



NAACP LEGISLATIVE PRIORITIES FOR THE 110TH CONGRESS (2007 – 2008)

CIVIL RIGHTS / EQUAL OPPORTUNITY / RACIAL DISPARITY / CRIMINAL JUSTICE

ISSUE	House Action	Senate Action	NAACP Action Alert
Support, Preserve and Protect Equal Opportunity Programs			Issue Brief available
Law Enforcement Trust and Integrity Act			Action Alert available
End Racial Profiling	Conyers H.R. 4611	Feingold S. 2481	Action Alert available
Enhance Hate Crimes Prevention & Protection	Conyers H.R. 1592	Kennedy S. 1105	Action Alert available
Eliminate potential discrimination in “Faith Based” initiatives			Issue Brief available
Maintain Barriers Between Politics and Houses of Worship		Inhofe S. 178 ▼	Action Alert available
Ensure voting rights protections for all eligible Americans	Tubbs Jones H.R. 1381	Clinton S. 804	Action Alert available
End Deceptive Practices in Elections	Emanuel H.R. 1282	Obama S. 453	Action Alert Available
Oppose Photo Identification requirements for voting	Doolittle / Feeney H.R. 481 / H.R.879 ▼		Action Alert Available
Establish public financing for House and Senate campaigns	Tierney H.R. 1614	Durbin S. 936	Action Alert Available
Voting Reenfranchisement for Ex-Felony Offenders			Action Alert available
Eliminate Racial Disparities in the American Criminal Justice System		Biden S. 3245	Action Alert available
Eliminate Crack Cocaine Sentencing Disparities	Jackson Lee H.R. 4545	Biden S. 1711	Action Alert available
Abolish Mandatory Minimum Sentences			Issue Brief available
Protect Unaccompanied Immigrant Children		Feinstein S. 844	Action Alert available
Enactment of Safe, Sane & Sensible Gun Safety Laws	McCarthy H.R. 1022		Issue Brief available
Death Penalty Moratorium / Abolition		Feingold S. 447	Action Alert available
Congressional Voting Rights / Statehood for the District of Columbia	Norton H.R. 1905	Lieberman S. 1257	Action Alert available
Ensure fair and impartial judges are nominated and confirmed to the federal judiciary			Action Alerts available
Prisoners’ Rights, Education and Training	Scott (VA) H.R. 4283		Action Alert available
Encourage youth to stay away from gang activity	Scott (VA) H.R. 3846		Action Alert Available
Study Proposals for Reparations for African Americans	Conyers H.R. 40		Action Alert available

ECONOMIC ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Federal budget that invests in public education, health care, job training and the protection of civil rights			Action Alert available
Eliminate Predatory Lending		Dodd S. 2452	Action Alert available
Enable homeowners to prevent foreclosure	Waters H.R. 5679 Miller (NC) H.R. 3609 Matsui H.R. 6076	Durbin S. 2136	Action Alert Available
Protect Social Security			Action Alert available

(Placement on list does not represent priority)

**A “▼” after a bill number indicates legislation
OPPOSED by the NAACP**

More...

NAACP Legislative Priorities for the 110th Congress (2007 - 2008)

CONTINUED

EDUCATION ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Reduce Financial Disparities Between Schools	Fattah H.R. 2373	Dodd S. 2189	Action Alert available
Make college more affordable to all Americans	Miller, George (CA) H.R. 5	Kennedy S. 359	Action Alert available
Full Funding for Federal education programs, elementary school through higher education			Action Alerts available
Public School Construction Bonds			Action Alert available
Oppose Discriminatory "High Stakes" Educational Testing			Issue Brief available
Allow students convicted of minor drug offenses to receive federal financial aid	Frank (MA) H.R. 5157		Action Alert available
Increase funding for Historically Black Colleges and Universities			

HEALTH ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Patients' Bill of Rights	Norwood H.R. 979		Action Alert available
Full funding for AIDS Prevention, Treatment & Education			Issue Brief available
Universal Health Care Access for all Americans	Conyers H.R. 676		Action Alert available
End Racial Disparities in Health Care	Jackson (IL) HR 333 Solis HR 3014	Kennedy S. 1576	Action Alert Available

HOUSING ISSUES

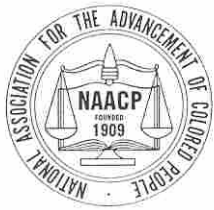
ISSUE	House Action	Senate Action	NAACP Action Alert
Comprehensive relief for people and areas affected by Hurricane Katrina	Waters H.R. 1227		Action Alert available
Increase availability of safe, decent, affordable low-income housing			Action Alert Available
Enact a comprehensive program to combat homelessness	Carson H.R. 840		Action Alert available

INTERNATIONAL ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Eliminate U.S. trade and travel embargos against Cuba			Action Alert available
Effectively address the Genocide in Darfur, Sudan			Action Alert available
Enhance aid, trade and development programs throughout Africa and the Caribbean			
Debt relief for impoverished nations	Waters H.R. 2634	Casey S.2166	Action Alert Available

LABOR ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Reinstate Congress's original intent in labor anti-discrimination lawsuits	Miller, George (CA) H.R. 2831	Kennedy S. 1843	Action Alert available
Employment Non-Discrimination Act	Frank (MA) H.R. 3685		Action Alert available
Enable Workers to Unionize	Miller, George (CA) H.R. 800	Kennedy S. 1041	Action Alert available
Employment protection in the Private and Public Sectors			
Enact a living wage for all workers			



NAACP LEGISLATIVE PRIORITIES FOR THE 110TH CONGRESS (2007 – 2008)

In accordance with our mandate to secure the enhancement and protection of civil rights for all Americans, the NAACP Washington Bureau has identified several legislative issues that are important to our membership and that we will be pursuing vigorously over the next two years. These issues are outlined below. For further information on any or all of the issues listed below, please feel free to contact the Washington Bureau at (202) 463-2940, or look for our “Action Alerts” on the web at www.naacp.org.

*The Washington Bureau is committed to ensuring that our members are kept up to date on issues that are important to them. We will, therefore, be faxing out **Action Alerts** on matters that are expected to come before the House or the Senate in the near future, or on issues that may arise over the course of the Congress that would have an impact on the basic rights of American citizens. Action Alerts outline the problem, give a legislative update and inform our membership how they can contact their representatives.*

****Placement on list does not represent priority****

CIVIL RIGHTS / EQUAL OPPORTUNITY / RACIAL DISPARITY / CRIMINAL JUSTICE ISSUES

SUPPORT, PRESERVE AND PROTECT EQUAL OPPORTUNITY PROGRAMS:

Despite the fact that equal opportunity programs, such as affirmative action, have proven to be an effective tool that gives qualified individuals equal access to participate and contribute; access that has been historically denied, they have come under attack again in recent years. Most recently, the US Supreme Court agreed to hear in April a case attacking the equal opportunity admissions program at the University of Michigan law school. Unfortunately, President Bush has announced that he intends to file a brief in support of the plaintiff’s case and against the University’s affirmative action program.

The fact of the matter is that our nation still needs equal opportunity programs in education, employment and contracting. Approximately 18% of all college students are African American, Latino, or American Indian compared with 28% of the college age population. African American men and women comprise less than 2.5% of total employment in the top jobs in the private sector. Based on their number, minority-owned firms received only 57 cents for every federal dollar they would be expected to receive if they were not a minority-owned firm. Equal opportunity programs are making sure that we have competent, educated leaders from and for all communities in the United States. Equal opportunity programs are the epitome of the great American ideal of self-reliance; they give people the opportunity to help themselves.

We need to make our voices heard, and demand that every member of Congress, as well as the President, stand in support of equal opportunity programs including affirmative action.

LAW ENFORCEMENT TRUST AND INTEGRITY:

Police misconduct, the lack of law enforcement accountability within the communities they serve, and the fact that there are no national uniform standards for law enforcement officers or agencies, are problems that affect every sector of our country and imperils the continued security of our nation. If you are a person of color living in the United States, there are law enforcement officials who look at you differently, and treat you with a greater level of suspicion. Something must be done to raise the level of accountability, or things will not improve. Furthermore, because of this increased suspicion, people of color are, as we see time and again, treated much more aggressively and with much more force than their Caucasian counterparts. Congressman John Conyers, Jr. (MI) intends to reintroduce the Law Enforcement Trust and Integrity Act in the 110th Congress which in addition to establishing a Federal Task Force on Law Enforcement Oversight and an Immigration Enforcement Review Commission, also calls for the establishment of national minimum standards for accrediting law enforcement agencies and establishes civilian complaint review boards and provides funding for additional training of police officers, calls for the establishment of early warning programs, anti-discriminatory traffic stop procedures, and due process requirements. Lastly, the new bill will codify standards for the acceptable use of force that were established by a two-year US Department of Justice Review process that involved law enforcement agencies, police unions, civil rights and civil liberties organizations and religious groups.

