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U.S. COMMISSION ON CIVIL RIGHTS

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BUSINESS MEETING

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FRIDAY, MARCH 20, 2026

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The Commission convened via
Videoconference at 10:06 a.m. EDT, Rochelle
Garza, Chair, presiding.

PRESENT:

ROCHELLE GARZA, Chair

VICTORIA NOURSE, Vice Chair

J. CHRISTIAN ADAMS, Commissioner

STEPHEN GILCHRIST, Commissioner

SARA FRANKENSTEIN, Commissioner

MONDAIRE JONES, Commissioner

PETER KIRSANOW, Commissioner

GLENN MAGPANTAY, Commissioner

MARIK XAVIER-BRIER, Acting Staff Director

DAVID GANZ, General Counsel and
Parliamentarian

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1 STAFF PRESENT:

2 PIOTR CZAPLICKI

3 JULIAN NELSON

4 MICHELE YORKMAN-RAMEY

5

6 COMMISSIONER ASSISTANTS PRESENT:

7 ESSENCE PERRY

8

9 ALSO PRESENT:

10 DIANE CITRINO

11 ANDRES L. CORDOVA

12 LESLIE ROSS

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1 P-R-O-C-E-E-D-I-N-G-S

2 (10:07 a.m.)

3 MR. CZAPLICKI: Good day and welcome to
4 the March 2026 business meeting. Today's
5 conference is being recorded. At this time, I
6 would like to turn the conference over to Chair
7 Rochelle Garza. Please go ahead.

8 CHAIR GARZA: Good morning, everyone.
9 We're going to go ahead and get into it and get
10 started. This business meeting of the U.S.
11 Commission on Civil Rights comes to order at
12 10:07 a.m. Eastern Time on Friday, March 20th,
13 2026. This meeting is taking place via
14 telephone conference.

15 I'm the chair of the commission,
16 Rochelle Garza. And since we are all attending
17 by phone, I'd like to start with a roll call.
18 So please confirm your presence when I say your
19 name.

20 Vice Chair Nourse?

21 VICE CHAIR NOURSE: Present.

22 CHAIR GARZA: Commissioner Adams?

23 COMMISSIONER ADAMS: Present.

24 CHAIR GARZA: Commissioner

25 Frankenstein?

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1 COMMISSIONER FRANKENSTEIN: I'm here.

2 CHAIR GARZA: Commissioner Gilchrist?

3 COMMISSIONER GILCHRIST: I'm here.

4 CHAIR GARZA: Commissioner Jones?

5 COMMISSIONER JONES: Present.

6 CHAIR GARZA: Commissioner Kirsanow?

7 COMMISSIONER KIRSANOW: Here.

8 CHAIR GARZA: And Commissioner

9 Magpantay?

10 COMMISSIONER MAGPANTAY: I'm here.

11 CHAIR GARZA: Great. Thank you. Based
12 on that roll call, a quorum of the commissioners
13 is present.

14 Is the court reporter present?

15 THE REPORTER: Yes, present.

16 CHAIR GARZA: Is the staff director
17 present?

18 MR. XAVIER-BRIER: I'm present.

19 CHAIR GARZA: And is the
20 parliamentarian present?

21 MR. GANZ: I'm present.

22 CHAIR GARZA: Great. Wonderful.

23 Before we proceed, I'd like to take a moment to
24 welcome our newest colleague, Commissioner Sara
25 Frankenstein.

1 Commissioner Frankenstein was appointed
2 on February 26th, 2026, by Senator John Thune to
3 serve a six-year term. She brings strong
4 experience as a trial attorney and public sector
5 council, and she is already familiar with the
6 commission's work through her service as vice
7 chair of the South Dakota State Advisory
8 Committee. We are glad to have her here and
9 look forward to working together to advance the
10 commission's mission.

11 Commissioner Frankenstein, welcome
12 again, and I'll yield the floor to you for some
13 remarks.

14 COMMISSIONER FRANKENSTEIN: Thank you,
15 Madam Chair. I am delighted to serve alongside
16 each of these prestigious commissioners. I look
17 forward in getting to know each of you as well
18 as the staff. I can't wait to meet our
19 fantastic staff.

20 I recognize that this commission does
21 important work. We're in a day and age where
22 knee-jerk opinions are easy, but offering
23 education -- educated solutions is the harder
24 work. I appreciate that this commission and
25 these commissioners are here to do the harder

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1 work. I look forward to it, to advance our
2 communities in our country, and I thank you,
3 Madam Chair.

4 CHAIR GARZA: Thank you so much,
5 Commissioner Frankenstein. And welcome again.

6 We're going to go ahead and proceed
7 with today's agenda as published on the federal
8 register. Today, we're going to consider the
9 following items. We will begin with
10 presentations from three of our advisory
11 committees: Ohio on source-of-income housing
12 discrimination, Puerto Rico on the Insular Cases
13 and their impact on civil rights of residents,
14 and Arizona on disparities in pediatric
15 healthcare access for racial and ethnic minority
16 families.

17 We will then move on to a discussion
18 and vote on the commission's strategic plan.
19 And finally, we will conclude with management
20 and operations, including the staff director's
21 report. Are there any motions to amend the
22 current agenda?

23 COMMISSIONER ADAMS: Madam Chair,
24 Adams.

25 CHAIR GARZA: Yes, Commissioner Adams.

1 You're recognized.

2 COMMISSIONER ADAMS: I move -- thank
3 you. I move to amend the agenda to have a
4 single vote to add Pei Pei Cheng de Castro to
5 the New York State Advisory Committee, and to
6 adopt President Trump's August 6th, 2025,
7 designation of Carissa Mulder as staff director.

8 CHAIR GARZA: As I understand it,
9 that's a joint motion?

10 COMMISSIONER ADAMS: No, that's not my
11 motion. I'll read it again. I move to amend
12 the agenda to abate single vote to add Pei Pei
13 Cheng de Castro to the New York State Advisory
14 Committee, and to adopt the president's August
15 6th, 2025, designation of Carissa Mulder as
16 staff director in one single combined vote.

17 CHAIR GARZA: In one single combined
18 vote. Okay. Commissioner Adams, as I have said
19 before, regarding the designations, I do have to
20 rule that out of order. As I stated in my email
21 communications to all commissioners regarding
22 this, the statute requires a request of
23 concurrence from the president.

24 In every administration, we've received
25 those requests. They've conveyed to the

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1 commission in the form of a formal written
2 letter from the White House. Until such letter
3 is received, we have no valid request before us,
4 and therefore no basis to --

5 COMMISSIONER ADAMS: Parliamentary
6 inquiry, Madam Chair.

7 CHAIR GARZA: We vote on those --

8 COMMISSIONER ADAMS: Parliamentary
9 inquiry of the chair.

10 CHAIR GARZA: Or vote on those
11 designations. The administration has been made
12 aware of my request for those letters. So that
13 portion --

14 COMMISSIONER ADAMS: Parliamentary
15 inquiry.

16 CHAIR GARZA: That's fine.

17 COMMISSIONER ADAMS: Before you rule, I
18 have a parliamentary inquiry. My question to
19 the chair is: Have you received any
20 communication regarding this presidential
21 designation?

22 CHAIR GARZA: Commissioner Adams, we
23 have not received what has been required, which
24 is a request for a concurrence of the
25 commissioners. Once we receive that, I am happy

1 to have conversations on that, and I've said
2 that before.

3 COMMISSIONER ADAMS: Wasn't my
4 question. That wasn't my question.

5 CHAIR GARZA: We have -- I just stated
6 everything, Commissioner Adams. We have made it
7 very clear to the White House what we are
8 requesting. We have followed up. We have not
9 heard anything.

10 COMMISSIONER ADAMS: So the answer to
11 my question is you have received something.

12 CHAIR GARZA: We have not received a
13 communication that requests a concurrence of the
14 commissioners --

15 COMMISSIONER ADAMS: We get it.

16 CHAIR GARZA: -- as is required --

17 COMMISSIONER ADAMS: Thank you.

18 CHAIR GARZA: -- for (inaudible).

19 COMMISSIONER ADAMS: No further
20 question on this.

21 CHAIR GARZA: Do you withdraw your
22 motion?

23 COMMISSIONER ADAMS: No.

24 CHAIR GARZA: You -- as to -- I mean,
25 well, it was a joint motion, so are you willing

1 to sever that motion?

2 COMMISSIONER ADAMS: I -- it's not a
3 joint motion. It's one single vote. That is
4 the nature of the motion. You can hear other
5 things, but that's not the motion.

6 CHAIR GARZA: Okay, then. Well, we can
7 move on as I've already ruled that out of order.

8 Moving on to the first item, we have --

9 COMMISSIONER ADAMS: Madam Chair,
10 motion to amend the agenda, Adams.

11 CHAIR GARZA: I've already moved on,
12 Commissioner Adams.

13 COMMISSIONER ADAMS: Well, for the
14 record, my motion to amend the agenda was going
15 to be to address the president's designees on
16 the other offices, but I guess it's out of
17 order.

18 CHAIR GARZA: Yes, Commissioner Adams.
19 We're going to go ahead and move on.

20 COMMISSIONER ADAMS: Wow.

21 CHAIR GARZA: We have guests here to
22 present on the -- on their investigations per
23 the advisory committees. So up first, we will
24 hear from our Ohio State Advisory Committee
25 Chair, Lee Strang, on the committee's report

1 titled Source-of-Income Housing Discrimination.

2 Thank you so much, Chair Harris, for
3 being here. The floor is yours.

4 MS. CITRINO: Actually, Lee -- Chair
5 Lee Strang has designated that I, Diane Citrino,
6 the immediate past chair of the Ohio Advisory
7 Committee present on this topic of our report
8 findings. May I proceed, Madam Chair?

9 CHAIR GARZA: Of course, you can. I
10 apologize.

11 MS. CITRINO: So good morning. As I
12 said, I am Diane Citrino, the immediate past
13 chair of the Ohio Advisory Committee. And
14 today, I am very proud to present our report on
15 source-of-income housing discrimination in Ohio.

16 We completed and voted on this report on
17 September 24th, 2024.

18 Our committee studied source-of-income
19 discrimination because of the affordable housing
20 problems facing Ohioans. I'll tell you a little
21 bit about what is source-of-income
22 discrimination. It's the practice of denying
23 tenant applications based on a prospective
24 tenant's lawful source of income.

