

NAACP[®] **RESOLUTIONS**

2001

**SUBMITTED UNDER ARTICLE X, SECTION 2 OF
THE CONSTITUTION OF THE NAACP**

CIVIL RIGHTS

1. Resolution to Save Historical Area in Harpers Ferry, West Virginia

WHEREAS, John Brown was born into a deeply religious family which abhorred slavery, and he described himself as an “abolitionist” while working with other groups; and

WHEREAS, John Brown believed that he could free slaves and selected Harpers Ferry, West Virginia as his starting point to get 100,000 weapons from the Federal Arsenal; and

WHEREAS, John Brown and twenty of his “Raiders,” including two of his sons, overtook the engine house in Harpers Ferry on October 16, 1859, but were subsequently surrounded by General Robert E. Lee’s forces; Brown was captured and convicted of indicting slaves to rebel, treason and murder and was sentenced to death by hanging and the engine house was recaptured by General Lee; and

WHEREAS, many people believe John Brown’s actions were a major factor in starting the Civil War; and

WHEREAS, the “Fort” was purchased and relocated on a farm two miles from its original site remaining there until 1891, when it was transported to Chicago for the World’s Columbian Exposition; in 1895, it was returned to the nearby Murphy Farm in Harpers Ferry; and

WHEREAS, in 1906, Dr. W.E.B. Dubois initiated a “call” to meet at Storer College in Harpers Ferry, West Virginia to pay tribute to the John Brown Raiders and to convene the Second Niagara Movement Conference, later calling the meeting “one of the greatest meetings that American Negroes ever held;” the participants walked barefooted to the “Fort;” and

WHEREAS, the Colored Women’s League held its annual meeting in 1896 and visited the “Fort” in Harpers Ferry to pay tribute to Brown; in 1918, the National Association of Teachers in Colored Schools held its annual session and visited the “Fort” in Harpers Ferry and other organizations also visited; and

WHEREAS, for these reasons, the Murphy Farm holds a “sacred” place in West Virginia’s, National Black history and Civil War history; and

WHEREAS, the Murphy Farm is also important in Civil War history because of its role in the 1962 siege of Harpers Ferry; and

WHEREAS, the Murphy Farm is in imminent danger of being developed for housing, and such development would forever destroy the Murphy Farm’s scenic beauty and rob future generations of the opportunity to see, appreciate and enjoy this rich legacy of the John Brown/Niagara Movement and its connection to the Civil War; and

WHEREAS, other nearby parcels of land are similarly threatened; and

WHEREAS, we believe we have a duty to civil rights history to preserve the Murphy Farm and the landscape surrounding Harpers Ferry; and

WHEREAS, the designation of the larger landscape surrounding Harpers Ferry is a “Last Chance Landscape” by scenic America; one of America’s Top Ten Endangered Battlefields by the Civil War Preservation Trust, validates the importance of this landscape to American history and imparts a sense of urgency to the preservation cause; and

WHEREAS, the NAACP is interested in preserving this history and has met with the Harpers Ferry Conservancy and other organizations who share their interest regarding the Murphy Farm and surrounding landscape’s importance to civil rights history; and

WHEREAS, the Harpers Ferry Conservancy has nominated the Harpers Ferry Landscape for the National Trust for Historic Preservation’s list of eleven most endangered resources and voices their unqualified support for the nomination.

NOW, THEREFORE, BE IT RESOLVED, that the NAACP support the nomination of Murphy Farm and landscape surrounding Harpers Ferry to the National Trust for Historic Preservation’s list of eleven most endangered historical resources; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the NAACP urge Congress to appropriate sufficient funding to acquire the Murphy Farm and other lands making up the cultural landscape surrounding Harpers Ferry and pass legislation allowing such lands to be administered as part of the U.S. Department of Interior’s Harpers Ferry National Historical Park, West Virginia; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the NAACP urge the State of West Virginia to ensure rigorous scrutiny for all state approval necessary for the development of the Murphy Farm; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the NAACP supports the process and application of Murphy Farm and landscape surrounding Harpers Ferry to the National Register of Historic Places to further preserve and ensure its historical significance.

2. “Administrative Location: National Head Start Program”

WHEREAS, wide disparities of inequality and inequity still exist and negatively affect many of America’s children, especially children of minority status; and

WHEREAS, these children are often subjected to a wide array of “at-risk” factors and circumstances; and

WHEREAS, the Head Start Program is very inclusive and comprehensive, addressing such needs as early childhood education, health services, nutrition, social development, family life quality and the importance of parent involvement in the educational careers of children; and

WHEREAS, during the recent Presidential Campaign, now President George W. Bush proposed moving the Head Start Program from the Department of Health and Human Services (DHHS) to the Department of Education.

NOW, THEREFORE BE IT RESOLVED, that the NAACP join with the National Head Start Association in opposing the transfer of Head Start's oversight, administration and review to the Department of Education since indicators of such a transfer suggest that the comprehensive character and program focus of the Head Start Program would lose its identity and effectiveness under the Department of Education.

BE IT FINALLY RESOLVED, that the NAACP endorse the strengthening of the Head Start Program under DHHS and that the NAACP further reaffirm its confidence in the DHHS which has the ability and history to move the Head Start Program forward in this New Century.