ELIMINATE RACIAL PROFILING:

The “*End Racial Profiling Act*”, introduced in the 110th Congress by Senator Russ Feingold (WI) (S. 2481) and Congressman John Conyers, Jr. (MI) (H.R. 4611) attacks the insidious practice of racial profiling by law enforcement on three levels: first, it creates a federal prohibition against racial profiling; second, it provides funding for the retraining of law enforcement officials on how to discontinue and prevent the use of racial profiling; and thirdly, it holds law enforcement agencies that continue to use racial profiling accountable.

Numerous studies over the past few years have provided us with evidence to support what we have known for decades: law enforcement agents at all levels have consistently used race, ethnicity and national origin when choosing which individuals should be stopped and searched. At the most basic level, it is difficult for our faith in the American judicial system not to be challenged when we cannot even drive down an interstate without being stopped merely because of the color of our skin. We need this legislation to stop this insidious practice and to help begin to restore the confidence of communities of color throughout the United States in federal, state and local law enforcement.

ENHANCE PROTECTION AND PREVENTION AGAINST HATE CRIMES:

Currently, the federal government is allowed to intervene in the investigation and prosecution of hate crimes only if they occur on federal property or if the victim was participating in one of six very specific activities, such as voting. The “*Local Law Enforcement Hate Crimes Prevention Act*” has again been introduced by Congressman John Conyers, Jr. (MI) (H.R. 1592) and Senator Edward Kennedy (MA) (S. 1105) and would allow the federal government to assist the local authorities in the investigation and prosecution of crimes motivated by hate, regardless of what the victim was doing at the time the crime occurred. It would also expand the definition of a hate crime to

include those motivated by the victim's disability, gender or sexual orientation and it would provide money to states to develop hate crime prevention programs.

This legislation has passed both the U.S. House of Representatives (on May 3, 2007) and the United States Senate (on September 27, 2007). The two versions now must be reconciled between the House and the Senate, and then the President must sign it into law.

In short, this proposed hate crimes prevention legislation would allow the federal government to work with state and local authorities to punish hate crimes to the fullest extent possible. While the NAACP believes that states should continue to play the primary role in the prosecution of hate crime violence, a federal law is needed to compliment state statutes and assist the states in securing the very complicated and expensive cases through prosecution.

ELIMINATE POTENTIAL DISCRIMINATION IN "FAITH BASED" INITIATIVES:

Because of our Nation's sorry history of bigotry, for decades it has been illegal to discriminate in employment and make hiring decisions based on race or religion. The only exception is faith-based organizations, which are exempted from anti-discrimination provisions in programs using their own money; although until now they had to adhere to basic civil rights laws when using federal monies to support a program.

Under the existing rules, many faith-based organizations of all types get hundreds of millions of taxpayer dollars, are still able to pursue their religious missions, and comply with existing anti-discrimination laws. Yet under new proposals from the Bush Administration, faith-based organizations, some of whom, unfortunately, may use religious discrimination as a shield for racial or gender discrimination, will be allowed to legally discriminate against tax-paying Americans in the course of spending federal dollars.

The NAACP recognizes, celebrates and supports the crucial role faith-based organizations have played throughout our nation's history in addressing some of our country's most serious ills. Yet led by our Religious Affairs Department, the NAACP remains in firm opposition to any initiative, including the "faith-based" approach as presented by President Bush and the others that may result in legalized and federally funded discrimination.

In 2003 President Bush circumvented the legislative process and issued an "Executive Order" which implemented many of the discriminatory facets of his so-called "Faith-based" or "charitable choice" initiatives. Furthermore, other lawmakers appear intent on lacing provisions into several individual bills that would allow faith-based institutions to discriminate against people because of their religion when implementing programs funded by federal taxpayers' dollars while eliminating anti-discrimination safeguards. For example, in 2003 - 2004 language was inserted into legislation reauthorizing a slew of job training programs as well as a bill that dismantled the Head Start program.

MAINTAIN BARRIERS PREVENTING PARTISAN POLITICS IN HOUSES OF WORSHIP:

The NAACP National Board of Directors, following the lead of the Religious Affairs committee, supported an action item stating our association's strong opposition to the "*House of Worship Political Speech Protection Act.*" This legislation would change the

existing tax code to allow churches and other houses of worship to endorse political candidates and political parties from the pulpit. The NAACP's opposition stems from the fact that historically, religious institutions throughout our nation have provided great comfort without consideration of partisan politics, party affiliation or candidate endorsement. The Religious Affairs Committee, and ultimately the Board of Directors, expressed concern that houses of worship must continue to remain free of the influence and control of partisan political parties or political candidates, and that the repercussions of endorsing a political candidate from the pulpit may only work to divide congregations and communities. The NAACP is also concerned that the freedom to worship be protected against the interference or whims of politicians or political parties.

Despite numerous defeats of this proposal over the last few years, supporters of this initiative have consistently reintroduced legislation that would allow religious institutions to participate in partisan political politics and endorse political candidates as long as such activities did not require a "substantial part" of the institution's resources.

ENSURE VOTING RIGHT PROTECTIONS FOR ALL ELIGIBLE AMERICANS:

In 2002, following the 2000 Presidential election debacle, Congress passed the *Help America Vote Act*. The NAACP supported the *Help American Vote Act* as we saw it as an important step toward ensuring that every eligible American who wants to vote can, and that every vote is counted. While we have seen some real progress since the enactment of the *Help America Vote Act*, the 2004 Presidential election and the 2006 mid-term election clearly demonstrated that there is still much more to be done.

As a result of problems that became evident in the 2004 and 2006 elections, Senators Hillary Clinton (NY) and others and Congresswoman Stephanie Tubbs Jones (OH) have introduced the "*Count Every Vote Act*" (S. 804 / H.R. 1381) to build on the *Help America Vote Act* and to further protect voting rights and to improve the administration of Federal elections. This important legislation would: establish a national Federal write-in absentee ballot; require same-day registration in all 50 states; allow voters to verify their vote prior to casting a ballot either through written, pictorial, audio or electronic verification; lead to the establishment of standards for a minimum number of voting machines and trained poll workers for every polling place; and the legislation would establish minimum standards to ensure that all eligible provisional ballots are counted and that no one is erroneously purged from the voting rolls without prior notification. *The Count Every Vote Act* (S. 804 / H.R. 1381) also establishes a national standard for ex-felony offenders, who have served their time and are out of jail, the opportunity to register and vote in federal elections.

END DECEPTIVE PRACTICES IN ELECTIONS:

Unfortunately, some people are so desperate to win elections that they resort to deceptive practices –misinformation and lies – to try to keep legitimate voters away from the polls or to support candidates whom they might not otherwise vote for. It is even more unfortunate that these practices often target and exploit vulnerable populations, such as racial or ethnic minorities, the disabled and / or the poor.

To address these undemocratic, disenfranchising and immoral activities, Senators Obama (IL), Schumer (NY) and others have introduced S. 453, the *Deceptive Practices and Voter Intimidation Prevention Act*, and Congressmen Emanuel (IL), Conyers (MI) and others have introduced an almost identical bill in the House (H.R. 1281). This bill seeks to address the real harm of these crimes – people who are prevented from voting

by misinformation – by establishing a process for reaching out to misinformed voters with accurate information so they can cast their votes in time. The bill also makes voter intimidation and deception punishable by law, and it contains strong penalties so that people who commit these crimes suffer more than just a slap on the wrist.

On June 25, 2007, the US House passed H.R. 1281 by a unanimous vote; it is now up to the Senate to act.

OPPOSE PHOTO IDENTIFICATION REQUIREMENTS FOR VOTING:

The right of all eligible citizens to vote and to have their vote count is the cornerstone of our democracy, and it is a fundamental civil right guaranteed by our Constitution. The NAACP believes strongly that it is the obligation of Congress to ensure that everything that can be done will be done to ensure that every eligible American is allowed to vote and to be sure that his or her vote has been counted.