25 Source-of-income discrimination is not

1 based on a person's ability to pay for housing,
2 but on how that individual intends to pay. For
3 example, a number of landlords refuse to accept
4 tenants where a portion or all of their rent
5 will be paid from lawful income, such as a
6 rental subsidy, a voucher, alimony, unemployment
7 insurance payments, veterans, or disability
8 payments.

9 While the Fair Housing Act, the federal
10 law protects people from discrimination based on
11 race, color, national origin, sex, religion,
12 disability, or familial status, it does not say
13 anything about prohibiting landlords from
14 refusing to accept tenants where their income
15 source is from a nonconventional income other
16 than employment.

17 And while federal law, as I said,
18 doesn't prevent this, a number of states at the
19 time of our report, at least 20 states, the
20 District of Columbia, and some cities and
21 counties do have source-of-income protection.
22 Ohio is not one of those states.

23 Our committee learned through public
24 hearings and witness testimony that Ohio lacks
25 adequate affordable housing to meet demand, and

1 there are no statewide protections to prevent
2 landlords from discriminating against housing
3 applicants based on their lawful source of
4 income.

5 Housing choice voucher programs provide
6 one important solution to mitigate the
7 affordable housing shortages' adverse effects by
8 offering low income households a path to
9 adequate housing. These vouchers are designed
10 to allocate government funds to cover the
11 difference between the market rent and what the
12 tenant can afford, typically around 30 percent
13 of a tenant's income.

14 Testimony from multiple witnesses
15 indicated that the primary obstacle that people
16 with vouchers face is finding housing providers
17 that are willing to accept rental assistance as
18 a valid form of income. So people wait
19 sometimes decades to get these housing vouchers,
20 and then in the limited time they have to use
21 the voucher, they cannot find a landlord who
22 will accept them, and the vouchers end up being
23 turned back in and unused, and the money does
24 not flow into Ohio.

25 Another key finding was that source-of-

1 income discrimination disproportionately impacts
2 people with disabilities, families with
3 children, and people of color. Households
4 receiving housing choice vouchers are much more
5 likely to have at least one member with a
6 disability than households that do not have a
7 voucher.

8 Witness testimony showed that families
9 with children were most voucher holders, and
10 that in certain large Ohio cities, over 80
11 percent of voucher holders were Black. Along
12 with this disproportional impact on protected
13 classes, witnesses testified that source of
14 income discrimination is sometimes used as an
15 excuse for intentional discrimination.

16 Data offered to our committee showed
17 that source-of-income discrimination impedes
18 integration, preserves segregated neighborhood
19 patterns, and confines voucher holders to high
20 poverty neighborhoods with the highest rates of
21 crime, greatest exposures to environmental
22 health hazards, and the lowest educational
23 outcomes.

24 Our investigation showed that if
25 source-of-income protections were in place with

1 adequate enforcement mechanisms, the benefits to
2 Ohioans could be significant. Dr. Andre Brown
3 of the Cuyahoga County Board of Health testified
4 about a 2019 study that found a 23-year life
5 expectancy gap between two neighboring
6 communities near Cleveland, even though these
7 communities were only two miles apart.

8 Dr. Brown emphasized that housing
9 choice vouchers, paired with source-of-income
10 protections, moved people to areas of
11 opportunity, giving them better access to
12 resources and the -- and better life outcomes as
13 a result. Other panelists provided similar
14 testimony regarding the benefits of increased
15 housing mobility, particularly for families with
16 children who moved before their children were
17 teenagers.

18 A study by Raj Chetty was cited that
19 these younger children who moved to areas of
20 higher opportunity exhibited a greater
21 likelihood of attending college and earned
22 significantly more in annual income, suggesting
23 that housing choice vouchers, paired with
24 source-of-income protection, could help combat
25 generational poverty.

1 Housing providers testified that
2 landlord reluctance to accept housing choice
3 vouchers is based on a variety of factors,
4 primarily on administrative delays during the
5 inspection and approval process. We heard that
6 if these challenges were addressed, the Housing
7 Choice Voucher Program would be more successful.

8 We heard testimony that landlords can receive
9 significant benefits from their participation in
10 housing choice voucher programs, such as
11 reduction in tenant turnover, easier lease
12 enforcement, support from housing authorities,
13 and rent stability in times of economic
14 distress. This was particularly evident during
15 COVID when, if the tenant's earnings went down,
16 the subsidy would go up, making sure the housing
17 provider was fully paid and the tenant avoided
18 eviction.

19 Our committee made recommendations
20 based on our findings. These recommendations
21 include that this commission tell the American
22 people what source of income discrimination is
23 in housing and that it exists and it can
24 significantly affect the ability of people to
25 have adequate shelter. We ask the commission to

1 recommend to Congress that it provide tax and
2 other incentives and supports to landlords who
3 participate in the Housing Choice Voucher
4 Program and expand funding for housing choice
5 vouchers. We suggest ways for public housing
6 authorities to support housing providers and
7 reform the inspection and approval process. We
8 recommend supporting education programs, pilot
9 programs, and urge including landlord
10 perspectives and voices in all plans for
11 improvements. We also support fair housing
12 testing to ensure that voucher holders who are
13 in protected classes are not discriminated
14 against in their housing searches.

15 We suggest the U.S. Commission on Civil
16 Rights urge Ohio lawmakers to amend Ohio law to
17 add source of income protection to the protected
18 classes in the state ordinance regarding
19 preventing housing discrimination. Your zip
20 code should not determine your life expectancy.

21 In Ohio, people living a few miles from one
22 another have vastly different life outcomes
23 because access to housing also dictates how
24 close you are to adequate groceries, educational
25 opportunities, public transportation, and jobs.

1 Our report suggested reforms to end
2 source of income discrimination that would
3 benefit Ohioans, particularly Ohio's children.
4 Moving families with young children to areas of
5 opportunity could change the entire course of a
6 child's life. I hope our committee's findings
7 and recommendations will be considered and
8 adopted and lead to positive changes. Thank you
9 for considering the views presented in our
10 report. I welcome your questions, and I also
11 want to just thank this commission for allowing
12 me to serve for since 2003 on the Ohio Advisory
13 Committee. It has been such a privilege. Thank
14 you.

15 CHAIR GARZA: Thank you so much, Chair
16 Citrino, I -- for that incredibly important
17 report. I'm going to open this up to
18 commissioners for commissioner questions. Are
19 there any questions for Chair Citrino?

20 COMMISSIONER KIRSANOW: Madam Chair,
21 Kirsanow here.

22 CHAIR GARZA: Yes, you're recognized
23 Commissioner Kirsanow.

24 COMMISSIONER KIRSANOW: Thank you.
25 Thanks for your presentation, Ms. Citrino.

1 Appreciate it very much. Have a couple
2 questions. One is, does -- did you find that
3 source of income discrimination has a disparate
4 impact on protected classes other than
5 disability? And I think you suggested race
6 also. But does it have a broader scope in terms
7 of disparate impact?

8 MS. CITRINO: Yes. It also, I believe
9 I mentioned families with children. About 40
10 percent of the tenants who get a voucher are
11 children. So a lot of -- some of the testimony
12 specifically talked about female-headed
13 households also are being overrepresented, I
14 believe. So yes, there are multiple protected
15 classes that are affected.

16 COMMISSIONER KIRSANOW: And also, are
17 there any state statutes that arguably make
18 source of income discrimination unlawful?

19 MS. CITRINO: In Ohio we don't have
20 that. There are municipalities in Ohio, a
21 number of municipalities. I think they're
22 enumerated in our report. They may have changed
23 and grown since our October 2024 report was
24 issued.

25 COMMISSIONER KIRSANOW: Thank you.

1 COMMISSIONER GILCHRIST: Madam Chair,
2 Gilchrist here.

3 CHAIR GARZA: You're recognized,
4 Commissioner Gilchrist.

5 COMMISSIONER GILCHRIST: Thank you.
6 Chair Citrino, again, I too want to thank you
7 not only for the report, but your service to the
8 United States Commission on Civil Rights. I did
9 just have a quick question for you. It was
10 mentioned in the report that Dr. Judge Glock,
11 the director of research and a senior fellow at
12 the Manhattan Institute, suggested that the
13 source of income protections may lead to
14 increased racial discrimination because
15 landlords could start using race as a proxy to
16 try to filter out these voucher holders. Do you
17 believe that's a valid concern?

18 MS. CITRINO: Well, we did have
19 testimony that race -- that did -- that there
20 was actual intentional discrimination based on
21 race, where basically kind of flipping with
22 Judge, what -- it's Mr. -- Judge is his first
23 name, Glock. Just -- I want to be clear he's
24 not a judicial officer.

25 COMMISSIONER GILCHRIST: Okay.

1 MS. CITRINO: He -- people -- the
2 testing by different fair housing organizations
3 showed that Black applicants who also had
4 vouchers as compared to white applicants who had
5 vouchers were more discriminated against. So
6 there certainly was -- but sometimes people
7 would actually advertise something like no
8 vouchers, no Section 8, Section 8 being the old
9 name for the voucher program. Landlords would
10 put that kind of advertising out there and then
11 they would be screening on the basis of race.
12 So it is -- there certainly was intentional
13 discrimination that was visible to those who
14 were testing that sometimes saying no vouchers
15 was, in fact, a proxy for no Blacks.

16 COMMISSIONER GILCHRIST: Thank you.

17 CHAIR GARZA: Well, that's a shocking
18 finding. Thank you for, again, for bringing
19 this to our attention. Are there any other
20 questions from commissioners?

21 COMMISSIONER KIRSANOW: Madam Chair,
22 Kirsanow again.

23 CHAIR GARZA: Okay. You're recognized,
24 Commissioner Kirsanow.

25 COMMISSIONER KIRSANOW: Thank you. Ms.

1 Citrino, is there, or were you able to deduce
2 any evidence, and I don't know that you did, or
3 would have, but was there any evidence that this
4 type of source of income discrimination was more
5 pronounced dealing with multi-unit dwellings
6 versus single unit dwellings?

7 MS. CITRINO: I don't think that we had
8 any evidence along those lines, Commissioner, so
9 I can't speak to it. I know there was concern
10 for smaller landlords that the administrative
11 delays that were cited as the problem with small
12 -- there was more concern that smaller landlords
13 would be more impacted by administrative delays.
14 So there was concern that we would want to make
15 sure those delays were as minimal as possible so
16 smaller landlords could participate.