3. United Nations World Conference, Trans-Atlantic Slave Trade and Reparations

WHEREAS, in 2000, a resolution was passed in support of NAACP participation in the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR); and

WHEREAS, the Inter-Agency Task Force, created by the Clinton Administration to oversee and coordinate the United States Government's efforts related to its participation has held a series of closed meetings which have not allowed for public discussion, input or review of the United States Government's preparations for participation in the WCAR, in stark contrast to the open meetings, publicity and widespread government and non-government support in preparing for the UN Conference on Women held in Beijing, China in 1995; and

WHEREAS, during the Clinton Administration, the nature of the United States' participation in the WCAR has been evidenced by the unembellished statement made by Batty King, the U.S. Ambassador to the United Nations Economic and Social Council, that the "United Nations would never agree to anything that contained the word '*compensation*';" and

WHEREAS, the brazen disregard for the past and present suffering, human rights violations of African Americans and the increasingly hostile nature of United States' participation in the WCAR has been further evidenced at the informal government meeting held in Geneva on January 15 and 16, 2001, when Cheryl Sim, the Political

Counselor to the U.S. Mission in Geneva, declared that the United States “has no regret, takes no responsibility and will not apologize for slavery;” and

WHEREAS, despite the attempt of United States officials to divert discussions away from racism in America at the WCAR, there is a growing international movement to acknowledge that slavery of people descended from African is a crime against humanity, the effects of which continue to exist under the right wing racist ideology, and the International Movement agrees that there must be concrete demands for reparations for the Trans-Atlantic Slave Trade and the 400 years of bondage and economic exploitation of people of African descent in America; and

WHEREAS, the United Nations High Commissioner for Human Rights, Mary Robinson, among others is generally supportive of such demands and has been quoted in the New York Times as saying language must be found “*to condemn in full terms the evil of slavery, returning to the issue of compensation for past practices*” and “*in fact we need to close off a period and say that this exploitation was in real terms a crime against humanity when it took place and that it has had an effect into this century;*” and

WHEREAS, the history and legacy of slavery for displaced Africans in America has been characterized by persistent human rights abuses and violations since the inception of the slave trade and continues to this very day in direct violation of the Universal Declaration of Human Rights; and

WHEREAS, despite the glaring and harsh reality of racism that African-Americans deal with on a daily basis such as racial profiling, police brutality and desperate sentencing, the issues of the Trans-Atlantic Slave Trade, its contribution to racism existing today and remedies thereof, have never been fully addressed by the General Assembly of the United Nations; and

WHEREAS, the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance scheduled for Durban, South Africa from August 31 to September 7, 2001, provides a world platform to address these issues and acknowledges that the system of supremacy and privilege of the white race constitutes a fundamental component of structural racism which has been created by the accumulation of wealth and status through a coercive apparatus.

THEREFORE, BE IT RESOLVED, that the NAACP will take all necessary steps, including all units, members, the Chairman and President/CEO to immediately write President Bush and Secretary of State Powell, asking that they support these issues and that the United States actively participate in this historic World Conference; and to take immediate action to join the growing international movement to affirm the right of the descendants of the victims of the Trans-Atlantic Slave Trade to just and fair compensatory measures for the suffering and the uncompensated labor of the 400 years they and their ancestors have endured; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP actively participate in demanding that the following three issues be addressed at the United Nations Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, August 31 to September 7, 2001:

- The declaration of the Trans-Atlantic Slave Trade as a Crime against Humanity;
- The establishment of “Reparations” for the descendants of the victims of the Trans-Atlantic Slave Trade and Slavery; and
- The acknowledgment of the economic roots of racism.

4. Credit Cards for Youth

WHEREAS, many businesses are engaged in the practice of predatory lending and the issuance of credit cards to youth under the age of 18, college student and other young adults who are without adequate income to repay the debt; and

WHEREAS, many African-American youth are adversely affected when they are unable to make payments on their loans and credit card balances; and

WHEREAS, a poor credit rating can lead to denial of employment and also negatively impact their future livelihood.

THEREFORE, BE IT RESOLVED, that the NAACP and its Units call upon the United States Congress and state legislature to change these predatory lending practices; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP and its Units call upon the United States Congress and state legislature to request that institutions include credit card education in the form of a pamphlet, prior to issuing credit cards.

5. Resolution of Continued Support for a New Flag for the State of Mississippi

WHEREAS, some Mississippians and Confederate preservationists rallied the Mississippi State Flag Commission, the Governor and the Legislature to “*let the people decide*” whether to retain the current divisive and racially denigrating State Flag of 1894 or to replace it with a flag more sensitive to all cultural heritages of its citizenry; and

WHEREAS, Mississippi’s Legislature and Governor ignored the state’s historical defiance to racial intolerance and adhered to the racial majority’s rallying cries for a statewide vote, despite the objections of an obviously outnumbered racial minority to settle the racial issue; and

WHEREAS, the State Flag Vote Referendum passed by a 64.39% to 35.61% margin in favor of retaining the tyrannical confederate symbol of slavery and white supremacy incorporated into the state’s flag. These numbers were almost precisely down racial

lines and reasserted Mississippi's heinous reputation as the most racist state in the nation; and

WHEREAS, the Journal of the State Convention of 1861 (pp.86-88) clearly delineates the institution of slavery as the underlying factor in their Declaration of Causes of Seceding States from the United States of America, a treasonous action; and

WHEREAS, some Mississippians further seek to petition the Legislature and Governor to amend the State's Constitution to give official status to the flag that incorporates the racially repugnant confederate symbol.

