

# **NAACP<sup>®</sup>** **RESOLUTIONS**

## **2005**

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

## 2005 RESOLUTIONS

### I. CIVIL RIGHTS

#### 1. Rebirth of Freedom Commemorative Memorial Marker

**WHEREAS**, Black veterans who served in the Revolutionary War, or are currently serving, and will serve in our future wars into perpetuity deserve our tribute and recognition; and

**WHEREAS**, members of the U.S. Colored Troops of the 54<sup>th</sup> Massachusetts Volunteer Infantry and post-Civil War Buffalo Soldiers are among the 37,000 buried at Wood National Cemetery adjacent to the Old Soldiers Home; and

**WHEREAS**, Black men and women—slave and free—have fought in all our Nation's wars for American freedom and liberty; and

**WHEREAS**, Blacks of the United States Armed Services have demonstrated their commitment and loyalty to this nation and upheld the principals of democracy; and

**WHEREAS**, a commemorative salute is an appropriate tribute to preserve the dignity, identity and stories of all those who gave their "last full measure of devotion" to this Country in ways we cannot fully repay; and

**WHEREAS**, the Milwaukee National Soldiers Home Historic District was first created in 1867 as the National Home for the Disabled and Volunteer Soldiers as one of three original such sites; and

**WHEREAS**, this oldest preserved Soldiers Home in the country, which was established through one of the last pieces of legislation signed by President Abraham Lincoln; and

**WHEREAS**, Milwaukee is the host city for the 96<sup>th</sup> National Convention, July 9 – 14, 2005.

**THEREFORE BE IT RESOLVED**, that the NAACP endorses the placement of a commemorative memorial to Black Veterans on the grounds of Soldiers Home District of the Veterans Administration on 8 July 2005, in collaboration with the Clement J. Zablocki Medical Center, the Milwaukee NAACP Branch, National Association of Black Veterans (NABVETS), and a diverse coalition of Milwaukeeans and community organizations; and

**BE IT FINALLLY RESOLVED**, that the NAACP joins the Milwaukee Branch in "The Rebirth of Freedom Commemorative Memorial Marker" ceremony.

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### II. CRIMINAL JUSTICE

#### 1. Calling for a Ban on TASER Guns, Until Independent Scientific Research can be Performed Regarding their Safety

**WHEREAS**, the TASER gun is a non-lethal electronic stun gun used by law enforcement officers to, among other things, temporarily disable suspects and unarmed citizens, with reduced incidence of injury and death; and

**WHEREAS**, according to the TASER gun's manufacturer, TASER International, more than seven thousand (7,000) police departments in the United States have purchased TASER guns; and

**WHEREAS**, the number of law enforcement officers and correctional facilities using TASER guns is rapidly growing; and

**WHEREAS**, since the TASER gun has enjoyed such widespread use, it has been used on school children, mentally disabled and elderly people, pregnant women, inmates, and restrained individuals; and

**WHEREAS**, no independent scientific study has been done to determine the side effects associated with the use of TASER guns; and

**WHEREAS**, this raises concern because research shows that the TASER gun has already been linked to over one hundred (100) deaths in the United States and Canada; and

**WHEREAS**, because of this, there is considerable debate regarding its safety, and it is unclear at this time what effect pre-existing medical conditions, officer misuse or other factors have on the rising death toll; and

**WHEREAS**, as a result, police departments in several states, including Florida, Ohio, Colorado and Oregon have either suspended or restricted the use of TASER guns by law enforcement officers; and

**WHEREAS**, other departments have suspended the purchase of additional TASER guns, and postponed plans for the widespread distribution of the guns to law enforcement officers.

**THEREFORE BE IT RESOLVED**, that the NAACP urges the use of TASER guns be banned.

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### 2. Judicial System Disparities

**WHEREAS**, African-Americans and other people of color represent 12.5% of the nation's population; and

**WHEREAS**, more than 60% of African-Americans and other people of color are disproportionately represented in the prison and criminal justice system; and

**WHEREAS**, at least twenty-nine states have conducted studies on racial and gender bias within the judicial system; and

**WHEREAS**, these studies have consistently found that:

1. In most areas of the country there exists racial and ethnic bias in the judicial selection process; and
2. There exists a sentencing disparity against racial and ethnic minorities; and
3. There is a disproportionate number of African-Americans on death row; and
4. African-Americans are disproportionately represented by public defenders and court-appointed lawyers where they receive less effective representation; and
5. African-Americans tend to be under-represented in the employment and appointment of judicial positions and court personnel; and
6. African-American youth are over-represented in the criminal justice system; and

**WHEREAS**, these studies have made numerous recommendations on methods of correcting these conditions; and

**WHEREAS**, the prison industry is growing at an exceptional rate.

**THEREFORE BE IT RESOLVED**, that the NAACP call upon its State Conferences and local units to work with governmental agencies like legislative Black caucuses and private organizations to adopt and implement the recommendations made as a result of the studies; and

**BE IT FINALLY RESOLVED**, that the NAACP call upon those states which have not conducted studies to perform such studies to detect any disparities in their judicial systems.

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### III. ECONOMIC DEVELOPMENT

#### 1. NAACP's Anti-predatory Mortgage & Payday Lending Practices

**WHEREAS**, wealth is critical to a family's economic stability and security, and the wealth of the African-American community is threatened by abusive predatory mortgage and payday lending practices; and

**WHEREAS**, today, African-American families still lag far behind white American families in terms of net worth with studies indicating that the average African-American family has net worth of only \$5,988 which is less than 7% of the wealth of whites; and

**WHEREAS**, among African-American households that owned a home in 2002, one-half had 88.1% of their total net worth in the form of home equity, effectively making such home equity the only savings account that most African-American families have; and

**WHEREAS**, African-Americans are twenty-five percent behind white Americans in terms of homeownership, 47.7% versus 74.3%, and this difference is contributing significantly to the wealth divide; and

**WHEREAS**, home ownership is one of the most effective means to build wealth and keep families out of poverty, we must undertake efforts to assure home ownership in the African-American community is not threatened by the abusive practices of predatory mortgage lenders or thwarted by the cycle of poverty caused by payday lending practices as well as abusive automotive lending.

**NOW, THEREFORE BE IT RESOLVED**, that the NAACP reaffirms its 2002 policy on predatory & payday lending practices at its 96<sup>th</sup> Annual Convention; and

**BE IT FURTHER RESOLVED**, that the NAACP is against all forms of abusive lending practices that force African-Americans to operate in a two-tiered, separate-and-unequal financial services system and instead seeks to promote responsible solutions that address the real pain caused to the African-American community by predatory lending; and

**BE IT FURTHER RESOLVED**, that in promoting such solutions the NAACP will only support legislation on predatory mortgage lending that: 1) addresses the manner in which predatory mortgage lending strips wealth from African-Americans; 2) provides meaningful solutions to end the following equity stripping practices: mandatory arbitration, exorbitant points and fees such as abusive prepayment penalties and yield spread premiums, flipping, steering, and financing excessive points and fees; and 3) allows states to continue to protect their citizens from such egregious practices; and

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**BE IT FURTHER RESOLVED**, that the NAACP demand that severe sanctions, to include fines, restitution and incarceration, must be included in any legislation and/or regulation that is presented and/or proposed; and

**BE IT FURTHER RESOLVED**, that the NAACP, cognizant of the cycle of poverty caused by payday lending and the barrier it poses to asset building and home ownership, is adamantly opposed to payday lending in all forms and calls on all banks to end their affiliation with abusive payday lenders; and

**BE IT FINALLY RESOLVED**, that the NAACP also calls on all national, state and local banks that provide services to sub-prime lenders, mortgage brokers, appraisers, title companies and the Federal Deposit Insurance Corporation to affirmatively support state efforts to effectively end abusive predatory and payday lending practices.

