ADC | TRULY ARAB, FULLY AMERICAN.

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Re: Comment on Initial Proposals For Updating OMB's Race and Ethnicity Statistical Standards by the Office of Management and Budget (OMB), Document No. 2023-01635

Counting Arab Americans is essential, just as essential is *how* they are counted. It is important to first acknowledge, and express gratitude for, the important step being taken by the Office of Management and Budget (OMB) in this initial proposal. Recognizing the Arab American community and its distinct place in the fabric of this country will allow the government, for the first time, to begin to understand the community's unique challenges and needs. An oft maligned and marginalized community, Arab Americans' classification as "white" has led to their frequent omission in programming designed to protect and uplift. This lack of understanding and protection is precisely why ensuring an accurate definition must be the top priority for the revised Statistical Policy Directive 15. An inclusive, comprehensive, geographical definition of the MENA category should be adopted that includes persons with origins in the League of Arab States, Non-Arab MENA states, as well as Transnational communities. Additionally, the proposed nationality and ethnic examples found in Figure 2 fail to adequately represent the MENA region. Instead, the examples listed should reflect the largest groups that would be represented by the data, while also treating the MENA region as one diverse geographical area by ensuring each region is represented.

This comment is submitted on behalf of the American-Arab Anti-Discrimination Committee (ADC), a national civil rights organization committed to defending and empowering the lives of people of Arab descent. ADC is a non-sectarian, non-partisan organization that was founded in 1980 by former U.S. Senator James Abourezk that conducts its work on a non-profit basis, operating as the largest Arab American grassroots organization in the United States.

This submission will begin by providing a brief history of Arab Americans in the United States, tracing the various waves of immigration and connecting them to the legal battles that influenced them. With that foundation laid, we will turn to a detailed discussion of the proposed MENA category. This discussion will highlight the potential economic, health, and civil rights benefits that would result from recognition. Next, we will focus on the importance of increased racial and ethnic reporting, including a discussion of collecting detailed race and ethnicity information as the default. Finally we will explore the combined race and ethnicity question format, concluding with ADC's recommendations for improvement.

I.   Overview of Arabs in the United States

Arabs have lived in, and fought for, the United States since before it won independence, with the first Arab to die in service of the country, Private Nathan Badeen, dying on May 23, 1776. It was a Lebanese-American, Colonel James Jabara, who became the first American jet ace (an aviator credited with shooting down five or more enemy aircraft during aerial combat) in May 1951. Arab Americans have played prominent roles in every part of the American story, from civil rights to entertainment, from politics to science. Ralph Johns, son of Syrian immigrants, played a critical role in organizing the Greensboro lunch counter sit-ins while Alex Odeh, a Palestinian immigrant, was tragically assassinated for vocally defending the rights of Arab Americans nationwide. Kelly Slater, recognized as one of the greatest professional surfers in history, is the son of a Syrian-American, and Hoda Kotb, a celebrated and accomplished journalist, is the daughter of Egyptian-Americans. Senator James Abourezk, first Arab American to be elected to the Senate, author of the Indian Child Welfare Act, and founder of ADC, was the son of Lebanese immigrants, while the Sununu political dynasty, which has included members of Congress, Governors, and a White House Chief of Staff, are descendants of Lebanese immigrants. Dr. Farouk El-Baz, an Egyptian immigrant, identified the landing site for the Apollo 11 mission, and Dr. Michael DeBakey, son of Lebanese immigrants, was awarded the Presidential Medal of Freedom for his innovative, life saving surgical innovations.

The first significant period of Arab immigration to the US began in the late 1870's, and lasted until the 1924 passage of the Johnson-Reed Quota Act which established a quota system that disproportionately favored immigrants from Northern and Western Europe. An estimated 110,000 Arab immigrants entered the country during this period, with the majority coming from the Levant region. It was during this first wave that Arabs were classified as "white". In a 1909 Los Angeles Superior Court decision, George Shisham was deemed eligible for naturalization due to being of the "white race" as opposed to the "yellow race".

Arab immigration dropped precipitously during the period between the passage of the Johnson-Reed Act in 1924 and the Immigration and Nationality Act (INA) in 1965. The imposition of restrictive quotas, regardless of a "white" classification, created significant obstacles to naturalization. It was during this period that the 1909 decision was reaffirmed in *Ex parte Mohriez*. In this 1944 case, which sought to ensure that Arabs were eligible to become naturalized, Mohamed Mohriez challenged federal district court findings that the Nationality Act of 1940 prohibited Arab immigration. Specifically, the law stated, "the right to become a naturalized citizen under the provisions of this chapter shall extend only to white persons, persons of African nativity or descent, and descendants of races indigenous to the Western Hemisphere." It was under this restriction that the argument for legal whiteness was made. Subsequently, there was an influx of Arabs immigrating to the United States. Beginning with the Nakba in 1948 and lasting until 1965 approximately 80,000 Arabs entered the United States, with the majority being the newly displaced Palestinian population.

