



NAACP LEGISLATIVE PRIORITIES FOR THE 109TH CONGRESS

OMNIBUS 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
Comprehensive relief for people and areas affected by Hurricane Katrina	Watt H.R. 4197		Action Alert available

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

ISSUE	House Action	Senate Action	NAACP Action Alert
Support, Preserve and Protect Equal Opportunity Programs			Issue Brief Available
Eliminate Racial Profiling		Feingold S. 2138	Action Alert Available
Enhance Hate Crimes Prevention & Protection	Conyers H.R. 2262	Kennedy S. 1145	Action Alert Available
Reauthorize and Strengthen the Voting Rights Act	Sensenbrenner H.R. 9	Specter S. 2703	Action Alert Available
Eliminate potential discrimination in "Faith Based" initiatives			Issue Brief Available
Maintain Barriers Between Politics and Houses of Worship			Action Alert Available
Voting Reenfranchisement for Ex-Felony Offenders	Conyers Jones H.R. 1300 H.R. 939	Clinton S. 450	Action Alert Available
Public Safety / Ex-Offender Reintegration into Society	Portman H.R. 1704	Specter S. 1934	Action Alert Available
Crack Cocaine Sentencing Disparities	Rangel H.R. 2456		Action Alert Available
Abolish Mandatory Minimum Sentences			Issue Brief Available
Law Enforcement Trust and Integrity Act			Action Alert Available
Protect Unaccompanied Immigrant Children	Lofgren H.R. 1172	Feinstein S. 119	Action Alert Available
Enactment of Safe, Sane & Sensible Gun Safety Laws			Issue Brief Available
Eliminate Predatory Lending	Miller, Brad (NC) H.R. 1182		Action Alert Available
Reparations for African Americans	Conyers HR 40		Action Alert Available
Death Penalty Moratorium / Abolition		Feingold S. 122	Action Alert Available
Ensure voting rights for all eligible Americans	Conyers Jones H.R. 533 H.R. 939	Dodd Clinton S. 17 S. 450	Action Alert Available
Congressional Voting Rights / Statehood for the District of Columbia	Norton H.R. 398	Lieberman S. 195	Action Alert Available
Ensure fair and impartial judges are nominated and confirmed to US Supreme Court and the federal judiciary			Action Alerts Available
Encourage prisoners to participate in literacy, educational, and vocational training programs while incarcerated	Scott, R. (VA) H.R. 3602		Action Alert Available

LABOR ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Increase the Minimum Wage to a Fair & Livable Wage	Miller, George H.R. 2429	Kennedy S. 1062	Action Alert Available
Employment Non-Discrimination Act			Action Alert Available
Enable Workers to Unionize	Miller, George (CA) H.R. 1686	Kennedy S. 842	Action Alert Available
Guarantee fair, equitable and non-discriminatory hiring, promotions and wage distributions in the private sector as well as within the government			

(Placement on list does not represent priority)

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NAACP Legislative Priorities for the 109th Congress

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HEALTH & HOUSING ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Universal, Decent & Affordable Housing			
Enact a comprehensive program to combat homelessness	Carson H.R. 4347		Action Alert Available
Ensure full funding for Section 8 Housing Vouchers			
Patients' Bill of Rights	Dingell H.R. 2259	Kennedy S. 1012	Action Alert Available
Protect Social Security			Action Alert Available
AIDS Prevention & Treatment			Issue Brief Available
Universal Health Care Access	Conyers H.R. 676		Action Alert Available
Improve health care access and quality for racial and ethnic minority Americans	Honda H.R. 3561	Akaka S.1580	Action Alert Available