**1(a). Re-affirming 2002 Policy on Predatory and Payday Lending Practices**

**WHEREAS**, the economic status of African-Americans in general is worse than that of white Americans; and

**WHEREAS**, the net worth of African-Americans is approximately 10% of that of white Americans; and

**WHEREAS**, many African-Americans, as well as other minorities and low-wealth citizens struggle each day to meet basic needs; and

**WHEREAS**, wages have not kept pace with the cost of living; and

**WHEREAS**, the credit needs of African-Americans and other low-wealth citizens is evident in the disparities between net worth, as well as income, and the overall cost of living; and

**WHEREAS**, many financial institutions, including responsible lenders in the sub-prime sector, are knowledgeable of the credit needs of the low-wealth population and many have responded responsibly; and

**WHEREAS**, these credit needs are now targeted and exploited by a growing number of predatory and payday lenders; and

**WHEREAS**, these predatory and payday lenders are concentrated in the sub-prime sector; and

**WHEREAS**, a recent study by the U.S. Department of Housing and Urban Development showed that borrowers in African-American neighborhoods are five

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times more likely to get a loan from a sub-prime lender – and therefore pay more – than borrowers in white neighborhoods; and

**WHEREAS**, borrowers in upper-income African-American neighborhoods are twice as likely as homeowners in low-income white areas to receive sub-prime refinance loans when refinancing; and

**WHEREAS**, over half of mortgage refinancing is in predominately white neighborhoods; and

**WHEREAS**, studies by Fannie Mae and Freddie Mac suggest that sub-prime lenders charge prime borrowers who meet conventional underwriting standards higher rates than those for which they qualify; and

**WHEREAS**, the practice of predatory lending and high cost payday lending are stripping the wealth from these sectors of the populations; and

**WHEREAS**, these predatory and payday lending practices are deepening debt and stripping equity from these populations; and

**WHEREAS**, predatory lending strips over \$9 billion of wealth annually from American families; and

**WHEREAS**, the financing of excessive upfront fees strips equity from homes without providing any benefit to borrowers; and

**WHEREAS**, the practices of “flipping” borrowers through repeated fee-loaded refinancing strips hard-earned equity repeatedly without providing a net tangible benefit for the borrower; and

**WHEREAS**, responsible lenders in the sub-prime sector play an important role for providing borrowers, who have encountered temporary credit problems, with a bridge to conventional financing; and

**WHEREAS**, abusive practices such as prepayment penalties, balloon payments and negative amortization prevent this transition from taking place; and

**WHEREAS**, payday lenders regularly charge customers making five or more loans per year thus, creating a debt treadmill for borrowers; and

**WHEREAS**, payday lenders regularly charge customers rates in excess of 500%; and

**WHEREAS**, ninety (90) percent of total payday loans come from customers taking five or more loans per year, creating a debt treadmill for borrowers; and

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**WHEREAS**, forced arbitration clauses in consumer contracts insulates unfair and deceptive practices from effective review and closes the courtroom door for borrowers who have been wronged; and

**WHEREAS**, mortgage brokers originate over half of all mortgage loans and a relatively small number of brokers are responsible for a large percentage of predatory loans; such broker practices are largely unregulated; and

**WHEREAS**, many borrowers are denied justice because a predatory loan has been purchased or assigned to a third party; and

**WHEREAS**, disclosure, education and protections and remedies under the Federal Home Ownership and Equity Protection Act are important but inadequate responses to the problem of payday and predatory lending.

**THEREFORE BE IT RESOLVED**, that the NAACP stands against such practices and vigorously seek to prohibit payday and predatory lending. These reforms should address steering borrowers to sub-prime loans, preventing financing of excessive fees, limiting prepayment penalties, sufficiently addressing mortgage broker abuse and addressing unfair forced arbitration clauses; and

**BE IT FINALLY RESOLVED**, that the NAACP shall seek the advanced reforms by financial institutions, regulators and policymakers.

### IV. HEALTH

#### 1. Regarding Health Care for All (Universal Health Care)

**WHEREAS**, the health care in the nation continues to worsen as more than 45 million Americans are without health care coverage; and

**WHEREAS**, health care costs are rising exponentially and more Americans than ever are uninsured; and

**WHEREAS**, one of every six Americans under age 65 is uninsured; one out of every three Hispanics and one out of every five African Americans have no insurance; and

**WHEREAS**, the most uninsured people in America are African Americans and Latinos who also have more health problems and die younger; and

**WHEREAS**, more and more employees are reducing or eliminating dependant health care coverage for active workers and retirees, dropping health care coverage entirely, and shifting health care costs to employees; and



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**WHEREAS**, millions of children are without insurance and those that do have health insurance are finding rising premiums, co-payments and deductibles more and more unaffordable; and

**WHEREAS**, children are negatively affected by the crisis in health care physically, mentally, emotionally and academically as the learning ability of children whose quality of life has been severely compromised; and

**WHEREAS**, many insurers are eliminating or charging higher premiums for critical coverage such as prenatal and maternity coverage; and

**WHEREAS**, African Americans are dying from preventable and curable diseases, often because of lack of preventive care and early treatment; and

**WHEREAS**, the infant death rate for African Americans is 2.5 times as high as that of whites, and African Americans have a 30 percent greater chance of dying from preventable heart disease than whites, and from diabetes at twice the rate of whites.

**THEREFORE BE IT RESOLVED**, that the NAACP reaffirms its position that every American deserves access to the excellent healthcare that our country provides to the wealthy and federal officials; and

**BE IT FINALLY RESOLVED**, that the NAACP is committed to working with other like-minded organizations to achieve affordable health care for all Americans.

### V. INTERNAL AFFAIRS

#### 1. Change Article VI, Section 3(b) (Branch), in the Bylaws for Units of the NAACP

**THEREFORE BE IT RESOLVED**, to change Article VI, Section 3(b) (Branch), in the Bylaws for Units of the NAACP to read as follows:

- b. *Branch.* All officers and elected members of the Executive Committee shall be elected by secret ballot for a two-year term and shall serve until their successor is elected and qualified. The term for officers shall begin on January 1 following the election. **All minutes and other official records are the property of the Branch** and shall be **promptly** transferred to the newly elected and qualified officers within 30 days after the election. **Non-compliance with terms herein shall be considered conduct that is inimical to the best interests of the NAACP, meriting disciplinary action pursuant to Article X.**

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### 2. Change Article V, Section 9 (Order of Business), in the Bylaws for Units of the NAACP

**THEREFORE BE IT RESOLVED**, to change Article V, Section 9 (Order of Business), in the Bylaws for Units of the NAACP to read as follows:

#### 9. *(Order of Business)*

Any NAACP Unit, unless altered or suspended at any meeting by a majority vote of the members present, shall follow the order of business at meetings of any NAACP Unit:

- (1) Ascertainment of members present;
- (2) Reading of minutes of previous meeting;
- (3) Reports of Officers;
- (4) Reports of Committees;
- (5) Elections;
- (6) Unfinished Business; and
- (7) New Business;

**In the event that the provisions herein do not address a specific procedural question, the latest edition of Robert's Rules of Order shall apply.** Nonetheless, mere good faith failure to adhere to such rules may not constitute grounds for removal or suspension pursuant to Article X.

