

NAACP[®] **RESOLUTIONS**

2008

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NAACP RESOLUTIONS RATIFIED BY THE NATIONAL BOARD OF DIRECTORS 2008

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CIVIL RIGHTS

1. NAACP Centennial Commemoration by Local, State and National Governmental Authorities

WHEREAS, on February 12, 2009, the National Association for the Advancement of Colored People (NAACP) will celebrate its 100th Anniversary; and

WHEREAS, the NAACP was founded on beliefs embodied in the Constitution of the United States of America which stands for equality and equal opportunity for all regardless of race; and

WHEREAS, members of the NAACP, in keeping with the charge of our founders, stands for equal justice and against all forms of injustice; and

WHEREAS, the NAACP work promotes equity and justice for all people; and

WHEREAS, the NAACP will continue to fight for justice for all; and

WHEREAS, the work of the NAACP has benefited all people; and

WHEREAS, the efforts of the NAACP deserve broad recognition;

THEREFORE, BE IT RESOLVED, that all Units of the NAACP shall petition their local, state, and national elected and appointed officials to issue proclamations dated February 12, 2009, honoring the NAACP and its work, and commemorating the NAACP's 100th Anniversary.

2. Strengthening the African American Family

WHEREAS, the African American family faces challenges, difficulties and extinction;

WHEREAS, numerous maladies within the African American community stem from stresses to family life including a failed education system, high unemployment rates, discrimination and single parents struggling to provide basic needs for their families; and

WHEREAS, three times as many blacks as whites live below the poverty line; and

WHEREAS, disproportionate incarceration among African Americans has a negative effect on the African American family and African American youth in particular; and

WHEREAS, African American crime has a negative impact on our community; homicide is the leading cause of death among African American males aged 15 to 19; and

WHEREAS, homicides among African American men aged 15 to 24 increased 158% from 1985-1993 and young African American men are ten (10) times more likely to be murdered than young white men; and

WHEREAS, the disproportionate impact of disease on our community stems from a lack of health care resources;

THEREFORE, BE IT RESOLVED, that the NAACP in coalition with the faith community and other grassroots organizations lead a public campaign highlighting the need for promoting individual and collective community responsibilities along with public policies to assist African American families that alleviate the impact of criminal activity, inadequate health care and insufficient educational support on the African American community; and

THEREFORE, BE IT RESOLVED, that the NAACP in coalition with youth leaders of other grassroots organizations embark upon a campaign to reduce the impact of the poverty/death cycle on our youth, educate our youth on positive alternatives and instill self-pride; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP advocate through its units and promote activities that will strengthen and fortify the African American family structure.

3. Supporting Continued Sovereignty and Federal Recognition of the Shinnecock Tribal Nation and the Unkechaug Tribal Nation

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

WHEREAS, Native Americans in general and the Shinnecock nation and Unkechaug Nation specifically are under attack from outside political forces; and

WHEREAS, these two nations are recognized by the State of New York; and

WHEREAS, on three previous occasions the NAACP voted to support the federal recognition of Native Americans across the country in 1993, 2003 and 2005; and

WHEREAS, indigenous sacred burial sites have not received equal protection from destruction due to historic prejudice.

THEREFORE, BE IT RESOLVED, that the NAACP will continue to support and advocate for all legitimate claims for Native American federal recognition in general, including the Shinnecock and Unkechaug Nations; and

BE IT FURTHER RESOLVED, that the NAACP in partnership with other organizations advocate the protection of our deceased and their respective resting places; and

BE IT FURTHER RESOLVED, that the NAACP reaffirms its support of federal recognition of Native Americans given at the 1993, 2003 and 2005 Conventions and urges all States to grant sovereignty and support federal recognition; and

BE IT FINALLY RESOLVED, that all NAACP branches and state conferences continue to work with the Native Americans as they seek federal recognition through administrative and legal processes.

COMMEMORATIVE

1. Honoring John Roberts "JR" Clifford

WHEREAS, J.R. Clifford was a delegate to the historic 1906 Niagara Movement Meeting at Harpers Ferry WV, a meeting that helped lead to the formation of the National Association for the Advancement of Colored People; and

WHEREAS, John Robert —J.R. Clifford was the first African American admitted to practice law in West Virginia by the West Virginia Supreme Court; and

WHEREAS, as a distinguished member of the legal profession, Clifford won a case before the West Virginia Supreme Court, Williams v. Board of Education, on behalf of a Tucker County African-American School that furthered the rights of all African American students and teachers in West Virginia; this case served as a precursor to the landmark Brown v. Board of Education of 1954;

THEREFORE, BE IT RESOLVED, civil rights pioneer John Roberts —J.R. Clifford will be honored along with others as the NAACP moves toward its centennial anniversary.