17 COMMISSIONER KIRSANOW: Thank you.

18 CHAIR GARZA: Okay.

19 COMMISSIONER GILCHRIST: Madam Chair,
20 this is -- Madam Chair? I'm sorry.

21 CHAIR GARZA: Yes. Commissioner --

22 COMMISSIONER GILCHRIST: This is
23 Gilchrist again.

24 CHAIR GARZA: -- Gilchrist.

25 COMMISSIONER GILCHRIST: I just want to

1 piggyback on that question about small business.

2 Chair Citrino, so did the committee think that
3 there may need -- possibly needed to be some
4 type of carve out for maybe mom and pop
5 landlords or small businesses, really small
6 businesses?

7 MS. CITRINO: No. Because we didn't
8 address any -- kind of carve out any Mrs. Murphy
9 exemption for voucher holders. We did -- in
10 fact, many of the people who testified were
11 smaller landlords, and some of them had very
12 positive things to say, particularly in the way
13 that once they had a tenant in there, the
14 tenants who had vouchers were much more likely
15 to stay. This was especially true of people
16 with disabilities who once they found a home
17 where they had access, they were likely to stay
18 there sometimes for eight, 10, 12 years. So it
19 could benefit maybe a smaller housing provider
20 who didn't want a lot of turnover.

21 COMMISSIONER GILCHRIST: Okay. Thank
22 you so much. Thanks, Madam Chair.

23 CHAIR GARZA: Of course. Well, thank
24 you so much for your report, or telling us about
25 your report. I think that this -- housing

1 issues, housing discrimination, access to
2 housing is, just underpins so many important
3 things in daily life, you know, what food you
4 can get, what schools you go to, what resources
5 are available to you. So it's an issue that I
6 find really critically important and I'm really
7 grateful that you all looked into this issue for
8 Ohioans, I think that's how you pronounce it,
9 for folks at Ohio, and I appreciate you being
10 here. If you have any last words, we can move
11 on to the next speaker.

12 MS. CITRINO: No, thank you so much for
13 considering our report. I want to just say,
14 again, thank you to all of the people who
15 participated and gave their time and work in
16 testifying and in drafting the report.

17 CHAIR GARZA: Wonderful. Well, thank
18 you for being here.

19 Okay. We're going to go ahead and move
20 on to our next presentation. We're going to
21 hear from Puerto Rico -- our Puerto Rico
22 Advisory Committee Chair, Andres Cordova, on the
23 committee's report titled, The Insular Cases and
24 the Doctrine of the Unincorporated Territory and
25 Its Effects on the Civil Rights of Residents.

1 Thank you for being here, Chair Cordova. The
2 floor is yours.

3 MR. CORDOVA: Thank you, Chair Garza.
4 And good morning to all. We'd like to begin by
5 thanking the United States Commission Civil
6 Rights for holding this hearing and receive,
7 among other reports, the Puerto Rico's Advisory
8 Committee's four-part report on the Insular
9 Cases and how the doctrine of non-incorporated
10 territories continues after 126 years
11 disenfranchising Puerto Ricans from the full
12 benefits of citizenship.

13 On April 2024, I presented before the
14 commission the advisory committee's first
15 memorandum, which focus on the historical and
16 constitutional origins and development of the
17 Supreme Court's doctrine, which allows for the
18 selective application of constitutional rights
19 and principles to the territories, which result
20 in the unjustifiable discrimination and unequal
21 treatment of its citizens. As my time is
22 limited, I refrain from delving into that first
23 memorandum and we further commission to my
24 earlier presentation. Allow me to highlight the
25 major fact findings or three other memorandums,

1 which cover how the nonincorporation doctrine
2 directly and indirectly affect economic matters,
3 voting and political participation, and access
4 to federal programs in Puerto Rico.

5 Our second memorandum specifically
6 focused on economic perspectives. It is
7 important to recall that the non-incorporated
8 doctrine specifically allows for the non-
9 application of the Uniformity Clause of Article
10 1, Section 8 of the Constitution to Puerto Rico.

11 This exception has been utilized throughout the
12 decades to provide tax benefits to certain
13 sectors of the economy. The now repealed
14 Internal Revenue Code Section 936, for example,
15 exemplified this favorable treatment.

16 This section allowed for generous tax
17 incentives for -- such as stateside, industrial,
18 and manufacturing sectors of the economy at the
19 expense of sustainable local economic
20 development. In over 20 years of the incentive,
21 there was very little sustainable economic
22 growth for Puerto Rico, yet there was
23 significant profits for corporations.

24 When Section 936 was phased out in
25 2006, the economy fell into crisis, resulting in

1 the loss of close to 100,000 jobs, ongoing
2 uncertainty, and no firm objective on how to
3 boost the local economy. Even still, some
4 corporations changed their tax filing status on
5 the Section IRS 901 and continued to avoid
6 paying federal taxes. Such practice is an open
7 sore to the Uniformity Clause and to the
8 committee, and empirical evidence that tax
9 incentives are not long-term solutions to
10 economic development.

11 Together with the 2008 recession and
12 unrestrained public debt financing, Congress
13 legislated PROMESA Act in 2016, creating a
14 Fiscal Oversight and Management Board to guide
15 budgetary and financial matters for the Puerto
16 Rican government. Independently of its
17 benefits, PROMESA raises continuing and pressing
18 questions on Congress's authority to act over
19 Puerto Rico without the elected political
20 participation of its citizens.

21 Unincorporated territorial status has
22 created confusion and contradictions in Puerto
23 Rico's financial classifications, allowing
24 corporations and natural persons to establish in
25 Puerto Rico as foreigners under the IRS code,

1 even though they are in the United States.

2 Both Congress and the Supreme Court
3 have argued at different moments that insofar
4 Puerto Ricans do not pay federal income tax, it
5 is discriminatory treatment to its -- in its
6 participation in various crucial federal
7 programs is justified. The recent United States
8 v. Vaello Madero in 2022 is the most recent and
9 egregious example of this fact.

10 Even though residents do not have to
11 pay federal income tax if their only income is
12 generated in Puerto Rico, employers are required
13 to withhold federal employment taxes on wages
14 paid and Social Security. Families eligible for
15 the Child Tax Credit are required to file a
16 federal income tax return.

17 In our third memorandum, we studied
18 Puerto Rico's inability to vote at the federal
19 level for federal offices, or even to give the
20 opportunity to vote on its political future on
21 the federal legislation. In the 18th century,
22 new states were first acquired as territories on
23 a temporary basis. The Northwest Ordinance of
24 1787 set the legal template for this transition
25 from territory to state.

1 The Spanish American War in 1898 marked
2 the transition from 19th century continental
3 expansion to using newly acquired territories
4 for economic, strategic, and geopolitical
5 interest. The United States government was
6 faced with deciding what to do with these
7 territories, with populations that were
8 different racially and culturally. Does the
9 Constitution follow the flag, was the burning
10 question at the turn of the 20th century. The
11 question still haunts us.

12 The Insular Cases used explicitly
13 racist language to refer to those populations,
14 and this led to the creation of the incorporated
15 versus unincorporated categories to distinguish
16 between annexed territories with a path to
17 statehood. Think of Hawaii, and those newly
18 acquired, which belong to but are not part of
19 the United States, to use the lapidary statement
20 of *Downes v. Bidwell*.

21 The distinction between incorporated
22 and non-incorporated territories was supposed to
23 be temporary. Nonetheless, even the granting of
24 the United States citizenship in 1916 by the
25 Jones Act did not mean the territory of Puerto

1 Rico was incorporated. Current litigation
2 before the Supreme Court on the meaning of the
3 birthright citizenship on the 14th Amendment
4 offer a continuing example that this is not
5 merely a legal, hypothetical exercise for Puerto
6 Ricans.

7 Puerto Rico cannot appoint electors and
8 cannot vote for President. As granted by
9 statute, it only has a resident commissioner in
10 Congress without voting rights. The Territorial
11 Clause of the Constitution authorizes Congress
12 to dispose of the territories, but it does not
13 grant an authority to govern them indefinitely.

14 Congress has the constitutional
15 authority and responsibility to address the
16 Insular Cases and does not require the Supreme
17 Court to repeal them. The United States
18 Constitution is based on the idea that the
19 government derives its power from the governed,
20 yet it continues to govern the people of Puerto
21 Rico indefinitely and without their consent.
22 This is untenable.

23 In our fourth and final memorandum, we
24 receive testimony of Puerto Rico's lack of
25 access to federal benefits and programs. The

1 refusal of Congress to extend full federal
2 benefits through its political choice that come
3 at severe costs to the American citizens in the
4 territories, driving many residents to migrate
5 to the mainland and turning -- and in turn,
6 leading to an ongoing depopulation of the
7 island.

8 There is no legal or economic argument
9 preventing the government from providing full
10 access to the safety net in Puerto Rico, which
11 would bring poverty and levels -- level down
12 immediately. Decisions and funding allocations
13 have been based on what was left over from the
14 states and then divided among the territories.
15 Lack of political representation in Congress
16 places Puerto Rico at a clear disadvantage at
17 the moment of allocating resources during
18 congressional budgetary discussions.

19 The need is urgent. 40 percent of
20 Puerto Rico's residents live under the poverty
21 line, a rate four times greater than the
22 national poverty rate. The situation also is
23 dire across programs. The federal funding
24 allotted to the island's Medicaid program, for
25 example, is expected to lapse to severe low

1 levels by the end of fiscal year 2027 if action
2 is not taken. While Puerto Rico has access to
3 the Nutrition Assistance Program, which is
4 similar to SNAP, it is administered through a
5 block grant which comes with stricter
6 eligibility criteria and reduced benefits among
7 -- in comparison to the mainland.

8 In United States v. Vaello Madero,
9 which I cited earlier, the Supreme Court invoked
10 the Territorial Clause and Puerto Rico's
11 exemption from federal income taxes as a
12 rational basis for not extending the SSI
13 program.

14 Veterans are also vulnerable to the
15 lack of parity. There are over 73,000 veterans
16 in Puerto Rico and only one veteran medical
17 center in -- within clinics. They are regularly
18 denied reimbursements for traveling for medical
19 appointments in the mainland, even though many
20 services are not available in -- on the island.

21 There is no VA trauma center, and there's no
22 deficiency of special -- there's a deficiency of
23 specialized surgeries and cancer treatments, and
24 up to ten-year delays for some services and
25 issues in acquiring basic equipments, like

1 scopes for colonoscopies.

2 Veterans face language barriers with VA
3 paperwork, and in some instances, part of Puerto
4 Rico's are categorized as foreign in VA manuals.

