

**Congress of the United States**  
Washington, D.C. 20515

May 4, 2020

The Honorable Nancy Pelosi  
Speaker of the House  
H-232, The Capitol  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
House Minority Leader  
H-204, The Capitol  
Washington, D.C. 20515

Dear Speaker Pelosi and Minority Leader McCarthy:

Thank you for your leadership on the legislative relief packages to respond to the COVID-19 pandemic. While this crisis has impacted the lives of all Americans, we have seen a disproportionate impact on the health and economic well-being of communities of color, including millions within the Asian American and Pacific Islander (AAPI) community. For many AAPIs, these concerns have been exacerbated by the escalating anti-Asian bigotry this pandemic has incited, as well as the health inequities and language barriers that have impeded access to lifesaving COVID-19 resources and care.

The AAPI community is the fastest growing racial population in the nation accounting for over 23 million Americans that make up approximately 7% of the total United States population. There are over 2 million AAPI workers in the healthcare, transportation, and service industries that are on the front lines of the COVID-19 pandemic. In addition, there are nearly 2 million Asian-owned businesses that generate over \$700 billion in annual revenue who are facing dire economic impacts due to the current crisis. Furthermore, this pandemic has disproportionately impacted the over one third of AAPIs who are limited English proficient, as well as the Native Hawaiian and Pacific Islander community, which faces some of the highest infection and mortality rates for COVID-19 in several states and counties across the nation.

As you prepare a fifth package to build on critical protections for the health, economic security and well-being of the American people, the Congressional Asian Pacific American Caucus (CAPAC) respectfully writes to share our priorities to further mitigate the effects of this crisis:

**Ensure Robust Disaggregated Data Collection and Reporting**

- Ensure the Department of Health and Human Services (HHS) collects, analyzes, and reports data disaggregated by race, ethnicity, primary language, age, sex and other relevant demographic data on COVID-19 testing, hospitalization, and fatality rates. Data should be collected and reported in compliance with the Section 4302 promulgated

standards under the Affordable Care Act (ACA), which includes disaggregated data categories for the Asian American, Native Hawaiian, and Pacific Islander community.

- Require the Small Business Administration to collect and report data, disaggregated by race and ethnicity, on the number of Paycheck Protection Program (PPP) applications approved and denied to minority-owned businesses.
- Require any corporation that receives federal aid related to COVID-19 to collect and report diversity data to Congress, including information on employee demographics, supplier diversity, pay equity, and corporate board diversity. The results of the data collection must include gender, race, and ethnicity, and to the extent possible, should be disaggregated by ethnic group.

### **Ensure COVID-19 Resources are Accessible to Limited English Proficient Americans**

- Require every federal agency that receives funding under this Act, and all prior COVID-19 packages, to provide translated materials for any COVID-19 related federal programs. Translations should be made available in a timely manner to the general public in the 19 languages described as most encountered in the 2016 FEMA Language Access Plan.
- Provide funding to federal agencies for the cost of translating COVID-19 materials intended for the general public, including websites, in-language hotlines, outreach materials, and forms related to accessing these resources.
- Provide robust funding for the Centers for Disease Control and Prevention (CDC) to provide language access and public outreach on coronavirus preparedness, testing, response, and recovery to limited English proficient persons.
- Appropriate funding for the U.S. House of Representatives and the U.S. Senate to translate COVID-19 outreach materials intended for constituents into at least the 10 most commonly spoken non-English languages.
- Appropriate emergency funding and federal advertising dollars for ethnic and local media organizations to ensure that ethnic media and local news sources can continue to provide communities of color and limited English proficient individuals with essential information throughout the pandemic.

### **Address Anti-Asian Hate Crimes Related to COVID-19**

- Strengthen federal laws that combat hate speech, threats, and attacks and improve data collection, such as the bipartisan National Opposition to Hate, Assault, and Threats to Equality (NO HATE) Act.
- Require DOJ to designate an officer or agent to facilitate expedited review of COVID-19 hate crimes reported to federal, state, and/or local law enforcement and report to Congress. The report should include the case status and actions taken, including resources to assist victims, any data collected and reported should be disaggregated by the victim's race, ethnicity, and the location of the occurrence.
- Direct the Department of Health and Human Services to carry out a national awareness campaign to increase factual awareness and dispel misinformation pertaining to COVID-19 with an emphasis on countering stigma and propaganda.