THEREFORE, BE IT RESOLVED, that the NAACP reaffirm its 1999 and 2000 resolutions condemning the displaying of the confederate battle flag or confederate battle emblem. The NAACP further calls for the immediate removal of the confederate battle flag and/or the confederate battle emblem(s) from any and all public sites in the United States, excluding historical museums; and

BE IT FURTHER RESOLVED, that the NAACP join with those Mississippians adamantly opposing the validation of the April 17, 2001 referendum vote retaining the confederate flag.

5a. Re-affirming the 2000 Resolution on the Confederate Battle Flag and the Confederate Battle Emblem

WHEREAS, the Confederate States of America came into being by way of secession from the United States of America out of a desire to defend the right of individual states to maintain an economic system based on slave labor; and

WHEREAS, the Confederate Battle Flag and Confederate Battle Emblem have been embraced as the primary symbols for the numerous modern-day groups advocating white supremacy; and

WHEREAS, the Confederate Battle Flag and Confederate Battle Emblem in its present position of display makes a statement of public policy that continues to be an affront to the sensibilities and dignity of a majority of Americans.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People at its 91st Annual Convention reaffirm its condemnation, as expressed in its 1999 Resolution, of the Confederate Battle Flag or the Confederate Battle Emblem being flown over, displayed in or on any public site or space, building, or any emblem, flag standard or as part of any public communication; and

BE IT FURTHER RESOLVED, that all units of the NAACP shall urge all corporations of good conscience to remove flags bearing the confederate battle emblem from their business property; and

BE IT FINALLY RESOLVED, that the NAACP shall call upon other organizations, churches and faith groups, businesses, corporations and similar entities which embrace freedom and justice to consider locations other than such states or cities until such time that the confederate battle emblem is removed.

5b. **Re-affirming the 1999 Resolution on Economic Sanctions for South Carolina**

WHEREAS, the Confederate States of America came into being by way of secession from and war against the United States of America, and out of a desire to defend the right of individual states to maintain an economic system based on slave labor; and

WHEREAS, the Confederate Battle Flag was raised in the states which comprised the defunct Confederate States of America for the supposed Celebration of the Centennial of the War Between the States and as an unspoken symbol of resistance to the battle for civil rights and equality in the early 1960's; and

WHEREAS, the Confederate Battle Flag has been embraced as the primary symbol for the numerous modern-day groups advocating white supremacy; and

WHEREAS, the placement of the Confederate Battle Flag at the South Carolina State House with the flags of two existing governments, the United States of America and the State of South Carolina, implies sovereignty and allegiance to a non-existent nation; and

WHEREAS, the Confederate Battle Flag in its present position of display makes a statement of public policy that continues to be an affront to the sensibilities and dignity of a majority of African-Americans in the State of South Carolina; and

WHEREAS, the State of South Carolina possesses a unique linkage of heritage and family which makes South Carolina a prime destination for African-American family reunions, resulting in tourism dollars that benefit the State of South Carolina; an estimated sixty-eight percent (68%) of all African-American family reunions are held in South Carolina; and

WHEREAS, dollars spent on tourism, conventions and meetings by African Americans, other people of conscience and corporate entities serve to enrich the State of South Carolina, the "Mother State of Secession" that continues to fly the banner of secession.

THEREFORE, BE IT RESOLVED, that the NAACP call upon and demand the U.S. Department of Justice to remove any and all confederate flags from and on public property for being a treasonous act within this jurisdiction; and

NOW, BE IT THEREFORE RESOLVED, that the National Association for the Advancement of Colored People at its 1999 Annual Convention reaffirms its condemnation of the Confederate Battle Flag being flown over the South Carolina State

Capitol and displayed within the South Carolina House and Senate Chambers and renews its call for the removal and relocation of the Confederate Battle Flag to a place of historical rather than sovereign context; and

BE IT FURTHER RESOLVED, that all units of the NAACP shall join the South Carolina Conference of Branches in urging all families planning reunions in South Carolina to consider locations outside of the State as reunion sites until such time that the Confederate Battle Flag is removed from positions of sovereignty in the State of South Carolina; and

BE IT FURTHER RESOLVED, that the National NAACP shall call upon other African-American National organizations, churches, and faith groups, businesses and corporations, and similar national entities of other cultural compositions which embrace freedom and justice to consider locations other than the State of South Carolina as convention or meeting sites, until such time as the Confederate Battle Flag is removed from positions of sovereignty in the State of South Carolina; and

BE IT FINALLY RESOLVED, that the National NAACP shall apply these economic sanctions against the State of South Carolina as well as any further measures as appropriate, commencing January 1, 2000, until such time that the Confederate Battle Flag is no longer displayed in positions of sovereignty in the State of South Carolina.