The passage of the INA in 1965 opened the United States to the largest period of sustained growth in the Arab American community, a period that continues to the present. It is estimated that between 1967 and 2003 over 750,000 Arabs immigrated to the US, up to a quarter of whom were Palestinian. This period has also seen anti-Arab sentiment become entrenched in the American public consciousness, from the

FBI's ABSCAM sting operation in the late 1970s and early 1980s (wherein agents posed as representatives of a fictitious Arabian company, dressed in traditional Arab garb, attempted to bribe members of Congress) to the "three B syndrome" of Arab media portrayal (wherein Arabs in TV and movies are portrayed as either bombers, belly dancers, or billionaires). However, there has been progress made. In 1987 the Supreme Court, in the case of *St. Francis College v. Al-Khazraji*, found that Arabs were protected from discrimination under civil rights law. In an opinion written for the unanimous Court, Justice Byron White noted that history did <u>not</u> support the claim that Arabs and other present-day "Caucasians" were considered a single race for the purposes of the civil rights law in question (42 USC § 1981, which enshrines the right to full and equal benefit of all laws and processes).

II.   Inclusion of a Separate MENA Category

Federal recognition of Arab Americans as a separate ethnic category has the potential to provide a wide range of benefits to the community. These benefits broadly fall into three areas: economic, health, and civil rights.

Regarding economic benefits, federal recognition would allow for the identification of economic disparities, expand access to government contracting, increase economic opportunities and resources, and provide the foundation for targeted job training and business development support. In recognizing the distinct economic needs of Arab Americans, the government would be able to create specific programs and resources to promote economic growth and development within the community.

In terms of health benefits, federal recognition would lead to improved health outcomes for Arab Americans through identifying health disparities and providing increased funding for healthcare programs that target the Arab American community. Additionally, health education and outreach efforts tailored to this population could be promoted to improve disease prevention and healthy lifestyle choices.

Finally, in terms of civil rights benefits, federal recognition could help to protect the civil rights of Arab Americans by allowing for legislation that specifically protects the community while increasing resources for community organizations that support and defend Arab Americans. Relatedly, increased visibility, resources, and protection for the Arab American community will help to combat negative stereotypes and prejudice, promoting greater equity and justice across the country.

Economic Benefits

Arab Americans are a diverse group of people with roots in 22 countries in the Middle East and North Africa, and as a community, they face a range of economic challenges. According to data from the Arab American Institute, Arab Americans have higher levels of education than the general population, with more than half of Arab American adults holding at least a bachelor's degree. Despite this, Arab Americans face higher levels of unemployment and poverty than the general population. This economic disparity can be attributed to a number of factors, including discrimination, language barriers, and a lack of access to resources.

Discrimination severely limits opportunities for education, employment, and business development, and Arab Americans have reported facing discrimination in a range of settings, including employment[1], housing[2], and education. This entrenched obstacle gets compounded by language barriers and cultural differences. Language barriers make it difficult to access education and job training programs, and limit job opportunities, while cultural differences create barriers to economic success by making it difficult to navigate the US business and employment landscape. Together, these challenges lead to a lack of access to resources. The Arab American business community has trouble accessing financial capital, business development programs, and other resources that are critical to building and growing successful businesses, limiting opportunities for economic growth and the creation of both generational and community wealth.

Federal recognition of Arab Americans as a separate racial/ethnic category will lead to increased identification of economic disparities within the community. By collecting data on income, employment, and other economic indicators, the government will better understand the unique economic challenges faced by Arab Americans, and be able to create policies and programs to address these disparities. An increase in resources and support for the community would ultimately help promote economic growth and development, and lead to a wide range of significant economic benefits. Through recognition, the Arab American business community could receive improved access to government contracting, as well as increased economic opportunities and resources. Federal recognition could also lead to job training and business development support specifically tailored to the needs of the Arab American community, helping to reduce disparities in economic outcomes. These resources and opportunities would help reduce the economic gap between Arab Americans and other groups in the United States, while also promoting more inclusive and equitable economic growth.

One of the most significant economic benefits derived from federal recognition of Arab Americans as a distinct ethnic group is improved access to government contracting. Currently, neither the Small Business Administration (SBA) nor the Minority Business Development Agency (MBDA) recognize Arab Americans as a separate minority group, making it difficult for Arab American businesses to access government contracts and other resources. By recognizing Arab Americans as a separate ethnic category, the government could create targeted programs and resources to help Arab American businesses compete for government contracts, which research has shown leads to increased economic opportunities for the community.