5 There's also a need for veteran-serving
6 professionals like attorneys and college
7 counselors. Puerto Rico does not have a single
8 vet success counselor on the island, despite
9 there being 14,000 veterans using the GI Bill.
10 There has been an exodus of healthcare
11 professionals due to bureaucratic hurdles.

12 We also learned about racial formation
13 of Puerto Rico and its effects on government
14 services. Since the United States government
15 began conducting the census, enumerators used
16 their own discretion to mark responses on racial
17 categories in Puerto Rico until the 2000
18 Decennial Survey, which was the first time the
19 question was placed on the questionnaire and the
20 residents could respond directly. It should be
21 noted that the government data tools are based
22 on the United States approach to race, do --
23 which do not consider and reflect the racial
24 nuances in Puerto Rico.

25 A major challenge to better understand

1 the population of Puerto Rico is the lack of
2 data collection in a variety of areas, including
3 housing, employment, and education. Many
4 federal surveys such as several from the Census
5 Bureau and the Bureau of Labor Statistics
6 include Puerto Rico. Nothing prevents Congress
7 from including Puerto Rico in these surveys and
8 exercising good government.

9 Given the findings here referred to in
10 our (indiscernible) memorandas, we have the
11 following recommendations for the United States
12 Commission on Civil Rights.

13 First, the Commission needs to reaffirm
14 and promote the foundational principles that all
15 American citizens hold the same rights and
16 obligations, immunities, and privileges in all
17 states and territories, and deserve the full and
18 equal protection of the law in all matters
19 without judicial exceptions.

20 Second, Commission -- the Commission
21 needs to speak out on the right to vote as a
22 fundamental democratic right of American
23 citizens independently of whether they reside in
24 a state or a territory.

25 Third, the Commission should formally

1 recognize the need to define and resolve the
2 political status through a federally mandated
3 plebiscite. And it never -- it has never
4 occurred.

5 Fourth, the Commission should encourage
6 and facilitate an institutional space of
7 dialogue with representation from all five
8 unincorporated territories to highlight the
9 challenges their residents face.

10 Fifth, we suggest the Commission also
11 send this report and request to the United
12 States Congress and promote legislation ensuring
13 that all American citizens are able to exercise
14 their constitutional rights on equal conditions.

15 Sixth, the Commission should recommend
16 the Executive Branch re-establish the White
17 House Task Force on Puerto Rico with the
18 representation from residents on the island to
19 present alternatives for the full recognition of
20 the rights of American citizens here.

21 And seventh, the Commission should send
22 the report and request to the President of the
23 United States, to the governor of Puerto Rico,
24 the resident commissioner, the legislature, and
25 Supreme Court of Puerto Rico, and require that

1 all government officials here incorporate,
2 addressing the political status question and its
3 relationship in the United States and their
4 public policies.

5 Thank you so much for the attention.
6 We're available for any questions the
7 commissioners might have.

8 CHAIR GARZA: Thank you so much for
9 that, Chair Cordova. And I cannot underscore
10 just how important it has -- this investigation
11 has been. I can see that it's taken a long time
12 and is very extensive. And I am very grateful
13 for you to have done that kind of work with you
14 and the committee, and everyone who has
15 testified. It is just -- it's incredibly
16 powerful. I'm open to others if others want to
17 ask questions on anything that was presented
18 here.

19 COMMISSIONER ADAMS: Adams --

20 COMMISSIONER MAGPANTAY: Madam Chair --

21 COMMISSIONER ADAMS: -- this is Adams,
22 Chair. Adams.

23 COMMISSIONER MAGPANTAY: Oh. Go ahead,
24 Adams. Go ahead, Christian.

25 CHAIR GARZA: Okay. Commissioner

1 Adams, and then we'll go to Commissioner
2 Magpantay.

3 COMMISSIONER ADAMS: Mr. Cordova,
4 regarding the Insular Cases, the cornerstone of
5 your report, I'm wondering if the fact looked at
6 the other side of the ledger, because as a
7 practical matter, don't the Insular Cases also
8 make it possible to expand civil rights?

9 I had the case of Davis v. Guam where
10 my client was not allowed to register to vote in
11 Guam because he was the wrong race. And the
12 citation of that is 932 F.3d 822. It's a 9th
13 Circuit case.

14 My question is: The Organic Act in
15 territories have actually extended civil rights
16 that even stateside citizens sometimes don't
17 have as a civil rights -- as a civil right.
18 Isn't that also the case? Did you look at the
19 other side of the ledger?

20 MR. CORDOVA: Well, I think the Insular
21 Cases basically give Congress a lot of latitude
22 on how to legislate on the territories. But
23 because the -- these unincorporated territories
24 are not -- are held to be not part of the United
25 States, they get -- that latitude can work in

1 different directions and different territories.

2 You mentioned the case you -- in Guam.

3 I don't know, and we didn't receive any
4 information regarding the Organic law which
5 legislated for Guam. I know in Puerto Rico, the
6 Foraker Act or the Jones Act or the different
7 acts that have been legislated throughout the
8 20th century and 21st century -- it is true that
9 certain civil rights have been extended, but
10 there have been others which have been denied.

11 So it is true that there is other side
12 of the ledger, but that ledger, it does not, I
13 don't think, receive the full protection of the
14 Constitution to its American citizens.

15 COMMISSIONER ADAMS: Thanks.

16 MR. CORDOVA: It's a matter of
17 perspective, I guess.

18 CHAIR GARZA: Commissioner Magpantay,
19 if you want to ask your question. I also have a
20 question, but I can defer to you.

21 COMMISSIONER MAGPANTAY: Thank you.
22 You know, it's good to have you appear before
23 the Commission again. You have that tremendous
24 luck. I was up until 2:00 a.m. reading this.
25 It was quite long, but it was great, so thank

1 you so much.

2 I want to go to the committee
3 recommendations, and I was delighted, and at the
4 end, I -- I'm going to ask if our staff and the
5 Commission would agree to share your memorandum
6 and reports with the appropriate agencies and
7 the Congress, because I do think it's important
8 that -- for them to understand the work that you
9 did. But on Page 138, Final Committee
10 Recommendations, the Commission should, "B,
11 encourage a space of dialogue for representation
12 for the five territorial -- five territorial
13 facts -- for the five territories."

14 And Congress had only recently
15 recognized the territory: Puerto Rico, Guam,
16 American Samoa, as on par with the state
17 advisory committees, so your work and the other
18 territorial facts has been tremendous.

19 Could you just speak to a little bit
20 more on your thinking on that recommendation of
21 creating dialogue amongst the five territories?

22 MR. CORDOVA: Yeah. Well, yeah, I
23 think it's important to note that all, with the
24 exception of the Palmyra Atoll, the judges --
25 Associate Justice Gorsuch mentioned in this case

1 in Vaello Madero, all the other territories in
2 Puerto Rico -- in United States are
3 unincorporated, but they all have their
4 different, I would say, realities. And Congress
5 has dealt with these territories in a different
6 manners and attention to their -- the different
7 interests and claims made by different parties.

8 But there are -- there's an underlying
9 common denominator, which is Congress' plenary
10 authority to deal with the territories as it
11 sees fit. In that sense, I think it is
12 important for the territories to have an
13 opportunity between themselves to have a space,
14 political space and government space, where they
15 can exchange their challenges and their problems
16 in order to see if they can have a common
17 solution to them.

18 So in that regards, I would welcome any
19 attempt, any space where the United States
20 Commission on Civil Rights could promote that
21 meeting. So I think that that'd be a good --
22 very, very good idea.

23 COMMISSIONER MAGPANTAY: That's great.

24 We would love to maybe have more dialogue on
25 that. And for my fellow commissioners, we are

1 one of the few agencies that recognizes the
2 territorial fact and they have, whether it's in
3 the Pacific or the Caribbean, they have shared
4 struggle and common cause, and maybe we can try
5 to, I don't know, conference call or listening
6 session, just -- or facilitate dialogue given
7 our unique role. So we'll talk more. Thank you
8 very much.

9 MR. CORDOVA: Thank you.

10 CHAIR GARZA: Thank you, Chair Cordova.

11 And for, at least, kind of identifying that
12 each of the territories have their own
13 struggles, but have a unified struggle. I think
14 that that's really important to underscore.

15 I did want us just to kind of put a
16 fine point on this: what -- how are Puerto
17 Rican citizens treated differently than U.S.
18 Citizens? Like, just to put a fine point on it,
19 voting, just if you would kind of enumerate for
20 me, please?

21 MR. CORDOVA: Well, voting in federal
22 elections, we only have a resident commissioner,
23 which is created by federal law, was created in
24 the Foraker Act in 1900, which allows for -- to
25 vote for a resident commissioner, which is a

1 delegate to Congress, to the House, but has no
2 voting authority and power. So it's just
3 basically a delegate, which just expresses the
4 interest of Puerto Rico.

5 So besides that particular position, we
6 don't have any other intermittent participation
7 in the political process. We do vote for local
8 government officers, for governor and for the
9 local assembly, but besides that, we really
10 don't have the participation.

11 I think the best example to -- that
12 dramatizes the insufficiency of our current
13 system is PROMESA. PROMESA in 2016, which has
14 some very useful and beneficial -- or has
15 beneficial consequences is still predicated on
16 the fact that Puerto Rico cannot govern itself.

17 So we have basically members of the
18 board, financial board, which are named by the
19 president and the Congress, and they have
20 decisions on financial matters and the budget
21 here in Puerto Rico. That to me is a very clear
22 indication of the fact that we are
23 disenfranchised from participating in our own
24 future.

25 CHAIR GARZA: Yeah. Well, thank you

1 for expounding on that. Is there any -- are
2 there any first step bills that could lead to
3 better representation? Any specifics on that
4 you could share?

5 MR. CORDOVA: Well, I think one -- and
6 I made -- one of our recommendations when I
7 think the commission could suggest to Congress
8 that it should move on toward some federally-
9 mandated plebiscite for the people in Puerto
10 Rico to exercise their right in self-
11 determination.

12 What is the language of that
13 plebiscite? I'll leave it to the political
14 process. But I think Congress does need to act
15 on it. For too many -- for too many decades, it
16 has basically allowed for the problem just to go
17 on and refer basically to the lack of agreement
18 between the different political factions here in
19 Puerto Rico. But that's harming the immense
20 majority of the population.