EDUCATION ISSUES

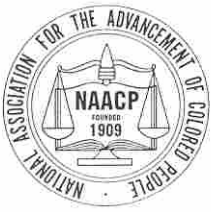
ISSUE	House Action	Senate Action	NAACP Action Alert
Reduce Financial Disparities Between Schools	Fattah H.R. 2178		Action Alert Available
Protect and increase funding for Head Start programs			Action Alert Available
Full Funding for Federal Education Programs			
Public School Construction Bonds	Rangel H.R. 1742	Rockefeller S. 1858	Action Alert Available
Oppose Discriminatory "High Stakes" Educational Testing			Issue Brief Available
Protect federal funding for After-School Programs			Action Alert Available
Allow students convicted of minor drug offenses to receive federal financial aid	Frank H.R. 1184		Action Alert Available
Increase funding for Historically Black Colleges and Universities			
Increase funding for student financial aid programs, such as Pell Grants and SEOGs and federal student loan subsidies			Action Alert Available

INTERNATIONAL ISSUES

ISSUE	House Action	Senate Action	NAACP Action Alert
Eliminate U.S. trade and travel embargos against Cuba	Serrano H.R. 208		Action Alert Available
Effectively address the Genocide in Darfur, Sudan			Action Alert Available
Increase funding for aid, trade and development throughout Africa and the Caribbean			

(Placement on list does not represent priority)

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NAACP LEGISLATIVE PRIORITIES FOR THE 109TH CONGRESS

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****

OMNIBUS 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. On February 6, 2006, President Bush released his budget proposal for fiscal year 2007 and it is most notable in that it features cuts in scores of programs that are essential to millions of middle- and low-income families and calls for additional tax cuts that will primarily benefit the wealthiest Americans.

For the second straight year the President's budget calls for an overall cut in spending, with the exception of federal monies for defense and homeland security, by \$14.8 billion. He would completely eliminate or cripple 141 federal programs, most of which serve low- and middle- income Americans, racial and ethnic minorities, the sick, senior citizens or students. He is also proposing to slow the growth of “entitlement” programs (such as Medicare, Medicaid and Social Security) by \$62.5 billion over 5 years; one proposal calls for eliminating Social Security death benefits paid to widows and orphans.

President Bush's proposal further calls for disabling cuts in federal funding for education (which, with 42 programs being eliminated, gets the brunt of the President's budget ax), Medicaid, Medicare, housing, small business development,

and EEOC efforts while proposing an increase in fees paid by our veterans and seniors. The proposed budget also reduces revenues brought in by the federal government by \$1.7 trillion over the next ten years (primarily through tax cuts that benefit the wealthiest 1% of Americans); thus, in total, the President's proposal would increase the deficit to \$12 trillion through the year 2011.

COMPREHENSIVE RELIEF FOR PEOPLE AND AREAS AFFECTED BY

HURRICANE KATRINA: On November 2, 2005, all 42 members of the Congressional Black Caucus in the US House of Representatives introduced H.R. 4197, the *Hurricane Katrina Recovery, Reclamation, Restoration, Reconstruction and Reunion Act of 2005*. The bill is designed to provide for the full recovery of the Gulf Coast region and for the reunion of families devastated by Hurricane Katrina.

H.R. 4197 is an omnibus bill in that it addresses a myriad of issues faced by Katrina victims, including:

- 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.

Finally, the legislation expresses the sense of Congress that the President should, within the next 6 months present a plan to Congress and the public to address and eradicate poverty in the United States over the next 10 years.

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.

ELIMINATE RACIAL PROFILING:

The "*End Racial Profiling Act*", S. 2138 as introduced in the US Senate by Senator Russ Feingold (WI) 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 Enhancement Act*" as introduced by Senator Kennedy and Congressman John Conyers (H.R. 2262 in the House and S. 1145 in the Senate) 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.

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.

On September 14, 2005, the House of Representatives, by a vote of 223 yeas to 199 nays, voted to support an amendment to H.R. 3132, legislation creating a national sex offender registry database, that broadens the categories covered by hate crimes laws and allows the federal government to offer assistance to state and local authorities if they so request to investigate and prosecute alleged hate crimes. Although the NAACP is opposed to other provisions in the legislation (specifically mandatory minimum sentences and an increase in the application of the Death Penalty) we were nonetheless very pleased to see the Hate Crimes amendment pass on an up-or-down vote. This is a huge victory because in the past the leadership in the House of Representatives, along with the President, have been the primary stumbling blocks toward enactment.