COMMUNICATION

1. Promoting Nondiscriminatory Adoption and Usage of Broadband Internet & Information Technologies

WHEREAS, the NAACP seeks to ensure that African Americans and disadvantaged communities are full and equal participants and beneficiaries of the digital economy and democracy; and

WHEREAS, the NAACP recognizes that dramatic changes in technology have fundamentally altered how and whether people are employed and perform their jobs, how people are educated and the quality of the education, how and whether people receive health care, how and whether people effectively communicate with each other and how people participate in our democracy; and

WHEREAS, the NAACP recognizes that advanced communication services and information technology are the economic forces that ensure economic empowerment in African American communities; and

WHEREAS, the NAACP recognizes that broadband Internet and related information technologies can no longer be viewed as a comparative advantage or luxury, but rather a necessity for full civic, economic and educational participation; and

WHEREAS, the NAACP supports innovative approaches to delivering broadband and information technology to African Americans and the economically disadvantaged; and

WHEREAS, the NAACP recognizes that an important element of ensuring African American use of broadband technologies is providing high quality content that is relevant and meaningful to our daily lives and ensuring that we are trained and have the tools necessary to use the technologies;

THEREFORE, BE IT RESOLVED, that the NAACP objects to any corporate or government policies that increase costs, impede deployment, discourage adoption and usage, limit consumer access, reduce local commentary, or state oversight, or that of the public utilities commissions, public hearings, or other forums for citizen input and reduce affordability of broadband technologies; and

BE IT FURTHER RESOLVED, that the NAACP supports and recognizes the importance of ensuring nondiscriminatory adoption and usage of broadband Internet and information technology products and services, particularly by African Americans and the economically disadvantaged; and/or class bias; and

BE IT FURTHER RESOLVED, that the NAACP educate its members to avail themselves of opportunities to educate others on the importance of adoption and usage

of broadband technologies in African American communities as well as among the economically disadvantaged; and

BE IT FURTHER RESOLVED, that the NAACP supports a national Call to Action that will bring together government, business and the nonprofit sector to expand accessibility to technology adoption and education; and

BE IT FURTHER RESOLVED, that the NAACP supports government aided economic development and investment in minority communities coupled with public/private partnerships to encourage usage of culturally relevant content as well as ensure that training and service delivery is provided in a manner that empowers African American communities in the digital economy; and

BE IT FINALLY RESOLVED, that the NAACP send a copy of this resolution to the President of the United States, members of Congress, members of the Federal Communications Commission, State Legislatures and Regulatory agencies.

CRIMINAL JUSTICE

1. Release of William Jonathan Mayo

WHEREAS, there currently are 7.2 million people in the United States under correctional supervision with over 1.5 million of these incarcerated in prisons, and 766,000 held in jails; and

WHEREAS, William Jonathan Mayo, a senior at Morehouse College was convicted of armed robbery and subsequent thereto witnesses recanted their testimony raising doubts about the reliability of the jury's verdict in this case; and

WHEREAS, similarly, in the Lenell Geter, Troy Davis and Genarlow Wilson cases recanted testimony was at issue in challenged jury verdicts;

THEREFORE, BE IT RESOLVED, that the NAACP advocate for state and federal legislation that provides for an automatic new trial when a person is convicted at a jury trial, and subsequent thereto a witness testifying for the prosecution at that criminal trial recants his testimony; and

THEREFORE, BE IT RESOLVED, that the NAACP advocate for the legislatures to provide periodic reviews of the impact of this new law and issue periodic reports to the public.

BE IT FINALLY RESOLVED, that NAACP National, State and local units advocate for freedom in the cases of Troy Davis and William J. Mayo.

2. Jury Panels

WHEREAS, the United States Constitution guarantees that persons accused of crimes be tried by a jury of their peers; and

WHEREAS, the right to a trial by jury is guaranteed in most civil litigation; and

WHEREAS, jury pools should represent the ethnic and racial make-up of the community; and

WHEREAS, the juror selection process should produce ethnically and racially diverse juries; and

WHEREAS, ethnically and racially representative juries are necessary to increase citizen confidence in our jury system;

THEREFORE, BE IT RESOLVED, that the NAACP and its unit recommend and advocate to judges, court administrators and the non-white community at-large strategies and technologies to increase non-white representation in jury pools; and

THEREFORE, BE IT RESOLVED, that the NAACP and its units will advocate to state and local elected officials to reevaluate and restructure jury selection procedures to increase non-white representation and participation in jury pools; and

BE IT FINALLY RESOLVED, that the NAACP calls upon the American Bar Association, the National Bar Association, and other national legal associations to develop programs to increase non-white representation in jury pools.

3. Abolition of Life Without Parole for Juveniles

WHEREAS, the United States of America shamefully leads the world in the number of children (2400) that are imprisoned for life without the possibility of parole for crimes committed as juveniles; and

WHEREAS, sentencing juveniles to life without parole (JLWOP) contravenes international law, with only the U.S. and Somalia failing to ratify the U.N. Convention on the Rights of the Child banning the practice; and

WHEREAS, nationwide black youth receive JLWOP sentences ten times more often than white youth, Hispanic youth receive JLWOP multiple times more often than white youth, with nearly 60 percent of those receiving JLWOP having neither adult criminal records nor juvenile adjudication, and over one-quarter of youth receiving JLWOP sentences were convicted in crimes where another participant committed the felonious assault; and

WHEREAS, as many as forty-two (42) states sentence minors to life without parole; and

WHEREAS, it is recognized that adolescent brain development is not complete for comprehensive reasoning, consequence consideration and mature impulse control; and

WHEREAS, children have an extraordinary capacity of rehabilitation; and

WHEREAS, there are more than 2.3 million people behind bars in the United States, the incarceration of juveniles for life without parole is not only immoral, it is also a poor use of limited criminal justice resources; and

WHEREAS, The American Civil Liberties Union, Amnesty International, the Campaign of Youth Justice, Center for Children's Law and Policy, Center for Juvenile Justice Reform, National Juvenile Justice Network, and Human Rights Watch all call for the abolition of juvenile life without parole sentencing; and

WHEREAS, if as a society we espouse that juveniles are intrinsically different from adults – that their judgment is lacking, that they are capable of learning from past mistakes – then how can we justify locking them away forever?