21 CHAIR GARZA: Yeah, I can imagine. I
22 was particularly struck by the rates of poverty
23 and the lack of services that you --

24 MR. CORDOVA: Yeah.

25 CHAIR GARZA: -- indicated earlier. I

1 mean, it's just shocking to me to have, I think
2 you said 14,000 veterans, and to not have any
3 support --

4 MR. CORDOVA: Yeah.

5 CHAIR GARZA: -- is just shocking.

6 MR. CORDOVA: Yep.

7 CHAIR GARZA: Are there any other
8 questions from other commissioners for Chair
9 Cordova? Okay. Hearing none, I -- I'll give
10 you the last word here, but I just want to say
11 thank you again for being here. Thank you for
12 your hard work and for --

13 COMMISSIONER MAGPANTAY: Oh, Madam
14 Chair?

15 CHAIR GARZA: Who is that? I'm sorry.

16 COMMISSIONER MAGPANTAY: It's
17 Commissioner Magpantay.

18 CHAIR GARZA: Yes? We're -- do you
19 have a question or --

20 COMMISSIONER MAGPANTAY: Sorry. Just
21 --

22 CHAIR GARZA: Okay.

23 COMMISSIONER MAGPANTAY: Maybe more
24 just a request. I read the recommendation. You
25 said that Congress should address these issues

1 and I agree. This information, I think, should
2 be shared with the Congress. You ask us in your
3 recommendations to share the report with members
4 of Congress and certain governmental officials.

5 May I ask the staff and the chair, can
6 we -- I'd like to execute that. I think that
7 the information there is good. You have a
8 recommendation for us to share. I'd like to be
9 able to see if we can do that, to transmit your
10 report to the appropriate officials so they can
11 consider it as well.

12 Shouldn't that be done? Maybe that's a
13 question from Marik or Rochelle.

14 CHAIR GARZA: Yeah, we can --

15 COMMISSIONER MAGPANTAY: Yeah.

16 CHAIR GARZA: -- we can move on that
17 offline. But, yes, those are -- that's our
18 mandate and we will --

19 COMMISSIONER MAGPANTAY: Excellent.

20 CHAIR GARZA: -- with our mandate.

21 COMMISSIONER MAGPANTAY: Thank you.

22 That's excellent.

23 CHAIR GARZA: Great. Well, thank you,
24 Chair Cordova. I'll give you the last word
25 here.

1 MR. CORDOVA: I'd like to thank the
2 commission, basically, for giving the --
3 creating the advisory board for Puerto Rico, and
4 I hope to -- that the advisory board will
5 continue in the future. I'd like to thank also
6 the members and staff of the United States
7 Commission for all their help throughout the
8 last four years. Thank you.

9 CHAIR GARZA: Thank you very much.
10 Okay. We're going to move on to our next
11 presentation. We're going to hear from the
12 Arizona State Advisory Committee Chair, I
13 believe it's Leslie Ross, on the committee's
14 report, the Civil Rights and Disparities in
15 Pediatric Healthcare Access for Racial and
16 Ethnic Minority Families.

17 Thank you for being here, Chair Ross.
18 The floor, Chair -- the floor is yours.

19 MS. ROSS: Good morning, Madam Chair
20 and commissioners. I am honored to be here
21 today to present the Arizona Advisory
22 Committee's report. One note is that I am
23 former chair of the Arizona Advisory Committee,
24 but however, I was chair during the time of
25 these hearings and the issuance of the report.

1 Our report is titled Civil Rights in --
2 and Disparities in Pediatric Healthcare Access
3 for Racial and Ethnic Minority Families in
4 Arizona, which was completed and voted upon by
5 the committee in November 2024. In particular,
6 the committee chose to narrow its focus to
7 address disparities and access to and quality of
8 pediatric care affecting families who identify
9 as members of racial and/or ethnic minority
10 groups.

11 The committee also focused to
12 narratives focused to examine the extent to
13 which racial and ethnic disparities exist in the
14 delivery of care such as access to healthcare
15 and quality of care rather than disparities in
16 health outcomes or health status. This is a
17 really broad topic and we, our group, found out
18 pretty quickly that we needed to narrow our
19 focus.

20 One thing to note about Arizona, like
21 many other states along the Sun Belt, Arizona
22 has had a consistent rise in population in
23 recent years. At the same time, Arizona is
24 unique in its close proximity to Mexico, it's 22
25 sovereign Native American communities, and its

1 large swaths of rural communities.

2 There are several reports addressing
3 the needs of sovereign communities, in
4 particular, and disparities related to maternal
5 healthcare and/or fetal or infant mortality, but
6 those reports didn't focus on similar racial or
7 ethnic disparities throughout childhood, and
8 certainly related to pediatric care, in
9 particular, in Arizona. Some members of our
10 group noted that pediatric care and distinctions
11 in care related to race and/or ethnic -- race
12 and/or ethnicity was a particular interest to
13 them, so the committee decided to consider the
14 healthcare needs of Arizonans and determine
15 what, if any, disparities existed.

16 On this topic, it's important to note
17 that nearly half, 46 percent, of the state's
18 residents identify as part of a racial or ethnic
19 minority group. And in 2023, Arizona expanded
20 its Medicaid eligibility to increase the federal
21 poverty guidelines. At the same time, in 2020
22 -- in November of 2025, this is after our report
23 was issued, around 15 rural Arizona hospitals
24 were at risk of shutting down due to financial
25 instability. The combination of issues affects

1 Arizona residents in a very particular way.

2 After several web briefings, the
3 committee issued eight findings, four of which
4 focused almost exclusively on Arizona's Native
5 American populations. The committee looked at
6 Flores 2010 study that revealed disparities that
7 spanned across an array of healthcare related
8 matters and in -- it also reviewed a 2024 meta-
9 study where researchers examined racial or
10 ethnic inequities in the quality of pediatric
11 care. And in that study, they found widespread
12 patterns of inequitable treatment across
13 pediatric specialties such as primary care,
14 emergency medicine, inpatient and critical care,
15 surgery, developmental disabilities, mental
16 healthcare, endocrinology, palliative care.

17 The identified studies indicated that
18 children from racial and ethnic minority groups
19 receive poorer healthcare services relative to
20 non-Hispanic white children with most studies
21 drawing on data from multiple sites and
22 accounting for indicators of family
23 socioeconomic position and clinical
24 characteristics.

25 The socioeconomic position is

1 particularly important in Arizona. While our
2 state has made recent strides to expand
3 eligibility access for low income Arizona
4 children, Arizona still has a very high level of
5 uninsured children. The 2022 Census Bureau
6 figures and Georgetown University Center for
7 Children and Families report show that there's
8 142,000 Arizona children under the age of 19
9 without health insurance. Arizona has a rate of
10 uninsured children at 8.4 percent, which is
11 higher than the national average, and Arizona's
12 the fifth -- has the fifth highest rate of
13 uninsured children behind Texas, Florida,
14 California, and Georgia. Also there, we noted
15 that racial and ethnic minority children in
16 Arizona are disproportionately uninsured.

17 Panelists raised particular concerns
18 about many children who were dropped from kids'
19 care over the years following the pandemic and
20 highlighted the need for continuous eligibility
21 for these services, noting that improved
22 insurance and reduced gaps would allow for
23 better -- better and more sustainable care,
24 particularly for children with very special
25 healthcare needs.

1 Even with this expansion, Dr. Darlene
2 Melk, the CMO for the Chiricahua Community
3 Health Centers, noted that affordability remains
4 a significant hurdle for many children who are
5 just above the Medicaid threshold. That
6 comprises approximately 11.6 percent of
7 Arizona's child population. And the
8 affordability issues is crucial to ensuring
9 comprehensive care.

10 Our studies also noted that foster
11 youth are disproportionately impacted. In 2021,
12 our Department of Child Safety showed that Black
13 children make up 16.2 percent of the children in
14 state care, Native Americans are 8.2 percent,
15 and Hispanic or Latino children account for 32.6
16 percent of the children in DCS care. In
17 contrast, while 48 percent of Arizona's child
18 population is white, just 31 percent of children
19 in DCS care are white.

20 Some bureaucratic challenges, that was
21 a note from our present -- presenters, such as
22 the need for re-enrollment in Medicaid when
23 children are aging out of the foster care system
24 can lead to gaps in healthcare coverage. This
25 is particularly challenging for children in

1 foster care because some children, based on
2 their experiences in foster care, have
3 heightened mental health needs.

4 They have inadequate services, and they
5 have a need both for assistance when they age
6 well in foster care and when they age out of
7 foster care. Currently, our AHCCCS, our
8 Medicaid group in Arizona, they have a pending
9 waiver for that expansion that, as far as my
10 research shows, has not yet been approved.

11 There's also a shortage of healthcare
12 providers across our state. Our Arizona
13 healthcare system has faced an ongoing shortage
14 of personnel for the last 20 years, and there
15 are 37 medically-underserved areas and ten
16 medically-underserved population designations.
17 Though we are in the desert, it does appear like
18 several of our areas are healthcare -- true
19 healthcare deserts.

20 According to our tribal liaison for the
21 Arizona Department of Health Services, the
22 shortages are severe for the Native American
23 community because 12 of Arizona's medically-
24 underserved areas are located within Native
25 American tribal lands. She noted that the

1 shortages relate to primary care physicians,
2 dentists, psychiatrists, pediatricians, OBGYNs,
3 and those all contribute to disparities in care.

4 Additional, the shortage of healthcare
5 professionals in these areas is further
6 compounded by geographical isolation,
7 socioeconomic challenges in the communities, and
8 limited means of communication.

9 Dr. Felman, who is division chief of
10 general pediatrics and a clinical associate at U
11 of A, she testified that there's a dire
12 situation, in particular for pediatric
13 rheumatology patients, noting that families may
14 need to travel up to 246 miles for those
15 specialists from where they live. Could you
16 imagine the amount of time that that would take
17 for a family to be able to, one, schedule that
18 specialist, but also set aside time to be able
19 to travel that large distance?

20 She noted in particular that there's a
21 shortage of residency slots, medical students
22 are having issues with loans for their
23 education, and those -- the medical students are
24 making decisions to remain in more urban
25 hospitals rather than in rural communities.

1 There was also Dr. Feldstein. He works
2 for the Goldwater Institute. He's a visiting
3 fellow. He testified about concerns relating to
4 medical specialties in particular. He was
5 concerned about regulations for postgraduate
6 education that influenced both graduate numbers
7 and a variety of those obtaining medical
8 degrees. He recommended licensing reform.

9 What we addressed from our hearings and
10 what we found out was that there was a lack of
11 data collection, which was kind of shocking.

