



April 27, 2023

Bob Sivinski  
Chair, Interagency Technical Working Group on Race and Ethnicity Standards  
Office of Management and Budget  
1650 17th St. NW, Washington, DC 20500

**RE: Docket ID Number OMB-2023-0001-0001, Federal Interagency Technical Working Group on Race and Ethnicity Standards for revising OMB's 1997 Statistical Policy Directive No. 15: Standards for Maintaining, Collecting and Presenting Federal Data on Race and Ethnicity (SPD 15)**

Dear Mr. Sivinski:

We write on behalf of the Southeast Asia Resource Action Center (SEARAC) and the undersigned 47 organizations to comment on The Office of Management and Budget's (OMB) initial proposals from the Federal Interagency Technical Working Group on Race and Ethnicity Standards (Working Group) for revising OMB's 1997 Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15).

Founded in 1979, SEARAC is a national civil rights organization that builds power with diverse communities from Cambodia, Laos, and Vietnam to create a socially just and equitable society. As representatives of the largest refugee community ever resettled in the United States, SEARAC stands together with other refugee communities, communities of color, and social justice movements in pursuit of social equity. We have advocated at all levels of government for disaggregated race and ethnicity data to ensure that Southeast Asian American (SEAA) communities are seen and equitably supported by public policies. This includes over three decades' worth of engagement with federal agencies, such as the U.S. Education Department and the U.S. Census Bureau; advocacy to state capitols in support of data disaggregation legislation; education of the public, from factsheets and reports to presentations, workshops, and media interviews; and collaboration with researchers to ensure the inclusion of SEAA experiences.

## **The Resettlement History of Southeast Asian Refugees in the U.S.**

In order for OMB to properly ensure that its data standards capture today's racial and ethnic diversity in the United States, officials must have a thorough understanding of SEAA refugee communities and the unique challenges they face because of why and how they were resettled. SEARAC considers Southeast Asian American as not only a geographic identity, but also a political identity that comes from the shared experiences of people who came to the U.S. as refugees from Cambodia, Laos, and Vietnam. SEAs now number over 3 million, and the vast majority are refugees, the children of refugees, and their family members.

We cannot describe the migration histories of Southeast Asian Americans without underscoring the role that U.S. military intervention played in the collapse of South Vietnam, the Kingdom of Cambodia, and the Kingdom of Laos, leading to the eventual escape of refugees from Laos and Vietnam, as well as the role that the Khmer Rouge regime played in the genocide of 2.3 million Cambodians. Beginning in 1975, when the U.S. withdrew from its direct and covert military interventions, large waves of people from Cambodia, Laos, and Vietnam arrived in the U.S. as refugees fleeing war, genocide, or persecution.

The first wave of 130,000 refugees, primarily Vietnamese individuals, was the only group evacuated directly to the U.S. in 1975 after the fall of Saigon.<sup>1</sup> This first group in particular came from higher socioeconomic backgrounds compared to subsequent refugees. They were more likely to be from urban, educated, and affluent professional backgrounds in Vietnam, with 38% having completed secondary school and an additional 20% with university training.<sup>2</sup> They generally included Vietnam's technical, managerial, and military elites. The second wave from Vietnam were primarily farmers who fled poverty and starvation as a direct result of the new government's policies, the aftermath of the Vietnam War, and U.S. economic sanctions against the Vietnamese government.<sup>3</sup> The third wave were ethnic-Chinese Vietnamese who were forcibly removed from Vietnam by the new government.<sup>4</sup> The second and third waves of "boat people" spent time in refugee camps in Thailand, Malaysia, and other areas of Southeast Asia before resettling in the U.S.

The first wave of refugees also included 4,600 Cambodians and 800 Laotians<sup>5</sup> who were well-educated individuals with close ties to the U.S. Subsequent waves were "overland refugees" who crossed the Mekong River into Thailand, most of whom were Cambodian, Lao, Hmong, Mien, or

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<sup>1</sup> Zaharlick, A., & Brainard, J. "Demographic Characteristics, Ethnicity And The Resettlement Of Southeast Asian Refugees In The United States." *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, 1987, 327-373.