THEREFORE, BE IT RESOLVED, that all units and members educate themselves as to the state's related juvenile penal code; and

BE IT FURTHER RESOLVED, that these units avail themselves of opportunities to educate others about these injustices; and

BE IT FINALLY RESOLVED, that NAACP Units call upon their legislatures to abolish juvenile life without parole sentences for crimes.

4. NAACP Opposes Transfer of Youth to the Adult Criminal Justice System

WHEREAS, the NAACP has previously resolved that prevention and rehabilitation are vital components of any juvenile justice policy, and that equal protection to youthful offenders be guaranteed under the law; and

WHEREAS, youths of color receive more punitive treatment than their white peers for the same offenses at all stages of the justice system; and

WHEREAS, African-American youth are disproportionately represented in cases transferred to adult court, representing 16% of the youth population, but 35% of youth judicially transferred, and 58% of youth committed to state prison; and

WHEREAS, African-American youth are five times more likely than white youth to be charged in adult court for a drug offense; and

WHEREAS, the adult criminal justice system is punitive and not rehabilitative by nature, resulting in youth being denied programming such as education, mental health treatment, and employment skills training which are essential to proper development; and

WHEREAS, the historical role of the juvenile system is to rehabilitate and treat youthful offenders while holding them accountable and maintaining public safety, and it is therefore better equipped to work with youth than the adult criminal justice system; and

WHEREAS, an average of 7,500 youth are held in adult jails each day in America, many of whom will be adjudicated back to the juvenile system or will not be convicted; and

WHEREAS, there exists serious human rights concerns, as well as physical and emotional health concerns, for youth housed in adult jails as youth are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility, and youth comprise 21% of all substantiated victims of inmate-on-inmate sexual violence although they are only 1% of the jail population; and

WHEREAS, public safety is compromised as youth transferred to the adult courts are 34% more likely to re-offend than youth of a similar background and offense type treated in the juvenile system according to the Federal Centers for Disease Control; and

WHEREAS, the use of statutes or procedures that automatically exclude youth from the juvenile court without an assessment of individual circumstances by a judge denies youth basic fairness, and contradicts public opinion polls revealing that 92% of the U.S. public disagrees with such policies; and

WHEREAS, the collateral consequences of an adult charge or conviction may cause youth to be denied opportunities to obtain education, employment, federal assistance, and voting rights, and thereby creates further obstacles to rehabilitation;

THEREFORE, BE IT RESOLVED, that the NAACP strongly opposes any policies, statutes, or laws that increase the number of youth transferred to the adult criminal justice system and the number of youth held in adult jails and prisons; and

THEREFORE, BE IT RESOLVED, that the NAACP will work to end incidents of excessive practice of youth being tried in the adult criminal justice system and to ensure that young people are appropriately adjudicated in ways that enhance community rehabilitation, safety and stability; and

THEREFORE, BE IT RESOLVED, that the NAACP strongly supports reforms that effectively reduce the overrepresentation and disparate treatment of African American youth among youth that are prosecuted, detained, sentenced, and incarcerated as adults; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP supports the creation and maintenance of programs and services that address the educational, health, mental health, and vocational needs of youth currently in and exiting the juvenile and adult criminal justice systems.

5. Hangman's Nooses as Constitutes a Hate Crime

WHEREAS, the hangman's noose has been used both directly and symbolically throughout American history to racially lynch, kill, terrorize and threaten African

Americans, other racial or ethnic minority Americans and their allies, eventually ushering in the very birth of the NAACP; and

WHEREAS, incidents involving the use of the hangman's noose have increased dramatically, breaching home, schoolroom, and work environments; and

WHEREAS, the duty to protect African Americans and their allies from this iconic symbol of racial hatred rests with law enforcement officials whose swift, direct, and unambiguous action is necessary to end the racially divisive use of this symbol; and

WHEREAS, law enforcement officials have instead constructed artificial reasons to justify not prosecuting under the available hate crime laws, perpetrators who use hangman's nooses to threaten and stigmatize African Americans, their children and allies alike;

BE IT THEREFORE RESOLVED, that the NAACP, while maintaining our policy of support for the freedom of speech as protected by the first amendment to the Constitution, hereby expressly adopts a position of zero tolerance in opposing the conduct of anyone who uses the hangman's noose to intimidate, threaten or assault African Americans or their allies and thus violate their constitutional right to life, liberty, and the pursuit of happiness; and

BE IT FURTHER RESOLVED, that the NAACP fight under state law to make hanging a noose or burning a cross a felony in state statutes; and

BE IT FINALLY RESOLVED, that law enforcement officials unequivocally exercise their authority to stop such racially hateful conduct by holding individuals responsible for such behavior by the timely and full prosecution under available hate crime laws.