An additional economic benefit of recognition is increased access to economic opportunities and resources. If the government acknowledges the unique needs of Arab Americans, it could create programs and initiatives to promote economic development and entrepreneurship within the community. This could include providing grants and loans to Arab American-owned businesses, in addition to providing other resources to help the community build and grow businesses.

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[1] Widner, D. & Chicoine, S. (2011), It's All in the Name: Employment Discrimination Against Arab Americans
[2] Gaddis, S. M. & Ghoshal, R. (2015) Arab American Housing Discrimination, Ethnic Competition, and the Contact Hypothesis

Alongside an increase in economic opportunities and resources, federal recognition of Arab Americans could precipitate increased job training opportunities. By understanding the unique needs of the Arab American community, the government could create job training programs and initiatives tailored to the needs of Arab American workers. Programming could include language training, cultural competency training, and other resources designed to help Arab American workers succeed in the workforce.

One final economic benefit of recognition is increased business development support. Through recognizing the unique challenges faced by Arab American entrepreneurs, the government could create targeted programs and resources to help these businesses succeed. In funding business incubators, mentoring programs, as well as providing other resources, the government would allow Arab American businesses to grow and thrive.

Health Benefits

Currently, there are significant gaps in understanding of the health of the Arab American community. Limited data collection and insufficient research have resulted in an incomplete understanding of the health needs and challenges faced by Arab Americans. Both public and private efforts have been made to improve this understanding, including studies by medical researchers and advocacy from healthcare professionals and community organizations. However, these efforts have been hindered by a lack of resources and infrastructure, as well as substandard identifiers being the sole method of generating research samples.

Overall, federal recognition of Arab Americans as a separate ethnic category will lead to increased visibility, resources, and support for the unique health needs of the community. By acknowledging the distinct health challenges faced by Arab Americans and taking steps to address them, the government would be able to improve health outcomes and overall well being.

Improving health outcomes for Arab Americans begins with the identification of health disparities. Similar to other minority groups that have been recognized by the federal government, such as African Americans and Hispanic Americans, Arab Americans face unique health challenges that require distinct solutions. By collecting data on health disparities, such as rates of chronic disease or access to healthcare, the government will be in a better position to understand the unique health challenges faced by Arab Americans, and create policies and programs to address these disparities. Federal recognition would also allow researchers to design, and receive funding for, studies specifically on Arab American health and well being.

This enhanced understanding would lead to increased funding for healthcare programs that are tailored to the Arab American community. This could include allocating funding for community health centers that serve the community, as well as providing grants and other resources to organizations that promote Arab American health and wellbeing.

In addition to increasing funding for healthcare programs, federal recognition would also allow for the promotion of health education and outreach efforts tailored to the Arab American community. By understanding the unique cultural and linguistic needs of Arab Americans, the government could create effective, targeted health education programs to promote disease prevention and healthy lifestyle, which could include initiatives such as culturally appropriate nutrition education and outreach to improve access to healthcare services.

Civil Rights Benefits

For over a century the Arab American community has faced negative stereotypes as well as widespread discrimination in employment, housing, and other areas of daily life. This discrimination intensified following the September 11th terrorist attacks, with many Arab Americans being subjected to profiling, surveillance, and harassment by law enforcement agencies. At the same time, hate crimes targeting Arab Americans have increased, with individuals and organizations using anti-Arab and anti-Muslim rhetoric to promote bigotry and prejudice.

Overall, federal recognition of Arab Americans as a separate racial/ethnic category could lead to increased visibility, resources, and protection for this important community. By acknowledging the unique cultural and religious identities of Arab Americans and taking steps to combat discrimination and hate crimes against the community, the government could achieve greater equity and justice that goes beyond legislation and appropriations to support Arab Americans.

Specifically, federal recognition of Arab Americans as a distinct ethnic category will increase the visibility and programming available to the community. This increased visibility would bolster efforts to combat negative stereotypes and prejudice against Arab Americans, fostering greater acceptance and understanding of a beautiful and diverse community. Alleviating the pressure of, and protecting the community from, discrimination will provide the government with an opportunity to focus on uplifting Arab Americans through increased access to education, housing, healthcare, economic development, and other important resources and programming.

III.   Importance of Increased and Detailed Reporting on Race and Ethnicity

The importance of increased reporting on race and ethnicity cannot be overstated. Accurate and comprehensive data collection is essential to understanding the unique needs and challenges faced by different communities, and in creating effective policies and programs to address these disparities. This is particularly true for communities that have historically been underrepresented or unrecognized, as Arab Americans have been.

Increased reporting combined with federal recognition of Arab Americans as a distinct ethnic category would be a major step forward in improving our collective understanding of the community. By including Arab Americans as a separate category in federal data collection efforts, particularly on the Decennial Census, the government could collect more accurate and comprehensive data on the unique economic, health, and civil rights needs of this population. This data could then be used to create targeted policies and programs to address these disparities, promoting greater equity and justice in our society.

