for Certain Classes of Aliens with Final Orders of Removal](#)
 - Rescind the EOIR Notice of Proposed Rulemaking on [Appellate Procedures and Decisional Finality in Immigration Proceedings; Administrative Closure](#)
 - Issue an immediate notification of a Presidential Determination for the refugee resettlement program of 100,000 refugees for FY2021.
- **Department of Homeland Security**
 - Stop detaining and deporting Southeast Asian Americans.
 - Within the first hundred days of your administration, place a complete moratorium on deportations until Congress can pass robust immigration reform that would repeal sections of the 1996 immigration policies responsible for the United States' current draconian immigration enforcement system.
 - Specifically, deprioritize removals of long-term LPRs who are being deported for convictions from over 5 years ago.
 - Repatriate previously deported, former long-term permanent residents.
 - Lift the Department of Homeland Security's visa sanctions on Laos and Cambodia. The current visa sanctions place extra visa restrictions on Hmong, Laotian, and Cambodian families from reuniting with their loved ones through the family immigration system or

tourist visas and places additional limitations on Laos and Cambodia beyond Proclamation 10014.

- Restore the original DACA program and make DACA recipients eligible for health insurance through the ACA marketplaces and extend TPS designations and appropriately expand them.
- End the detention of immigrants unless they pose an immediate danger; prohibit the detention of children & families and abolish for-profit facilities.
- Repeal or terminate all Trump Administration policies, prioritizing those that result in detention, deportation, loss of status, denials of status and citizenship and referrals for deportation. This includes, but is not limited to the public charge rule and changes to
- Adopt policies to make green cards and naturalizations accessible and affordable, including through lowering naturalization fees and green cards and broadening waivers.
 - Revert the USCIS naturalization test to the 2008 version rather than the recently released 2020 version.
- End workplace raids and restore mechanisms to protect immigrant workers.
- End civil denaturalization and the denaturalization task force.
- Establish humane programs for dealing with immigrants and asylum seekers at our border.
- **Department of Justice**
 - End the denaturalization task force created under President Trump.
 - Review and repeal harmful asylum policies.
- **Department of State**
 - Renegotiate the US-Cambodia bilateral repatriation agreement to provide broad removal protections for Cambodian Americans who resettled in the United States as refugees.
 - Renegotiate the US-Vietnam bilateral repatriation agreement to expand removal protections beyond July 12, 1995 for Vietnamese Americans who resettled in the United States as refugees.
- **Legislation**
 - Create paths to citizenship for all undocumented people, including DACA & TPS recipients, farm workers, and other essential workers. Reject harmful enforcement provisions, expanded criminal bars or cuts to family-based immigration in these proposals.
 - Support the Reuniting Families Act, the New Way Forward Act (includes the Dignity for Detainees Act) the NO BAN Act and the HEAL Act to modernize our immigration system and ensure that immigrants are treated humanely, equitably and with due process.
 - Appropriations: Cut funding for ICE, border patrol agents and detention beds and the border wall; provide funding to USCIS to lower naturalization fees and offer fee waivers and increase funds for refugee assistance programs and ensure closed offices can reopen and refugee resettlement can return to Obama Administration levels.
 - Any COVID-19 relief legislation must include all immigrants, including ITIN filers, access to free testing and treatment, language access rights and funding and relief for immigrant detainees.

Education

- **Department of Education**
 - Revise the 2007 guidance on racial and ethnic data to include all of the categories of the decennial census and the American Community Survey. Data that are disaggregated by

diverse AAPI communities are critical to ensuring that students receive the educational support they need, especially during the interruptions to learning caused by the COVID-19 pandemic.