ECONOMIC DEVELOPMENT

1. Privatizing and Outsourcing Manufacturing Jobs in Prisons is Contributing to Low Wages

WHEREAS, the manufacturing jobs once performed by African Americans and other racial and ethnic minorities, and other working class people who belonged to unions and were receiving collectively bargained wages and benefits; and

WHEREAS, the North American Free Trade Agreement and other such agreements encouraged corporations to outsource and relocate to low income countries with no unions or safety and labor standards; and

WHEREAS, the blue collar non-union and union workers have been adversely affected by these agreements with corporations cutting wages and benefits and forcing older people to retire early; and

WHEREAS, privatized correctional facilities have added to the problem of lost jobs once performed by working class union members and non-union members by calling it Vocational Training for inmates, which would allow them to return to their communities with a skill; and

WHEREAS, as an example, the Department of Corrections and an Alabama-based Ready-Built Transmission Company has a joint venture whereby inmates will be split into three categories: skilled workers will earn \$1.25 an hour, semi-skilled workers will earn \$1.00 per hour and unskilled workers will earn \$.75 per hour; and

WHEREAS, more than 150 inmates have started working at the transmission plant as a result of this joint venture between the Pendleton Correctional Industrial Facility, the Department of Corrections and the Alabama-based Ready-Built Transmission Company, where inmates will repair parts for The United States Post Office vehicles across the nation; and

WHEREAS, the prison does not want to go through the trouble of training workers only to have them leave, so the goal is to increase the inmate population from 150 to 300 working a maximum of 20 hours a week;

THEREFORE, BE IT RESOLVED, that entities that employ prison labor be required to employ individuals that have worked for their company upon release for a period of at least two (2) years; and

BE IT FURTHER RESOLVED, that the NAACP and its units will monitor this slave-type exploitation of inmates for profit; and

BE IT FURTHER RESOLVED, that the NAACP will advocate before Local, State and Federal policy making bodies and appropriate government regulatory agencies to adopt regulations that will require prisons and private contractors to pay a living wage, and that the money earned by the prisoners shall be divided equally among an amount to be paid to the prisoners during their incarceration, a victim's assistance fund, child support and a trust fund to be made available to the prisoner upon release; and

BE IT FINALLY RESOLVED, that the NAACP will advocate for legislation to require that companies engaging in prison labor who provide health care and other benefits to their permanent employees and their family members provide this same coverage to inmates and their family members.

EDUCATION

1. Education Improvement

WHEREAS, in the 1954 landmark *Brown v. Board of Education* decision, the NAACP, through its attorneys—including Thurgood Marshall—played a pivotal role in persuading the U.S. Supreme Court to affirm the goal of equality of educational opportunity for all children. Nearly fifty years after the *Brown* decision, the Association recognizes that severe racial inequities still persist in many of our nation's schools¹; and

WHEREAS, the NAACP reaffirms previous resolutions designed to ensure resource equity, teacher quality and the eradication of illiteracy; and

WHEREAS, low performing schools across the country are frequently located in urban areas where most black children attend school;

BE IT THEREFORE RESOLVED, that the NAACP will reaffirm its efforts to advocate for a complete reauthorization of the NCLB Act that includes redefining the accountability process, demanding 100% of the Title One Funding to low-performing school districts which will pay for stronger dual language programs to include cultural awareness and enable districts to offer more professional development to as many teachers necessary to educate our kids in the low performing districts; and

BE IT FURTHER RESOLVED, for increased collection of and transparency in accountability data so that the public and the school systems become more aware of the race, national origin and class dimensions related to the allocation of various qualities of educational services; and

BE IT FURTHER RESOLVED, that the NAACP take all appropriate actions to address the circumstances already proven to exist by advocating proven programs to increase the graduation rate, increase funding for low performing schools and increase funding in remedial education and specifically in reading and math; and

BE IT FURTHER RESOLVED, that the NAACP enters into litigation against the government entities that refuse to provide proper education and make available employment opportunities for our children; and

BE IT FINALLY RESOLVED, that the NAACP identify these school districts with unequal funding formulas and develop strategies for equalization of funding.

2. Support of Remedial Education for Youth and Young Adults Who are Not in High School

WHEREAS, tens of thousands of youngsters enter adulthood lacking the basic literacy and math skills needed to succeed in a global marketplace; and

WHEREAS, opportunities for remediation of deficient literacy or math skills are limited for those youth and young adults who are not currently enrolled in a high school; and

WHEREAS, programs needed to remedy the deficient literacy and/or math skills of America's youth and young adults not in high school are crucial to the nation's future prosperity; and

WHEREAS, funding for many of these remedial education programs is at risk due to looming budget deficits at all levels of government;

THEREFORE, BE IT FINALLY RESOLVED, that all NAACP units actively advocate for the continued funding of programs designed to ensure that remedial education opportunities are available for youth lacking the basic literacy and math skills not in high school.

EMPLOYMENT

1. Oppose Wal-Mart's and Other Retailers Unfair Labor Practices

WHEREAS, Wal-Mart is the world's largest retailer and America's largest private employer with more than 1.3 million employees and over \$12 billion in profits per year; and

WHEREAS, Wal-Mart and other retailers have been known to engage in unfair labor standards and civil rights violations;

THEREFORE, BE IT RESOLVED, that the NAACP work with Wal-Mart and other retailers to overcome any of their practices that are inconsistent with the highest standards of labor and civil rights, to ensure equal opportunity and equal pay for women, people of color and other minorities, and work with local communities to effectively address Wal-Mart's and other retailers negative impact on issues like the environment and local businesses, and establish a —Buy Americall program that annually increases the percentage of —Made in Americall goods purchased by Wal-Mart and other retailers so as to help protect American jobs.