Increased, accurate, and comprehensive reporting on race and ethnicity is especially important when considering the impact that the Census has on the redistricting process. Due to the critical role it plays in providing the population data used to draw new district boundaries, the accuracy of census data has significant implications for the representation of different groups. The undercounting of certain groups, such as minorities and low-income households, has led to unequal representation and a dilution of their political power. Studies have found that undercounts are more likely to occur in areas with high poverty rates and high proportions of minority residents, leading to an inaccurate apportionment of political power and misrepresentation.

Arab Americans have consistently been erased from the redistricting process due to their categorization as "white" on the census. This classification has made it impossible to accurately count Arab Americans and ensure their fair representation in the redistricting process. Often, Arab American populations are split across multiple districts, diluting their political power and representation. For example, the most recent redistricting in Michigan saw the nation's densest concentration of Arab Americans split into multiple districts on both the state and federal level, eroding the ability of the community to influence the policies that impact their lives. Fundamentally, this erasure has made it significantly easier for Arab American voices and perspectives to be ignored or marginalized.

It is important to note that independent research and community organizations have been providing important services to the Arab American community for many years. These organizations have played a critical role in advocating for the recognition and support of this community, as well as providing services such as healthcare, education, and economic development programs. Utilizing the increase in accurate and comprehensive data to understand the unique needs of Arab Americans will allow the government to work in partnership with these organizations to create targeted policies and programs that reflect the priorities and values of the community, a model that could be replicated in communities around the country.

At its core, increased reporting on race and ethnicity will establish the foundation for creating effective policies and programs that promote equity and justice for all communities in the United States. It can help identify areas of need and guide the allocation of resources to support communities, ensure that government policies and programs are equitable and inclusive, and confirm that all Americans have equal access to the benefits and opportunities offered by the government.

Detailed Race and Ethnicity as the Default

Implementing a detailed race and ethnicity question as the default on all federal data collection efforts would elevate the baseline demographic understanding across the federal government. Therefore, a mandatory approach rather than a voluntary one would ensure consistency of data in the policymaking process. At the same time, the benefits of a default detailed race and ethnicity question go beyond just policymaking. It is clear that diversity of thought and experience results in an increase of successful outcomes both in the public and private sectors. By mandating a consistent detailed baseline of data any gaps in representation will become apparent.

However, having a detailed race and ethnicity question as the default requires representative examples. Otherwise, the government will be unable to obtain accurate and comprehensive data. The proposed nationality and ethnic examples found in Figure 2 fail to adequately represent the MENA region. Instead, the examples listed should reflect the largest groups that would be represented by the data, while also treating the MENA region as one diverse geographical area by ensuring each region is represented.

IV.   Combined Race and Ethnicity Question Format

A combined race and ethnicity demographic question in federal data collection efforts has the potential to provide more accurate and comprehensive data on the diversity of the American population. Prior research by the US Census Bureau has shown that the combined question format and a MENA category elicited higher response rates and resulted in more accurate data. Federal forms can be confusing for respondents to fill out accurately and the combined question format is a welcomed approach to streamlining this process.

V.   Conclusion and Recommendations for Improvement

According to American Community Survey (ACS) data, Arab Americans make up the largest percentage of people captured by the MENA category. As Arab Americans, we are proud of the rich culture, history, and diversity in our community. We also understand that the best method to secure an accurate count of our community is to create a distinct minimum reporting MENA ethnic category where we can check MENA while also identifying our national origin and any race we may identify with.

An inclusive, comprehensive, geographical definition of the MENA category should be adopted that includes persons with origins in the League of Arab States, Non-Arab MENA states, as well as Transnational communities.

However, we do not believe that the proposed nationality and ethnic group examples provided in the Working Group's initial proposal adequately represent the MENA category. The examples listed should follow the approach the Census Bureau typically adopts and reflect the largest groups that would ultimately be represented in the federal data. As such, guidelines should be issued for the collection of detailed MENA ethnicity data that treat the MENA region as one diverse geographical area and that sub-boxes be assigned to the largest groups by population in the U.S. (e.g., Lebanese, Iranian, Egyptian), while also using examples that include a Trans-national group (e.g., Armenian, Assyrian/Chaldean), a Gulf population (e.g., Iraqi, Yemeni) and an Arabic-speaking country in Sub-Saharan Africa (e.g., Somalia, Sudan).

At its most basic level, ADC unreservedly supports the creation of a distinct minimum reporting MENA category. There are specific ways that OMB can improve upon its draft, but ultimately this category must be a part of any final published revision of SPD15. In doing so, OMB will ensure that our community is finally seen in the data as Arab American, fully protecting our rights, and fully securing our representation.