### 3. Amending Article VIII Committee of Units Section 5 (Duties of Standing Committees), in the Bylaws for Units of the NAACP

**Insert (Young Adult Committee) as a duty description "q"**

- q. *Young Adult Committee:* The committee shall consist of the Youth Unit(s) Presidents and at least five (5) other members appointed by the Branch President. It shall be the function of the Young Adult Committee to: 1) Support all branch activities; 2) Stimulate interest through advocacy training and solicit membership of 25-35 year olds; 3) Create a multi-directional mentorship program (Branch to Young Adults and Young Adult to Youth Units) to serve as support bridge from Youth and College to Branch participation; 4) Provide networking and social opportunities for young adults in the local

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community; and 5) Encourage the participation of young adults in all activities and leadership within the Branch.

4. **Amending Article VIII Committee of Units, Section 6 (Reporting to Executive Committee), in the Bylaws for Units of the NAACP**

**Insert (Reporting to Executive Committee) as a duty description “s”**

s. All Standing Committees shall report in writing each month to the Executive Committee at its regular meetings.

5. **Amending Article VIII Committee of Units, Section 4(c) (Standing Committees and Special Committees of Units), in the Bylaws for Units of the NAACP**

**Insert Young Adult Committee as Standing Committees of Branches**

c. *Standing Committees of Young Adult Committee.* The Standing Committees of Units shall be: Communications, Press and Publicity; Community Coordination; Education; Finance; Freedom Fund; Health; Legal Redress, Membership and Life Membership; Political Action; Religious Affairs; Youth Work; and Women in the NAACP (WIN); Committee on Armed Services and Veterans Affairs; Economic Empowerment; Housing; Labor and Industry; Prison Branch Support; and Young Adult Committee.

## VI. **LEGISLATIVE**

1. **NAACP’s Position on Proposed Changes to Social Security**

**WHEREAS**, for more than 60 years, Social Security has kept generations of Americans out of poverty by providing a base for retirement and a true sense of security; and

**WHEREAS**, Social Security now provides the sole income for more than one-third of the nation’s retirees, disabled and survivors; and

**WHEREAS**, Social Security remains especially important to African Americans and other racial and ethnic minority Americans, as we have traditionally been at the low end of the earning scale over our lifetimes; as a result, Americans of color are less likely to have substantial individual savings and are generally more dependent on Social Security in our retirement years; and

**WHEREAS**, Social Security is the only source of income for 1 in 3 African Americans over the age of 65; and

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**WHEREAS**, without the guaranteed Social Security benefits they receive today, the poverty rate among older African Americans would more than double, pushing most African American seniors into squalor and poverty during their most vulnerable years; and

**WHEREAS**, a decrease in Social Security benefits would prove to be especially traumatic to African Americans, as almost 80% of African Americans over age 65 depend on Social Security for more than half of their income and more than half rely on it for 90% or more of their income; and

**WHEREAS**, Social Security remains one of the most important anti-poverty programs ever undertaken by the U.S. government for its citizens; and

**WHEREAS**, Social Security benefits for disabled workers and surviving family members are also imperative to the survival of a disproportionately high number of African Americans; and

**WHEREAS**, African Americans between the ages of 50 and 59 are nearly two times as likely as other workers in that age group to become disabled; and

**WHEREAS**, African American children are almost four times as likely to be lifted out of poverty by Social Security benefits than our white counterparts; and

**WHEREAS**, we must take care to see that the impact of any changes in the Social Security system does not fall disproportionately on lower income groups, or on those Americans whose work-life has been physically demanding; and

**WHEREAS**, any changes should not make the financing of Social Security any less progressive; and

**WHEREAS**, while the NAACP strongly encourages all Americans at every age and of every racial and ethnic background to invest in the American economy and to save for the future, privatization of one's Social Security benefits would make many seniors even more dependant on the state of the national economy while gambling our Social Security benefits on the volatile stock market that has, in recent years, left too many of our seniors with nothing but our government program to sustain them; and

**WHEREAS**, the privatization plans that we have seen to date being promoted by the White House actually eliminate the progressive benefit structure, which gives more help to lower wage workers than it does to those with higher incomes; and

**WHEREAS**, the NAACP remains staunchly opposed to any initiative that would require Social Security beneficiaries to pay more for the administration of the program, and thus receiving less; and

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**WHEREAS**, to date, all of the privatization proposals that have been put forth would, in fact, increase the administrative overhead of Social Security; and

**WHEREAS**, there are many issues within the Social Security program that need to be reviewed, such as the burial amount given to survivors. Currently, Social Security provides families with \$255 to cover burial fees; an amount that has not changed since 1955. At 2005 rates, that is barely enough to cover the flower arrangements; and

**WHEREAS**, one of the very real problems currently facing the Social Security system is not from demographics, but from stagnant wage growth; in fact, more than two-thirds of the projected Social Security shortfall can be directly attributed to the slower growth of real wages; and

**WHEREAS**, many high paying jobs are being outsourced to foreign countries, and outsourcing jobs reduces the total number of Americans working at jobs that pay a decent salary and thus causing less revenue to be accrued by the Social Security Trust Fund; and

**WHEREAS**, each job that leaves the country diminishes the tax base that funds Social Security.

**THEREFORE BE IT RESOLVED**, that the NAACP is firmly opposed to any change in the Social Security Administration system which may result in an increase in vulnerability or in a decrease in benefits; and

**BE IT FURTHER RESOLVED**, that the NAACP go on record against the rapid increase in outsourcing jobs to other countries and that businesses be encouraged to increase and expand the US work force; and

**BE IT FURTHER RESOLVED**, that the NAACP remains staunchly opposed to any plan that would decrease or in any way jeopardize the guaranteed benefits that America's seniors, disabled or survivors currently receive from Social Security; and

**BE IT FURTHER RESOLVED**, that the NAACP supports all efforts to ensure that Social Security is protected for generations to come, and is committed to working with policy-makers who understand the very real need many people in our communities across the country have for guaranteed Social Security benefits; and

**BE IT FURTHER RESOLVED**, that the NAACP urges everyone who is looking at the issues surrounding Social Security to move cautiously, as the NAACP is well aware that Social Security is currently in solid financial standing and will remain so for years to come; and

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**BE IT FURTHER RESOLVED**, that the NAACP strongly urges the Social Security system to use correct actuarial tables to make them reflective of the African American mortality experience; and

**BE IT FURTHER RESOLVED**, that the NAACP, in addition to ensuring the continuity of guaranteed benefits at their current levels, will also focus on the need to address issues that have not changed for decades; and

**BE IT FINALLY RESOLVED**, that the NAACP is firmly opposed to any plan that seeks to privatize or otherwise move the maintenance, control or administration of Social Security benefits to any private non-government entity.