2. Workplace Bullying

WHEREAS, work-place bullying is defined as intimidation, harassment and ridicule; and

WHEREAS, Statistics from the Waitt Institute for Violence Prevention show that one in three employees personally experiences bullying at some point in their working lives. At any given time, 1 out of every 10 employees is a target of workplace bullying. Nearly half of all American workers (49%) have been affected by workplace bullying, either being a target themselves or having witnessed abusive behavior against a co-worker; and

WHEREAS, Although socio-economic factors may play a role in the abuse, researchers from the Project for Wellness and Work-Life suggest that "workplace bullying, by definition, is not explicitly connected to demographic markers such as sex and ethnicity. Because one out of ten employees experience workplace bullying, the prevalence of this issue is cause for great concern, even as initial data about this issue are reviewed; and

WHEREAS, Race may play a role in the experience of workplace bullying. According to the Workplace Bullying Institute (2007), "the comparison of combined bullying (current + ever bullied) prevalence percentages reveals the pattern from most to least: Hispanics (52.1%), African-Americans (46%), Whites (33.5%) and Asian-Americans (30.6%);

THEREFORE, BE IT RESOLVED, that all NAACP units will seek legislation at all appropriate levels to deem workplace bullying illegal.

ENVIRONMENTAL JUSTICE

1. An Act to Re-affirm NAACP Resolutions Previously Adopted on Environmental Racism in 1996, 2000 & 2001 and, to Further Oppose the Planning and Location of Level-4 Bio-Safety Laboratories and Hazardous Facilities Designated for Densely Populated Areas

WHEREAS, the NAACP and its units have been vigilant in their efforts to protect its citizens from the risks of classified and dangerous hazardous facilities being located in predominantly poor and minority communities; and

WHEREAS, these problems continue due to the failure of public officials to enforce existing regulations, and the inequitable implementation or enforcement of local zoning regulations; and

WHEREAS, locally elected officials and zoning boards have not been responsive to petitions by local citizens, or to the presentation of documentation of hazardous

conditions as it relates to planning and building hazardous facilities, such as dangerous Level-4 Bio-Safety laboratory that may be involved in research on incurable diseases such as Ebola and other hemorrhagic fevers and/or secret, bi-weapons research; and

WHEREAS, the dangers involved in the Level-4 Bio-Safety laboratories can disastrously affect residents in the immediate area, as well as other residents in surrounding cities and towns through the accidental release of deadly, air-borne substances, contact with infected laboratory workers who reside in our communities, or the risks involved with laboratories becoming the targets of terrorist attacks;

THEREFORE, BE IT RESOLVED, that the NAACP re-affirm its policies on Environmental Justice and Environmental Racism of 1993, 1996, 2000 & 2001; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP calls upon its state and local units to work with local community organizations and citizens to prevent Level-4 Bio-Safety Laboratories and hazardous facilities from being located in densely populated areas; and, to advocate that their elected officials on the national, state and local levels file and enact legislation that prohibits the planning and location of Level-4 Bio-Safety Laboratories and hazardous facilities in urban and other densely populated areas.

2. Environmental Justice and the African-American Community

Re-affirming 2001 Policy on Environmental Justice

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.

3. Regarding Environmental Racism

Re-affirming 2000 Policy on Environmental Justice

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 inequitable implementation or enforcement of local zoning regulations because of the Clean Air and Waters Acts; and

WHEREAS, locally elected officials and Board of Zoning 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 reaffirms its 1996 policy on Environmental Racism; and

THEREFORE, BE IT FURTHER RESOLVED, that the NAACP goes on record as calling upon local mayors and 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 that govern the location of solid waste facilities and other hazardous uses of land 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.

4. Regarding Environmental Racism

Re-affirming 1996 Policy on Environmental Justice

WHEREAS, minorities tend to have the highest percentage of deaths resulting from pollution and environmental hazards; and

WHEREAS, minorities due to economic facts disproportionately live in areas where sources of pollution, toxic dumps and other hazards abound; and

WHEREAS, the resources of the Superfund are not being equitably used to identify and ameliorate hazardous conditions in minority and poor areas;

THEREFORE, BE IT RESOLVED, that the NAACP shall call upon elected officials to equitably enforce existing legislation and regulations to carry out the Clean Air and Water Acts, and the identification and cleanup of environmentally hazardous conditions; and

BE IT FINALLY RESOLVED, that the NAACP oppose legislation to cut funds for environmental protection, and work to assist minority communities to be aware of and obtain all relief available under existing laws.

HEALTH

1. Health Disparities

WHEREAS, there are disparities in health outcomes such as quality of life and mortality processes, quality, and appropriateness of care and the prevalence of certain conditions or diseases have been well documented across a broad range of medical conditions and for a wide range of ethnic and racial groups; and

WHEREAS, African Americans suffer the greatest number of health disparities and the greatest magnitude of health disparity among all ethnic and racial groups in America; and,

WHEREAS, these disparities include: obesity, diabetes, cardiovascular disease, sickle cell disease, cancer, stroke (cerebrovascular disease), injury and violence, HIV and Sexually Transmitted Diseases, infant mortality, lung diseases, lupus and more; and,

WHEREAS, 3,000,000 females nationwide ages 14-19 have had a Sexually Transmitted Disease (STD); and

WHEREAS, Human Papillomavirus (HPV), which can cause cervical cancer, is the most prevalent of STD's among women; and

WHEREAS, in the first study of its kind, nearly half of the African American females tested have had at least one STD, compared to 20% of other ethnic groups; and

WHEREAS, screening tests for STD's (including HIV) are under used because many teens do not feel that they are at risk; and

WHEREAS, 46 million Americans—half of whom are racial/ethnic minority Americans have no health insurance coverage at all, racial and ethnic minority Americans are more likely than Whites to be uninsured, even after accounting for work status; and