REAUTHORIZE AND STRENGTHEN THE VOTING RIGHTS ACT On May 10, 2006, the House Judiciary Committee passed, by a margin of 33 yeas to 1 nay, H.R. 9, the NAACP-supported ***Fannie Lou Hammer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006***. This legislation, which has been introduced in both the US House and the US Senate (H.R. 9 / S. 2703), would reauthorize and restore expiring portions of the 1965 Voting Rights Act.

Despite the fact that African Americans and other racial and ethnic minority Americans are guaranteed the right to vote by the 15th Amendment to the U.S. Constitution, which was ratified just after the Civil War in 1870, states and local municipalities continued to use tactics such as poll taxes, literacy tests and outright intimidation to stop people from casting free and unfettered ballots. Thus the *Voting Rights Act of 1965* was enacted to insure that no federal, state or local government may in any way impede people from registering to vote or voting because of their race or ethnicity. Most provisions in the *Voting Rights Act of 1965*, and specifically the portions that guarantee that no one may be denied the right to vote because of his or her race or color, are permanent.

There are, however, 3 key enforcement-related provisions of the *Voting Rights Act* that will expire in August 2007 unless reauthorized. Hearings held in 2005 and 2006 have found a new generation of tactics, including some at-large elections, annexations, last minute poll place changes and disenfranchising redistricting practices which have had a discriminatory impact on voters, especially racial and ethnic minority American voters. S. 2703 / H.R. 9 reauthorizes the portions of the VRA that will expire next year restoring

the Congress's original intent and allowing the federal government to address these new challenges.

ELIMINATE POTENTIAL DISCRIMINATION IN “FAITH BASED” INITIATIVES:

In 2002 President Bush circumvented the legislative process and issued an “Executive Order” which implemented many facets of his so-called “Faith-based” or “charitable choice” initiatives. The NAACP recognizes the crucial role faith based organizations have played throughout our nation’s history in addressing some of our nation’s most serious ills. Yet the NAACP is in opposition to the faith based initiative approach as presented by President Bush as it can result in legalized and federally funded discrimination.

To head off these attacks on our basic civil rights laws, Congressman Bobby Scott (VA) introduced legislation in the 108th Congress to nullify the provisions of President Bush’s executive order which allows faith-based organizations that receive tax-payer funds to discriminate when making hiring decisions to staff programs that receive federal funds.

Unfortunately, the leadership of the US House of Representatives appears 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. Specifically, they inserted this language into legislation reauthorizing a slew of job training programs, as well as bills reauthorizing the “Head Start” program and the Community Development Block Grants 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.

On October 2, 2002 the U.S. House defeated H.R. 2357, which would have allowed religious institutions to participate in partisan political politics and endorse political candidates. The bill was defeated by a strong bi-partisan margin of 239 nays to 178 yeas. Furthermore, on June 14, 2004, the House Ways and Means Committee, which drafts most of our nation’s tax laws, soundly (and again by a strong bipartisan margin)

rejected an almost identical proposal that was originally included in a corporate tax bill. Undeterred, supporters of this initiative have reintroduced the legislation in the 109th Congress: Congressman Walter Jones, Jr. (NC) has introduced H.R. 235, which is almost identical to the legislation that was so soundly defeated in 2002 and 2004. H.R. 235 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.

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. In the 109th Congress, Congressman John Conyers (MI) introduced **H.R. 1300**, the *Civic Participation and Rehabilitation Act* which would allow felons who are no longer incarcerated to reintegrate themselves back into society and vote in federal elections. Ex-felon re-enfranchisement is also part of the continuing election reform package introduced by Senator Hillary Clinton (NY) (S. 450) and Congresswoman Stephanie Tubbs Jones (OH) (H.R. 939).