<sup>2</sup> Gordon, L. W. "Southeast Asian Refugee Migration to the United States." *Center for Migration Studies*, 1987, 153-73.

<sup>3</sup> Do, H.D. *The Vietnamese Americans*. Greenwood Press, 1999.

<sup>4</sup> Kelly, G. P. "Coping with America: Refugees from Vietnam, Cambodia, and Laos in the 1970s and 1980s." *The ANNALS of the American Academy of Political and Social Science*, 1986, 138-149 ; Chan, S. *Survivors: Cambodian Refugees in the United States*. University of Illinois Press, 2004.

<sup>5</sup> Gordon, 1987.

a Laotian ethnic minority.<sup>6</sup> For Cambodians, the second wave were those fleeing the country during the deadly reign of the Khmer Rouge. The third wave of Cambodian refugees comprised of survivors of the genocide, who were mostly poor and uneducated rural individuals and families.<sup>7</sup> The Khmer Rouge killed 90% of Cambodia's middle and upper class by the third wave, so a significant portion of the third wave of Khmer refugees were headed by widowed women whose husbands had been killed by the regime.<sup>8</sup>

Most refugees from Laos are of two distinct groups – the Lao and the Hmong. Like with the Khmer and Vietnamese, the first wave of Lao and Hmong refugees were military officials and those with existing ties to the U.S. who escaped after the Pathet Lao took Vientiane.<sup>9</sup> The second and third waves of Laotian refugees escaped due to dissatisfaction with the economic policies of the Lao People's Democratic Republic (LPDR). Second and third wave Hmong refugees, however, sought escape because of ethnic persecution; because the Hmong in Laos were conscripted by the U.S. to fight the Pathet Lao, the LPDR sought for the Hmong to “be exterminated down to the root of the tribe” upon gaining power.<sup>10</sup> Additionally, Lao ethnic minorities, the Hmong and Mien, in particular, were generally from military backgrounds with only agricultural skills.<sup>11</sup>

The fourth and final wave comprised primarily of Hmong people born in Thailand as refugees, who were resettled in the U.S. after the closure of the Wat Tham Krabok camp in 2004.<sup>12</sup> They were generally very young; 57% of residents of the camp were 17 years of age or younger. The vast majority were born in Thailand as refugees and grew up only knowing the refugee experience. Most individuals had little formal education; about half of the children attended school, which was limited to a 9th grade education, but most only attended for two to three years due to lack of money.<sup>13</sup>

Aside from their interactions with the U.S. military and experiences as refugees, the diverse Southeast Asian refugees who fled to the U.S. from Cambodia, Laos, and Vietnam share few other commonalities. The many ethnic groups from each of these three countries generally held different cultural, linguistic, and religious backgrounds, as well as discrepancies in education levels depending on their migration circumstances.

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<sup>6</sup> Kelly, G. P. “Coping with America: Refugees from Vietnam, Cambodia, and Laos in the 1970s and 1980s.” *The ANNALS of the American Academy of Political and Social Science*, 1986, 138-149.

<sup>7</sup> Zaharlick, A., & Brainard, J. “Demographic Characteristics, Ethnicity And The Resettlement Of Southeast Asian Refugees In The United States.” *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, 1987, 327-373.

<sup>8</sup> Rumbaut, R. G., & Ima, K. *The Adaptation of Southeast Asian Refugee Youth: A Comparative Study*. U.S. Department of Health and Human Services, Office of Refugee Resettlement, 1988.

<sup>9</sup> Zaharlick & Brainard, 1987.

<sup>10</sup> Jacobs, B. W. “No-Win Situation: The Plight of the Hmong, America's Former Ally.” *Boston College Third World Law Journal*, 1996, 139.

<sup>11</sup> Kelly, 2004.

<sup>12</sup> Grit, G. “Coming Home? The Integration of Hmong Refugees from Wat Tham Krabok, Thailand into American Society.” *Hmong Studies Journal*, 2007, 7.

<sup>13</sup> Ibid.