II. CRIMINAL JUSTICE

1. Resolution Opposing the Death Penalty

WHEREAS, historically and continuously, due to racism and/or the inability to afford adequate legal defense, African-Americans, other non-whites and poor citizens are more likely to receive injustices in the courts; and

WHEREAS, a recent nine-month study of "*Race and the Death Penalty in North Carolina – An Empirical Analysis: 1993-1997*," showed that if the homicide victim is white, the convicted offender, regardless of race, is 3.5 times more likely to be sentenced to death; and

WHEREAS, the study of the death penalty in North Carolina concluded that if the defendant of a homicide charge is African-American (or "non-white") and the victim is white, the convicted offender is 6.4 times more likely to be sentenced to death; and

WHEREAS, the study of the death penalty in North Carolina concluded that when African-Americans (or non-whites) kill each other, juries send them to death row at a rate of only 1.7 percent; and

WHEREAS, the facts, such as those released on April 16, 2001 in North Carolina regarding the death penalty, clearly confirm our suspicion that "skin color plays a major role in who lives or who dies in our criminal justice system;" and

WHEREAS, there is no possible way of restoring the life of a person killed by the death penalty if the accused was executed erroneously or through racism/classism; and

WHEREAS, the problem of the disparate application of the death penalty as documented in North Carolina is national in scope; and

WHEREAS, the National Board of Directors', in recognition of the national nature of the problem, passed a resolution at its October 2000 Meeting that supported a moratorium on all state and federal executions until race is not a factor in death penalty application.

THEREFORE, BE IT RESOLVED, that the NAACP continue its opposition to the death penalty and call upon its units to collaborate with other local, state and national organizations in calling for a Moratorium; and

THEREFORE, BE IT FURTHER RESOLVED, that the NAACP work toward the education of all citizens in recommending that the death penalty become a major accountability issue for elected officials/candidates who seek support from the African-American community; and

NOW, BE IT THEREFORE FINALLY RESOLVED, that the National Association for the Advancement of Colored People at its 2001 Annual Convention reaffirm its 1970 Resolution on Abolition of the Death Penalty.

1a. **Re-affirming the 1970 Resolution on Abolition of the Death Penalty**

THEREFORE, BE IT RESOLVED, that the NAACP direct its National Office to use its prestige and resources to press for the Supreme Court of the United States to abolish the death penalty as a cruel and inhuman punishment in violation of the equal protection clause and therefore unconstitutional.

III. EDUCATION

1. **Educationally and Mentally Retarded**

WHEREAS, a disproportionate number of African-American males are labeled Educationally Mentally Retarded ("EMR"); and

WHEREAS, these children are often labeled "EMR" by teachers or others in the education profession with no medical or psychiatric experience; and

WHEREAS, children labeled "EMR" are placed in educational programs which do not provide a standard diploma or occupational skills; and therefore receive social security benefits; and

WHEREAS, these social security benefits are discontinued at the age of 22 leaving these children with no means of livelihood.

THEREFORE, BE IT RESOLVED, that the NAACP call upon educational agencies to “only” label children as educationally mentally retarded (“EMR”) after examination and determination by licensed school psychologists, medical or psychiatric professionals; and

BE IT FURTHER RESOLVED, that the NAACP advocate that those children properly diagnosed as “EMR” receive lifelong social security benefits.

2. English as Second Language (“ESL”) Bilingual Education

WHEREAS, there is a growing number of persons of color entering into the United States not able to speak English, i.e., from Africa and Mexico; and

WHEREAS, schools are ensuring that English proficiency students have access to equal educational opportunities; and

WHEREAS, there are no procedures in place to refer these students to “gifted” programs.

THEREFORE, BE IT RESOLVED, that all states must guarantee the training of English as Second Language (“ESL”); that teachers at all schools provide adequate education for all students and that appropriate steps be taken to remediate academic deficiencies identified in students who have exited from the Alternate Language Program (“ALP”); and

BE IT FURTHER RESOLVED, that all State Office of Education personnel monitor “ESL” students for up to two years after they have left the program and inform parents in their native languages about Gifted and Talented Programs available in the school district.

IV. ENVIRONMENTAL JUSTICE

1. Environmental Justice and the African-American Community

WHEREAS, the Environmental Protection Agency (EPA) has identified 1,408 hazardous waste sites as potentially harmful to the health of those who may live in communities which are in close proximity thereto; and

WHEREAS, the EPA has determined that the majority of these hazardous waste sites contain Polycyclic Aromatic Hydrocarbons (PAHs) which may cause harmful health effects to those persons who are exposed to them; and

WHEREAS, PAHs are a group of generally toxic chemicals which form during the incomplete burning of coal, oils, gas, wood, garbage or other organic substances, such as tobacco and charbroiled meat; and

WHEREAS, because of the multiplicity of economic and social obstacles still facing those within African-American communities throughout the nation, many of our communities are located in close proximity to hazardous waste sites which contain PAHs that may well prove harmful to those who are living and/or working in and around these dangerous sites, exposing them to PAHs through breathing, eating or drinking substances containing these substances or by skin contact with them.