12 Dr. Page (phonetic) testified about the
13 difficulties in obtaining comprehensive data to
14 evaluate disparities in pediatric care.

15 Although early hearing detection and
16 intervention programs collected a variety of
17 data, information such as geographic location,
18 insurance type, congenital infections, language
19 spoken is not documented and is not easily
20 extractable from the data.

21 There were other issues affecting, like
22 I mentioned, in particular, our Native American
23 populations here in Arizona. And for instance,
24 children on the Hopi Nation Reservation likely
25 don't have access to the same services as those

1 live -- as Native American populations in
2 Phoenix, so we see a distinction both in the
3 population served and in the geographical
4 location.

5 Specialty care shortages are another
6 significant barrier for Native American
7 children. Parents concerned about their child's
8 speech delays or potential autism faced
9 extremely long wait times for behavioral or
10 developmental care. Referrals can take up to
11 from six to 12 months, with an average travel
12 distance of 248 miles. Post-diagnosis, there's
13 also an additional four to six-month wait for
14 those therapies because there's a shortage of
15 the healthcare providers and there's a
16 significant shortage of specialists in rural
17 communities.

18 Dr. John Molina, who's the director
19 for the Arizona Advisory Council on Indian
20 Healthcare, he testified about an alarming rate
21 -- forgive me, we're having some -- a fire alarm
22 at our office, so I will try to speed this up.
23 Dr. Molina testified that there is an alarming
24 rate of obesity and cardiovascular disorders
25 among Indigenous youth. But at the same time,

1 we heard that Indigenous youth are less inclined
2 to go to healthcare providers because healthcare
3 providers, particularly those with a lack of
4 understanding about Native American population,
5 were showing some bias and discrimination.

6 For instance, Alison Lovell, who's from
7 the Arizona Advisory Council on Indian
8 Healthcare, noted that teenagers were seen but
9 -- that were seen by non-Native American
10 healthcare workers had a -- had to face
11 immediate questions about alcohol consumption,
12 and she herself received that same kind of
13 questioning, even though she was seeking
14 treatment for a respiratory infection.

15 As such, we had some recommendations as
16 a committee. As I mentioned, AHCCCS has a
17 pending waiver, project number 11-W-00275/9 that
18 has to do with continued healthcare for foster
19 children aging out of the foster care system who
20 are from ages, excuse me, 18 to 26.

21 In February 2026, since the issuance of
22 our report, the Arizona Medical Association
23 noted that nine of Arizona's hospitals received
24 funding for residential -- residency programs,
25 but notably, only two of those were what could

1 be considered in rural communities. Those were
2 in Yuma. The rest were in urban communities.

3 In November 2025, Arizona submitted a
4 Federal Rural Health Transformation Program
5 grant. I don't know where that stands.

6 Our committee was really hoping that
7 the commission would consider the challenges
8 relating to uninsured populations and recommend
9 that HHS approve Arizona's waiver, that the
10 commission would recommend the lifting of
11 Medicare-funded residency programs to allow
12 hospitals to train more residents in smaller
13 rural hospitals, and increase loan repayment
14 incentives to healthcare professionals that work
15 in underserved areas. We also hope that the
16 state would require notification for all parents
17 of children born in the state about eligibility
18 for kids' care and instructions on how to
19 enroll.

20 The committee's conclusions emphasize
21 that there are still systemic barriers to care
22 due to low funding, lack of specialists in rural
23 areas, and continued challenges related to
24 healthcare deserts. The additional funding
25 challenges related to Medicaid, which continue

1 -- which continues since this time have
2 continued and the lasting impact --

3 VICE CHAIR NOURSE: Madam Chair?

4 MS. ROSS: -- on children who require
5 medical services.

6 VICE CHAIR NOURSE: This is Vice Chair
7 Nourse.

8 MS. ROSS: Thank you for your time.

9 VICE CHAIR NOURSE: I suggest that the
10 -- Madam Chair, this is Vice Chair Nourse.

11 CHAIR GARZA: I was going to do that.

12 VICE CHAIR NOURSE: Okay.

13 CHAIR GARZA: Chair (crosstalk) --

14 VICE CHAIR NOURSE: I don't want the
15 person --

16 CHAIR GARZA: -- hold the --

17 VICE CHAIR NOURSE: -- to be injured.

18 CHAIR GARZA: No, of course not.

19 Chair Ross, are you still with us? You
20 should go ahead and excuse yourself. We can --

21 MS. ROSS: Thank you.

22 CHAIR GARZA: -- (inaudible) you later.
23 Okay. Bye-bye.

24 MS. ROSS: Thank you very much for your
25 time.

1 VICE CHAIR NOURSE: Thank you.

2 CHAIR GARZA: Okay. Well, we can go
3 ahead and move on, and any questions that we
4 have for Chair Ross, we can reach out
5 separately.

6 Next item that we have on our agenda is
7 a discussion and vote on the commission's
8 strategic plan. I'm going to go ahead and move
9 that we approve the commission's five-year
10 strategic plan spanning from 2026 to 2030, as
11 circulated to the commissioners on February 17,
12 2026, and uploaded to the commissioner's folder.

13 Is there a second?

14 VICE CHAIR NOURSE: Second.

15 CHAIR GARZA: A motion has been made
16 and properly seconded by the vice chair. Is
17 there any discussion?

18 COMMISSIONER JONES: Madam Chair, would
19 you repeat the motion, please?

20 CHAIR GARZA: The motion is to approve
21 the commission's five-year strategic plan that
22 spans from 2026 to 2030, as circulated to the
23 commissioners on February 17, 2026, and uploaded
24 to the folder -- to our commissioner's folder.

25 COMMISSIONER JONES: Thank you.

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1 CHAIR GARZA: If there is no
2 discussion, we'll go ahead and proceed to a roll
3 call vote, so please respond with a yes if you
4 are in favor, no if you're opposed, or indicate
5 if you are abstaining.

6 Vice Chair Nourse?

7 VICE CHAIR NOURSE: Aye.

8 CHAIR GARZA: Commissioner Adams?

9 COMMISSIONER ADAMS: Abstain.

10 CHAIR GARZA: I heard abstain; is that
11 correct?

12 COMMISSIONER ADAMS: Yes.

13 CHAIR GARZA: Okay. Commissioner
14 Frankenstein?

15 COMMISSIONER FRANKENSTEIN: Aye.

16 CHAIR GARZA: Commissioner Gilchrist?

17 COMMISSIONER GILCHRIST: Aye.

18 CHAIR GARZA: Commissioner Heriot? I'm
19 sorry. Forgive me.

20 COMMISSIONER ADAMS: Commissioner
21 Heriot is no longer on the commission.

22 CHAIR GARZA: No. It was -- it was a
23 mistake, clearly.

24 Commissioner Jones?

25 COMMISSIONER JONES: Aye.

UNEDITED

1 CHAIR GARZA: Commissioner Kirsanow?

2 COMMISSIONER KIRSANOW: Abstain.

3 CHAIR GARZA: Abstain.

4 Commissioner Magpantay?

5 COMMISSIONER MAGPANTAY: I vote yes.

6 CHAIR GARZA: Okay. And I vote yes.

7 So we -- motion passes with two abstentions and
8 the one, two, three, four, five, six in favor.
9 All right.

10 Moving on, we have our acting staff
11 director, Marik Xavier-Brier. We're -- we will
12 now turn it to you for the monthly staff
13 director's report. The floor is yours.

14 MR. XAVIER-BRIER: Thank you, Madam
15 Chair, and good morning, Commissioners. And I
16 would like to say hello to Commissioner
17 Frankenstein. On behalf of the staff, we
18 welcome you to the commission and look forward
19 to working with you.

20 In the interest of time, I have nothing
21 further to add beyond the information provided
22 in the staff director's report. But as always,
23 if any commissioners have any questions
24 regarding its contents, please let me know.

25 Thank you.

UNEDITED

1 COMMISSIONER GILCHRIST: Madam Chair?

2 CHAIR GARZA: Yes, Commissioner --

3 COMMISSIONER GILCHRIST: This is --

4 CHAIR GARZA: -- Gilchrist.

5 COMMISSIONER GILCHRIST: -- Gilchrist.

6 Yes, I just wanted to ask the staff
7 director. When will the transcripts of the
8 meeting -- this meeting be available for the
9 commissioners? And I think the YouTube posting,
10 when would all of that be available?

11 MR. XAVIER-BRIER: For this meeting,
12 usually that we get the transcripts, it takes
13 usually about a week, maybe two weeks, to get
14 them. But the YouTube will --

15 COMMISSIONER GILCHRIST: Okay. I know
16 the (inaudible) --

17 MR. XAVIER-BRIER: -- be available --

18 COMMISSIONER GILCHRIST: Okay. When
19 did you say the YouTube would be available?

20 MR. XAVIER-BRIER: The YouTube should
21 be available after the meeting.

22 COMMISSIONER GILCHRIST: Okay. I know
23 you all usually send these to the assistants,
24 but could you also include the commissioners in
25 your distribution as well?

UNEDITED

1 MR. XAVIER-BRIER: Oh, absolutely.

2 COMMISSIONER GILCHRIST: Great. Thank
3 you.

4 MR. XAVIER-BRIER: No problem.

5 CHAIR GARZA: Anything else from
6 commissioners before we close?

7 COMMISSIONER MAGPANTAY: Madam Chair.

8 CHAIR GARZA: Commissioner Magpantay,
9 you're recognized.

10 COMMISSIONER MAGPANTAY: Yes. Thank
11 you for your work, Marik. I had a couple of
12 questions pertaining to the regional programs
13 unit. The first I -- is just a confirmation. I
14 saw that the appointments to the State Advisory
15 Committee, that the American Samoa and Guam are
16 already expired; is that correct? We just had
17 heard from the Puerto Rican --

18 COMMISSIONER JONES: Glenn, you're not
19 --

20 COMMISSIONER MAGPANTAY: --
21 (crosstalk).

22 COMMISSIONER JONES: -- you're not as
23 audible as I think you might want to be. Are
24 you close to the microphone?

25 COMMISSIONER MAGPANTAY: I am. Can you

1 hear me now? That's strange.

2 COMMISSIONER JONES: Yes.

3 COMMISSIONER MAGPANTAY: Okay. Let's
4 try that again.

5 Anyway, Marik, I saw that American
6 Samoa and Guam are -- have expired. We just
7 heard from Puerto Rico; is that correct? And
8 did we have to move on these?