Today, Southeast Asian Americans include:

- Those from Cambodia, including Cham, Khmer, Khmer Loeu;
- Those from Laos, including Hmong, Khmu, Lahu, Lao, Iu Mien, Phutai, Tai Dam, Tai Deng, Tai Lue;
- And those from Viet Nam, including Cham, Hmong, Khmer Kampuchea Krom, Lahu, Iu Mien, Montagnards, Phutai, Tai Dam, Tai Deng, Tai Lue, Vietnamese.

**Data disaggregation by detailed race and ethnicity groups is one of the most important civil rights issues for Southeast Asian Americans today.**

The current minimum categories of “Asian” and “Native Hawaiian or Other Pacific Islander” in SPD 15 render SEAAAs, as well as much of the incredibly diverse Asian American and Native Hawai’ian and Pacific Islander (AA & NHPI) community, invisible in public policy and effectively ignores the significant inequities SEAA communities experience in education, healthcare, housing, and more. Additionally, it impedes our understanding of how our communities use important federal programs. The U.S. Census Bureau reports data annually on at least 22 distinct, self-identified AA & NHPI groups, each with unique linguistic, cultural, and historical differences. AA & NHPIs, however, are a group of highly diverse communities with complex migration and settlement histories and different experiences with political, citizen, and immigrant status. They represent over 50 ethnic groups and speak over 100 languages and are rarely fully represented in federal data collection, analysis, and reporting, creating severe challenges for communities whose experiences and needs are obscured. Some communities, like the Iu Mien and Montagnards, have never been included in federal reports, despite their high concentrations in areas such as Iu Mien communities in California and a sizable population of Montagnards living in North Carolina.

**OMB should require, at a minimum, the collection of data on all Asian American and Native Hawai’ian and Pacific Islander subgroups.**

While the design in Figure 2 would be an improvement over the current minimum standard for race and ethnicity data collection, it remains insufficient for accurately identifying the needs of diverse SEAA communities. SPD 15 should, at a minimum, require the collection of data on all AA & NHPI subgroups, including distinct collections for each Cambodian, Hmong, Laotian, and Vietnamese Americans.

When government agencies report only averaged and aggregated data, they conceal significant differences and inequities among the many distinct AA & NHPI groups. For SEAAAs, the mass collective trauma from war, genocide, displacement, and the stressors associated with relocation — like English language difficulties and cultural conflicts — affect health and socioeconomic outcomes. The federal government, as well as those who use federal data collections — such as

state agencies, local governments, and researchers – cannot identify the barriers to social and economic equity that Southeast Asian Americans face or how such barriers can be reduced without properly assessing the current status of SEAAs with detailed demographic data. In order for the federal government to correctly identify the challenges these communities experience and adequately address systemic and urgent issues, all agencies must be required to collect disaggregated Asian American, Native Hawaiian, and Pacific Islander race and ethnicity data.

This data collection, and subsequent analysis and reporting, must go beyond what has been minimally required since the last revision of SPD 15 in 1997. While SPD 15 in its current form makes clear that “the collection of greater detail is encouraged” as long as subcategories can be aggregated to the six minimum race and ethnicity categories, most collections of race and ethnicity data – whether by federal agencies, state and local governments, schools, institutions of higher education, researchers, and more – often deprioritize disaggregating data beyond what is minimally required by the federal government. Most agencies and states have simply accepted the “minimum” standards as the ceiling for disaggregation. Since 1997, only 6 states have disaggregated AA & NHPI race and ethnicity data, and only in New York does this apply to all state agencies that directly collects demographic data. Five states disaggregate education/student data, and California disaggregates health data.<sup>14</sup> We recommend that SPD 15 establishes the collection of race and ethnicity data disaggregated by subgroups as the default, with flexibility to collect less detailed information granted only when necessary to ensure the feasibility of a data collection.