THEREFORE, BE IT RESOLVED, that the NAACP call upon the EPA and other related governmental agencies to become vigilant about the potential health risks to which the nation's African-American communities are being exposed and that environmental justice and equality demand that specific measures be immediately undertaken to eradicate dangerous levels of PAHs currently existing in and around African-American communities wherever found throughout this nation; and

THEREFORE, BE IT FURTHER RESOLVED, that the NAACP encourage all of its units to work to immediately identify those African-American communities throughout the nation that are potentially at risk for higher than normal exposure to PAHs and that once identified, thereafter request prompt assistance from the EPA and/or other related government agencies to assist in the comprehensive cleaning of these dangerous sites so as to substantially reduce the risk of any further harmful health effects to those African-American communities so identified; and

THEREFORE, BE IT FURTHER RESOLVED, that the Convention re-affirm previous policies of the NAACP adopted in 2000 (Environmental Racism), 1993 (Environmental Justice Act) and 1983 (Environmental Protection); and

BE IT FINALLY RESOLVED, that the NAACP will call upon the State Environmental Protection Agency to prepare a statewide information card on the site.

1a. **Re-affirming the 2000 Resolution on Environmental Racism**

WHEREAS, the problems of environmental hazards stemming from the location of hazardous facilities in predominantly poor and minority communities remains unchanged; and

WHEREAS, the problem continues to increase as opposed to being reduced or eliminated due to the failure of public officials to enforce existing regulations, and the equitable implementation or enforcement of local zoning regulations because of the Clean Air and Waters Acts; and

WHEREAS, locally elected officials and the Zoning Board have not been responsive to petitions by local citizens or to the presentation of documentation of hazardous conditions; and

WHEREAS, there is a recent trend and a growing national pattern to resolve the problem by changing the local neighborhood, encouraging local residents to relocate or declaring the areas as non-residential as opposed to removal or correction of the hazardous conditions and enforcing zoning laws, thus, denying these citizens the full enjoyment of the property rights and equitable protection of the law;

THEREFORE, BE IT RESOLVED, that the NAACP reaffirm its 1996 policy on Environmental Racism; and

THEREFORE, BE IT FURTHER RESOLVED, that the NAACP goes on record as calling upon local mayors, city and state officials, enforcement agencies, members of local zoning boards and state officials, as appropriate, to review and amend local and state zoning laws and regulations which govern the location of solid waste facilities and other hazardous uses in residentially zoned neighborhoods; and

THEREFORE, BE IT FURTHER RESOLVED, that the NAACP call upon local city and state officials to cease the practice of resolving local residential hazardous conditions by declaring the neighborhood as non-residential rather than correcting the hazardous condition that negatively affects the health of residents; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP call upon locally elected officials to equitably enforce existing zoning and health ordinances and other laws related to environmental and other hazardous conditions.

1b. **Re-affirming the 1993 Resolution in Support of Environmental Justice Act**

WHEREAS, improving conditions which affect the health status of African-Americans is a high priority for the NAACP; and

WHEREAS, environmental hazards pose increasingly significant health risks for African-Americans and others who are exposed to their toxic effects; and

WHEREAS, the problem of environmental injustice confronts African-American, Asian American, Latino, and Native American communities across the country. African Americans and other “people-of-color” in communities nationwide suffer disproportionately from environmental degradation. Specifically, three out of five African-Americans and Latinos live in communities with one or more hazardous waste sites; and

WHEREAS, there is a direct correlation between the disproportionate presence of toxic generating facilities and pollutants in African-American communities, and the

disproportionate increase in infant mortality, birth defects, cancer, and respiratory illness; and

For example, lead poisoning affects three (3) to four (4) million children in the United States, most of whom are African-American and Latinos who live in urban areas. Among children five years old and younger, the percentage of African-American children who have excessive levels of lead in their blood far exceeds the percentage of whites at all income levels; and

WHEREAS, all communities and individuals across this nation have an equal right to a safe, healthful and productive environments which must be protected equally by federal, state and local governments among all communities; and

WHEREAS, a 1992 the *National Law Journal* investigation has found that the federal government, in its cleanup of hazardous sites and its pursuit of polluters, favors white communities over communities of color under environmental laws meant to provide equal protection for all citizens; and

For example, penalties under hazardous waste law at sites that have the greatest white population were about five hundred percent (500%) higher than penalties at sites with the greatest population of people of color averaging \$335,566 for the white areas, compensated to \$55,318 for minority areas; and

WHEREAS, the *National Law Journal* found that the disparity in enforcement under toxic waste law occurs by race alone not income; and

WHEREAS, existing federal law does not require the federal government to routinely collect and analyze environmental and health data by ethnicity, race and income; nor does it ensure equitable application, implementation, and enforcement of national environmental laws; and

WHEREAS, the pursuit of “environmental justice” is a paramount priority of the NAACP since it involves the fundamental question of life and death for African-Americans, and invokes principles of social justice and equal protection of the law; and

WHEREAS, the issue of environmental justice involves the pursuit of equal protection for African-Americans and others under all environmental laws and regulations without discrimination based on race, ethnicity or socio-economic class.