## **Ensure Equitable Access to Health Care**

- Expand Medicare and Medicaid to ensure full health coverage with no out-of-pocket costs for any COVID-19 care.
- Provide coverage of COVID-19 testing and treatment under Medicaid to everyone, including undocumented immigrants, by defining it as treatment for an emergency medical condition.
- Restore Medicaid coverage for citizens of the Freely Associated States who represent over 60,000 Pacific Islanders living in the United States.
- Reject any restrictions to reproductive health care and access.
- Ensure eligible entities under the Native Hawaiian Health Care Improvement Act, including Native Hawaiian Health Care Systems, are eligible for COVID-19 health care assistance. This should include any COVID-19 funding appropriated to HHS's Health Resources and Service Administration (HRSA) for Primary Health Care.
- Provide additional funding for hospitals and providers, including robust funding for Community Health Centers that provide critical care to our most vulnerable communities.
- Provide additional funding for Personal Protective Equipment (PPE) and widespread testing and contact tracing.
- Direct the production and procurement of urgently needed resources to combat COVID-19 under the Defense Production Act.

## **Protect Workers and Families**

- Fund additional direct cash payments to adults and children and make them recur on a monthly basis throughout the duration of the pandemic, or until a certain unemployment threshold is met.
- Require OSHA to issue an Emergency Temporary Standard to ensure that all frontline and essential workers are protected from the spread of COVID-19 and have access to PPE.
- Support hazard pay for essential workers like healthcare workers, first responders, grocery store workers, restaurant workers, childcare providers, farmworkers, utility workers, transportation workers, sanitation workers and other employees deemed essential throughout the pandemic.
- Trigger automatic extensions of unemployment compensation for the duration of the pandemic.
- Expand social safety net programs by expanding the Earned Income Tax Credit (EITC) and Child Tax Credit (CTC) and waiving TANF work requirements.
- Increase the monthly and maximum SNAP benefits and expand the SNAP online purchasing pilot program.
- Implement a nationwide moratorium on utility shut offs during the pandemic.
- Create a federal Paycheck Guarantee program for employers, including small businesses and nonprofits, to ensure all workers are protected and businesses can quickly return to normal after the emergency ends.

- Prohibit price gouging including by ensuring access to any coronavirus vaccine for all and requiring reasonable pricing terms and non-exclusive licenses for any contracts or funding agreements related to coronavirus research and development.
- Expand paid sick, family, and medical leave to include all workers by ending the exclusion for employers with over 500 employees.

### **Ensure Equal Protections for Immigrant Families**

- Allow immigrant taxpayers to access cash relief benefits with an ITIN and address provisions in the CARES Act that prohibit mixed-status households from receiving cash relief payments.
- Automatically extend expiring work authorization for immigrants during the coronavirus emergency, including DACA recipients and TPS holders.
- Ensure any OSHA protections for frontline and essential workers applies to guest workers with H-2A and H-2B visas and includes access to medical care and information about prevention and treatment of COVID-19.
- Modify immigration policies that deter immigrants from seeking health services for the duration of the coronavirus pandemic and for at least 60 days after crisis ends. This should include suspending the public charge rule.
- Include provisions of the Health Equity and Access under the Law for Immigrant Women and Families (HEAL) Act to eliminate barriers to health care for immigrants.
- Suspend immigration enforcement as much as possible during the pandemic, particularly actions near sensitive locations such as hospitals, courthouses, domestic violence shelters, and food banks.
- Require ICE and CBP to use all available discretionary powers to release immigrants from detention facilities for the duration of the pandemic who pose no significant public safety risk.
- Delay immigration deadlines and non-detained court hearings for the duration of the pandemic.
- Prevent the detention and removal of domestic violence and sexual assault survivors who have pending immigration applications.
- Extend nutrition assistance to all individuals regardless of immigration their status.
- Restrict transfer and reprogramming of funds for immigration enforcement and border wall construction.
- Ensure that foreign physicians and healthcare workers are able to support our domestic medical workforce and fill existing gaps during the COVID-19 pandemic.
- Provide funding to enable USCIS to conduct virtual naturalization ceremonies.

### **Prioritize Housing Protections for All**

- Increase funding for the Housing Counseling Assistance Program in order to provide increased support to communities of color, including in-language support to limited English proficient (LEP) individuals.
- Allocate \$297.5 million for Fair Housing Enforcement to establish the capacity to and carry out activities and services by telephone and online, including intake of housing

discrimination complaints for limited English proficient individuals. This should include \$10 million for the Office of Fair Housing and Equal Opportunity (FHEO) at HUD to carry out a national media campaign in multiple languages to educate the public of increased housing rights during the COVID-19 emergency period.