The lack of detailed ethnicity data continues to harm SEAA communities, which increased by 23% since 2010 and continues to grow.<sup>15</sup> According to a 2020 report by SEARAC and Asian Americans Advancing Justice - LA, 45% percent of SEAAs are limited English proficient (LEP), a rate higher than Asian Americans as a whole and other racial groups. Nearly 30% of SEAAs have not completed high school or passed the GED, a rate more than double the national average, and among SEAA ethnic groups, Cambodian Americans are the least likely to have completed high school.<sup>16</sup> SEAA groups are also less likely to have health insurance compared to Asian Americans overall and the average population.<sup>17</sup> These figures were calculated using data from just the U.S. Census Bureau and illuminate a small portion of the SEAA experience. Enhanced race and ethnicity data disaggregation will ensure that government agencies have accurate information to better reach historically underserved communities like the SEAA community. We urge OMB to establish this detailed standard in SPD 15 so that all federal agencies will significantly improve their race and ethnicity data collections and create the conditions for greater equity in public policy.

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<sup>14</sup> AAPI Data. *Agendas For Inclusion: Tracking State Policies Addressing the Needs of Asian American, Native Hawaiian, and Pacific Islander Communities*. 2022.

<sup>15</sup> Calculated using 2010 Census population data and 2019 American Community Survey one-year estimates.

<sup>16</sup> Southeast Asia Resource Action Center and Asian Americans Advancing Justice Los Angeles. *Southeast Asian American Journeys*. 2020.

<sup>17</sup> *Ibid.*

**SPD 15 should honor self-identification and provide response examples that align with how Southeast Asian American communities self-identify.**

For many Southeast Asian American groups, disaggregation by national origin as seen in Figure 2 is an insufficient proxy for their racial and ethnic identity and thus inadequate for assessing the needs of these unique populations. As we described above, at least 15 distinct SEAA ethnic groups migrated to the U.S. from just three countries of origin – Cambodia, Laos, and Vietnam. Among the four most populous SEAA groups – Cambodian, Hmong, Laotian, and Vietnamese American – both Hmong Americans and Laotian Americans arrived in large numbers from Laos, but they are distinct ethnic groups with different languages, customs, and migration histories. For example, Hmong refugees specifically fled from retaliatory persecution in Laos because of the U.S. recruitment of Hmong fighters for the CIA’s “Secret War.”<sup>18</sup> Today, Hmong Americans fare worse than all major racial groups across multiple measures of income. 60% of Hmong Americans are low-income, and more than one of every four live in poverty.<sup>19</sup> Around a quarter of SEAA adults, including Hmong Americans, aged 25 and older have not graduated high school, compared to 12% of all Asians. An additional 56% of Hmong American high school graduates have not continued to complete a bachelor’s degree, compared to 32% of all Asians.<sup>20</sup>

Among federal agencies, the U.S. Census Bureau has long treated Hmong and Laotian as individual groups, such as in the decennial census and the American Community Survey. Without doing so, information on the experiences and needs of Hmong Americans, as well as those of Laotian Americans, would be diluted by the aggregation by national origin. Furthermore, restricting demographic data to national origin will preclude many SEAA communities from exercising self-identification when engaging with the government. Rather than limiting the collection of detailed race and ethnicity data by using a narrower characteristic like national origin, we urge you to honor how our communities self-identify and incorporate these identities into the revised standard.

**Historically, Southeast Asian populations that have origins in multiple countries have described themselves as indigenous or nomadic. Usage of terms such as “transnational” to describe these peoples ascribe an identity that does not reflect how they self-identify.**

We do not agree with the use of terms like “transnational” to describe SEAA communities that have nomadic and indigenous histories, such as the Hmong, Cham, Tai Dam, Mien, and other indigenous, nomadic, or historically minoritized communities. Terms such as “transnational” are

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<sup>18</sup> See: Yam, K. “Hmong Americans are often obscured by model minority myth. Why Suni Lee’s win means so much.” NBC Asian America, 2021 July 30, <https://www.nbcnews.com/news/asian-america/hmong-americans-are-often-obscured-model-minority-myth-why-suni-n1275567>. ; Rahim, S. “Preserving the history of America’s ‘secret war’ in Laos.” NBC, 2022 May 16, <https://www.nbcnews.com/news/world/preserving-history-americas-secret-war-laos-rcna28893>.