PUBLIC SAFETY EX-OFFENDER SELF-SUFFICIENCY:

The problems associated with successfully reintegrating ex-offenders back into society are numerous; they face tremendous hurdles. As a result, nearly two-thirds of released prisoners are expected to be re-arrested for a felony or serious misdemeanor within three years of release. Given the high number of Americans of color who currently occupy our prisons, this has had a tremendous impact on whole communities. Legislation has been introduced in the Senate by Senator Arlen Specter (PA) (S. 1943) and in the House by Congressman Rob Portman (OH) (H.R. 1704) which is intended to address many of the problems faced by ex-offenders who are trying to reenter society, including housing, job training, mental health and substance abuse counseling and the strengthening of families.

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 and other like-minded organizations to try to bring federal mandatory minimums for crack cocaine in line with those for powder cocaine, as recommended by the U.S. Sentencing Commission. The NAACP also supports legislation sponsored by Congressman Charlie Rangel (NY) (H.R. 2456) to eliminate the sentencing 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. To address this problem, Congresswoman Maxine Waters has introduced the “***Justice in Sentencing Act***” legislation to eliminate many federal mandatory minimum sentences, and she is expected to reintroduce it in the 109th Congress.

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 109th 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.

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 re-introduced the *Unaccompanied Alien Child Protection Act (S. 119 / H.R. 1172)*, 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. This legislation passed the Senate in December 2005 by a unanimous vote and is now pending in the House of Representatives.

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 members of Congress, in both the House and the Senate, both Republican and Democrat, to ensure that the Association's concerns are addressed in any legislation that is considered or enacted.

The NAACP is also working hard to oppose legislation that would block suits filed by governments, civic groups and individual victims of gun violence seeking to hold the gun industry and gun dealers accountable for irresponsible manufacturing or selling of guns. On April 9, 2003, this legislation passed the House of Representatives by a margin of 285 to 140. Fortunately, the US Senate killed this legislation in March, 2004, although it will most likely be brought up again in the 109th Congress.

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. Senator Dianne Feinstein (CA) has introduced a bill (S. 620) which would reinstate the expired ban and make it permanent.

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. To combat this heinous practice, Senator Paul Sarbanes (MD) introduced the *Predatory Lending Consumer Protection Act* and Congressmen Brad Miller and Mel Watt (both NC), along with Congressman Barney Frank (MA) have introduced the H.R. 1182, the *Prohibit Predatory Lending Act*, which would federalize North Carolina's anti-predatory lending laws, some of the strongest in the nation.

"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. In the 106th Congress, the NAACP Washington Bureau worked with NAACP President and CEO Kweisi Mfume on a taskforce lead by the U.S. Department of Housing and Urban Affairs to look into the problems associated with predatory lending and some possible remedies. In the 107th Congress, legislation was introduced to expand the number of loans subject to the 1994 Home Ownership and Equity Protection Act (“HOEPA”) (legislation designed to protect against some forms of predatory lending), and expand consumer protections for HOEPA borrowers. The legislation lowers the interest rate and fees that trigger HOEPA protections and revises the definition of points and fees to be more inclusive. Lastly, it also limited or prohibited certain charges than many experts have deemed as inherently unfair because they provide little, if any, net economic benefit to high-cost loan borrowers.

REPARATIONS FOR AFRICAN AMERICANS:

For 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.

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. Congressman Jesse Jackson, Jr. (IL) and Senator Russ Feingold (WI) introduced legislation in both the 106th and 107th Congresses which place a moratorium on executions until issues such as DNA evidence, racial disparity in the death sentence, and the competence of counsel can be addressed. Senator Feingold has also reintroduced his death penalty abolition legislation in the 109th Congress, S. 122.

ENSURE VOTING RIGHTS 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 clearly demonstrated that there is still much more to be done.