9 MR. XAVIER-BRIER: I know that there
10 are several state advisory committee --
11 committees that have expired. I'm not -- I
12 don't have the list of which ones exactly have,
13 but I'm absolutely happy to follow up with our
14 chief of the RPCU unit and follow up with you,
15 and let you know.

16 COMMISSIONER MAGPANTAY: Well, thank
17 you. There's several, it was concerning. So
18 hopefully, we can try to move that. I had also
19 wanted to ask about the New York Advisory --
20 State Advisory Committee, which has been doing
21 some really great work. But a number of -- I
22 got a number of questions and concerns about
23 them. Apparently, there was a meeting on March
24 11th and several members couldn't attend. And
25 for a variety of reasons a postponement was

1 requested because of scheduling conflicts. But
2 it seems that -- and the chair could not attend,
3 but it seems a DFO went forward and did the
4 meeting, and did not even adhere to the fact
5 that half of the meeting was over.

6 Could you tell me why a meeting would
7 proceed when we had noticed -- the staff had
8 noticed that half of the committee could not
9 attend?

10 MR. XAVIER-BRIER: You know, I'm
11 absolutely happy to talk with you and have --
12 set up a meeting with our chief RPCU, and
13 discuss meeting in more detail. What I do know
14 is that the DFO for the New York SAC did send
15 out a survey surveying the members on which days
16 would be the best for them to meet. And what I
17 know is that six members were present and there
18 was a quorum of five. And so the meeting was
19 still held. I do know that all of our DFOs work
20 -- you know, work with committee members knowing
21 that, you know, they -- you know, they're very
22 busy and they -- you know, they're serving in a,
23 you know, volunteer capacity.

24 So I do know that, you know, sometimes
25 it can be hard to try and pin down all of the

1 members to be able to hold the meetings. But
2 specifically in the details, I -- I'm sure that
3 David Mussatt will be happy to discuss that with
4 you. And we can set up that meeting if you
5 would like.

6 COMMISSIONER MAGPANTAY: That would be
7 great. I look forward to that, because I think
8 that our Administrative Instruction 5.7, meeting
9 procedures, ask and recognizes that members
10 should be given an opportunity to give input.
11 And none was able to be given, which goes to my
12 second question.

13 It seems that at that meeting, a new
14 concept paper was proposed within 24 -- the
15 agenda was circulated I noticed, in the federal
16 register, and then a new concept paper was
17 submitted less than 24 hours, the night before.

18 And then a new concept paper with a change was
19 submitted and voted upon. That is disconcerting
20 to me. Even our own -- the commission's own
21 operations handbook talks that -- talks about
22 committee members having an opportunity to
23 review. We require that committee members
24 review proposals. And they were not even given
25 that opportunity. That seems disconcerting to

1 me.

2 Can you say more about that, this bait
3 and switch of a new --

4 MR. XAVIER-BRIER: Sure.

5 COMMISSIONER MAGPANTAY: -- concept
6 paper from the old concept paper?

7 MR. XAVIER-BRIER: So what I do know is
8 the concept paper itself was not changed because
9 there was something that was circulated a couple
10 months prior. What was changed was the scope of
11 the proposal. And what was on the agenda for
12 that meeting was stating that the purpose of the
13 meeting was to talk about the draft from their
14 January meeting. That the staffs had questioned
15 that each of the committee members had submitted
16 and so had drafted proposal. And so then said
17 that if there was -- if each -- basically, if
18 each point of the proposal was discussed, then
19 there could possibly be a vote. And since each
20 of the items on the proposal were discussed,
21 then there was a vote.

22 You know, and I think the -- you know,
23 I think we can all agree that, you know, we want
24 and we need, you know, to have a variety of
25 perspectives. And we work the best when we work

1 in a bipartisan fashion. I do know that staff
2 are taking the appropriate steps to ensure that,
3 you know, going forward and ensure -- trying to
4 ensure that -- ensure this happens. But there
5 was nothing that was done that was prohibited or
6 not in line with past practices up to that
7 point.

8 And I can also say happily that the New
9 York Committee had another meeting yesterday and
10 it seems to be working well. They seem to be
11 discussing moving towards a briefing and
12 panelists. And so the committee is working
13 together on that project. But in terms of the
14 --

15 COMMISSIONER MAGPANTAY: (inaudible).

16 MR. XAVIER-BRIER: -- the detail of the
17 meeting, I -- I'm not -- I don't have that in
18 front of me.

19 COMMISSIONER MAGPANTAY: Yeah, no. I
20 got a correspondence from one of the meeting --
21 one of the members and it said that it looks
22 like the new proposal, quote, "seems to look
23 like the material is different proposal with
24 broader substantive changes and framing
25 emphasis," it sounds like. So perhaps we can

1 have that conversation because it seems that
2 there's a dispute as to whether that was proper.

3 And speaking of which, I -- yes, the
4 March 18th meeting, I actually did review the
5 transcript, and a member of the committee,
6 Rafael Mangual from the -- a distinguished
7 member of the Manhattan Institute, who had
8 appeared before our committee, wasn't even
9 allowed to speak. And it seems that that is
10 also a problem. That we have as a commission, a
11 policy on equitable participation regardless --
12 and so fair and transparent equitable
13 participation for all, regardless of political
14 affiliation or viewpoint.

15 I mean, I read the minutes and even,
16 you know, someone is from the Manhattan, and
17 Rafael has appeared before this commission. You
18 say it went well. I have, in the transcript, a
19 concern about whether it goes well when you
20 silence people.

21 MR. XAVIER-BRIER: I was unaware --

22 COMMISSIONER MAGPANTAY: I don't know,
23 that seems disconcerting.

24 MR. XAVIER-BRIER: No, absolutely. I

25 -- I'm --

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1 COMMISSIONER MAGPANTAY: You were not
2 aware? All right.

3 MR. XAVIER-BRIER: So I am --

4 COMMISSIONER MAGPANTAY: Of course.

5 MR. XAVIER-BRIER: I --

6 COMMISSIONER MAGPANTAY: You'll look
7 into it.

8 MR. XAVIER-BRIER: I fully agree with
9 you. I shall. And I fully agree with you,
10 Commissioner, that it is important that all
11 members of our committees are heard and given a
12 chance to speak. Again, I think we work the
13 best when we can work in a bipartisan fashion.
14 And so the idea that anyone would be silenced is
15 definitely concerning to me. And I'm happy to
16 bring this up with the DFO and also the chief of
17 our RPCU to look into this.

18 COMMISSIONER MAGPANTAY: That's great.

19 And I only had two more questions. Oh, you
20 know, it's -- you talked about this concept
21 paper that was approved several months ago and
22 received the majority vote. But when I looked
23 at the AIs, 5.7 talks about a vigorous debate
24 and a full explanation -- exploration of civil
25 rights issue. My understanding is that what

1 happened is that there were three -- four
2 concept papers that were put in for discussion.

3 None of the three -- most -- only one was said,
4 we'll just deal with this. And it was voted
5 upon and approved. There was no debate or
6 explanation of the others.

7 I understand that there's a majority
8 vote that comports with Robert's Rules, but it
9 seems to violate the spirit of the AI, that that
10 study might be improperly executed. I don't
11 know. I mean, whatever the study is, it's fine.

12 But I think how it was adopted is tainted, and
13 maybe we should look into this before they move
14 further. Could you look into that and it's
15 compliance with --

16 MR. XAVIER-BRIER: I --

17 COMMISSIONER MAGPANTAY: -- the second
18 of -- with AI 5.7?

19 MR. XAVIER-BRIER: Yes. I am happy to
20 take this question up with our BCU.

21 COMMISSIONER MAGPANTAY: That's great.

22 And I really do think that what's going on in
23 New York, I mean, it seems very strange. And
24 the complaints that I've been getting just
25 doesn't seem to allow for a fair equitable, you

1 know, committee. We -- we're a far apart
2 commission. The committees are evenly split.
3 They should work together. We can have
4 differences of opinions. But at least the
5 process should be equitable and fair.

6 In fact, you know, the last one was
7 that -- you know, I understand this DFO,
8 apparently, there was some email. His email was
9 hacked, which is of concern when any
10 governmental email is hacked. But the
11 information that I got was that some members
12 were able to get information from him and others
13 were not. So one committee member said, was it
14 really hacked? And whether it was, that does
15 not, that violates our policy of equal access to
16 information.

17 Can we look into that and see, you
18 know, the veracity of the email hacking? And
19 why some members are getting information, and
20 others are not, and it's compliant with our
21 policy of equal access to information?

22 MR. XAVIER-BRIER: Yes. I can. I --
23 and I fully share your concerns because I think
24 it is imperative that everyone has equal access
25 to the information, and has equal chance to

1 weigh in on any -- you know, any materials with
2 the committee. And process is an incredibly
3 important thing to follow, you know? And so
4 that's the only way we continue to work in a
5 productive and bipartisan way. So I -- I'm
6 happy to speak more with the RPCU about this and
7 provide --

8 COMMISSIONER MAGPANTAY: I agree.

9 MR. XAVIER-BRIER: -- hopefully --

10 CHAIR GARZA: Okay. --

11 COMMISSIONER MAGPANTAY: I agree with
12 that and I -- you are doing an outstanding job.

13 What I think that -- what this leads me to is
14 that the current investigation that the New York
15 Committee is doing seems to be improperly --
16 being improperly executed, and may not have been
17 -- improperly adopted. I don't know, I would
18 see, Marik, as staff director that it would be
19 disconcerting to approve that study. Or at
20 least not -- you should not be approving that
21 study now until we can resolve, or at least
22 inquire on these problems that are happening
23 there, so that we can have a full, fair -- a
24 conversation where everyone is involved.

25 So Marik, please do not approve it

1 because you are supposed to do that under our
2 rule. And if not -- or at least let's just wait
3 because these questions are very serious, and
4 they violate our own -- or they seem to violate
5 our own administrative instruction. And I don't
6 think it would be proper to approve an
7 investigation which is violative of the
8 commission's own administrative instructions or
9 regulations. So I advise --

10 CHAIR GARZA: Well, thank you --

11 COMMISSIONER MAGPANTAY: -- you not to
12 do that.

13 CHAIR GARZA: Thank you for raising
14 your question.

15 COMMISSIONER MAGPANTAY: Is there a
16 response from the staff director?

17 CHAIR GARZA: Excuse me, hold on.
18 Staff director --

19 COMMISSIONER MAGPANTAY: Yes, go ahead,
20 Marik.

21 Hold on.

22 Yes, Marik. Is there a response?

23 CHAIR GARZA: Commissioner Magpantay, I
24 -- I've not recognized you.

25 COMMISSIONER MAGPANTAY: I'm sorry,

1 what did you say?