### 2. Reauthorization of Expiring Portions of the Voting Rights Act of 1965

**WHEREAS**, the *Voting Rights Act* was passed by Congress and signed onto law by President Lyndon Baines Johnson on August 6, 1965; and

**WHEREAS**, August 6, 2005, represents the 40<sup>th</sup> Anniversary of the passage of the *Voting Rights Act*; and

**WHEREAS**, the *Voting Rights Act* eliminated the use of literacy tests and other arbitrary and discriminatory measures and provided for the appointment of federal examiners empowered to register qualified citizens to vote; and

**WHEREAS**, the *Voting Rights Act* of 1965 was passed to supplement and implement the Fifteenth Amendment to the Constitution and further guarantee that no federal, state or local government shall in any way impede or discourage people from registering to vote or voting because of their race or color; and

**WHEREAS**, the anti-discrimination provisions of the *Voting Rights Act* are permanent; and

**WHEREAS**, three enforcement-related provisions of the *Voting Rights Act* will expire in 2007 unless reauthorized; and

**WHEREAS**, specifically, Section 5 of the *Voting Rights Act*, which requires certain jurisdictions to obtain approval or “pre-clearance” from the U.S. Department of Justice or the U.S. District Court in D.C. before they can make any changes to voting practices or procedures is due to expire in 2007; and

**WHEREAS**, under Section 5, federal approval will be given only after the jurisdiction proves that the proposed change does not have the purpose or effect of denying or abridging the right to vote on account of race or color; and

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**WHEREAS**, Section 5 applies to any state or county where a literacy test was used as of November 1, 1964, and where less than 50% of the voting age residents of the local jurisdiction were registered to vote, or actually voted, in the presidential election of 1964, 1968, or 1972; and

**WHEREAS**, currently, Section 5 affects all or part of 16 states: All of Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, and Texas. Most of Virginia, 4 counties in California, 5 counties in Florida, 2 townships in Michigan, 10 towns in New Hampshire, 3 counties in New York, 40 counties in North Carolina, and three counties in South Dakota; and

**WHEREAS**, Section 203, which requires certain jurisdictions to provide bilingual language assistance to voters in communities where there is a concentration of citizens who are limited English proficient, which was added to the *Voting Rights Act* in 1975, is also set to expire in 2007; and

**WHEREAS**, as of 2002, there are 382 local jurisdictions that need to provide language assistance in Spanish and 119 that must provide assistance to Asian Americans, Alaska Natives, and/or Native Americans; and

**WHEREAS**, because some of these jurisdictions overlap, a total of 466 local jurisdictions across 31 states are covered by the language minority provisions of the Act; and

**WHEREAS**, provisions in Sections 6-9 that authorize the federal government to send federal election examiners and observers to certain jurisdictions covered by Section 5 where there is evidence of attempts to intimidate minority voters at the polls is also set to expire in 2007; and

**WHEREAS**, Section 5 was reauthorized with broad bi-partisan support in 1970, 1975, and 1982 (for 25 years); Section 203 was enacted in 1975, and reauthorized in 1982 and 1992 (for 15 years); and

**WHEREAS**, while making Section 5 permanent may seem attractive, doing so would make it vulnerable to a constitutional challenge; because Section 5 is race conscious, it must be able to withstand "strict scrutiny" by the courts; and

**WHEREAS**, the provision must be "narrowly tailored" to address the harms it is designed to cure; many legal experts question whether the Court would find a *permanent* Section 5 to be "narrowly tailored," such as to survive a constitutional attack; and

**WHEREAS**, while a "nationwide" Section 5 is also an appealing prospect, it would also be vulnerable to constitutional attack as not "narrowly tailored" or "congruent and proportional" to address the harms it is designed to cure, as

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required by the Supreme Court's recent precedents; Section 5 is directed at jurisdictions with a history of discriminating against minority voters; and

**WHEREAS**, nationwide application of Section 5 would be extremely difficult to administer, given the volume of voting changes that would have to be reviewed; this expansion of coverage would dilute the Department of Justice's ability to appropriately focus its work on those jurisdictions where there is a history of voting discrimination.

**THEREFORE BE IT RESOLVED**, that the NAACP endorses and calls upon the Congress and President of the United States to reauthorize and strengthen the expiring provisions of the *Voting Rights Act* for at least 25 more years, until August 6, 2032 or later.

### VII. MEMORIAL

#### 1. Supporting a National Holiday for Farm Worker Cesar E. Chavez

**WHEREAS**, Cesar E. Chavez, the founder and former President of the United Farm Workers of America, AFL-CIO stood as one of the heroic figures of the 20<sup>th</sup> century who inspired millions in our nation into action for economic justice, civil rights and political empowerment; and

**WHEREAS**, Cesar E. Chavez led a historic "Si Se Puede" non-violent movement for farm workers' rights which included strikes, a five-year boycott of grapes which won the first labor contracts in the grape fields, personal fasts in protest of the use of dangerous pesticides by agribusiness, and historic legislation including the outlawing of the back-breaking short handle hoe in 1975, and the establishment of the Agricultural Labor Relations Act, the first law governing farm labor organizing in the continental United States; and

**WHEREAS**, the legacy of Cesar E. Chavez, like the legacy of Dr. Martin Luther King, Jr., serves to educate, inspire, and serve as a model for all Americans and the generations to come; and

**WHEREAS**, the successful campaign to make Cesar E. Chavez's birthday, March 31<sup>st</sup>, an official paid state holiday in California and a day of service and learning in their public schools, has launched a national movement calling on Congress to do the same with an official federal holiday for Cesar E. Chavez, which would be the first time in history that a labor leader and Latino would be honored in this way; and

**WHEREAS**, this movement has now won Cesar E. Chavez state holidays in Arizona, Texas, Colorado, New Mexico, Michigan and Utah in addition to California; and



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**WHEREAS**, establishment of a national holiday for Cesar Chavez is in keeping with the mission of the NAACP to insure the political, education, social and economic equality of minority groups and citizens.

**THEREFORE BE IT RESOLVED**, that the NAACP calls on President George W. Bush and the United States Congress to establish an official paid federal holiday for Cesar E. Chavez on his birthday, March 31<sup>st</sup>, and establish a day of learning and service in our public schools; and

**BE IT FINALLY RESOLVED**, that the NAACP will officially join the National Coalition for a Cesar E. Chavez National Holiday and, in so doing, become an active partner alongside Latino, civil rights, interfaith, and other leaders, elected officials, celebrities, and organizations who are working together to insure that the legacy of Cesar E. Chavez is recognized and celebrated throughout our nation.