As a result of problems that became evident in the 2004 Presidential election, Senators Hillary Clinton (NY) and Chris Dodd (CT) along with Congresswoman Stephanie Tubbs Jones (OH) and Congressman John Conyers, Jr. (MI) have introduced legislation to build on the gains we made in 2002. Specifically, the Clinton/Jones bills (S.450 and

H.R. 939), the “*Count Every Vote Act*” and the Dodd/Conyers bills (S. 17 and H.R. 533), the “*Voting Opportunity and Technology Enhancement Rights Act of 2005*” build on the *Help America Vote Act* to further protect voting rights and to improve the administration of Federal elections. Specifically, 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 Clinton / Jones bill also provides ex-felony offenders, who have served their time and are out of jail, the opportunity to register and vote in federal elections.

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 also supports legislation which would make Congress either allow the residents of DC to not pay federal taxes or grant them full representation in the U.S. House and Senate. This legislation was introduced in the House by Delegate Eleanor Homes Norton (H.R. 398) and in the Senate by Senator Joe Lieberman (S. 195). The NAACP sees this as a good first step in recognizing and addressing the problems faced by D.C. residents.

ENSURE FAIR AND IMPARTIAL JUDGES ARE NOMINATED AND CONFIRMED TO THE US SUPREME COURT AND 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. So far the NAACP has opposed the nominations of Jeffrey Sutton, Miguel Estrada, Priscilla Owen, Carolyn Kuhl, Charles Pickering, Sr., William Pryor, John Roberts, Samuel Alito, Michael Wallace and Terrence Boyce.

ENCOURAGE PRISONERS TO PARTICIPATE IN LITERACY, EDUCATIONAL AND REHABILITATION SERVICES WHILE INCARCERATED:

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.

Congressman Robert "Bobby" Scott (VA) has introduced the Literacy, Education and Rehabilitation Act (LERA). The purpose of LERA is 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. LERA provides incentives and recognitions for achievement by giving prison directors the discretion to grant up to 60 sentence credit days per year to an inmate for successful participation in literacy, education, work training, treatment and other development programs. LERA will not only prevent crime victimizations, but also save taxpayers money.

LABOR ISSUES

INCREASING THE MINIMUM WAGE TO A FAIR, LIVABLE WAGE:

Increasing the current minimum wage by **\$2.10 over the next 26 months** -- from \$5.15 to \$7.25 an hour -- would help approximately 7.5 million working Americans -- mostly adult workers trying to support their families. At the current minimum wage of \$5.15 an hour, a worker who works 40 hours a week for 52 weeks a year earns \$10,712. This is almost \$2,000 below the 2003 poverty level for a family of 2 (a parent and a child). The bills supported by the NAACP, HR2429 (by Congressman George Miller, CA) and Senator Edward Kennedy (MA) would raise the current \$5.15 minimum wage by 70 cents six months after enactment (to \$5.85 an hour); an additional 70 cents (to \$6.55 an hour) a year later, and a final 70 cent increase (to \$7.25 an hour) a year after that.

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*, was introduced by Congressman Chris Shays (CT) in the House and by Senator Edward Kennedy (MA) in the Senate. This legislation 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.

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, Senator Edward “Ted” Kennedy (MA) and Congressman George Miller (CA) introduced the “**Employee Free Choice Act**” (S. 842 / H.R. 1696). This legislation 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.

ENSURE FAIR, EQUITABLE AND NON-DISCRIMINATORY HIRING, PROMOTION AND WAGE DISTRIBUTIONS IN THE PRIVATE SECTOR AS WELL AS WITHIN THE GOVERNMENT: 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.

HEALTH & HOUSING ISSUES

UNIVERSAL, DECENT & AFFORDABLE HOUSING:

Millions of American families today live in substandard housing and are paying more than half of their incomes for a place to live. In fact, millions of Americans pay so much for housing that they are often forced to do without other basic necessities, such as food, clothing and healthcare. The huge expense often associated with housing is detrimental not only to the families directly affected, but to our communities and our national fiber as well.