<sup>19</sup> Southeast Asia Resource Action Center and Asian Americans Advancing Justice Los Angeles. *Southeast Asian American Journeys*. 2020.

<sup>20</sup> AAPI Data. *State of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States*. 2022 June, <https://aapidata.com/wp-content/uploads/2022/06/State-AAANHPIs-National-June2022.pdf>.

overly broad, not easily understood, applicable to most peoples with any population living or working in another country, and inconsistent with how SEAA communities have defined themselves for decades.

This is particularly concerning because one third of SEAs are limited English proficient, and that percentage jumps significantly among SEAs who are 65 or older. According to 2020 American Community Survey data, 37% of Cambodian, 33% of Hmong, 36% of Laotian, and 49% of Vietnamese Americans are Limited English Proficient.<sup>21</sup> SEAs are also unlikely to be aware of existing benefits programs and get support to meet their basic needs. They are unable to apply for programs in their native language, and lack assistance reading mail, filling out paperwork, or even transporting themselves to appointments. This is particularly difficult for older adults who cannot read or write in either their native language or in English, such as some Hmong elders. The use of unnecessarily complex terms like “transnational” will complicate the process for SEAs to apply for federal programs and for the government to obtain necessary information about them, and ultimately exacerbate SEAs’ barriers to access. We urge OMB to maintain simplicity in the federal standard by inquiring about “race or ethnicity,” and when referring to certain SEA populations, use the same language that they use to self-identify, such as indigenous or nomadic.

**Include both the open-ended write-in option and distinct checkbox options for each detailed subgroup.**

We strongly recommend the inclusion of an open-ended write-in option. A closed-ended response category fails to address the current inadequacy of race and ethnicity standards to capture the diversity of AA & NHPIs. While Figure 2 would capture essential information on the six Asian and six Native Hawaiian or Pacific Islander ethnic groups offered, there are far more ethnic groups than that whose needs and experiences would be completely erased by the use of closed-ended “Another Asian Group” or “Another Native Hawaiian or Pacific Islander Group” response options. Among SEA groups, Figure 2 only presents Vietnamese as a detailed option. Additionally, the detailed Asian subgroups included in Figure 2 are among the most populous subgroups, whose numbers already skew aggregated “Asian” data such that any information on smaller populations, such as the Cambodian, Hmong, Laotian American communities, are overwhelmed.

Not only should SPD 15 require an open-ended write-in field to collect additional detailed responses, but any self-identified subgroup should be given distinct checkbox categories at the point of data collection. The groups currently listed in Figure 2 only as write-in examples – Cambodian and Hmong – are among those that face the lowest educational outcomes of all Asian

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<sup>21</sup> AAPI Data. *State of Asian Americans, Native Hawaiians, and Pacific Islanders in the United States*. 2022 June, <https://aapidata.com/wp-content/uploads/2022/06/State-AANHPIs-National-June2022.pdf>.

American groups.<sup>22</sup> Other groups, like Laotian Americans, similarly face significant inequities across multiple social and economic metrics, and yet, they are rendered even more invisible in data as they are not provided even as a write-in example.<sup>23</sup> According to research from the Census Bureau’s 2015 National Content Test, question formats with detailed checkbox options, rather than write-in areas, elicited improved levels of detailed responses across all of the major race and ethnicity groups.<sup>24</sup> In order to collect the most accurate data on diverse communities, and therefore information on how to best support them, the default race and ethnicity question should be expanded from what is currently proposed by Figure 2 and incorporate checkbox categories for all AA & NHPI groups.

**The benefits of requiring disaggregated race and ethnicity data are lasting and far outweigh any temporary costs incurred to maintain privacy.**

The lasting benefits to government agencies and to communities of disaggregating race and ethnicity data far outweigh any temporary burdens that may occur with data collection. With detailed race and ethnicity data, agencies will be able to properly understand the experiences of diverse communities and how federal programs are helping – or failing – the people they are intended to reach. The aggregated data produced by using minimum race and ethnicity categories have failed far too many communities for far too long.