Unfortunately, some Members of Congress are also seeking to limit voting rights by introducing legislation to require that all Americans present a government-approved photo identification before voting. Specifically, bills such as H.R. 481, introduced by Congressman Doolittle (CA) would place an added burden of requiring a government-approved photo identification before voting. This flies in the face of our Constitutionally guaranteed right to cast a free and unfettered ballot, as well as the intent of the 1965 Voting Rights Act, which prohibits state and local governments from establishing laws or policies which would have a discriminatory effect on the ability of certain groups to vote. This requirement would have a disparate impact on the ability of certain groups, most notably racial and ethnic minority Americans, the elderly and low-income Americans, many of whom are less likely to have or carry a photo ID or have the means to secure such an identification. Lastly, these bills do nothing to address many of the actual, documented problems of election and voter fraud which continue to plague our electoral process and our democracy, including the improper purges of voters, distributing false information about when and where to vote, stuffing ballot boxes, and tampering with registration forms, most of which are perpetrated by corrupt election officials, not voters.

ESTABLISH PUBLIC FINANCING FOR SENATE AND HOUSE CAMPAIGNS:

The cost of a congressional campaign, as well as candidates' need to raise large amount of money from special interests, has spiraled out of control. In the last election, the cost of the top ten competitive Senate races averaged \$34 million per campaign – double what it was just four years ago.

One direct result of this race for campaign money is the perception by voters that candidates are too busy talking to Political Action Committees (PACs) or special interests to listen to their constituents. To address this very real problem, Senators Richard Durbin (IL) and Arlen Specter (PA), along with Congressmen John Tierney (MA), Raul Grijalva (AZ) and Todd Platts (PA) have introduced in the House and Senate the “**Fair Elections Now Act**” (**S. 936 / H.R. 1614**). These bills, which deal with the financing of campaigns for the US Senate and House of Representatives, would allow qualified candidates to receive campaign financing from a public fund instead of from lobbyists and other special interests.

This legislation, which is based on working models in Maine and Arizona, would create a voluntary system that gives candidates the option to stop attending fundraisers and dialing their “friends” for donations without risking a loss to a well-funded opponent. For

those who choose to participate, fundraising would be limited to “seed money” in amounts of no more than \$100 per person to pay for campaign start-up costs. Participating candidates would also be required to show that they are serious contenders by raising qualifying contributions of \$5 each from a minimum number of state residents, based on the population of the state.

Once they are able to prove their viability, candidates will then begin to receive money from the “Fair Election Fund.” The amount of money each candidate would receive would be based on the population of the state. Candidates would also receive vouchers for a discount on television and radio time.

If enacted, the ***Fair Elections Now Act*** would restore the confidence of the voters that their federally elected officials were responsive to them. It would also allow candidates to spend less time talking to special interests and more time listening to their potential constituents.

PROMOTE CIVIC PARTICIPATION AND REHABILITATION BY REINSTATING VOTING RIGHTS FOR FELONY OFFENDERS WHO ARE NO LONGER INCARCERATED:

Felony disenfranchisement laws, which vary from state to state, currently disqualify almost 4 million, or 1 in 50, American adults from voting. 13% of African American males are prohibited from voting because of these laws. Three-fourths of these disqualified voters are not in prison, but are on probation, parole or are ex-offenders. Moreover, the removal of voting privileges is imposed regardless of the nature or seriousness of the offense; thus in some states, you can lose your right to vote forever because you once wrote a bad check. The *Civic Participation and Rehabilitation Act*, which will be introduced by Congressman John Conyers (MI) in the 110th Congress, would allow felons who are no longer incarcerated to reintegrate themselves back into society and vote in federal elections.

ELIMINATE RACIAL DISPARITIES IN THE AMERICAN JUDICIAL SYSTEM:

While people may argue about the reasons behind it, few would disagree that extensive racial and ethnic disparities exist today in the American criminal justice system. These disparities are particularly true for African American men and boys, who are grossly overrepresented at every stage of the judicial process, from initial contacts with police to punishments. African Americans routinely receiving more jail time and harsher punishments; 42% of Americans currently on death row are African American. Nearly a million African Americans today are incarcerated in prisons and in jails, and unless there is a change, a black male born today has a one-in-three chance of going to prison in his lifetime. In fact, despite the fact that numerous studies show that African Americans and Caucasians use cocaine at roughly the same rate, statistics confirm that over 80% of those currently in prison for crack cocaine possession are African American.

To address these disparities, Senators Joseph Biden (DE) and Arlen Specter (PA), both senior members of the Senate Judiciary Committee have introduced the bipartisan *Justice Integrity Act* (S.3245), which aims to address the issue of unwarranted racial disparities in the American criminal justice system. This important legislation would establish 10 pilot programs to create local advisory groups charged with collecting and analyzing racial and ethnic data on charging, plea negotiations, sentencing recommendations and other factors involved in creating these disparities.

ELIMINATE SENTENCING DISPARITY IN CRACK COCAINE CASES:

Federal crack cocaine defendants over the last ten years have been disproportionately black: more than 88% have been African American, while 7% have been Hispanic and only 4% Caucasian. Many observers blame this disparity on the 1-to-100 ratio of the quantities of crack cocaine versus powder cocaine that trigger Federal mandatory minimum sentences. The NAACP has worked with the Congressional Black Caucus, the US Sentencing Commission and other like-minded organizations to try to bring federal mandatory minimums for crack cocaine in line with those for powder cocaine.

The NAACP currently supports several legislative initiatives to completely eliminate the crack cocaine sentencing disparity; specifically, legislation introduced by Senator Biden (DE), S. 1711, the *Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2007* and companion legislation introduced by Congresswoman Sheila Jackson Lee, H.R. 4545. The NAACP also supports legislation introduced by Congressman Robert “Bobby” Scott (VA) and Charles Rangel (NY) which would eliminate the 100 to 1 federal disparity between crack and powder cocaine sentencing. Congressman Scott’s bill (H.R. 5035, *The Fairness in Cocaine Sentencing Act of 2008*) would eliminate federal mandatory minimum sentences for cocaine offenses, regardless of the drug’s form, as well as provide funding for federal and state drug courts. Congressman Rangel’s legislation (H.R. 460, the *Crack-Cocaine Equitable Sentencing Act of 2007*) would also eliminate the federal crack and powder cocaine disparity.

ABOLISH MANDATORY MINIMUM PRISON SENTENCES:

From the days of slavery, through years of lynchings and Jim Crow laws, and even today our criminal justice system has always been deeply affected by racial bias. As a result of the mandatory minimum sentencing laws under which we currently live, young African American men and women being sent to prison in unnecessarily disproportionate, and unacceptably high rates and for too long. Mandatory minimum sentences, such as the various *Three Strikes and Your Out* laws, especially when applied as vigorously as they are in California, are not only ineffective in stopping crime, but they are also a powerful drain on our resources in a manner which discriminates against entire communities. Furthermore, another result of these laws that is especially problematic for the NAACP is that ethnic minority Americans – especially African Americans and Latino Americans – are disproportionately sentenced to lengthy prison terms as a result of these laws. Nearly two-thirds of the people sentenced under California’s “*three strikes*” law are convicted of non-violent offenses; African Americans “struck out” at 12 times the rate of their Caucasian counterparts, and the Latino incarceration rate for a third strike is 45% higher than that of whites.

Mandatory minimum sentences have not reduced sentencing discrepancies; rather they have transferred discretion from judges, who are put through a rigorous confirmation process that focuses on their ability to be fair and balanced, to prosecutors who are hired to seek criminal convictions for the city, state or nation. Prosecutors, not judges, have the discretion to reduce a charge, accept or deny a plea bargain, reward or deny a defendant's substantial assistance or cooperation in the prosecution of someone else and, ultimately, to determine the final sentence of the defendant. Before mandatory minimums for crack cocaine offenses became effective, the average sentence for a conviction of a Federal offense for African Americans was 11% longer than the sentences for Caucasians. Following the implementation of mandatory drug sentencing laws, the average drug offense sentence for African Americans was 49% longer than that of Caucasians.

The rush to enact mandatory minimum sentences in the 1990's is, perhaps, a text-book example of a lack of forethought. Legislators failed to take into account the costs on our budgets, on specific communities or on families when enacting mandatory minimum sentences. California's ten-year-old "*three strikes*" law has cost the state an additional \$8.1 billion, and has had an untold impact on the lives and communities that are ruined when a nonviolent offender is given a sentence of 25-years-to-life. This is \$8.1 billion that could rather have been spent on education, job creation, health care, interdiction and alternatives to incarceration programs. The NAACP believes that had this money been spent on something other than locking up non-violent offenders, the state would have stood a better chance of seeing the more significant drop in violent crime that the "*three strikes*" authors had hoped for.