While some legislation was passed in the 106th Congress to address a few of the many problems associated with housing in this nation, there is still a long way to go. Specific legislation that the Washington Bureau will be working on from last year has to do with federal matching grants for housing preservation for elderly and disabled housing; consolidating and updating federal programs to assist the homeless; and homeownership assistance legislation. The NAACP also strongly supports legislation introduced by Congressman Jesse Jackson, Jr. (IL) which would amend the U.S. constitution to state that all citizens of the United States shall have a right to decent, safe, sanitary, and affordable housing.

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) introduced H.R. 4347, the “***Bringing America Home Act***” in the 109th Congress. 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.

ENSURE FULL FUNDING FOR SECTION 8 LOW-INCOME HOUSING VOUCHERS:

Under the Section 8 Housing voucher program, one of the nation’s most successful housing programs to date, approximately 2 million families across the United States get rent vouchers that cover the difference between market rents and 30% of their income. Through Section 8 vouchers, the working poor, the elderly and the disabled are able to live in decent, safe and stable housing. Currently as many as 40% of Section 8 housing voucher recipients are African American. Although local housing authorities administer the program, funding is provided by the U.S. Department of Housing and Urban Development (HUD).

On April 22, 2004, HUD told local housing authorities that it would only fund vouchers at August 1, 2003 levels adjusted for inflation. Because rent prices rise faster than inflation, this means that local housing authorities cannot fund all their vouchers. The Bush Administration estimates that this move will result in \$1.6 billion less being spent on housing vouchers next year, with more cuts to come in the years ahead.

The immediate results of this new policy will be that rent levels will increase for many voucher holders; vouchers will be taken away from families that have them but have not yet found housing; no new vouchers will be issued; and vouchers may be taken away from families who are using them to pay rent right now. In fact, many experts predict that as many as 250,000 American families could lose their vouchers as a result of this new policy. In the longer term, this policy change will result in landlords not accepting vouchers if they cannot be sure that the voucher program will not be funded for a whole year. In short, this new policy will clearly exacerbate the already serious housing and homelessness problem facing our nation -- 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. Currently, about 50% of the homeless are African American.

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.

On June 29, 2001, the US Senate passed the McCain / Edwards / Kennedy "Patients Bill of Rights" legislation. On August 2, 2001, the House passed its version. Unfortunately, no final version was developed and the legislation died with the adjournment of the 107th Congress. This legislation was intended to expand and clarify consumers' rights when dealing with their Health Maintenance Organizations (HMOs), although the two versions take very different approaches.

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.

AIDS PREVENTION AND TREATMENT:

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.

While much was done during the last Administration 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.

In order to address the lack of adequate access to health care overall, Congressman John Conyers, Jr. (MI) has introduced the *United States National Health Insurance Act* (USNHIA) (H.R. 676). The *United States National Health Insurance Act* creates a single-payer national health care system in all America; a federally financed but privately delivered health care system. Under the USNHIA, 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. Under USNHIA all Americans would be guaranteed, by law, access to affordable and accessible high quality health care services.

IMPROVE HEALTH CARE ACCESS AND QUALITY FOR RACIAL AND ETHNIC

MINORITY AMERICANS: The fact of the matter is that huge discrepancies remain in health care in the United States today. The quality and quantity of health care services you receive depends greatly upon your racial or ethnic background, the make-up and location of the community in which you live, and your economic status. Currently, one seventh of all Americans, 42 million people, lack insurance and suffer unnecessary illness and premature death; a disparate number of these people are racial or ethnic minority Americans.

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. Furthermore, 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. 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. African Americans are 40% more likely to die from coronary heart disease and 35% more likely to die from cancer than Caucasian Americans.

It is because of these glaring disparities, the NAACP strongly supports the efforts of the Congressional Black Caucus, the Congressional Hispanic Caucus and the Congressional Asian / Pacific Islander Caucus to address these problems with the introduction of comprehensive legislation which expands health care access, improves health care quality, strengthens key academic institutions and research centers, and bolsters the health care infrastructure in underserved communities. Specifically, Senator Daniel Akaka (HI) and Congressman Michael Honda (CA) have introduced H.R. 3561, and S. 1580, the *Healthcare Equality and Accountability Act*.