- Expand housing protections by extending the moratorium on evictions and foreclosures to include all housing, including renters.
- Provide additional funding for HUD's Emergency Solutions Grants, Housing Choice Voucher Program, Disaster Housing Assistance Program, and Community Development Block Grants.
- Provide at least \$100 billion for emergency rental assistance funds to allow renters to stay in their homes.

### **Ensure Robust Funding for Education**

- Increase funding for Minority Servicing Institutions, including Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), to ensure that low income and minority students can bridge the digital divide and complete their education.
- Double the maximum Pell Grant award and ensure debt relief and financial protection for students by providing at least \$20,000 in student loan debt cancellation.
- Appropriate additional funding for distance learning that includes resources for English Language Learners.
- Appropriate funding for a Native American Language Resource to assist Native American Language Act-funded organizations in continuing to provide language education to Native Hawaiian, Alaska Native, and American Indian students.
- Increase funding for ESEA Title III, English Language Acquisition.
- Increase the Education Stabilization Fund in the CARES Act and require that funds allocated for K-12 be used to maintain pre-COVID-19 payroll of teaching and support staff and to provide for educational continuity for students where schools have been closed.
- Provide an \$80 million grant fund to expand trauma support services in schools and \$20 million in additional funding for the National Child Traumatic Stress Network.
- Incorporate the Rebuild America's Schools Act, H.R. 865, with an accelerated timeline for completion within five years.

### **Safeguard Civil Rights and Voting Rights**

- Prohibit waivers from Civil Rights requirements for all recipients of COVID-19 relief funds.
- Prevent the spread of infection in federal prisons and state and local jails by releasing as many individuals as possible under supervised release who do not pose a serious threat to public safety.
- Enact a vote-by-mail requirement for the 2020 federal elections while maintaining access to in-person voting for those who are unable to vote by mail.
- Include key provisions of the Voting Rights Advancement Act to protect the voting rights of all Americans.

- Provide funding to update voting infrastructure and tie funding to measures that increase voting access such as online voter registration, early voting, no-excuse absentee voting, and voter education.
- Direct the U.S. Census Bureau to bolster paid in-language advertising to hard-to-count populations, increase the capacity of its call centers, and identify alternative means to conduct outreach for the 2020 Census during the COVID-19 pandemic.
- Exempt universities from FERPA to allow for the enumeration of college students.

### **Support State, Tribal, and Local Governments, Small and Minority-Owned Businesses, and Nonprofit Organizations**

- Provide additional funding to State, Tribal, and Local governments and direct federal support for localities with populations under 500,000.
- Provide additional funding to the Minority Business Development Agency to assist minority-owned businesses impacted by the COVID-19 pandemic.
- Ensure there continues to be funds set aside specifically for small businesses owned by minorities, women, veterans, and those in underserved and rural markets in future COVID-19 packages.
- Provide robust federal support to nonprofit organizations with over 500 employees that have been impacted by the COVID-19 pandemic. This should include funding for nonprofit health providers and organizations addressing immediate pandemic-relief efforts, including Community Health Centers.

### **Ensure Equitable Treatment of U.S. Territories**

- Ensure equitable treatment of U.S. territories in the distribution of COVID-19 resources and funding.
- Repeal Section 1108 of the Social Security Act, the cap on Medicaid expenditures in the U.S. territories.
- Extend the terms of the Medicaid FMAP for U.S. territories in 42 U.S.C. 1396d(ff)(1) for an additional 7 quarters.
- Appropriate \$50 million in assistance to affected jurisdictions for Compact-Impact Aid to offset education and health related costs related to COVID-19.
- Establish a federal cost share waiver for the insular territories per the Insular Areas Act.
- Include provisions such as those in section 2(1) of H.R. 6021 and Section 6(a)(2) of H.R. 6079 that make the Commonwealth of the Northern Mariana Islands eligible for SBDC and SBA Microloan funding access assistance under Sections 1112 and 1103 of the CARES Act.
- Create a full or partial reimbursement for EITC payments to the territories which mirror tax code.
- Extend the SSI program to territories.
- Provide salaries for all teaching staff in the insular areas through the end of Fiscal Year 2020.
- Ensure IDEA funding parity for outlying areas.

Thank you for your consideration of these requests and your work to ensure that all Americans have equal access to our federal relief efforts to address the COVID-19 crisis.

Sincerely,

A handwritten signature in black ink that reads "Judy Chu". The signature is written in a cursive, flowing style.

Judy Chu  
Chair  
Congressional Asian Pacific American Caucus