BE IT THEREFORE, RESOLVED, that the NAACP support the swift enactment of federal legislation which seeks to address these concerns, including legislation which seeks to address these concerns that would require that actions be taken by authorized federal agencies to curtail those activities having substantial adverse impacts on human health; and

BE IT FURTHER RESOLVED, that the NAACP particularly support enactment of the Environmental Justice Act and considers it to be a legislative priority for the 103rd Congress.

1c. **Re-affirming the 1983 Resolution on Environmental Protection**

WHEREAS, there is inadequate control of toxic waste and its disposal; and

WHEREAS, the disposal of said toxic waste has impacted in a negative manner upon the poor of this country; and

WHEREAS, various coalitions of state legislators have begun pressing for bans on further construction of incinerators which could produce dangerous levels of toxic substances; and

WHEREAS, the alleged improprieties attributed to the Environmental Protection Agency tend to point to a misdirection of priorities; and

WHEREAS, all citizens, especially the poor of this country are often subjected to health risks as a result of disposal practices.

THEREFORE, BE IT RESOLVED, that the NAACP calls upon its state and local branches to examine local toxic waste disposal laws and that the Association establish a task force and charge it to consider the impacts, actual and potential, of various toxic waste disposal scenarios on minority populations and that said task force submit its report to the 1984 Convention.

V. HEALTH

1. **Equitable Funding and Awareness for Lupus Research**

WHEREAS, Lupus is a chronic disease where the immune system attacks the body's own cells affecting any and all systems in the body including muscles, bones, joints, kidneys, heart, brain, liver, gallbladder, pancreas and skin; and

WHEREAS, Lupus has no cure and affects more people than HIV/AIDS, Sickle Cell Anemia, Multiple Sclerosis, Cystic Fibrosis and Cerebral Palsy combined. It is estimated that between 1,400,000 and 2,000,000 people are reported to have Lupus; and

WHEREAS, one out of every two hundred and fifty (250) African-American women have Lupus, and sixty percent (60%) of all Lupus patients are African-American; and

WHEREAS, Lupus occurs in children and adults, either sex, although it occurs more frequently in adult females than males. People of African-American, Native American,

Hispanic and Asian origin are thought to develop Lupus more frequently than Caucasians; and

WHEREAS, it has been speculated that research funding for this disease has been limited because its victims are primarily women and people of color; and

WHEREAS, people of color develop Lupus at an earlier age and die more often from this disease.

THEREFORE, BE IT RESOLVED, that the local NAACP branches in collaborate with community lupus foundation chapters to coordinate awareness and fundraising programs for Lupus research and outreach programs; and

BE IT FURTHER RESOLVED that the NAACP monitor the fair and equitable funds appropriated for the research and treatment of this disease which kills our children of an earlier age.

2. Resolution in Support of Halting the Use of Ritalin

WHEREAS, African-American children are disproportionately recommended for Ritalin and other behavioral modification drugs by unlicensed medical professionals; and

WHEREAS, Ritalin's known side effects include loss of appetite, weight loss, inability to sleep, heart palpitations, drowsiness, joint pain, nausea, chest pain, abdominal pain and serious systemic illnesses; and

WHEREAS, recent National Institute of Health (NIH) studies indicate that Ritalin usage contributes to the propensity for using serious narcotics such as cocaine, heroin and amphetamine-type drugs.

THEREFORE, BE IT RESOLVED, that the NAACP join with the National Medical Association (NMA) to review existing federal and state regulations relating to the use of Ritalin and other behavioral modification drugs; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP call upon the United States Congress, federal, state and local agencies to revise regulations to prevent placing children on Ritalin or similar behavior modification drugs in the absence of professional, medical or psychiatric diagnosis.

3. Expressing the Concern of Mental Health with Regard to How it affects African-Americans Treatment, Diagnosis, Crisis Intervention and Support of Legislation at all Levels of Government

WHEREAS, the NAACP has determined the seriousness of mental health to be a national problem with regard to African-Americans; and

WHEREAS, researchers find that African-American patients tend to receive poorer mental health care compared to whites. Although blacks seek out care as frequently as whites, the researches explain, “Blacks are much less likely to receive care that conforms with (standard) recommendations;” and

WHEREAS, mental illness is often mis-diagnosed in Blacks; “not only are African-Americans over diagnosed with schizophrenia, their treatment is frequently of briefer duration than whites;” and

WHEREAS, a survey of urban police departments in 1994 (174 respondents) indicated that United States cities with populations of 1,000,000 or more, conducted in 1996 (Borum, et al., 1999) indicated that seven percent of all police contacts, both investigations and complaints, involve persons believed to be mentally ill; and

WHEREAS, the Crisis Intervention Team Model that originated in Memphis, Tennessee in 1988 and which is now being replicated in cities nationwide grew out of the community response to the police killing of an African-American who had a history of mental illness; and

WHEREAS, in the House of Representatives, Mrs. Roukema submitted the Congressional intent to establish a “Mental Health Advisory Committee.”

THEREFORE, BE IT RESOLVED, that the NAACP vigorously support the legislative issue that is being pursued by advocates for the mentally ill throughout our Nation; and

BE IT FURTHER RESOLVED, that the NAACP Washington Bureau add its “priority support” to the Legislative Bill H. RES. 14 in the 107th Congress, that was referred to the Committee on Energy and Commerce.