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, Congressman Chaka Fattah (PA) has introduced H.R. 2178, *The Student Bill of Rights*, to provide for adequate and equitable educational opportunities for students in state public school systems.

PROTECT AND INCREASE FUNDING FOR HEAD START PROGRAMS:

In his proposed budget for 2004, President Bush included a provision that would allow states to divert the money now used for Head Start programs into new or existing early childhood programs run by the state government through a "block grant" proposal. On July 25, 2003, the U.S. House passed a slight scaled-down version of the President's

proposal by one vote. The House version would also allow Head Start centers run by religious organizations to discriminate in hiring, based on religion, when using federal funds.

If enacted this proposal would, within five years, dismantle the existing Head Start program and replace it with a hodgepodge of inconsistent and untested state government programs that will serve fewer children than Head Start does now and it will provide less comprehensive services to those children who are served, diverting funds to state administrative services and away from the children who need and benefit from the program.

In 2002, Head Start and Early Head Start programs worked with over 900,000 children throughout our country. Despite the number of children currently benefiting from Head Start, we are still only serving 3 out of every 5 eligible 3- and 4-year old children, leaving approximately 400,000 eligible children unable to enroll because of a lack of funding. Thus in May, 2003, the NAACP national Board of Directors reiterated its support for Head Start, called on the federal government to fully fund Head Start, and opposed the President's proposal to allow states to take the Head Start money in a "block grant" formula doing away with Head Start as we know it.

FULL FUNDING FOR FEDERAL EDUCATION PROGRAMS:

In 2001 Congress passed and the President signed into law the *Leave No Child 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*.

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 introduced by Senator Jay Rockefeller (WV) and

Congressman Charles Rangel (NY) (Congressman Rangel has championed this issue for years) (S. 1838 / H.R. 1742) 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. Legislation was introduced in the 106th Congress in both the House and the Senate 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. Furthermore, the bills required that individual students are not unfairly denied critical educational opportunities because of their performance on a single, standardized test.

PROTECT FEDERAL FUNDING FOR AFTER-SCHOOL PROGRAMS:

The 21st Century Community Learning Centers program is the federal government's main grant program for urban and rural after-school programs. The program has grown quickly in recent years, from a \$40 million pilot project in the late 1990s to a \$1 billion program in Fiscal Years 2002 and 2003. That growth reflects some simple realities that local school systems across the country have embraced: after-school programs help kids learn, keep them safe, relieve their parents of child-care worries during the sometimes perilous after-school hours and reduces juvenile crime. Furthermore, studies have shown that African American and Hispanic American students participating in after-school programs showed significant academic gains as a result, even in the single year studied.

In his FY 2004 budget proposal, however, rather than increase funding to \$1.75 as agreed upon in 2002, the President proposes to slash funding by 40 percent – from the current \$1 billion to \$600 million. This would mean that 1.65 million youth would lose the opportunity to learn and grow after school.

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. 1184, 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.

INCREASE FUNDING FOR STUDENT FINANCIAL AID PROGRAMS, SUCH AS PELL GRANTS, SEOGS AND FEDERAL STUDENT LOAN SUBSIDIES:

Congress will vote soon on the reauthorization of the *Higher Education Act*, the law that governs, among other things, most federal student loan programs. This is our opportunity to try to work with Congress and the Administration to make student grants and loans more available and more affordable so that more Americans, especially low-income Americans and young Americans of color can attend and graduate from college.

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.

As we consider the reauthorization of the *Higher Education Act*, 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.

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."

In 2003, a majority in both the U.S. House of representatives as well as the United States Senate voted to repeal the current travel and trade embargos on Cuba. Unfortunately, these votes did not result in a change in current law due to a veto threat from President Bush.

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.

INCREASE AFRICAN AND CARIBBEAN TRADE AND DEVELOPMENT ASSISTANCE:

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.

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