- Issue guidance for the reopening of schools for in-person learning during the COVID-19 pandemic that prioritizes the health and safety of all and considers the intersecting needs of marginalized students, families, communities, teachers, and school staff, including diverse Asian American, Native Hawaiian, and Pacific Islander communities.
- Ensure that eligibility for emergency coronavirus relief funds appropriated by Congress does not exclude immigrant students.
- Issue new or strengthen existing guidance and revise weak regulations to comprehensively protect marginalized students from inequities that research has shown to disproportionately affect students of color, such as school discipline, racial segregation of schools in both K12 and higher education, sexual assault, and others.
- Undo the 1776 Commission that restricts the teaching of history to the limited history of white America, and encourage states to develop and implement strong ethnic studies programs that reflect the diversity of communities within each state.
- Reverse Executive Order (13950). The executive order prevents the use of federal grant funds to implement DEI (Diversity, Equity, inclusion) trainings.
- **Legislation**
 - Work with Congress to immediately appropriate COVID-19 emergency funding for education, including stabilizing state budgets; providing targeted funding for marginalized students, such as English learners; increasing access to social services that only schools provide, such as federal school meal programs; and closing the digital “homework gap”.
 - Increase mandatory funding for the Asian American Native American Pacific Islander Serving Institutions (AANAPISI) program.

Health

- **Policy Platform Recommendations**
 - Reverse actions by the Trump Administration that have undermined the ACA. These actions include: (1) promoting health plans that do not comply with ACA standards; (2) allowing for discrimination against consumers with pre-existing conditions; and (3) cutting funding for the Navigator program.
 - Improve affordability and access under the ACA by: (1) allowing more families to qualify for tax credits so they can afford health insurance coverage; (2) investing more dollars in consumer outreach and assistance; (3) limiting the sale of short-term plans that do not provide comprehensive coverage; and (4) protecting coverage for individuals with pre-existing conditions.
 - Prohibit state Medicaid waivers that implement work requirements, premiums, partial expansion and other actions that are not in line with the purposes of the Medicaid program.
 - Rescind the Trump Administration’s DHS and DOS public charge rules that have made it more difficult and increased fear for immigrants and their families to seek health care they need. Replace the public charge rules with an Interim Final Rule that mirrors the 1999 field guidance to halt the negative public health effect of the rule. Policy manuals and forms should be updated to mirror the 1999 policy.
 - Oppose efforts to cut funding and support for culturally and linguistically appropriate health and mental health programs, such as the Centers for Disease Control and Prevention Racial and Ethnic Community Approaches to Health (CDC REACH) program.

- Require the Substance Abuse and Mental Health Services Administration (SAMHSA) to develop partnerships with local AA and NHPI advocacy and behavioral health organizations to engage in strategies to increase awareness of symptoms of mental illness common among AA and NHPI populations, provide linguistically and culturally appropriate interventions, and encourage individuals and communities to use a comprehensive, public health approach when addressing mental and behavioral health.
- Oppose instances of institutional discrimination, including discriminatory DOD discharge policies, against those living with chronic hepatitis B and HIV/AIDS.
- Support federally qualified health centers and reauthorize stable funding for five years.
- Expand access to preventive services, including vaccination, testing, treatment, linkage to care, and support for hepatitis B, tuberculosis, diabetes, obesity, HIV/AIDS, and cancer.
- Support a person's right to access abortion care by removing abortion bans at the state and federal levels and by lifting bans that deny abortion coverage in public and private health insurance.
- Strengthen and support the reauthorization of the Native Hawaiian Health Care Improvement Act through FY 2029 to provide better access to health care services and community programming, increased representation of Native Hawaiians in health care professions, and availability of traditional healing and other complementary practices.
- Remove inequitable funding caps and federal reimbursement limits for the U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) and extend eligibility for health programs, including permitting Medicaid disproportionate share hospital (DSH) allotments for the territories.
- Support the reauthorization of the Violence Against Women Act (VAWA) and the Family Violence Services and Prevention Act (FVPSA).
- Provide sufficient resources and guidance for USCIS to process visas for victims of domestic violence, sexual assault, human trafficking, and other crimes and VAWA self-petition applications in a prompt and timely manner and provide access to employment authorization within six months of application.
- **White House**
 - Rescind Presidential Proclamation [Suspension of Entry of Immigrants Who Will Financially Burden the United States Healthcare System](#)
 - Rescind Executive Order 13950 on [Executive Order on Combating Race and Sex Stereotyping](#)
 - Require agencies to accept comments in non-English languages and establish policies to have these comments translated and considered by agencies
 - **Restart the Interagency Working Group on the OMB Race Ethnicity Standards.** Update the 1997 Office of Management and Budget (OMB) Standards for the Classification of Federal Data on Race and Ethnicity to adopt the recommendations of the U.S. Census Bureau 2015 National Content Test, including the addition of a Middle East and North Africa category and detailed categories for AAs and NHPIs. Federal standards have not been updated in 23 years, despite considerable changes in demographic make-up of the country.
- **Department of Human and Health Services**
 - Rescind the Trump Administration's [Final Rule Nondiscrimination in Health and Health Education Programs or Activities, Delegation of Authority](#) amending Section 1557 of the Affordable Care Act (ACA) and draft a new regulation that reinstates significant portions of the Obama Administration's 2016 Final Rule that more comprehensively addresses civil rights.