### **VIII. MILITARY**

#### **1. Mandatory Draft of Males and Females Ages 18-26**

**WHEREAS**, the United States is currently involved in a war that is being fought in large part by National Guards, Reservists, and African Americans and other ethnic male and female volunteers who make up the majority of enlisted military personnel; and

**WHEREAS**, many of these young people chose to volunteer for the military for patriotic reasons but also as a way of improving their lives and especially for the education and training opportunities the services provide; and

**WHEREAS**, as a result of their disproportionate numbers, these young and poor people die and are injured in higher numbers than their White counterparts; and

**WHEREAS**, despite denials by the U. S. Selective Service System regarding the reinstatement of the mandatory draft for males and females 18-26 years of age, there is pending legislation in the House and Senate (companion Bills: S89 and HR 163) that could initiate the programs as early as Spring, 2005, just after the 2004 presidential election; and

**WHEREAS**, Representative Charles Rangel (D-NY) has introduced the Universal National Services Act of 2003 which declares its intent "To provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, and for other purposes;" and

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**WHEREAS**, HR 163 would require draft by lottery of men and women 18-26 for two year terms and “1) as a member of an active or reserve component of the uniformed services; or 2) in a civilian capacity that, as determined by the President, promotes the national defense, including national or community service and homeland security”; and

**WHEREAS**, under this joint legislation, certain benefits now accorded military personnel will be eliminated.

**THEREFORE BE IT RESOLVED**, that the NAACP commission a series of studies to specifically outline the advantages and disadvantages of a mandatory military draft to determine, among other things:

- a) What safeguards will exist in a new mandatory draft law that will prevent disproportionate numbers of Black men and women from being drafted?
- b) Will draft exemptions be included in the law that favor advantaged or wealthy youth versus less advantaged or poverty-stricken youth?
- c) What are the present casualty rates and are minority groups suffering casualties at a higher rate than Whites?
- d) What safeguard for the one child in the family?

**BE IT FURTHER RESOLVED**, that the NAACP call on the Armed Services Committee of the United States House of Representatives and United States Senate along with the Congressional Black Caucus and the Hispanic Caucus to hold hearings and make public the advantages and disadvantages of a mandatory draft; and

**THEREFORE BE IT FINALLY RESOLVED**, that the NAACP is opposed to any form of mandatory military draft until studies have been completed showing it will not disproportionately affect poor African-Americans and other minority youth.

### **IX. VOTING RIGHTS**

1. **Re-affirming Support of Full Voting for all Citizens of the United States, Including the Residents of the District of Columbia**

**WHEREAS**, over half a million people living in the District of Columbia, capital of our democratic nation, are denied voting representation in the U.S. Senate and U.S. House of Representatives; and

**WHEREAS**, District of Columbia residents are denied local governmental autonomy and must submit their local budget for approval to the U.S. Congress in which they have no voting representation; and

## 2005 RESOLUTIONS

**WHEREAS**, District of Columbia residents pay over \$3 billion annually in federal income taxes; and

**WHEREAS**, our nation is founded on the principles of “one person, one vote” and government by the consent of the governed, and

**WHEREAS**, the Inter-American Commission on Human Rights of the Organization of American States has found the United States to be in violation of international human rights law for its disenfranchisement of District of Columbia residents; and

**WHEREAS**, Article I, Section B of the U.S. Constitution gives Congress the power, “To exercise exclusive legislation in all cases whatsoever, over such District...as may...become the seat of the government of the United States, and “[t]o make all laws which shall be necessary and proper for carrying into execution the foregoing powers; “and

**WHEREAS**, the Fourteenth Amendment to the U.S. Constitution provides all citizens of the United States of America with the guarantee of the equal protection of the laws, and gives Congress the power to enforce such guarantee; and

**WHEREAS**, there are serious efforts in many states to re-enfranchise non-citizen immigrants permitting them voting rights in national, state and local elections.

**THEREFORE, BE IT RESOLVED** that the NAACP affirms its support for full voting representation for the residents of the District of Columbia by endorsing Congresswoman Eleanor Holmes Norton and Senator Joseph Lieberman’s “No Taxation Without Representation Act” (H.R. 1285 and S. 617, respectively) and other similar solutions for full voting representation for District of Columbia residents; and

**BE IT FURTHER RESOLVED**, in order to ensure bipartisan support in the U.S. House and U.S. Senate for the “No Taxation Without Representation Act, “ the NAACP strongly encourage our members to contact their members of Congress and their Senators to ask them to be co-sponsor of this important legislation; and

**BE IT FINALLY RESOLVED** that with national polling data showing that most Americans are unaware of the disenfranchisement of District of Columbia residents, and that when informed about supporting voting rights, the NAACP through its national, regional and local offices and its members will work to better raise awareness and educate the American citizenry about this injustice and to take action towards a solution.

## 2005 RESOLUTIONS

### 2. Voting Rights of Homeless Individuals or Persons with Non-Traditional Residences

**WHEREAS**, a democracy derives its power and integrity from the full participation of its citizens; and

**WHEREAS**, the NAACP supports democracy, dignity and freedom and is committed to ensuring the political equality of all persons; and

**WHEREAS**, election laws should embody a commitment to facilitate voting for all qualified individuals, including those who are homeless or have non-traditional residences; and

**WHEREAS**, laws governing the process or procedures for homeless individuals or persons with non-traditional residences to register to vote may vary significantly among states and may be cumbersome; and

**WHEREAS**, homeless individuals or persons with non-traditional residences may experience difficulty in registering to vote and in exercising their right to vote and may require assistance in the voting process.

**THEREFORE BE IT RESOLVED**, that the NAACP supports local, state and federal legislation or guidelines that ensure that homeless individuals or persons with non-traditional residences have equal access to voting; and

**BE IT FURTHER RESOLVED**, that the NAACP calls upon the federal government to earmark funds to assist homeless shelters and other temporary emergency housing facilities in providing assistance to homeless individuals or persons with non-traditional residences in registering to vote and in exercising their right to vote.

# EMERGENCY RESOLUTIONS

## 2005 EMERGENCY RESOLUTIONS

### I. CIVIL RIGHTS

#### 1. Denouncing Racist Mexican Stamps

**WHEREAS**, the Mexican Government recently issued a blatantly racist stamp which depicts Blacks in degrading and historically demeaning images; and

**WHEREAS**, these stamps are the second offensive act against Blacks in America by the Mexican Government in recent weeks. President Vicente Fox made statements in a press conference that Mexican immigrants take jobs that “even Blacks won’t take;” and

**WHEREAS**, during the African Slave Trade, millions of Africans were taken to North and South America. The Oltec heads and remains found in Mexico of ancient people from that Region, show distinct similarities between Mexicans and Africans. Research has shown that there is significant evidence of the African continent’s influence on the people who populate Mexico today; and

**WHEREAS**, historically, Mexican descendants in America have benefited from the rights gained by African Americans won in the Civil Rights Movement, of which the NAACP played a significant role; and

**WHEREAS**, the NAACP fights for the rights of all persons of color, including persons of Mexican descent. Some of the current issues include immigration, housing, language equity, voting rights, educational equity, voting rights, and temporary welfare assistance; and

**WHEREAS**, the NAACP has fostered numerous positive relationships with Hispanic and Latino organizations and intends to continue to strengthen them and foster more; and

**WHEREAS**, the NAACP invited Mexican President Vicente Fox to address the body of delegates at the 96<sup>th</sup> Annual Convention and he declined to attend.

**THEREFORE BE IT RESOLVED**, that the NAACP calls on the Mexican Government to immediately cease and desist from printing and distributing any further stamps; and,

**THEREFORE BE IT FURTHER RESOLVED**, that the NAACP will encourage Latino and Hispanic groups to encourage Mexican Government officials to use discretion and sensitivity in their official business; and,

**THEREFORE BE IT FINALLY RESOLVED**, that the NAACP denounces the Mexican stamp and any other remnants of degrading images of buffoonery against African Americans or any other minority groups.