VI. INTERNAL AFFAIRS

1. Amending Article III Section 1 and 7 of the White Book – Create Position of Assistant Treasurer

AMEND Article III, Section 1 of the White Book to insert the office of Assistant Treasurer, following the office of Treasurer and prior to “ and additional officers;” and

AMEND Article III, Section 7 to rename Section 7 Assistant Treasurer. Insert the following as Section 7: "The duties of the Assistant Treasurer shall be to perform the duties of the Treasurer in his/her absence, unavailability or disability. The Assistant Treasurer may perform specific duties of the Treasurer under the supervision of the Treasurer "; and

AMEND Article III, to add a Section 8 to become duties of the Executive Director; and

AMEND Article IV, Section 1 to insert Assistant Treasurer after Treasurer.

BE IT THEREFORE, RESOLVED, that the additional position of Assistant Treasurer shall be incorporated in the elective Officers positions of a branch to ensure that the financial affairs of a branch are consistently managed and that the respective duties required of the branch financial officers are continuously performed.

VII. LEGISLATIVE

1. Resolution on Head Start & Children's Programming

WHEREAS, President Bush proposed to "Leave No Child Behind" during his campaign and proposed to support children and education; and

WHEREAS, President Bush now proposes to cut Early Learning by \$20 million, Child Abuse prevention by \$15.7 million and hearing screening for infants by \$1 million; and

WHEREAS, President Bush now proposes a decrease by \$200 million from the Child Care and Development Block Grant; and

WHEREAS, President Bush proposes to eliminate the Community Access Program, currently funded at \$125 million to coordinate care for the uninsured; and

WHEREAS, President Bush's proposals for Head Start's funding level will result in 2,500 fewer children participating in Head Start in the program next year.

BE IT THEREFORE RESOLVED, that the NAACP opposes and rejects budget cuts which result in diminished programming of Head Start and children's programs in the FY 2002 budget; and

BE IT ALSO RESOLVED, that the membership direct the Board of Directors to implement policy and programs, which would inform the public of the harm to children in our communities should budget imperatives be adopted; and

BE IT ALSO RESOLVED, that the NAACP express its concern to members of the current administration and members of Congress during meetings of the House of Representatives and the United States Senate; and

FINALLY, BE IT RESOLVED, that while the NAACP supports tax relief, it does not believe in the sacrifice of healthcare, education or the future of our children; children's programming should not be cut to pay for an oversize tax cut and the NAACP should implore President Bush to keep his promise to "Leave No Child Behind."

2. Resolution to Increase the Social Security Lump Sum Death Benefits

WHEREAS, there have been drastic increases in burial and funeral expenses since 1952 when the Social Security Lump Sum Death Benefit (“LSDB”) was last increased; and

WHEREAS, the Lump Sum Death Benefit’s value has been severely diminished by the rate of inflation over a forty-eight (48) year period; and

WHEREAS, the LSDB was further diminished by a 1981 legislative amendment to the Social Security Act limiting payment of this benefit to a spouse living with the worker at the time of death or a spouse or her child receiving benefits under the worker’s record; and

WHEREAS, the 1981 legislative amendment eliminated payment of the LSDB directly to a funeral home regardless of who the deceased worker lived with; and

WHEREAS, in many instances, under the current law, the LSDB is no longer paid; and

WHEREAS, the NAACP recognizes the dire financial constraints many families endure when a loved one dies; and

WHEREAS, there is no legitimate argument anyone can make to justify the current inadequate LSDB.

NOW, THEREFORE, BE IT RESOLVED, that the NAACP call upon the President of the United States, the Social Security Administration and the United States Congress to initiate a unified effort to immediately enact legislation increasing the LSDB to at least \$2,000, as well as amending the current law to include language authorizing benefit payment to a funeral director, any family member or individual who assists with burial expenses.

3. Resolution in Support of an Open and Nondiscriminatory National Immigration Policy

WHEREAS, the Administration is proposing and Congress is presently considering the development of a new immigration policy and accompanying implementation procedures which will provide wider and more expansive ‘regularization’ of immigrants and other individuals who are presently illegally or unofficially residing within the country; and

WHEREAS, it is understood that the policy is intended to be more compassionate to permit families to more easily be reunited; to provide special provisions for individuals from the countries on the western hemisphere; to permit entry to individuals so that they

may support families and provide assistance to the rebuilding of their countries which have recently experienced tragic natural and economic disasters; and

WHEREAS, public discussions of the policy have mentioned only two countries (El Salvador and Mexico); with regard to its applicability, and there is significant concern that the policy will be highly restrictive and discriminatory in content and implementation.

THEREFORE, BE IT RESOLVED, that the NAACP call upon the President of the United States and Congress to consider a more expansive, open and fair immigration policy that will provide the same opportunities to individuals from all Africa, Caribbean, Central and South American countries and individuals from other countries who are similarly situated both abroad and within the United States, thus, avoiding the development of an immigration policy that is restrictive and discriminatory in its nature and impact; and

BE IT FINALLY RESOLVED, that the NAACP call upon NAACP representatives to educate their community on the immigration policy issues and use the issue as an accountability issue for elected officials.