- Withdraw the Trump Administration's NPRM [Office of the Assistant Secretary for Financial Resources; Health and Human Services Grants Regulation](#)
- Rescind ACA 1332 Guidance on [State Relief and Empowerment Waivers](#)
- Review all Medicaid waivers allowing states to implement Medicaid work requirements
- Restore funding for the Navigator program and federally supported outreach and enrollment to at least 2017 funding levels.
- Bolster Funding for the HHS Office of Minority Health and agency Offices of Minority Health (including CDC, CMS and FDA) which have the mandates to address and advance health equity but have been chronically underfunded.
- CMS should create a pandemic Special Enrollment Period so that the uninsured and newly uninsured can access ACA coverage without barriers.
- Fully enforce and comply with all existing civil rights protections, including Section 1557 (2016 Final Rule), Title VI of the Civil Rights Act of 1964 and Executive Order 13166.
- Require the Centers for Disease Control and Prevention (CDC) and the National Institute for Occupational Safety and Health (NIOSH) to track and investigate work-related COVID-19 infections and make recommendations on needed actions or guidance to protect such employees.
- **Department of Homeland Security**
 - Rescind the Trump Administration's Final Rule [Inadmissibility on Public Charge Grounds](#) and restore the 1999 field guidance and associated forms
 - Withdraw (or rescind depending on timing) Trump Administration's NPRM [Affidavit of Support on Behalf of Immigrants](#)
 - Propose new regulations formalizing 2011 USCIS field guidance on [Enforcement Actions at or Focused on Sensitive Locations](#); make clear that all such enforcement will not occur at any health care facility or clinic, including Federally Qualified Health Centers (FQHCs), Rural Health Centers, or health center lookalikes.
- **Department of State**
 - Withdraw the Trump Administration's IFR [Visas: Ineligibility Based on Public Charge Grounds](#) and restore the 1999 field guidance and associated forms
- **Department of Justice**
 - Reverse any effort to expand deportability on public charge grounds and halt rulemaking related to that.
 - Department of Justice should oppose the Republican state's position in *California v. Texas*, pending before the Supreme Court.
- **Department of Labor**
 - Mandate the Occupational Safety and Health Administration (OSHA) to issue an enforceable standard that covers all workers from COVID-19 and other infectious diseases.
 - Require OSHA to forbid employers from retaliating against workers for reporting infection control problems to their employer, any public authority, to the media or on a social media platform
- **Legislation**
 - Support a robust COVID-19 relief package that prioritizes:
 - State and local fiscal relief
 - Treatment and vaccine coverage for immigrants regardless of status
 - Community Health Center funding