WHEREAS, persons from low-income families and from African American and ethnic minority communities are at greater risk of being uninsured and underinsured than their counterparts, and are thus more likely to experience disparities in healthcare access and quality of care; and

WHEREAS, the existence of racial and ethnic disparities in health care outcomes represents a shameful failure of the American healthcare system to provide equal, high quality health care to all individuals, regardless of ethnicity, race and other factors; and

WHEREAS, a significant number of males 14–19 have had a sexually transmitted disease;

THEREFORE, BE IT RESOLVED, that the NAACP identify at least one county in each region where health disparities are most disproportionate among African Americans, poor people and senior citizens and develop an advocacy, educational and legal strategy to improve selected elements of the system that are responsible for the disparities; and

BE IT FURTHER RESOLVED, that these strategies will seek to compel governmental health departments and educational systems, as well as private health services, research systems, telephone communications companies and educational systems to take prompt, measurable steps to reduce the above health disparities; and.

BE IT FURTHER RESOLVED, that the National Association for the Advancement of Colored People will establish strategic partnerships with the American Heart Association and other voluntary health organizations to positively impact the healthcare systems of these United States through collaborative initiatives and advocacy through the local, state and federal legislative process to make sure that such disparate outcomes will be eliminated; and

BE IT FURTHER RESOLVED, that the National Association for the Advancement of Colored People (NAACP), the oldest Civil Rights Organization, will advocate to federal, state and local governments and partner with different organizations or health care systems to establish and maintain programs that will bring information to teens, adults and families for the prevention of Sexually Transmitted Diseases; and

BE IT FURTHER RESOLVED, that the National Association for the Advancement of Colored People will report to its membership convening at the next Convention on progress towards a strategic plan to eliminate the above health disparities; and

BE IT FINALLY RESOLVED, that the NAACP will urge all of its Units to work to identify such discriminatory practices, following NAACP procedures, and take action necessary to expose and eliminate the factors which cause these disparities.

2. The Impact of Autism

WHEREAS, autism is the most common condition in a group of developmental disorders known as the autism spectrum disorders (ASD's); and

WHEREAS, autism is characterized by impaired social interaction; problems with verbal and nonverbal communication; and unusual, repetitive, or severely limited activities and interest; and

WHEREAS, experts estimate that three to six children out of every 1,000 will have autism, and that males are four times more likely to have autism than females; and

WHEREAS, public educational institutions provide for the education including teaching essential life skills to youth with autism until the age of 21; and

WHEREAS, scientists are not certain what causes autism; and

WHEREAS, there is no cure for autism; and

WHEREAS, many children with autism have a reduced sensitivity to pain; but are abnormally sensitive to sound, touch, or other stimuli which may contribute to behavioral symptoms such as resistance to being cuddled or hugged;

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People (NAACP) will lobby for increased governmental spending for research on the causes and cure of autism; and

BE IT FINALLY RESOLVED, that the NAACP will work with National organizations like Autism Speaks to research and eradicate the disparity or misdiagnoses of children of color to better raise awareness, educate, and develop policy to help those families who have an autistic member.

3. NAACP Supports Efforts to Further Disaggregate Healthcare Data by Race and Ethnicity

WHEREAS, statistics reveal persistent racial, ethnic, language and gender disparities in the quality of health care received by patients; and

WHEREAS, black men and women are more likely to die from heart disease than any other racial/ethnic group, and blacks are three times more likely to die from asthma than whites. And black women are more than twice as likely to die from cervical cancer as white women; and

WHEREAS, women who are having a heart attack are 39 percent more likely to be incorrectly diagnosed than men; and

WHEREAS, Medicare beneficiaries with limited English skills are less likely to receive cancer screening services, such as mammograms, than those who speak English; and

WHEREAS, research shows improvements in the quality of care received by all patients when there is accurate collection and reporting of racial, ethnic, and language data. Specifically, a recent initiative focused on reducing disparities in cardiac care indicated that when hospitals collected patient race, ethnicity, and language data and reported quality measures by these characteristics, they closed gaps in care and improved quality overall;

THEREFORE, BE IT RESOLVED, that the NAACP supports efforts to ensure the accurate collection and reporting of data by health care providers, programs, and plans about patients and the care they receive broken down by race and ethnicity.

HOUSING

1. Support for Public Housing Residents

WHEREAS, the Federal Public Housing programs were created to address the need for decent, safe and sanitary living accommodations for persons of low income; and

WHEREAS, a significant number of public housing units are occupied by African Americans or Hispanic Americans; and

WHEREAS, since 1995, tens of thousands of housing units have been removed from the Nation's public housing stock; and

WHEREAS, current policy does not provide for —one-for-one replacement of living units that are removed and the Nation has growing and tragic problems of homelessness; and

WHEREAS, public housing resident participation is paramount as a factor in the decision-making process that directly affects their homes and living conditions; and

WHEREAS, the generational neglect by housing officials in many communities has adversely impacted the lives of individuals who reside in public housing; and

WHEREAS, traditional models of Federal Public housing have contributed to the segregation of the poor and people of color;

THEREFORE, BE IT RESOLVED, that the National Office of the NAACP proactively encourage and actively support a Federal Policy that provides for —one-for-one replacement of public housing units proposed for demolition or disposition; and

BE IT FURTHER RESOLVED, that the NAACP promote and advocate for Federal Public Housing models that do not isolate people of color and the poor; and

BE IT FINALLY RESOLVED, that the National Office of the NAACP, state conferences and local branches monitor and pursue actions to ensure that the residents of public housing be afforded the social, political, economic and educational opportunities that are available for all residents throughout the nation.