Mandatory minimum sentences do not work as intended. Rather, they work to further destroy our communities and exacerbate the racial divide that alienates so many of our young people today. The NAACP remains very opposed to mandatory minimum sentences, including the "*three strikes*" laws and will continue to work with our government and our coalition partners to actually remedy this national affliction.

PROTECT UNACCOMPANIED IMMIGRANT CHILDREN:

Under current law, immigrant children may be locked up even in American adult prisons for indefinite periods of time. US Immigration authorities detained over 5,000 unaccompanied children in 2001; on any given day, there are approximately 500 unaccompanied immigrant children in detention in the United States. Under current law, many of these children are left in detention for months, or possibly years, while their cases are being processed. Furthermore, many are not even provided with an attorney to help them navigate, or even understand, the judicial proceedings that will ultimately decide their fate.

To address the current problematic policies of the United States, Senator Dianne Feinstein (CA) and Congresswoman Zoe Lofgren (CA) have consistently championed legislation, the *Unaccompanied Alien Child Protection Act* (S. 844), which would ensure that all other unaccompanied immigrant children are released into safe and humane environments while awaiting a determination of their status, and it would ensure that the children are protected from smugglers, traffickers, or others who might exploit them. It also expresses the sense of Congress that the United States government should ensure that it does not repatriate children in its custody into life- and safety-threatening situations.

ENACTMENT OF SAFE, SANE AND SENSIBLE GUN SAFETY LAWS:

At their October 2000 meeting, the NAACP national Board of Directors passed a resolution calling for the enactment of safe, sane and sensible gun control measures. Specifically, the Board called for legislation requiring that safety devices, such as trigger locks, be sold with all new guns; that gun owners register their firearms; background checks of all firearm purchases at gun shows at which at least 50 guns are offered for sale and at pawnshops; that all gun owners obtain a license prior to obtaining a firearm, and that consumer safety standards be applied to the gun industry. The NAACP Washington Bureau is working with several bi-partisan members of Congress, in both the House and the Senate to ensure that the Association's concerns are addressed in any legislation that is considered or enacted.

Lastly, the NAACP is working hard for the renewal and expansion of the 1994 Assault Weapons Ban, which expired in the fall of 2004 due to a resistance to the ban by the leadership in the House of Representatives.

RACIAL DISPARITY IN DEATH SENTENCING:

Capital punishment has always been biased against minorities and especially African Americans. A recent study by the Death Penalty Information Center, in fact, found that in Philadelphia the odds of receiving the death sentence are nearly four times higher if the defendant is African American. Since that time, several states placed moratoriums on executions until the guilt of each individual currently on death row can be ascertained beyond a doubt. The NAACP supports an abolition of the death penalty, as is mandated by S. 447, the Death Penalty Moratorium bill introduced by Senator Feingold (WI) and, at the very least, supports a moratorium of death sentences until such time as racial disparity issues, adequacy of counsel, and the legality of killing people who are mentally challenged or under the age of 18 are addressed.

CONGRESSIONAL VOTING RIGHTS / STATEHOOD FOR THE DISTRICT OF COLUMBIA:

The residents of the District of Columbia are unique in this country in that they pay federal taxes yet have no voting rights on the floor of the United States House of Representatives or the U.S. Senate. Furthermore, D.C. residents are the only Americans whose laws can be overturned by Congress, in violation of American principles of local self-rule. Due to the unfair and undemocratic nature of this situation, which results in more than half a million people disenfranchised (and more than 60% of those people are people of color), the NAACP has consistently supported statehood for the District of Columbia.

The NAACP supports the bipartisan H.R. 1905, the ***District of Columbia House Voting Rights Act*** introduced by Delegate Eleanor Holmes Norton (DC) and Congressman Tom Davis (VA) and S. 1257, introduced by Senator Joseph Lieberman (CT) as a good first step toward the goal of full statehood. H.R. 1905 / S. 1257 would add two voting members to the US House of Representatives – one to represent Washington, DC and one to represent Utah (Utah narrowly lost getting an additional congressional seat after the last US Census in 2000; officials in Utah believe that thousands of missionaries living abroad were unfairly excluded during the Census count.) This bill addresses that concern and provides a “vote neutral” option by adding two additional seats most likely represented by a Democrat and a Republican.

ENSURE FAIR AND IMPARTIAL JUDGES ARE NOMINATED AND CONFIRMED TO THE FEDERAL JUDICIARY:

The American judicial system must be a credible source of justice for all Americans. Thus it is the responsibility of the President to nominate, and the US Senate to confirm, fair and impartial men and women to the federal bench. In order for the federal judiciary to maintain its credibility it must also be diverse, and must reflect the citizens it serves. The NAACP Washington Bureau, working in coalition with other groups who share our concerns, thoroughly reviews the records of every nominee to the federal bench to ensure that he or she will serve with an impartial sense of fairness and that he or she will uphold the basic civil and voting rights for which we have fought so long and so hard. Unfortunately President Bush has nominated several people to the bench whose records indicate that they are right-wing extremists, many of whom appear poised to use their life-time positions on the bench to promote their own political agendas.

PRISONERS' RIGHTS, EDUCATION AND TRAINING:

There are currently more than 2 million men and women in America's federal and state prisons today. Of those, recent studies show that more than 50% are either functionally illiterate or have marginal reading, writing and math skills. Furthermore, it is estimated that 95% of unskilled jobs in this country require a high school diploma or some work experience. But 40% of released prisoners lack a high school diploma or GED -- more than twice the rate of the general population over 18. In prisons today, only about 1/3 of inmates receive vocational training or work experience designed to improve their ability to obtain legitimate employment once released. Even fewer ex-offenders receive job counseling and placement services after release.

The NAACP supports legislation (H.R. 4283, the *Literacy, Education and Rehabilitation Act* introduced by Congressman Robert "Bobby" Scott, VA) to reduce recidivism and the victimization and the fiscal and social costs associated with such recidivism. Studies have shown that inmate participation in education, vocational and job training, prison work skills development, drug abuse, mental health and other treatment programs, all reduce recidivism, significantly. Unfortunately, the elimination of incentives such as parole, good time credits and funding for college courses, means that fewer inmates participate in and excel in literacy, education, treatment and other development programs.

ENCOURAGING YOUTH TO STAY AWAY FROM GANG ACTIVITY:

While the perpetrators of these crimes must be punished, it is becoming clear that we must take a proactive approach and try to steer at-risk youth away from gangs and towards being successful, productive members of our communities before a crime is committed. Congressman Robert "Bobby" Scott (VA) has introduced H.R. 3846, the "Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support and Education Act" (the "*Youth PROMISE Act*") to reduce crime before it happens by investing in research-based programs. The Youth PROMISE Act mobilizes community leaders and invests almost exclusively in prevention and intervention, as opposed to the standard approach, which is obviously not working, of waiting for a crime to occur and then putting the alleged criminals in jail.

Specifically, the *Youth PROMISE Act* allows communities facing the greatest youth gang and crime challenges to form a council to include representatives from law enforcement, court services, schools, social service organizations, health and mental health providers and community-based organizations, including faith-based organizations. These councils will then develop a comprehensive plan for implementing evidence-based prevention and intervention strategies that fit the needs of the particular community. These strategies will target young people who are at-risk of becoming involved, or who are already involved in, gangs or the criminal justice system and redirect them toward productive and law-abiding alternatives.

STUDY PROPOSALS FOR REPARATIONS FOR AFRICAN AMERICANS:

For 15 years, Congressman John Conyers (MI) has introduced legislation (which has consistently been given the number **H.R. 40**) to establish a Commission to Study the Reparations Proposals for African Americans. This commission would be charged with reviewing the institution of slavery, the resulting economic and racial discrimination against African Americans, and the impact these forces have had on living African Americans. The bill would also acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the United States.

ECONOMIC ISSUES

DEVELOP A FEDERAL BUDGET THAT INVESTS IN PUBLIC EDUCATION, HEALTH CARE, JOB TRAINING AND THE PROTECTION OF CIVIL RIGHTS:

A nation's budget is, in its aggregate, a statement about the values and priorities of its people. Each year, the President submits his budget proposal for the following fiscal year to Congress in late February, which sets off the budget process which, ideally, culminates in a federal budget by the beginning of the fiscal year, which is October 1st (for more information on the budget process, see the NAACP Washington Bureau publication, "The path to a federal budget.")

The NAACP has historically supported budget proposals that invest in the American people, all the American people, by ensuring that the health, education, crime prevention, protection of civil rights needs and employment needs are met.

ELIMINATE PREDATORY LENDING:

The problem of "predatory lending" – in which high cost lenders systematically target low income, elderly, and African American homeowners – has reached near epidemic proportions over the last few years and has resulted in the economic vitality of entire communities being threatened. These high cost loans may appear enticing, yet they often trap borrowers in unaffordable debt, strip the equity from their homes and, too often, result in foreclosure.