## 2005 EMERGENCY RESOLUTIONS

### 2. NAACP Resolution Supporting Continued Sovereignty and Federal Recognition of the Schaghticoke and Eastern Pequot Tribal Nations

**WHEREAS**, Native Americans with African American ancestry have faced great difficulty in receiving federal recognition; and

**WHEREAS**, Native American tribes in general and the Schaghticoke and Eastern Pequot Tribal Nations specifically are under attack from outside political forces; and

**WHEREAS**, these two tribes were recognized by the State of Connecticut and granted federal recognition by the Bureau of Indian Affairs (“BIA”) in 2002 and 2004 respectively; and

**WHEREAS**, as of May 17<sup>th</sup> after an intense lobbying effort by Connecticut politicians and anti-casino groups, the Interior Department’s Board of Indian Appeals voted to void the BIA’s previous decisions and remanded the decisions back to the agency for reconsideration; and

**WHEREAS**, the Interior Department on May 23, 2005 further refused to accept any new evidence from the tribes to bolster their petitions; and

**WHEREAS**, the final review period and a decision on the two tribes’ destiny is due within 120 days of the May 2005 date and could be precedent setting in nature; and

**WHEREAS**, on two previous occasions the NAACP voted to support the recognition of Native American tribes across the country in 1993 and 2003.

**THEREFORE BE IT RESOLVED**, that the NAACP will continue to support all legitimate claims for Native American federal recognition in general including the Schaghticoke and Eastern Pequot’s Tribal Nations. The NAACP will vigorously oppose, through legislation, public rallies and court action, any and all attempts to discriminate against Native Americans in the federal recognition process; and

**BE IT FURTHER RESOLVED**, that the NAACP reaffirm its support of the federal recognition for Native Americans given at the 1993 and 2003 Conventions and urge the State of Connecticut to honor the Schaghticoke Tribal Nation’s and the Eastern Pequot Tribal Nation’s sovereignty and federal recognition; and

**BE IT FINALLY RESOLVED**, that all NAACP units continue to work with Native American tribes as they seek federal recognition through administrative and legal processes.

## 2005 EMERGENCY RESOLUTIONS

### II. AFFIRMATIVE ACTION

#### 1. Defending Affirmative Action

**WHEREAS**, the Supreme Court of the United States ruled in *Grutter v. Bollinger* that Affirmative Action is necessary for realizing democracy in a nation that is growing increasingly diverse and multicultural; and

**WHEREAS**, California businessman Wardell Connelly has arrived in Michigan and launched a misleading and deceptive campaign to amend Michigan's Constitution to outlaw Affirmative Action and nullify the Court's decision; and

**WHEREAS**, this false and divisive campaign has and will continue to stir and exploit gender bias and racial resentment; and

**WHEREAS**, this deceptive campaign, led by the Michigan Civil Rights Initiative (MCRI), is certain to have broad and far reaching, unintended consequences and will irreparably harm the ability of all Michigan residents to enjoy a fair chance in education and employment, and will cripple the efforts to create gender and racial diversity in key areas including health care, education, and law enforcement; and

**WHEREAS**, the MCRI's efforts exactly mirror the efforts led by the American Civil Rights Initiative to defeat Affirmative Action in California with *Proposition 209* and Washington State with *Initiative 200*; which turned back the clock on the gains in civil rights, establishing the rights of women, people of color, and all Americans to enjoy the rights and privileges articulated in the thirteenth, Fourteenth and Nineteenth Amendments; and

**WHEREAS**, the Michigan State Conference of the NAACP has forged an alliance with One United Michigan to defend and preserve Affirmative Action in Michigan. The coalition encompasses over 200 organizations and corporations, including: UAW, AARP of Michigan, Detroit Renaissance, Council of Baptist Pastors of Detroit and Vicinity, Michigan ACLU, Michigan Education Association, Detroit Regional Chamber, National Women's Political Caucus, Michigan Catholic Conference, and Leadership Conference on Civil Rights; and

**WHEREAS**, the Association of Michigan Universities, through delegation from the Youth and College Division of the Michigan State Conference of the NAACP, has agreed to openly promote Affirmative Action policies and outreach programs throughout its membership which includes all 15 of Michigan's public institutions of higher education; and



## 2005 EMERGENCY RESOLUTIONS

**WHEREAS**, the Michigan State Conference with its 27 adult branches and 14 youth and college chapters, support the legal challenge of the 500,000 plus signatures submitted by the MCRI to the Michigan Board of Canvassers in a suit filed by the Coalition to Defend Affirmative Action, Integration, and Immigrant Rights and Fight for Equality By Any Means Necessary, also known as BAMN; and

**WHEREAS**, some of these affidavits were signed by NAACP members, including Ruthie Stevenson, president of the Macomb County, Michigan NAACP Branch, who signed an affidavit stating that a signature gatherer for MCRI approached her to sign a petition with the fraudulent claim that the president of the Macomb County Branch supported the petition when in fact President Stevenson was strongly opposed to this anti-affirmative action proposal; and

**WHEREAS**, the Michigan Board of Canvassers has scheduled a hearing to take place on July 19<sup>th</sup>, to determine the validity of the petitions submitted by the MCRI and may place this issue on Michigan's 2006 Electoral Ballot.

**THEREFORE BE IT RESOLVED**, that the NAACP affirms its support for the work of the Michigan State Conference, and its units to reject any and all attempts to amend the Michigan Constitution to end Affirmative Action; and

**THEREFORE BE IT FURTHER RESOLVED**, that the NAACP supports the efforts of civil rights groups and progressive organizations in Michigan to mobilize supporters to attend the July 19<sup>th</sup> hearing and urges representatives of the Michigan State Conference and all affected Michigan units and their members to present testimony at said hearing and sign affidavits if they signed a petition for MCRI obtained through fraudulent and deceptive means; and

**BE IT FINALLY RESOLVED**, that the NAACP will work to identify resources in Michigan and all state conferences to defend Affirmative Action and to defeat such deceitful and fraudulent proposals like MCRI wherever and whenever they occur in our nation.