2 CHAIR GARZA: I did not recognize --

3 COMMISSIONER MAGPANTAY: Because

4 there's some background noise.

5 CHAIR GARZA: I don't -- I'm sorry.

6 COMMISSIONER MAGPANTAY: I'm sorry,

7 there's some background noise.

8 CHAIR GARZA: Staff Director, is there
9 anything else that you would like to say before
10 we move on?

11 MR. XAVIER-BRIER: Thank you for
12 bringing it to my attention, Commissioner. And
13 I will reach them and (inaudible). I'll find --
14 hopefully -- (inaudible).

15 CHAIR GARZA: Okay.

16 MR. XAVIER-BRIER: Thank you.

17 CHAIR GARZA: Thank you. I -- if
18 everyone can mute themselves, please, because I
19 think we're having a lot of feedback issues.

20 COMMISSIONER MAGPANTAY: Yeah, I
21 couldn't hear what Marik said, I'm sorry. And
22 Madam Chair, I'm sorry I couldn't hear you.

23 CHAIR GARZA: Okay. All right. Well

24 --

25 COMMISSIONER JONES: Madam Chair?

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1 CHAIR GARZA: Yes, Commissioner Jones.

2 COMMISSIONER ADAMS: Madam Chair,
3 Adams. Oh, I think --

4 CHAIR GARZA: Please mute yourselves.
5 Commissioner Jones, you're recognized.

6 COMMISSIONER JONES: Thank you, Madam
7 Chair, for recognizing me.

8 I want to -- this is not directed at
9 Marik per se, but sort of for the commission
10 generally and including the staff. You know,
11 the great thing among many great things about
12 the report, the investigation into antisemitism,
13 that Commissioner Kirsanow and I are leading, is
14 its bipartisanship. We've worked so well
15 together, and if you just read the reporting, I
16 mean, it's in the letters that we get, there is
17 just a broad recognition of the value of this
18 not being a political thing but rather a fact
19 finding endeavor. And what worries me about
20 what's happening right now on the New York State
21 Advisory Committee, I think, can be traced in
22 part, to the fact that there is currently a
23 vacancy on that committee.

24 Now we've got an evenly divided
25 commission and have resolved previously, to

1 appoint equal numbers of appointees to the
2 various state advisory committees. I was
3 concerned when at the beginning of this meeting
4 -- and please correct me if I'm wrong, because
5 I'd like to be, that there appeared to be an
6 effort to tie the filling of a vacancy on the
7 New York State Advisory Committee, with some
8 other issue as a -- an attempt at negotiation.
9 That is improper, based on a decision that we
10 previously made as eight commissioners on this
11 body, to appoint equal numbers to these state
12 advisory committees. And what I don't want is
13 -- and I don't -- I hope none of us would want
14 -- I don't think any of us would want, is for
15 the New York State Advisory Committee's
16 legitimate investigation into campus
17 antisemitism to become a political issue because
18 there's a vacancy on the Democratic side.

19 And so I would ask that we move
20 expeditiously, if the -- we -- the Democrats on
21 this commission have a candidate, it would be
22 wonderful to get support on the other side so
23 that we can quickly fill this. It's not going
24 to solve all the issues on the New York State
25 Advisory Committee. I join -- I think, Glenn's

1 general concern that there's not enough
2 sensitivity by the DFO to the political
3 realities and the sensitivities, not just of the
4 topic, but of having a vacancy of a chair not
5 being available to attend a meeting but still
6 going forward with it, which is extraordinary to
7 me, whether the FACA regulation allows the DFO
8 to schedule meetings and create the agenda
9 without any input from the chair -- or the vice
10 chair for that matter.

11 Regardless of whether that's true, I
12 just think it's poor form, and it's created a
13 very toxic environment and I just don't -- so I
14 don't understand why anyone would be comfortable
15 moving forward in such an environment without
16 trying to make everyone feel heard and valued,
17 because that's -- at least over the long term,
18 going to be what makes any of these state
19 advisory committees a success.

20 So I hope that -- I hope that, you
21 know, we will all agree in short order, perhaps
22 by notational votes, since we're not going to do
23 it today apparently, to fill this vacancy so
24 that that issue -- that that topic -- that
25 investigation, does not become political and

1 that we could even potentially incorporate some
2 of its findings into our own investigation into
3 campus antisemitism that we're doing at the
4 national level.

5 So that's my intervention here, Madam
6 Chair. Thank you.

7 CHAIR GARZA: Thank you, Commissioner
8 Jones.

9 COMMISSIONER ADAMS: Madam Chair,
10 Adams.

11 CHAIR GARZA: Commissioner Adams --

12 COMMISSIONER ADAMS: Madam Chair,
13 Adams.

14 CHAIR GARZA: -- you're recognized.

15 COMMISSIONER ADAMS: I have a question
16 for the acting staff director, and I'll address
17 what Commissioner Jones directed at me in just a
18 second.

19 Marik, do we have a plan to meet in
20 person? If you've been listening to the last
21 two hours, you've heard fire alarms, you've
22 heard bad audio, you've had background noise.
23 Can we please meet in person, and if not, why
24 not?

25 MR. XAVIER-BRIER: Commissioner, that

1 -- yes, I believe the April business meeting is
2 scheduled for an in-person business meeting, and
3 I'm happy to discuss this further with the
4 chair.

5 COMMISSIONER ADAMS: Why was this on
6 the telephone -- this meeting?

7 CHAIR GARZA: Commissioner Adams, as
8 you're aware -- this is the Chair.

9 As you're aware, there have been
10 concerns about budgetary concerns, and so
11 pivoting to telephonic inter -- telephonic
12 meetings has been part of the strategy to
13 alleviate those concerns that were raised last
14 year, in particular, from your caucus. So this
15 is about ensuring that we continue our meetings,
16 continue the business of the commission, and
17 also balance that with meeting in person.
18 Obviously, this year we're going to endeavor to
19 meet more in person than last year. But
20 obviously, that depends on the work that we have
21 ahead of us.

22 So next meeting will be in person. We
23 will be in person in June, because we have a
24 briefing. And we will make sure to communicate
25 with all commissioners regarding those -- the

1 status of those meetings.

2 COMMISSIONER ADAMS: Okay. Addressing
3 Commissioner Jones' comments aimed at my motion.

4 The New York SAC reappointment was not
5 on this agenda, so I viewed it as doing a favor
6 to those folks from New York who wanted to get
7 that resolved. And if we weren't enduring the
8 charade that there was no notice about Carissa's
9 designation by the White House, all of this
10 would've gone a lot more smoothly and we
11 would've had a stack replaced and a staff
12 director appointed today.

13 CHAIR GARZA: Commissioner, I --

14 COMMISSIONER ADAMS: That's all I have.

15 CHAIR GARZA: -- I appreciate that.

16 But we did not have your support to backfill
17 that position. And what I heard today, is we
18 are seeking your support to honor our agreement.

19 COMMISSIONER ADAMS: My motion was my
20 support to backfill it, but it got ruled out of
21 order by you.

22 CHAIR GARZA: Because you joined it
23 with something that was out of order. So I will
24 --

25 COMMISSIONER ADAMS: Nonsense.

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1 CHAIR GARZA: -- I will --

2 COMMISSIONER ADAMS: It's a charade.

3 CHAIR GARZA: Okay. Commissioner
4 Adams, I don't appreciate your tone, but I'm
5 happy to talk to you about this issue offline
6 and see if we can resolve this issue so we can
7 get this SAC moving -- and the other state
8 advisory committees moving. So with that, we're
9 going to go ahead and move on.

10 COMMISSIONER MAGPANTAY: Madam Chair,
11 this is Commissioner Magpantay.

12 CHAIR GARZA: Commissioner Magpantay --

13 COMMISSIONER MAGPANTAY: I just want to
14 --

15 CHAIR GARZA: -- we're going to move
16 on.

17 COMMISSIONER MAGPANTAY: -- clarify for
18 the record --

19 CHAIR GARZA: Commissioner --

20 COMMISSIONER MAGPANTAY: -- thank you
21 -- that I --

22 CHAIR GARZA: -- Magpantay --

23 COMMISSIONER MAGPANTAY: -- I do not
24 see this as a partisan issue, that what's going
25 on in New York, I -- I'm getting complaints from

1 Democrats and a Republican who couldn't speak.
2 I'm not politicizing it. It doesn't matter what
3 the vote is, but all opinions and all people
4 should be able to participate. So I just want
5 to clarify the record.

6 I do not see this as political or a
7 Democrat versus Republican issue. This is about
8 fair and equitable treatment inconsistent with
9 our AI, and the improper adoption of the
10 investigation that they're doing, and the
11 improper shenanigans that are happening there.
12 It should not advance.

13 Thank you, Madam Chair.

14 CHAIR GARZA: Okay. Thank you,
15 Commissioner Magpantay, thank you, all
16 commissioners. We are going to move on and
17 we're going to close today's meeting. I do want
18 to recognize -- this is on a completely
19 different note, but I do want to recognize that
20 this is Women's History Month. And I do want to
21 acknowledge the women who joined me in shaping
22 the work here at the commission. So Vice Chair
23 Nourse, Commissioner Sara Frankenstein,
24 Tina Louise, who is our director of management,
25 but also serves as the commissioner on the

1 Commission on Black Men and Boys, I just want to
2 extend my thanks and gratitude to your service.

3 You know, each of us have dedicated ourselves
4 in advancing civil rights, and I know that we're
5 all committed to strengthening these
6 institutions, so thank you.

7 And with that, I'm going to go ahead
8 and adjourn us. The meeting is adjourned at
9 11:40 a.m. Eastern Time.

10 Thank you all so much.

11 (Whereupon, the above-entitled matter
12 went off the record at 11:40 a.m.)

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UNEDITED

1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript
3 was duly recorded and accurately transcribed
4 under my direction; further, that said
5 transcript is a true and accurate record of the
6 proceedings; and that I am neither counsel for,
7 related to, nor employed by any of the parties
8 to this action in which this matter was taken;
9 and further that I am not a relative nor an
10 employee of any of the parties nor counsel
11 employed by the parties, and I am not
12 financially or otherwise interested in the
13 outcome of the action.

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Court Reporter

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