- Robust data disaggregation for racial/ethnic communities, especially AA and NHPI communities as outlined in the Equitable Data Collection and Disclosure on COVID-19 Act (H.R. 6585).
- Support the Health Equity and Accountability Act (H.R. 6637/S. ____-Hirono)
- Support the HEAL for Immigrant Women and Families Act (H.R. 4701/S. 3799)
- Support the Covering Our FAS Allies Act (H.R. 4821/S. 2218)
- Support the Territories Health Equity Act (H.R. 1354/S. 1773)
- Support the Stop Mental Health Stigma in Our Communities Act (H.R. 2826)
- Support the Protecting Sensitive Locations Act (H.R. 1011/S. 2097)
- Support the CONNECT for Health Act (H.R. 4932/S. 2741)
- Support the Coronavirus Immigrant Families Protection Act (H.R. 6437/S. 3609)
- Support long-term reauthorization of community health centers, teaching health centers, graduate medical education program
- Increase funding for the CDC Racial & Ethnic Approaches to Community Health (REACH) program
- Support the EACH Woman Act (H.R. 1692/S. 758)
- Support the Momnibus Act (H.R. 6142/S. 3424)
- Support the South Asian Heart Health Awareness and Research Act (H.R. 3131)
- Rescind section 4302(h) of the Affordable Care Act to allow for a more comprehensive data collection
- Support the LIVER Act (H.R. 3016/S. 3074) and increase funding for CDC Viral Hepatitis Programs to \$134 million per year
- Support the Coronavirus Language Access Act (HR 6623/S.4526)
- Support COVID Community Care Act (HR 8192)

Housing and Economic Justice

- **Day 1 Priority**
 - The CDC Eviction Moratorium is set to expire on December 31, 2020, leaving millions of renters at risk of eviction. A federal eviction moratorium must be extended to all tenants regardless of immigration status, income, or access to a lease and without the requirement of a signed declaration. The requirement of a declaration form in English has placed the burden of proof on tenants rather than landlords, left many LEP renters vulnerable, and placed additional strain on AAPI community organizations to translate materials in language.
 - Announce/implement a rapid staffing strategy to dramatically increase the funding for labor and employment agencies and fill open positions in order to ensure robust enforcement of labor and employment law.
 - Issue an Executive Order mandating cooperation among labor, employment and immigration agencies to ensure immigration enforcement is not used to undermine workers' exercise of their rights, including by providing a clear process for granting deferred action and visas to both victims and witnesses of workplace violations.
- **Repeal**
 - Rescind HUD's Mixed Status Rule.
 - End the application of Public Charge to housing assistance.
 - Work with Congress to repeal the [Tax Cuts and Jobs Act of 2017](#).
 - Rescind Executive Order on Creating [Schedule F](#) in the Excepted Service and other executive orders restricting the rights of federal employees.