### III. FOREIGN AFFAIRS

#### 1. Calling Upon President Bush to Strengthen the United States Involvement in Haiti

**WHEREAS**, Haiti was initially explored by Columbus on December 6, 1492, and in 1697 became the French colony of Saint-Dominique. In 1791, an insurrection erupted among the slave population of 480,000, resulting in a declaration of independence by Pierre-Dominique Toussaint l'Ouverture in 1801. Napoléon Bonaparte suppressed the independence movement, but it eventually triumphed in 1804 under Jean-Jacques Dessalines, who gave the new nation the Arawak name *Haiti*. It was the western hemisphere's first independent black republic; and

## 2005 EMERGENCY RESOLUTIONS

**WHEREAS**, in February 2004, opposition forces staged an armed rebellion against the democratically elected president of Haiti, Jean-Bertrand Aristide. The rebellion joined together the right-wing Convergence for Democracy, the pro-business Group of 184 and militia commanders close to former dictators, Francois “Papa Doc” Duvalier and Jean-Claude “Baby Doc” Duvalier. The rebel military force was small, but the Aristide government had no army and only weak police units; and

**WHEREAS**, when the rebels captured provincial capitals, regional organizations sought a political solution to the crisis. The Organization of American States (OAS) and the Caribbean Community (CARICOM) urged the United Nations Security Council to send a multinational force to restore order; and

**WHEREAS**, on February 29, 2004 the day Aristide left the country and went into exile, the Security Council unanimously voted to send a multinational military force to restore order. The United States and France played a leading role in this force, along with Canada and Chile. On April 30, 2004 the Council adopted a new resolution establishing a peacekeeping force in Haiti (MINUSTAH) for an initial six months; and

**WHEREAS**, the U.N. Security Council Resolution 1542 established the mandate for the peacekeeping mission on June 1, 2004 and designated three principal areas of responsibility: providing a secure and stable environment; supporting the democratic political process and good governance in preparation for upcoming elections; and monitoring and reporting on human rights conditions; and

**WHEREAS**, despite efforts, the U.N. peacekeeping force has not been able to curtail the violence in Haiti; and

**WHEREAS**, at the end of 2004, the U.S. State Department concluded that the authority of the Interim Government of Haiti [IGOH] was largely limited to central Port-au-Prince, with pro-Aristide groups in control of many of the Port-au-Prince slums; leaving the rest of the country unprotected with anti-Aristide rebels are in control of many towns in the countryside. By another estimate, 60 percent of the national territory was beyond the control of the government, and the escalating violence continues to claim and has severely restricted Haitians’ daily lives, especially those that live in Port-au-Prince, with little sign of an aggressive National Police/U.N. plan to re-take this territory; and

**WHEREAS**, United Nations Secretary General Kofi Annan urged the United States to send military assistance to Haiti to support a UN peacekeeping mission beset by mounting armed challenges to its authority; and

**WHEREAS**, local elections are to be held on October 9 and legislative and presidential elections are scheduled for November 13, with a run-off set for

## 2005 EMERGENCY RESOLUTIONS

December 18. However, voter registration and other election procedures are not on schedule; and

**WHEREAS**, the widespread human rights abuses and ongoing violence in the country make the prospect of democratic elections extremely difficult; and

**WHEREAS**, Haitian leaders have complained that the peacekeeping mission failed to help local authorities keep order among street gangs in the capital; and

**WHEREAS**, the political, security, and social-economic situation in Haiti remains in crisis, the transitional government is weak and fighting to maintain credibility, and there are no clear signs of either political reconciliation or economic reconstruction.

**THEREFORE BE IT RESOLVED**, that the NAACP calls on President Bush to take a stronger leadership role in helping to stabilize Haiti by sending US troops of Haitian descent, to support the Haitian National Police; and

**BE IT FURTHER RESOLVED**, that the NAACP calls on national, racial and ethnic minority, legal and law enforcement associations to provide technical, legal and law enforcement services and training to assist in strengthening and improving the Haitian Justice System; and

**BE IT FURTHER RESOLVED**, that the NAACP calls on President Bush to provide adequate funding to empower and train the Haitian National Police, to support the Haitian Judiciary, and to support economic development, while supporting Haitian sovereignty; and

**BE IT FINALLY RESOLVED**, that the NAACP calls on the United States to improve its Haitian Immigration policy by passing the Haitian Compassion Act introduced by Congressman Alcee Hastings which would provide Temporary Protected Status against deportation for Haitian citizens living in the United States.

### IV. HEALTH

#### 1. BiDiI in Treatment Plan of Black Patients with Congestive Heart Failure

**WHEREAS**, Blacks and other racial and ethnic minorities experience worse patient health outcomes for a variety of diseases and conditions than their white counterparts; and

**WHEREAS**, congestive heart failure affects approximately five million Americans and more than 750,000 are Black; and

## 2005 EMERGENCY RESOLUTIONS

**WHEREAS**, according to the Centers for Disease Control and Prevention, Blacks between the ages of 45 and 64 are 2.5 times more likely to die from heart failure than Caucasians in the same age range; and

**WHEREAS**, Blacks also present with congestive heart failure earlier than other patient populations and, as a result, die sooner; and

**WHEREAS**, heart failure drugs have traditionally been tested overwhelmingly in Caucasians, causing researchers to develop recommendations and treatment regimens for all populations based on these study results; and

**WHEREAS**, some medicines approved for the treatment of heart failure, such as ACE inhibitors, appear to be less effective in Black patients; and

**WHEREAS**, the African American Heart Failure Trial (A-HeFT) included 1,050 self-identified African American patients with congestive heart failure; and

**WHEREAS**, the A-HeFT was a revision of the Vasodilator Heart Failure Trial (V-HeFT) study and conducted by National Medical Association (NMA) physicians who are members of the Association of Black Cardiologists (ABC) as well as internationally renowned with extensive experience in treating Black patients that have cardiovascular disease; and

**WHEREAS**, A-HeFT trial outcomes were astounding: the clinical trial supports the FDA releasing this drug for use in Black patients with congestive heart failure based on the fact that there was a 43% reduction in mortality for patients that received the drug versus those that received the placebo; and

**WHEREAS**, a new heart failure medication, BiDil was approved in June of 2005 by the U.S. Food and Drug Administration (FDA) with a specific indication for Blacks suffering from this debilitating disease; and

**WHEREAS**, this represents a new era in developing targeted therapies for specific patient populations; and

**WHEREAS**, BiDil has the potential to save thousands of lives a year in a population that has been disproportionately impacted by congestive heart failure; and

**WHEREAS**, the NAACP fully supports targeted research efforts, like A-HeFT to help determine the root of existing health disparities; and

**WHEREAS**, the NAACP is in strong support of clinical trials that reduce mortality and morbidity in all patients; and

## 2005 EMERGENCY RESOLUTIONS

**WHEREAS**, the potential for biases and discrimination in the development, marketing and dissemination of personalized medications exist; and

**WHEREAS**, the NAACP, as the nation's oldest and largest civil rights organization, must protect against injustice and inequity in healthcare.

**THEREFORE BE IT FINALLY RESOLVED**, that the NAACP encourages Black patients with significant congestive heart failure to discuss with their physician BiDil and other treatment modalities, acknowledging that, in actuality, the variation in response to pharmaceuticals such as Bidil is based upon genetic variation. Studies are needed to determine which genetic profile or sequences respond to different medications; this is the basis for personalized medicine, the future of pharmaceuticals.