At the same time, such increases in the amount of collected data necessitate strong privacy and security protections. Additionally, we recognize that statistical protocols will need to suppress the reporting of some results due to small sample sizes in order to maintain the confidentiality of individuals. To maximize the usability of data while maintaining confidentiality, OMB should encourage agencies to explore methodological solutions to reporting disaggregated data, such as pooling multiple years of data to increase sample sizes in a way that allows for disaggregation by detailed subgroups.<sup>25</sup> For example, education advocates, including SEARAC, have traditionally advocated for n-sizes of 10 with regards to student data; where n-sizes are below ten, agencies can aggregate data by other metrics to produce statistically reliable reports while maintaining race and ethnicity disaggregation, like averaging data between grade levels and/or school years for specific ethnic groups.<sup>26</sup> Furthermore, we believe that the need to balance both privacy and statistical reliability is primarily a concern in reporting, not data collection or analysis; OMB should therefore require agencies to collect detailed data, even if they cannot immediately publish it due to small sample sizes.

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<sup>22</sup> Southeast Asia Resource Action Center and Asian Americans Advancing Justice Los Angeles. *Southeast Asian American Journeys*. 2020.

<sup>23</sup> Ibid.

<sup>24</sup> U.S. Census Bureau. *2015 National Content Test, Race and Ethnicity Analysis Report*. 2017 Feb. 28.

<sup>25</sup> See: Byon, A., & Roberson, A.J. *Everyone Deserves To Be Seen: Recommendations for Improved Federal Data on Asian Americans and Pacific Islanders (AAPID)*. 2020 May.

<sup>26</sup> Gordon, N. “How State ESSA Accountability Plans Can Shine a Statistically Sound Light on More Students.” *Brookings*, 30 June 2017, <https://www.brookings.edu/research/how-state-essa-accountability-plans-can-shine-a-statistically-sound-light-on-more-students/>.



We thank you for the opportunity to comment on SPD 15 – a federal rule that is essential to the success of Southeast Asian American communities and all communities of color. If you have any questions, please contact Kham S. Moua (he/him), SEARAC National Deputy Director, at [kham@searac.org](mailto:kham@searac.org), or Anna Byon (they/them), SEARAC Director of National Policy, at [anna@searac.org](mailto:anna@searac.org).

Sincerely,

Southeast Asia Resource Action Center (SEARAC)

AAPI Data

APIA Scholars

ARISE

Asian American Resource Workshop (AARW)

Asian and Pacific Islander American Vote (APIAVote)

Asian Pacific American Labor Alliance, AFL-CIO

Asian Resources, Inc.

Association of Asian Pacific Community Health Organizations (AAPCHO)

AYPAL: Building API Community Power

Cambodian Association of Greater Philadelphia

Cambodian Mutual Assistance Association of Greater Lowell, Inc.

CAPIUSA

Center for Empowering Refugees and Immigrants

Coalition for Asian American Children and Families (CACF)

Dignity Health St. Mary Medical Center - Families in Good Health

Diverse Elders Coalition

Empowering Pacific Islander Communities

Fresno Interdenominational Refugee Ministries (FIRM)

Hmong Cultural Center of Butte County

Hmong Innovating Politics

Hmong Public Health Association

International Children Assistance Network

Japanese American Citizens League

Khmer Community of Seattle King County

Khmer Girls in Action

Lao Assistance Center of MN

Laotian American National Alliance

Legacies of War

ManForward

National Asian Pacific American Families Against Substance Abuse

National Council of Asian Pacific Americans

National Federation of Filipino American Associations  
National Hispanic Council on Aging  
National Indian Council on Aging  
North East Medical Services (NEMS)  
Pacific Asian Counseling Services  
SAGE  
SEAC Village  
South Asian Public Health Association  
Southeast Asian American Education Coalition  
The Cambodian Family Community Center  
The Institute for College Access & Success (TICAS)  
The SEAD Project  
United Cambodian Community  
VAYLA New Orleans  
Vietnam Agent Orange Relief & Responsibility Campaign  
Vietnamese American Roundtable