INTERNAL AFFAIRS

1. Article V, (Governance) Section 10(b) Faculty Advisor in the Bylaws for Units for the NAACP

CURRENT

10. (Faculty Advisor)
 - b. The Faculty Advisor to the College Chapter must be an employee of the College and meet the requirements as set forth by the College and/or Student Government regulations relating to serving as advisor to a bona fide College or group. In addition, the Faculty Advisor must be a member of the NAACP.

PROPOSED

10. (Faculty Advisor)
 - b. The Faculty Advisor to the College Chapter must be an employee of the College and meet the requirements as set forth by the College and/or Student Government regulations relating to serving as advisor to a bona fide College or group. In addition, the Faculty Advisor must be a member of the NAACP. ***The Advisor shall serve as an ex-officio member of the College Chapter without voting rights.***

2. Article V, (Governance) Section 12 (a) & (e) Selection of a Youth Council Advisor in the Bylaws for Units of the NAACP

CURRENT

11. (Selection of a Youth Council Advisor)
 - a. There shall be an Advisor for Youth Councils in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age or at least twenty-two (22) years of age if the person is a member of the branch; reside or work within the jurisdiction in which the Youth Council operates and shall be in accord with the aims and objectives of the Association.

PROPOSED

11. (Selection of a Youth Council Advisor)
 - a. There shall be an Advisor for Youth Councils in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age or at least twenty-two (22) years of age if the person is a member of the branch; reside or work within the jurisdiction in which the Youth Council operates and shall be in accord with the aims and objectives of the Association. ***The Advisor shall serve as an ex-officio member of the Youth Council Executive Committee without voting rights.***

DELETE

11. (Selection of a Youth Council Advisor)
 - e. ***The Advisor shall serve as an ex-officio member of the Youth Council Executive Committee without voting rights.***

3. Article V, (Governance) Section 12 (a) & (e) High School Chapter Advisor in the Bylaws for Units of the NAACP

CURRENT

12. (High School Chapter Advisor)
 - a. There shall be an Advisor for High School Chapters in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age; and be an employee of the high school in which the High School Chapter operates, and shall be in accord with the aims and objectives of the Association.

CHANGE

12. (High School Chapter Advisor)
 - a. There shall be an Advisor for High School Chapters in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, must be at least twenty-five (25) years of age or at least twenty-two (22) years of age if the person is a member of the branch; and must be an employee of the high school in which the High School Chapter operates, and shall be in accord with the aims and objectives of the Association. ***The Advisor shall serve as an ex-officio member of the High School Chapter Executive Committee without voting rights.***

4 Article V, (Governance) Section 13 Junior Youth Council in the Bylaws for Units of the NAACP

13. (Junior Youth Council Advisors)

The Branch Executive Committee shall appoint the Advisor for the Junior Youth Council. The Advisor must be a member of the Branch.

PROPOSED

13. (Junior Youth Council Advisors)

The Branch Executive Committee shall appoint the Advisor for the Junior Youth Council. The Advisor must be a member of the Branch. ***The Advisor shall serve as an ex-officio member of the Junior Youth Council Executive Committee without voting rights.***

5. Article VI, Section 3 (e), (f) & (g) in the Bylaws for Units of the NAACP

CURRENT

All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified. The term for officers shall begin on the date of their election. All official records shall be transferred to the newly elected and qualified officers within 30 days.

CHANGE

All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified. The term for officers shall begin on the date of their election. **All minutes and other official records are the property of the Youth Unit 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.**

6. Article VIII, (Committee on Units), Section 1 (b) Executive Committee in the Bylaws for Units of the NAACP

CURRENT

The Executive Committee of each Branch shall consist of the President, Vice Presidents (not to exceed three Vice Presidents), Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and the Chairman of the Standing Committees of the Branch, President of the Youth Councils and College Chapters in the same community, the Branch Advisors in the Youth and Junior Youth Councils and such other members at large not to exceed twenty-four to be elected at the regular election of the Branch, provided that the total members of the Executive Committee shall not exceed 45 except by written authorization of the Board of Directors. If there is no local youth group

recognized by the National Office, the Branch must, upon receipt of 25 youth memberships, apply to the National Office for a Youth Charter and organize the appropriate youth group.

CHANGE

The Executive Committee of each Branch shall consist of the President, Vice Presidents (not to exceed three Vice Presidents), Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and the Chairman of the Standing Committees of the Branch, President of the **Youth Units** in the same community, the Branch Advisors in the **High School Chapters**, Youth and Junior Youth Councils and such other members at large not to exceed twenty-four to be elected at the regular election of the Branch, provided that the total members of the Executive Committee shall not exceed 45 except by written authorization of the Board of Directors. If there is no local youth group recognized by the National Office, the Branch must, upon receipt of 25 youth memberships, apply to the National Office for a Youth Charter and organize the appropriate youth group.

7. Article VIII, (Committee on Units), Section 5(1) (k) Youth Works Committee in the Bylaws for Units of the NAACP

CURRENT

The Committee on Youth Work for State/State-Area Conferences shall consist of all Youth Council Advisors, Youth Council Presidents and five (5) persons appointed by the State/State-Area Conference President. The Committee on Youth Work for Branches shall consist of the Youth Council Advisor(s), the Youth Council President(s), and five (5) persons appointed by the Branch President. The Youth Council Advisors and Youth Presidents shall choose the chair of the Committee. The Youth Work Committee shall develop and coordinate the programs of the senior and youth groups.