"Predatory" loans tend to charge interest rates far above conventional loan rates; charge excessive fees and points that are often hidden in the fine print; call for up-front payment of credit insurance; balloon payments; frequent refinancings; huge prepayment penalties; and arbitrary call provisions, among other practices that can prove extremely harmful to the consumer. These loans are five times more likely to occur in African American neighborhoods than in predominantly Caucasian neighborhoods. A recent study also showed the disparity between African American and other ethnic minority borrowers and their Caucasian counterparts actually grows as income level increases.

To address the recent crisis across our Nation of homes being lost to foreclosure as a result of various types of predatory lending, Congressman Barney Frank (MA), the Chairman of the House Financial Services Committee, along with Congressmen Brad Miller (NC) and Mel Watt (NC) introduced legislation (H.R. 3915) intended to stop predatory lending and ensure that borrowers could afford the loans they received and were not charged rates higher than those for which they qualified. While the legislation, when combined with a series of strengthening amendments, would have been sufficient the bill was unfortunately weakened substantially during the legislative process to the point where the final version of the bill, which passed the House on Thursday, November 15 2007, is inadequate and does not address the scope of the predatory lending problem. Senator Christopher Dodd (CT) has introduced S. 2452, the Home Ownership Preservation and Protection Act of 2007, which establishes higher standards for loan originators and provides stronger penalties and remedies for lenders who break the law. We also need to ensure that any final federal product is the minimum, and that states be allowed to continue to be more aggressive in eliminating predatory lending.

ASSIST HOMEOWNERS FACING FORECLOSURE:

To help homeowners who are facing foreclosure, the NAACP supports three measures which would help level the playing field between homeowners and those holding the loans. These three measures would make lenders more interested in helping homeowners modify their loans so that they are still obliged to pay a reasonable, market rate for their mortgage and not lose their homes.

The first initiative, H.R. 3609, the *Emergency Home Ownership and Mortgage Equity Protection Act of 2007* was introduced by Congressman Brad Miller (NC). A companion bill, S. 2136, was introduced by Senator Richard Durbin (IL). This legislation, which has bi-partisan support, would allow courts to supervise loan modifications on primary residences, effectively mediating between lenders and homeowners. The second legislative initiative, H.R. 6076, the *Home Retention and Economic Stabilization Act of 2008*, introduced by Congresswoman Doris Matsui of California, places a moratorium on home foreclosures for 9 months to allow homeowners to find and take remedial action. Lastly, the NAACP supports H.R. 5679, the *Foreclosure Prevention and Sound Mortgage Servicing Act of 2008* which was introduced by Congresswoman Maxine Waters of California. This legislation requires a homeowner or servicer to pursue specific loss mitigation activities such as waiving late fees and other charges, establishing an affordable repayment plan or loan modification, forbearance or a short refinancing before a home may be foreclosed.

PROTECTING SOCIAL SECURITY:

Under the current system, Social Security will be unable to meet its financial obligations to beneficiaries by the year 2032. Therefore, over the last few years politicians and others have sought ways to “save” Social Security. While some proposals call for a reduction in benefits, others call for Social Security funds to be invested in the stock market, or “privatized.” Because African Americans and other ethnic minorities tend to be at the low end of the earning scale over their lifetimes, they are generally more dependent upon Social Security in their retirement years. For this reason, any changes in Social Security are of special importance to the NAACP. Specifically, the NAACP has pledged to oppose any proposal that would reduce monthly benefits or eliminate the guarantee of a minimum monthly benefit; or that would raise the retirement age, as African Americans tend to have shorter life expectancies and would thus be disproportionately hurt by any such increase.

EDUCATION ISSUES

REDUCE FINANCIAL DISPARITIES BETWEEN SCHOOLS:

Despite the equal protection clause of the U.S. Constitution, decades of civil rights laws and volumes of talk about improving our schools, a dramatic disparity in the quality of public education continues to plague our nation. The quality of our children’s educations, and the amount of resources dedicated to our schools, varies radically based on where you live; yet all children must take the same standardized tests regardless of the conditions of their school. Schools are then rated on how the students performed on these tests, regardless of any other factors, such as the number of certified teachers at the school, the quality and quantity of the textbooks being used, whether modern technology is available, including computers and internet access or the size of the classrooms.

A glaring example of this inequity can be found in the State of New York, which recently released information showing that in the Bridgehampton Union Free School District in

Suffolk County, the per pupil expenditure is \$33,408 per year; the Portville School District in Cattaraugus County has an annual per pupil expenditure of \$6,229, a spending gap of more than \$27,000 per pupil per year!

To address the disparities, Cong. Chaka Fattah (PA) and Sen. Chris Dodd (CT) have consistently introduced *The Student Bill of Rights* (H.R. 2372 / S. 2189 in the 110th Congress), to provide for adequate and equitable educational opportunities for students in state public school systems.

MAKING COLLEGE MORE AFFORDABLE FOR ALL AMERICANS:

Federal financial student aid is perhaps more important now than ever before; in 1997, college graduates earned 1.7 times more than Americans with a high school diploma. Over a lifetime, an individual with a college degree will earn more than \$1 million more than someone without their postsecondary degree. Yet for years, college costs have risen at rates higher than inflation. For most students financial aid makes a college education possible, even though it covered less than 70% of the average student's college costs. 74% of African American college students, 69% of Hispanic college students and 60% of white college students were dependent on financial aid. The typical student now graduates from college with \$17,500 in total federal student loan debt.

While the 110th Congress (2007 – 2008) has taken strides to make college more affordable, there is much more that can and should be done. Thus the NAACP will continue to push for more money through the Pell Grant system and other grants and loan programs and making grants larger, so they are better able to keep up with the cost of an education.

FULL FUNDING FOR FEDERAL EDUCATION PROGRAMS:

In 2001 Congress passed and the President signed into law the *No Child Left Behind Act*. This law, which reauthorized many of the programs found in the Elementary and secondary Education Act, promised more money to programs such as Title I funding for schools that serve underprivileged children, teacher hiring, training and retention, and after school programs. We must now ensure that the bill was not filled with empty promises and that the money is actually appropriated to fulfill the goals of the bill. This means that every year the appropriations bill for the Department of Education should and does contain full funding for the programs contained in *The Leave No Child Behind Act*.

Furthermore, it has become increasingly important for workers to possess a college degree. In 1997, college graduates earned 1.7 times more than Americans with a high school diploma. Over a lifetime, an individual with a college degree will earn more than \$1 million more than someone without their postsecondary degree. Currently, although more than 16% of college-aged Americans are black, African Americans represent only 11% of the current college population. Furthermore, 16% of African Americans had a bachelor's degree or higher, compared to 32% of white Americans.

Unfortunately, while the importance of obtaining a college degree has increased significantly, it has also become increasingly difficult for individuals and families to afford a postsecondary education. For years, college costs have risen at rates higher than inflation. Over the last 30 years, tuition at public 4-year colleges has increased by about 50%, and tuition at private 4-year colleges has increased by a whopping 110%. In

2003 the average costs were \$12,841 per year for students attending public colleges and universities, and \$27,677 per year for students at private colleges and universities. Yet the maximum Pell grant for the 2003-2004 school year was only \$4050. Last year in our country more than a quarter million high school seniors did not attend college because they could not afford to go.

Given the growing cost of college, and its increased importance, most (62%) full time postsecondary students received financial aid, including student loans, Pell grants, fellowships, scholarships, and work study. Among these students, the average amount of financial aid received was just over \$6,000. For most students, financial aid covered less than 70% of their college costs. Furthermore, 74% of black college students, 69% of Hispanic college students and 60% of white college students were dependent on financial aid.

NAACP members across the country should demand that college be made more affordable to all Americans by increasing in the amount provided for Pell grants and other grant programs for a higher education and that Congress lower the cost of student loans by eliminating the current 3% loan origination fee. Lastly, we need to encourage Congress to make federal student loans go further; the amount an individual can borrow on federal student loans has not changed since 1992, and the amount a first year student can borrow hasn't changed in more than three decades, since 1972.

PUBLIC SCHOOL CONSTRUCTION BONDS:

America's public schools need help. Over 90% of American children -- 53 million this year -- attend public schools. According to the U.S. General Accounting Office (GAO), over ¼ of these students -- 14 million -- attend schools that are in dire need of major repair or complete replacement. The GAO further estimates that public school repair and construction needs nationwide are \$112 billion and the National Education Association (NEA) estimates that \$322 billion is needed. Access to the best public school education for every American child has always been a cornerstone of NAACP legislative policy.