- Rescind Executive Order [139050](#), “Combatting Race and Sex Stereotyping,” including any implementing directives and related guidance under this EO and related compliance and enforcement policies under Executive Order 11246.
- Rescind DOL [final rule](#) on Joint Employer Status under the Fair Labor Standards Act.
- Rescind NLRB [final rule](#) on Joint Employer Status under the National Labor Relations Act.
- Rescind DOL’s “Wagner-Peyser Act Staffing Flexibility” [final rule](#) eliminating longstanding, legally required merit-based staffing for the Employment Service which will hurt unemployed workers.
- **Restore**
 - Affirmatively Furthering Fair Housing with renewed emphasis on facilitating investments in preserving historic ethnic neighborhoods.
 - “Disparate Impact” Standard.
 - Restore the expanded Obama-era Home Mortgage Disclosure Act (HMDA) data collection under the Consumer Financial Protection Bureau.
- **Immediate relief**
 - Ensure all COVID-19 relief programs are translated into AAPI and other LEP languages.
 - Extend benefits and expand coverage for unemployment insurance, including fully funding state unemployment systems.
 - Mandate OSHA to issue an enforceable standard that covers all workers from COVID-19 and other infectious diseases. Require the Centers for Disease Control and Prevention (CDC) and the National Institute for Occupational Safety and Health (NIOSH) to track and investigate work-related COVID-19 infections and make recommendations on needed actions or guidance to protect such employees. Require OSHA to forbid employers from retaliating against workers for reporting infection control problems to their employer, any public authority, to the media or on a social media platform.
 - Provide \$100 billion in Emergency rent relief to all tenants, regardless of immigration status.
 - Ensure tenant protections (e.g., eviction moratoria) and rental assistance for tenants with limited exceptions.
 - Increase support for HUD housing counseling, with a stronger more effective focus on supporting tenants with linguistically and culturally accessible services.
 - Separate relief funding for those who are already experiencing homelessness.
 - Create mortgage forgiveness programs for homeowners who have lost work during the pandemic.
 - Direct support for nonprofit affordable housing owners to mitigate their loss of rental income and their increased expenses (e.g., increased cleaning costs, increased hazard pay for frontline workers) during the pandemic.
 - Direct grants to community based, micro enterprises and small businesses (in addition to increased access to low interest loans).
 - Increase capital and funding for Technical Assistance for Micro-Entrepreneurs through trusted CDFIs/partnerships with CBOs.
 - Increase funding for micro-entrepreneur assistance (e.g., the Small Business Administration’s (SBA) PRIME program)) and assure that AAPI serving institutions receive an equitable share of funding.
 - Protect AAPI small businesses. Relief programs must have dedicated funding that reaches communities of color.
 - Create incentives for commercial real estate owners to not displace AA and NHPI small businesses that have been forced to close due to COVID-19.

- **Recovery**
 - Develop tenant protection legislation including Just Cause eviction, national Right to Counsel, and other anti-eviction legislation.
 - Require Community Process and Planning for federal investments and infrastructure process and access to resources for outreach and engagement.
 - Require community benefits agreements and reporting requirements for any “Opportunity Zone” investment or public/ private partnerships to provide tangible benefits for low-income communities.
 - Expand the Neighborhood Stabilization Program – aimed at enabling local non-profit organizations to acquire and build multi-family affordable housing, community facilities – not just individual homes.
 - Develop public database of employers that have violated federal and state employment and labor laws.

Tech and Telecom

- **White House**
 - Revoke Executive Orders 13942 and 13943 unconstitutionally banning Tik Tok and WeChat, and instead formally request a Congressional investigation into the use or sale of user data to the U.S. and foreign governments by Tik Tok, WeChat, and other social media companies.
 - WeChat is the 5th most popular social media application in the world. Banning WeChat specifically would be harmful to millions of Chinese Americans, who use the app to contact friends and family in China, and advocacy organizations who rely on WeChat to connect with Chinese community members with limited English proficiency.
- **Anti-Discrimination**
 - Direct all agencies with anti-discrimination authority to clarify that data practices that discriminate on the basis of protected characteristics with respect to access to credit, housing, education, public accommodations etc. are impermissible; direct them to engage in rulemaking or enforcement actions to such discrimination and make legislative recommendations if additional authorities are necessary. This includes but is not limited to DOJ, HUD, EEOC, CFPB, FTC, HHS, Dept. of Labor, and Dept. of Ed.
 - Investigate the role of social media platforms and algorithm-based processes in the promotion of White Supremacist, violent, and discriminatory content. Increase platform accountability by enforcing protections against discrimination on the basis of protected characteristics with respect to access to credit, housing, employment, education, public accommodations, etc. related to online products and services (including targeting, advertising, and data collecting/sharing).
- **Facial Recognition and Digital Surveillance Regulation**
 - Investigate, regulate, and limit the federal use of facial recognition and other biometric surveillance data gathering tools that have been shown to discriminate against and endanger Black, Latinx, South Asian, Muslim, Arab, Middle Eastern, immigrant, low-income, homeless, and other minority and vulnerable communities.
 - Develop and help pass legislation that regulates the use of facial recognition in different settings like commercial, law enforcement, and immigration contexts. Guarantee strong civil rights and civil liberties protections, as well as mechanisms like regular audits to promote transparency, accountability, and equity. Legislation should also address privacy and security harms and risks.
 - Withdraw the Department of Homeland Security’s NPRM Collection and Use of Biometrics by U.S. Citizenship and Immigration Services that proposes to