### V. MILITARY

#### 1. Supporting the Establishment of a Timeline for U.S. Military Activities in Iraq

**WHEREAS**, the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) was passed by Congress on October 11, 2002; and

**WHEREAS**, on October 19, 2002, the NAACP National Board of Directors unanimously passed a resolution opposing armed conflict against the Country of Iraq without exercising all options, including but not limited to, United Nations arms inspections and expressing our concern regarding the disproportionate enlistment of young people into the armed services, particularly African Americans; and

**WHEREAS**, Public Law 107-243 cited Iraq's possession of weapons of mass destruction as a primary reason for the use of United States Armed Forces against Iraq; and

**WHEREAS**, on January 12, 2005, without finding any weapons of mass destruction, the President officially declared an end to the search for weapons of mass destruction in Iraq; and

**WHEREAS**, the United States initiated combat operations in Iraq on March 19, 2003; and

**WHEREAS**, hundreds of thousands of members of the United States Armed Forces have served with honor and distinction in Iraq; and

**WHEREAS**, more than \$200 billion has been appropriated by Congress to fund military operations and reconstruction in Iraq; and

## 2005 EMERGENCY RESOLUTIONS

**WHEREAS**, more than 1,700 members of the United States Armed Forces have been killed and more than 12,000 members of the Armed Forces have been wounded in substantially accomplishing the stated purpose of the United States of giving the people of Iraq a reasonable opportunity to decide their own future; and

**WHEREAS**, it is estimated that between 23,000 and 26,000 Iraqi citizens have also been killed since hostilities began; and

**WHEREAS**, the United States military occupation of Iraq has placed significant strains on the capacity of the United States Armed Forces, both active duty and reserve; and

**WHEREAS**, the armed forces of Iraq number more than 76,000 troops as of June 8, 2005, and are growing in number and capability daily; and

**WHEREAS**, the forces of the Iraqi Interior Ministry number more than 92,000 personnel as of June 8, 2005, and are growing in number and capability daily; and

**WHEREAS**, the United States has in place a timetable for training, equipping, and employing Iraqi security forces to take over the counterinsurgency mission from coalition forces; and

**WHEREAS**, the joint explanatory statement accompanying the conference report for the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13) requires the Secretary of Defense to report not later than July 10, 2005, and every 90 days thereafter, on measures of security, political, and economic progress in Iraq; and

**WHEREAS**, Congress, under Article I, Section 8 of the Constitution of the United States, must accept its full share of responsibility in matters involving the deployment of United States Armed Forces in foreign wars.

**THEREFORE BE IT RESOLVED**, that the NAACP calls on the United States government to announce a plan for withdrawal of all United States Armed Forces from Iraq; and

**BE IT FURTHER RESOLVED**, that the NAACP urges the United States government, at the earliest possible date, to turn over all military operations in Iraq to the elected Government of Iraq and provide for the prompt and orderly withdrawal of all United States Armed Forces from Iraq; and

**BE IT FINALLY RESOLVED**, that the NAACP supports and urges the United States government to initiate such a withdrawal as soon as possible.

## 2005 EMERGENCY RESOLUTIONS

### VI. POLITICAL

1. Calling Upon President Bush to Consult with Members of all Political Parties and Representatives from a Wide Variety of Community Based Civil Rights Organizations when Deciding who to Nominate to Fill Vacancies at the U.S. Supreme Court

**WHEREAS**, the U.S. Supreme Court, being the highest court in our nation, has the final say on a myriad of issues important to almost all Americans, including civil rights, integration, affirmative action, education rights and policies, workplace discrimination, police brutality, voting rights, religious freedom, prayer in schools, the death penalty, immigration and school vouchers; and

**WHEREAS**, over the last 11 years the Court has heard an average of four cases regarding questions involving race per year; and

**WHEREAS**, almost half of these have been voting rights cases; and

**WHEREAS**, in order for the decisions of the Supreme Court to be accepted and respected throughout our nation, it should be the goal of the President to seek input from as many of the diverse communities of our nation as possible in the selection of nominees to fill any vacancies that may occur on the Court; and

**WHEREAS**, on July 1, 2005, United States Supreme Court Associate Justice Sandra Day O'Connor decided to retire after 24 years of commendable service; and

**WHEREAS**, Justice O'Connor has consistently served as an independent voice on our nation's highest court; and

**WHEREAS**, on many occasions, Justice O'Connor has provided the swing vote in 5-4 decisions; and

**WHEREAS**, the most significant example of this is the Supreme Court's decision in *Grutter v. University of Michigan*, where she ruled that affirmative action in higher education was lawful to support a diverse student body; and

**WHEREAS**, Supreme Court Chief Justice Rehnquist has been suffering from thyroid cancer and is expected to retire in the near future.

**THEREFORE BE IT RESOLVED**, that the NAACP calls on the President of the United States to solicit and sincerely take into consideration the opinions of a wide variety of people, including those of both major political parties, national civil rights, civil liberties and community based organizations as well as legal scholars

## 2005 EMERGENCY RESOLUTIONS

from across the ideological spectrum when selecting his next nominee to fill any and all vacancies on the US Supreme Court; and

**BE IT FURTHER RESOLVED**, that the NAACP calls on every member of the United States Senate, from both political parties, to provide the President with advice, guidance and consent on the selection of the next Supreme Court nominee; and

**BE IT FINALLY RESOLVED**, that the NAACP joins many other national civil rights and civil liberties organizations in urging the President to nominate and the United States Senate to confirm, moderate, consensus-oriented jurists, who have a deep respect for the law and for the civil rights and civil liberties of individuals to fill the current vacancy on the U.S. Supreme Court, as well as any other judicial vacancies that may occur.

### VII. VOTING RIGHTS

#### 1. Supporting Reauthorization of the Voting Rights Act

**WHEREAS**, President Lyndon B. Johnson signed the Voting Rights Act (VRA) into law in 1965 to supplement the Fifteenth Amendment. The VRA is designed to prevent intimidation, voter harassment, the poll tax, language barriers, literacy tests, racial gerrymandering, and other tools of disenfranchisement; and

**WHEREAS**, The VRA further guarantees that no federal, state, or local government shall in any way impede or discourage people from registering to vote or voting because of their race or color; and

**WHEREAS**, as a result, the VRA has increased minority participation in the political process and empowered minority communities to elect candidates of choice to local, state, and federal office; and

**WHEREAS**, in August 2007, certain provisions of the VRA are set to expire. These sections include: **Bilingual Election Procedures** (Section 203 and 204(f)(4), requiring the states of California, Texas and New Mexico and numerous local municipalities to provide bilingual election procedures for significant language minority populations, **Covered Jurisdictions** (Section 5), which calls for jurisdictions with histories of voter exclusion and disenfranchisement prove to federal authorities that any proposed changes to voting laws or procedures will not negatively impact minority voters, and **Observer Deployment** (Section 6-9), which allows for the deployment of poll observers and federal experts to jurisdictions with histories of voter exclusion; and



## 2005 EMERGENCY RESOLUTIONS

**WHEREAS**, if these sections are allowed to expire, the results could be detrimental to African American and other racial and ethnic minorities in their ability to participate in the electoral process.

**THEREFORE BE IT RESOLVED**, that the NAACP hereby supports the Rainbow Push/Coalition and joins in a Coalition of Conscience march and rally on August 6, 2005, in Atlanta, GA, to commemorate the 40<sup>th</sup> Anniversary of the Voting Rights Act and mobilize to win its extension; and

**BE IT FURTHER RESOLVED**, that the NAACP will roll out an aggressive, grass roots national campaign to support the reauthorization of the Voting Rights Act. The NAACP will conduct state and local hearings to develop and full and factual record of voting rights violations; and,

**BE IT FINALLY RESOLVED**, that the NAACP supports a reauthorization of the Voting Rights Act that includes passage of the aforementioned sections and addresses voter discrimination, harassment, intimidation and other abuses of the electoral process since the 1982 reauthorization.