In order to help communities repair their schools and modernize them for the new millennium, the NAACP supports legislation authorizing the billions of dollars necessary in school construction bonds. These would not be direct grants, but rather a way for the federal government to help states and local governments meet these overwhelming needs. Specifically, legislation consistently introduced by Senator Jay Rockefeller (WV) and Congressman Charles Rangel (NY) (Congressman Rangel has championed this issue for years) would also provide federal funding to help reduce class size in public schools and provide more funding for additional teachers, as well as money to help train new and existing teachers.

OPPOSE DISCRIMINATORY "HIGH-STAKES" EDUCATIONAL TESTING OF PUBLIC SCHOOL STUDENTS:

Many states are relying on a single examination to determine important decisions (such as graduating from high school or promoting students to the next grade). While these "high-stakes" tests serve an important role in educational settings, they are not perfect and when used improperly can create real barriers to educational opportunity and progress. Furthermore, one-time, standardized tests may have a disparate impact on students of color, many of whom have not had the benefit of high quality teaching staff, adequate classroom resources, or instruction on the content and skills being tested by

the standardized tests. The NAACP supports legislation to require that "high stakes" decisions be based upon multiple measures of student performance and, when standardized tests are used by schools and school districts, that the tests be valid and reliable, measure what the student was taught and provide appropriate accommodations for disabled children. The NAACP also supports legislation to require that individual students are not unfairly denied critical educational opportunities because of their performance on a single, standardized test.

REPEAL LAW DISALLOWING STUDENTS CONVICTED OF MINOR DRUG OFFENSES FROM RECEIVING FINANCIAL AID:

Under a current federal law that took effect in 1998, if you need some financial help in order to go to college, one drug conviction can make you temporarily ineligible, and multiple convictions may lead to a permanent bar on receiving aid. While the goal of this law, to ensure that drug dealers do not set up shop on our nations college campuses with federal backing, was laudable, the result is in fact racially and economically discriminatory and adversely impacts tens of thousands of lower-income young adults.

In fact, as a result of this law, more than 93 THOUSAND young men and women, a disproportionate number of whom are racial and ethnic minorities and the vast majority of whom come from families with total annual incomes of less than \$30,000, though they've paid their debt to society, are being unfairly and unnecessarily denied access to a higher education, the only sure way to end the cycle of drug addiction, crime, violence poverty and incarceration. Instead of affecting major drug dealers, the group this law was intended to affect, this provision has in-fact primarily impacted students convicted of minor possession and nonviolent related offenses.

Congressman Barney Frank, (MA), has introduced H.R. 5157, the "Removing Impediments to Students Education Act" to repeal this law and to go back to the previous method of allowing the authorities to determine if aid should be withheld based on the severity of the crime. The NAACP supports this legislation, and has vowed to work with Congressman Frank and others to see it become law.

INCREASE FUNDING FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES:

Despite a steady increase in fundraising, endowments to HBCUs and other resource-deprived institutions continue to lag behind other colleges and universities. This translates into fewer funds to give aid to students, an inability to improve buildings and grounds and update technology on campuses. During the reauthorization of the Higher Education Act, which is expected in the 109th Congress, the NAACP hopes to increase the institutional minimum award from \$500,000 to \$750,000 as well as the overall appropriations for HBCUs to \$335 million for fiscal year 2005.

HEALTH ISSUES

PATIENTS' BILL OF RIGHTS:

Over the last ten years, there has been a dramatic increase in the number of Americans who have private health insurance who are enrolled in managed care plans. Unfortunately, this explosion in managed health care has not been accompanied by an increase in legal oversight or accountability. As a result, some health care plans play

“doctor” and make medical decisions based on cost, rather than on scientific knowledge, and are not held accountable for their decisions in the event that they lead to problems for the consumer.

To address these problems, the NAACP supports legislation expand and clarify consumers’ rights when dealing with their Health Maintenance Organizations (HMOs), although the two versions take very different approaches. The “*Patients’ Bill of Rights*” has consistently been introduced in the US Senate by Senator Kennedy (MA) and by Congressmen John Dingell (MI). The bill (H.R. 979) was introduced in the 110th Congress by Congressman Charlie Norwood (GA), just days before he died, and Congressman Dingell.

FULL FUNDING FOR AIDS PREVENTION, TREATMENT & EDUCATION:

Every hour, two young Americans become newly infected with HIV. This means that every day, almost 50 young Americans lives are condemned to a hell that few of us can even imagine, with no hope of ever seeing or contributing to the future. Furthermore, AIDS and HIV are disproportionately invading and destroying communities of color in the United States as well as around the world. AIDS is the number one killer of African American men ages 25 to 44 and the number one killer of African American women ages 15 to 44. While African Americans make up approximately 12% of the entire U.S. population, we account for 45% of all cases of AIDS reported in 1997. Hispanic Americans, like African Americans, are also disproportionately affected. While Latino Americans comprise only 12% of the overall population, they account for 21% of the AIDS cases reported in 1997. AIDS is the second leading cause of death for Hispanic Americans between the ages of 25 and 44. Compounding the horror, African American children account for 58% of pediatric AIDS cases in the United States. Hispanic American children account for 23% of the cumulative pediatric AIDS cases.

Unfortunately, the federal government is not devoting adequate funding to address the problem of HIV and AIDS in our nation. This became quite clear in 2006 when Congress was considering the reauthorization of the Ryan White HIV/AIDS Care Act. While the bill that passed the House took a number of steps in the right direction, including codifying the Minority AIDS Initiative into law and attempting to put federal HIV/AIDS treatment monies into suburban and rural areas that have heretofore not received a lot of federal money for the treatment of HIV and AIDS, it also, given the limited amount of money the federal government actually spends on HIV and AIDS treatment, would have resulted in large urban areas, including New York, Los Angeles and San Francisco, losing funding to fight and treat HIV/ AIDS. For example, it is estimated that under this new bill, the state of New York will lose \$78 million and New York City will lose \$17 million in federal money to treat HIV and AIDS.

While much was done to increase AIDS awareness in ethnic minority communities in the United States, there is still much more to do. Thus the NAACP Washington Bureau is committed to working with Congress and the Administration to increase monies for AIDS prevention and treatment. The Washington Bureau is committed to working with the NAACP Health Department to see that everything that can be done is done to stop the dramatic increase of AIDS in our communities.

UNIVERSAL HEALTH CARE ACCESS:

Our nation’s health care system is failing millions of Americans every year. It costs too much, covers too little and excludes too many. Currently, one seventh of all Americans,

42 million people, lack insurance and suffer unnecessary illness and premature death. In fact, despite being first in spending, the World Health Organization has ranked the United States 37th among all nations in terms of meeting the health care needs of its people.

For ethnic minority Americans, the picture is even bleaker. Despite the numerous advances that have been made in health care over the decades, racial and ethnic minority Americans continue to suffer disproportionately from many severe health problems and have higher mortality rates than whites for many treatable health conditions. For example, diabetes strikes African Americans 70% more often than Caucasian Americans; Hispanic Americans twice as often as whites. The diabetes rate for Native Americans is even higher, striking members of this community 180% more often than Caucasian Americans. Furthermore, African Americans are 40% more likely to die from coronary heart disease and 35% more likely to die from cancer than whites.

The NAACP supports legislation that creates a single-payer national health care system in all America; a federally financed but privately delivered health care system, in which all residents in America and the US territories would receive health care coverage, and have their choice of physicians and providers. Health care in America would no longer be an employer based health insurance system, i.e., you would receive health insurance and health care services regardless of your ability to pay, your employment status, or your health status. All Americans should be guaranteed, by law, access to affordable and accessible high quality health care services. Legislation to create this program has been re-introduced by Congressman John Conyers (MI) (H.R. 676), a long-time champion of this issue.

END RACIAL DISPARITIES IN HEALTH CARE

Over the last two decades hundreds of studies from governmental agencies and non-partisan think tanks have all concluded that in the United States the color of your skin, your ethnic background and where you live can not only influence your health care access and quality; they can determine them.

The statistics are as unthinkable as they are conclusive: African Americans are 23% more likely to die from various types of cancer than whites. African American and American Indian / Alaskan Native infant mortality rates are more than 2 times higher than that for their Caucasian counterparts. African American women are nearly four times more likely than white women to die during childbirth or from pregnancy complications. The death rate from asthma is more than 3 times higher among African Americans than among whites. The diabetes death rates among African Americans and Hispanics are about 2 times higher than that among Caucasian Americans. The AIDS case rate among African Americans is more than 10 times higher than that among whites.