significantly expand the collection of biometric information and surveillance of immigrants and their families. Rescind proposals to create databases of mugshots or location data of immigrants. End the use of facial recognition and biometric surveillance tools to track and/or deport immigrants.

- **Restoration and Expansion of Lifeline Program**
 - Congress should pass the emergency broadband benefit from the HEROES Act/Rep. Veasey's HR 6881/Sen Wyden's S.4095 and should fully fund a monthly \$50 broadband benefit for Lifeline households that can help to bridge the digital divide negatively impacting low-income Asian American and Pacific Islander populations.
 - The FCC should extend Lifeline COVID-19 waivers for the duration of the pandemic.
 - The FCC should upgrade the Lifeline program to provide low-income households with comparable broadband service to non-low-income households, including the coverage of devices and an adequate benefit amount. In addition, the rulemaking should consider long-term, sustainable funding for a broadband benefit (e.g., directing fines, auction proceeds, other funding streams to support a broadband benefit) without relying on annual Congressional appropriations.
 - The Department of Agriculture's Food and Nutrition Service and the VA Administration should coordinate their SNAP and low-income VA Pensions outreach efforts with the USAC National Verifier database to better target the Lifeline eligibility determinations process to increase access.
- **Legislation**
 - Work with Congress to pass comprehensive federal consumer privacy legislation that provides protections for personal data. The legislation should require companies to provide users with reasonable access to a method of opt-out of information and data-sharing; provide accessible explanations of how information will be used; prohibit use of data other than for the explicit purpose and agreements under which permissions were obtained; obtain opt-in consent prior to collecting or disclosing sensitive data; enable users to request, update, change, dispute the accuracy of, or remove their personal information without penalty or discrimination; disclose information to government entities only after an appropriate judicial process; prohibit discriminatory uses of personal data; and provide for algorithmic transparency and fairness in automated decisions.
 - Invasive data collection practices gather personal, financial, political, demographic, location, online tracking, health and biometric information that is often monetized at the expense of consumer privacy or used to discriminate against users. Members of the Asian American, Native Hawaiian, and Pacific Islander communities who are limited English proficient are particularly vulnerable to data breaches and related civil rights violations.
 - Access to policies, notifications, opt-in requests and opt-out opportunities, and all other notices related to an individual's digital rights should be made available in-language, so all users can easily understand and access controls they are entitled to. Providing resources, materials, and choices in users' preferred languages will make their consent more informed and meaningful.
 - Pass Sen. Murray's Digital Equity Act, S.1167, which includes funds for digital literacy training.
 - Federal programs and funding should be targeted towards Asian American populations that have low levels of digital literacy and/or lower English proficiency rates to ensure communities are protected from online and other digital threats.

- **Data Disaggregation**

- Data disaggregation should be made a priority in all agencies and at all levels of government. Data collection regarding AAPI populations should be disaggregated to accurately identify information regarding broadband access, digital literacy levels, online discrimination, etc. and address different needs within AAPI communities. Disaggregating data will provide agencies and service providers with more information about the digital access needs of specific communities.
 - Any data collection should be conducted with strong privacy and security protections in place, including obtaining informed consent from data subjects, providing materials in preferred languages, consulting community representatives and advocates, and limiting the use of such data from third party interests or unrelated purposes.

Sincerely,

Gregg Orton

National Director

National Council of Asian Pacific Americans