4. World War II Veterans Deserve Justice

WHEREAS, in December of 1944, the American forces in the European Theater found themselves critically short of infantry troops; and

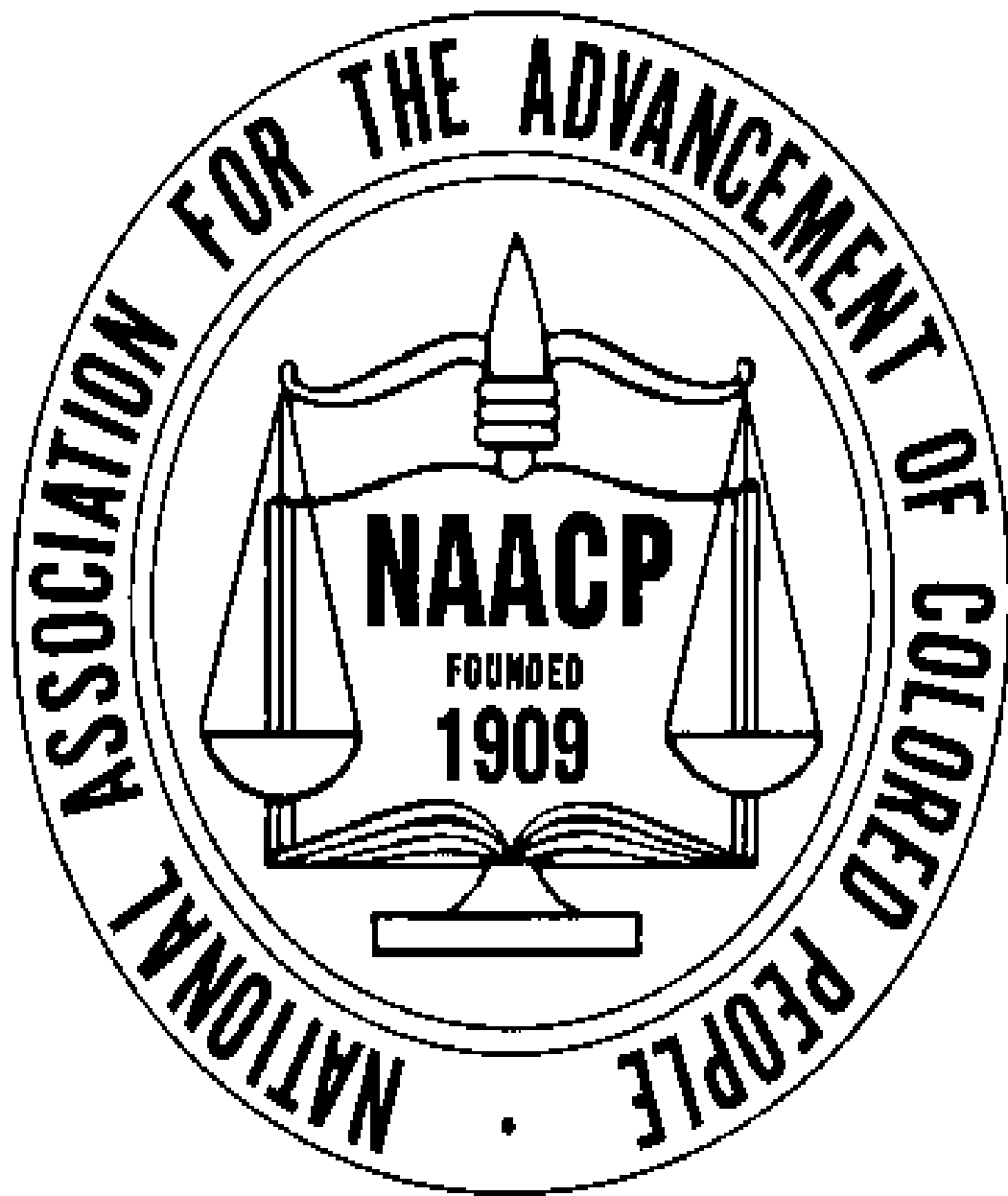
WHEREAS, General Dwight D. Eisenhower, the Supreme Allied Commander, for the first time in history, called for volunteers from African-American troops to fill this critical need; and

WHEREAS, the call came with the stipulation that non-commissioned African-American soldiers who outranked white soldiers had to forfeit their stripes so as to not outrank white soldiers; and

WHEREAS, after the war African-Americans often were denied their military awards and the non-commissioned officers were never updated to their rank achieved before they volunteered.

THEREFORE, BE IT RESOLVED, that the NAACP recognize the efforts and outstanding accomplishments of many African-American soldiers who fought in World War II who have been ignored and whose rightful honors were denied; and

BE IT FURTHER RESOLVED, that the NAACP call for African-American troops who volunteered for combat in World War II or their heirs to receive full recognition from the Department of Defense including, where appropriate, certification of their original grades or ranks together with financial compensation for pay lost by reduction in rank to avoid outranking white troops.



Distributed by:
Lanita Ross
NAACP Legal Department
4805 Mt. Hope Drive
Baltimore, MD 21215
(410) 580-5795