There are a myriad of reasons for these tremendous discrepancies, and that is why no one step will resolve them. That is why the NAACP is advocating for enactment of H.R. 333 / S. 1576, the *Minority Health Improvement and Health Disparity Elimination Act*, which was introduced by Senator Edward Kennedy (MA) and Congressman Jesse Jackson, Jr. (IL) **and** H.R. 3014, the *Healthcare Equality and Accountability Act*, which was introduced by Congresswoman Hilda Solis (CA) and has been endorsed by the Congressional Black Caucus, the Congressional Hispanic Caucus and the Congressional Asian Pacific American Caucus. Together, these bills take a multi-

faceted approach to address these problems the huge number of healthcare problems facing racial and ethnic minorities in the U.S. They would expand existing forms of health insurance; work to remove language and cultural barriers to quality health care; improve the diversity of the healthcare workforce to reflect, understand and respect the diverse backgrounds, experiences and perspectives of the people it serves; support and expand programs to reduce disparities in particular diseases and conditions, especially diabetes, obesity, heart disease, asthma and HIV/AIDS; improve racial, ethnic, socioeconomic and language data collection to adequately identify, measure and find reasonable and innovative solutions for health disparities; ensure adequate funding of the Office of Minority Health, and the National Center for Minority Health and Health Disparities ; and bolster the capacity of institutions that provide care in racial and ethnic minority communities.

HOUSING ISSUES

COMPREHENSIVE RELIEF FOR PEOPLE AND AREAS AFFECTED BY

HURRICANE KATRINA: More than a year after Hurricane Katrina struck the Gulf Coast region of the United States, tens of thousands of people remain adversely affected by the storm and the ineptitude of the government to adequately care for its own people. The NAACP supports omnibus legislation that addresses the myriad of issues still outstanding, as well as some preventative measures to ensure that devastation on this level does not occur again. Specifically, the NAACP supports:

- The establishment of a victim restoration fund;
- Environmental protection for all Katrina victims;
- Health issues, including the rebuilding of hospitals, an elimination of health care disparities between racial and ethnic minority Americans and others and the continuation of health insurance;
- An extension of unemployment benefits;
- Providing a myriad of housing and community development grants;
- Educational assistance from early child care and Head Start, through elementary and secondary education and including assistance for colleges and university students, faculty and facilities;
- The protection of the voting rights of Hurricane Katrina victims;
- The expansion of small business opportunities to residents of the Gulf States prior to Hurricane Katrina, as well as the rescission of orders by the Administration to waive the Davis-Bacon Act and affirmative action requirements for federal contracting in the damaged areas; and
- The waiving of certain regulations in banking, as well as the new bankruptcy reform law to provide additional protection from foreclosure and repossession.
- The development of a plan to address and eradicate poverty in the United States over the next 10 years.

UNIVERSAL, DECENT & AFFORDABLE HOUSING:

For close to half of American families, owning an affordable home or even finding a safe and affordable rental unit is financially unattainable. In fact, the problem is getting worse. The number of American families with “worst case” housing needs continues to grow, while the inventory of affordable housing shrinks. Furthermore, statistics show that race and age play a significant role in the ability of a family to own a home. While 71% of Caucasian households own their own home, only 47% of African American and 46% of Hispanic American families own their residences.

Renting a home has also become harder in the last decade. Between 1996 and 1998, rents rose by 1.6% while the median income of renter households grew by only .3%. From 1995 to 1997, the income of the poorest 25% of renter households fell by 2.6%, while rental costs increased by 4.5%. At the same time, well over 100,000 units of housing for very low-income families was demolished without replacement. Lack of safe affordable housing has an enormous impact on American families and our communities. Families with high housing costs are forced to choose between paying for housing and putting food on the table. Children who live in substandard housing are more likely to suffer from debilitating conditions such as asthma and lead poisoning.

ENACT A COMPREHENSIVE PROGRAM TO COMBAT HOMELESSNESS:

About 3.5 million people in America are likely to experience homelessness in a given year. Of these, 39%, or 1.35 million are children. People of color – particularly African Americans – are a disproportionately large percentage of the homeless population. A 2002 study showed that the urban homeless population is estimated to be 50% African American, 35% white, 12% Hispanic American, 2% Native American and 1% Asian American. Approximately 40% of men who are homeless are American veterans. The composition of the average homeless family is a single parent household headed by an African-American female. Unfortunately, these numbers appear to be on the increase.

To try to address this problem in a comprehensive manner, Congresswoman Julia Carson, (IN) has introduced the “***Bringing America Home Act***” (H.R. 840). This comprehensive legislation includes resolutions putting Congress on record as supporting housing as a basic human right, Universal Health Care and a Living Wage; a dramatic expansion of federal resources for affordable housing and homelessness programs; a dramatic expansion of health care and services for people experiencing homelessness; greater income and work supports for people experiencing homelessness; temporary worker protections; and civil rights protections for people experiencing homelessness. The “***Bringing America Home Act***” represents the most far-reaching initiative to date to address modern homelessness and is based on research, data, and the experience of front line providers and advocates.

INTERNATIONAL ISSUES

ELIMINATE U.S. TRADE AND TRAVEL EMBARGOS ON CUBA:

After 40 years, the current U.S. restrictions on trade and travel between the United States and Cuba have proven most effective in creating tremendous and on-going hardships for the people of Cuba and hurting American businesspeople and travelers. The continuation of the embargo on trade between the United States and Cuba has, in fact, proven itself to be counterproductive as it has made the United States the scapegoat for most of the problems facing Cuba today and in many ways strengthened the resolve of the Cuban people to retain their current government. Furthermore, the United States can best support democratic change in Cuba by promoting trade and commerce, travel, communications, and cultural, academic, and scientific exchanges. Expanding bilateral trade with the Cuban people is one of the most effective ways of influencing change from within Cuba’s society and promoting progress on human rights and democratic rule.

It is also true that since many United States trading partners, including all other countries in the Western Hemisphere, trade with Cuba, the affect of the United States

policy is to disadvantage United States farmers and businesses that could otherwise compete in the Cuban market. These facts have led many leading newspapers, including the Wall Street Journal, the New York Times, the Chicago Tribune and the Orlando Sentinel Tribune, to come out in opposition to current U.S. policy towards Cuba. As the Orlando Sentinel recently argued, "The ban on U.S. travel is futile, self-defeating, a waste of scarce resources and inconsistent with other American policies."

Thus the NAACP has come out in strong support of legislation in the U.S. Senate and the U.S. House which would, once and for all, overturn the U.S. trade and travel embargos on Cuba.

ELIMINATE GENOCIDE IN DARFUR, SUDAN:

The government of Sudan has allowed an orchestrated campaign of genocide against the black African population in the Darfur region of western Sudan. Furthermore, the Sudanese government has severely restricted humanitarian and human rights workers' access to the area in an attempt to inflict further harm on the Fur, Masaalit and Zaghawa people who live in the region. There have been over 400,000 deaths of innocent Sudanese civilians by government forces and the government-backed Janjaweed militia and there are an estimated 2 million civilians in camps for internally displaced peoples within Sudan and an additional 200,000 people living in camps in neighboring Chad. Reports state that many, many more may die in the upcoming months unless humanitarian aid is immediately delivered to the affected areas; it is now reported that as many as 35,000 people are dying each month and that this number could easily rise to 100,000 per month in the near future.

Despite the fact that the US Congress and the Bush Administration have both declared that the situation in Sudan is genocide, little has been done to ease the killing and misery that rocks the region. Most recently, the United Nations' International Commission of Inquiry on Darfur found that the Sudanese government committed war crimes, including a pattern of killings, rape, pillage and forced displacement but the report stopped short of calling the situation "genocide."

The United States needs to become aggressively involved in addressing this humanitarian crisis. The perpetrators of these crimes must be taken before the International Criminal Court. Furthermore, the United States should seek a United Nations Security Council resolution authorizing a multinational force to intervene in Darfur with a mandate to protect civilians and enforce the ceasefire that the government and the rebels signed last year (which has been largely ignored to date). While a United Nations force would be ideal, it would clearly take time to put together. In the meantime, the 1,000 African Union troops who are currently in the region should be given a greater mandate, and additional resources, and manpower, to protect civilians. Lastly, the refugees must be given the opportunity to return to their homes in safety.

Because the United States has found that the situation in Darfur constitutes genocide, we now have a legal (under the Geneva conventions) as well as a moral obligation to take aggressive action to stop the killings. A decade ago, the U.S. refused to act as genocide unfolded in Rwanda. We must not repeat our past mistakes. Now we must take aggressive action in coalition with the African Union to stop the killings and displacements that are occurring in Sudan.

ENHANCE AID, TRADE AND DEVELOPMENT PROGRAMS THROUGHOUT AFRICA AND THE CARIBBEAN

While legislation was signed into law to expand importation of goods into the United States from countries of sub-Saharan Africa, the Caribbean and Central America in 2004, several NAACP concerns were left unanswered. Thus, while the NAACP is pleased to see the United States Congress and the Administration recognizing the importance and the potential of these two areas, we hope over the next few years to address concerns such as a protection of workers rights and the forgiveness of African nations' debt.

DEBT RELIEF FOR IMPOVERISHED NATIONS

Acquiring international debt is sometimes a necessary tool used by nations to finance the domestic human and infrastructure development needs of their citizens and country. Unmanageable debt, however, can become a deterrent to meeting basic human needs and the future development of a nation. For example, in Sub-Saharan Africa, the approximate number of people living on less than a dollar a day has actually increased since 1990. If current trends are not reversed, Africa will be the only region in the world where there will be more poor people in 2015 than there were in 1990. The *Jubilee Act*, now pending in the U.S. Senate, will help lift the burden of international debt which many poor and developing nations face as obstacles to fulfilling their full potential.

The World Bank and the United Nations have estimated that an additional \$45 billion to \$75 billion will be needed globally every year to cut extreme global poverty in half by 2015. Some of this money can be generated from aid, but new infusions of aid cannot be effective unless the drain of debt payments is stopped. Pouring more aid into impoverished countries without debt cancellation is like trying to fill a bathtub with the drain open. Debt prevents nations from fulfilling crucial needs such as health care, housing, education and strategic infrastructure development. In countries such as Burundi, Ghana, Honduras, Tanzania and Zambia, money saved from debt relief has been used to improve infrastructure, allowing countries to become more self sufficient and expand national services such as education, health care, housing as well access to daily basic necessities of life such as food and clean drinking water.

To address the overwhelming problem of debt faced by some Nations, Congresswoman Maxine Waters (CA) and Senators Robert Casey (PA), Richard Lugar (IN), and Chris Dodd (CT) have introduced H.R. 2634 / S. 2166, the *Jubilee Act*, which calls for the U.S. Treasury to support 100% debt relief to poor countries that need it most. This legislation would help deeply indebted countries to improve infrastructure, education, housing and health care and to ensure access to adequate nutrition and clean drinking water.

On April 16, 2008, the full House of Representatives passed H.R. 2634, the *Jubilee Act*, by a strong bipartisan vote of 285 yeas to 130 nays. Unfortunately, just prior to the House passing the bill, it passed an amendment which would significantly weaken the bill. We must now urge the Senate to act as quickly as possible to pass a stronger bill so that we can send a bill providing full debt relief back to the House, encourage the House to reconsider its weakening provision, and then send a bill providing comprehensive debt relief to the President for his signature.

LABOR ISSUES

REINSTATE CONGRESSES' ORIGINAL INTENT IN LABOR ANTI-DISCRIMINATION LAWS

On April 23, 2008, the United States Senate voted on whether or not to invoke cloture, and thus end debate, on H.R. 2831, the *Lilly Ledbetter Fair Pay Act*. Although a strong majority (56 out of 100) of the Senators present voted for the bill, two thirds of the Senators, or 60 are needed to avoid a filibuster. Thus, the bill must go back to Committee to be brought up again at a later date when we will hopefully have more success.

On May 29, 2007, the US Supreme Court handed down a troubling decision in *Ledbetter v. Goodyear Tire and Rubber Co.*, in which the Court held that an action for pay discrimination under Title VII of the 1964 Civil Rights Act, which prohibits discrimination based on race, color, religion, national origin or sex must be brought *within 180 days of the initial discriminatory pay decision*. This means that an individual who is receiving less pay for equal work due to his or her race, ethnic background, gender or age, must file a lawsuit within 180 days of his or her first discriminatory paycheck in order for the suit to be considered by the courts.

This ruling ignores the fact that individuals who are receiving less pay often do not realize that they are being discriminated against in the first three months. Nor does it take into account the fact that oftentimes an individual is able to determine discrimination only after several months (and sometimes even years). Most individual's wages are kept confidential so comparison is often difficult.

To address the errors of the Supreme Court decision (and to reinstate the original intent of Congress in the 1964 Civil Rights Act), the US House of Representatives passed, on July 31, H.R. 2831, the *Lily Ledbetter Fair Pay Act of 2007* by a bipartisan margin of 225 to 199. Under this legislation, an individual may file a discrimination suit against an employer (or former employer) within 180 days of the end of his or her employment.

EMPLOYMENT NON-DISCRIMINATION ACT:

It is currently legal in 27 states to discriminate in hiring decisions based on an individual's perceived sexual orientation. The *Employment Non Discrimination Act*, H.R. 3685, introduced by Congressman Barney Frank (MA), expands federal protections against employment discrimination to include sexual orientation. It also allows every American the right to be free from discrimination because of personal characteristics unrelated to successful job performance. This bill passed the U.S. House on November 7, 2007, and is pending before the U.S. Senate.

ENABLE WORKERS TO JOIN A UNION:

For almost a century, unions have helped American workers increase their standards of living for themselves and their families on many fronts. Currently, union workers earn 26% more in median weekly wages than non-union workers; unionized women earn 31% more than their non-union counterparts, and black union workers earn 29% more than non-union African Americans. Furthermore, 75% of union workers have health benefits, compared to 49% of non-union workers. 69% of union workers have short-term disability coverage, compared to 30% of their non-union counterparts. Finally, 82% of union workers get life insurance, compared with 51% of non-union workers.

The impact of unions – ensuring that all working Americans are treated well and share in the prosperity – cannot be overstated. Despite the continuing strength and advocacy power of unions, however, some employers continue to treat workers poorly, not paying them a fair wage or providing them with necessary benefits: the purchasing power of workers' wages is 5% below where it stood 30 years ago. CEO pay has continued to rise and is currently more than 1,000 times the earnings of the average worker. The richest 13,000 US families have nearly as much income as the poorest 200 million combined. And some employers continue to fight the legitimate organization of unions. 70% of American employers in manufacturing threaten to close the plant if workers choose a union. Furthermore, in the 1950's, when 30% of workers belonged to unions, only a few hundred workers suffered retaliation for trying to organize a union; in 1969, the number of workers suffering retaliation was just over 6,000 and by the 1990's more than 20,000 workers each year were victims of discrimination when they tried to organize a union.

To address this situation, the “***Employee Free Choice Act***” (H.R. 800, introduced by Congressman George Miller of California) will make sure workers have a fair chance to exercise their democratic right to choose a union by making it easier for a union to act as a mediator for workers if the majority of workers have provided authorized signatures indicating that they want the union to act as their representative, and increasing penalties for violations against employees who are trying to organize a union. This bill passed the U. S. House on March 1, 2007, and is pending before the U.S. Senate. Senator Edward Kennedy (MA) has introduced companion legislation, S. 1041.

EMPLOYMENT PROTECTION IN THE PRIVATE AND PUBLIC SECTORS:

The NAACP supports equal pay for equal work and a fair shot at promotions for all Americans regardless of their race, ethnicity or gender and protection for whistleblowers. This should apply to the private and public sectors.

NAACP SUPPORTS A LIVING WAGE:

A living wage ordinance requires employers to pay wages that are above federal or state minimum wage levels. Only a specific set of workers are covered by living wage ordinances, usually those employed by businesses that have a contract with a city or county government or those who receive economic development subsidies from the locality. The rationale behind the ordinances is that city and county governments should not contract with or subsidize employers who pay poverty-level wages.

Living wages provide much needed raises for low-income workers. Wages for the bottom 10% of wage earners fell by 3.9% between 1979 and 1999. The number of jobs where wages were below what a worker would need to support a family of four above the poverty line also grew between 1979 and 1999. In 1999, 26.8% of the workforce earned poverty-level wages, an increase from 23.7% in 1979. Living wage ordinances have been enacted in over 70 localities. The living wage level is usually the wage a full-time worker would need to earn to support a family above federal poverty line, ranging from 100% to 130% of the poverty measurement. The wage rates specified by living wage ordinances range from a low of \$6.25 in Milwaukee to a high of \$12 in Santa Cruz. In addition to setting wage levels, many ordinances also have provisions regarding benefits (such as health insurance and paid vacation), labor relations, and hiring practices.