CHANGE

The Committee on Youth Work for State/State-Area Conferences shall consist of all **Youth Unit Advisors and Youth Unit Presidents in the state**, and five (5) persons appointed by the State/State-Area Conference President. The Committee on Youth Work for Branches shall consist of **Youth Unit Advisor(s) and Youth Unit President(s) in the same community**, and five (5) persons appointed by the Branch President. The **Youth Unit Advisors and Youth Unit Presidents** shall choose the chair of the Committee. The Youth Work Committee shall develop and coordinate the programs of the **Branch(es) and Youth Units**.

8. Change Article VIII, (Removal Procedure) Section 10 (c) in the Bylaws for Units of the NAACP

CURRENT

For any officers who shall be absent from three (3) consecutive meetings without notice or explanation to the Secretary or President, or who shall not perform the required duties for three (3) consecutive months, or who shall be absent from any six (6) meetings with or without notice in a twelve month period, the National Office is to be notified by the

Secretary by way of a petition signed by the Secretary, the President and one (1) other member of the Executive Committee. If the President or Secretary is in violation, then any three members of the Executive Committee shall sign the petition. The National Office shall recommend the removal of said officer by the Board of Directors at the next meeting of the Board of Directors following receipt of the petition.

CHANGE

For any officers who shall be absent from three (3) consecutive meeting without notice or explanation to the Secretary or President, or who shall not perform the required duties for three (3) consecutive months, or who shall be absent from any (6) meetings with or without notice in a twelve month period **except in cases when the General Meeting and the Executive Committee meeting are held on the same day those occurrences shall be counted as one missed meeting**, the National Office is to be notified by the Secretary by way of a petition signed by the Secretary, the President and one (1) other member of the Executive Committee. If the President or Secretary is in violation, then any three members of the Executive Committee shall sign the petition.

9. Representation of Behavior Not in the Best Interest of the Association

WHEREAS, there are members that find themselves on a personal journey that causes them to abuse the policies and privileges that are afforded them by virtue of being a member of the Association; and

WHEREAS, the NAACP Members and Units review, investigate and determine that an infraction has occurred that will harm the Association, thereby necessitating the National Board of Directors to support the committee posting for action in the form of removal from office or a reprimand;

THEREFORE, BE IT RESOLVED, that the NAACP codify guidelines to become an appendage of the constitution and by-laws to highlight the penalties for infractions of the code of the NAACP.

INTERNATIONAL AFFAIRS

1. Peace Resolution

WHEREAS, we live in a global community where what happens in one part of the world threatens our well being all over the world; and

WHEREAS, the NAACP is dedicated to the elimination of socioeconomic disparities faced by people of color across the globe through promotion of fair and equitable human rights and economic justice; and

WHEREAS, China maintains relations with and provides aid to regimes including Sudan, the site of egregious human rights violations in Darfur and Burma, whose military junta exercises violent suppression against civilians; and

WHEREAS, China does not recognize freedom of religion outside the state-controlled system in which all congregations, mosques, temples, churches and monasteries must register. The government also curtails religious freedom by designating and repressing some groups as —cults, ll such as the Falungong; and

WHEREAS, thousands of migrant workers employed on Olympic and other construction sites across Beijing do not receive legally mandated pay and benefits including labor insurance and days off, and are often compelled to do dangerous work without adequate safeguards; and

WHEREAS, China hampers efforts by activists and grassroots organizations to address the HIV/AIDS crisis through prevention and education efforts;

THEREFORE, BE IT RESOLVED, that the NAACP urge the President of the United States to use all available diplomatic means, including direct negotiations with China to bring an end to the conflict in Darfur and support the United Nations efforts.

BE IT FURTHER RESOLVED, that the NAACP actively engage, using its NGO status in the pursuit for peace and stability in Darfur; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP utilize the Beijing 2008 Olympic Games to request that the President of the United States advocate for peace and the end to human rights abuses in China, Darfur and Burma.

LEGISLATIVE

1. Minority Business Participation in Government Contracts

WHEREAS, many states no longer adhere to minority business goals on state funded public works projects, resulting in a dramatic decrease in the number of African American businesses participating in government contracts; and

WHEREAS, the voters in several states have authorized abolition of goals and programs for minority owned business using state tax payer funds on public works projects that were established through legislation and public law; and

WHEREAS, the Black Chamber of Commerce, during testimony before Congress in September 2007, noted the failure of the Small Business Administration to provide needed technical assistance to minority owned businesses; and

WHEREAS, the Black Chamber of Commerce, during testimony before Congress in September 2007, stated that minority owned businesses have been decimated in recent years because of their inability to secure government contracts and subcontracts; and

WHEREAS, in testimony before Congress, in September 2007, the Black Chamber of Commerce stated that there was less than 0.02% participation by African American contractors in FEMA contracts during the Katrina recovery;

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP call upon Congress, the Small Business Administration (SBA), the Office of Federal Procurement Policy and all federal, state and local agencies to: 1) promote the use of minority business enterprises in the participation of federal, state and local contracts and subcontracts; 2) provide more oversight and monitoring of contracts for compliance in using minority business enterprises and other small and disadvantaged businesses; 3) call for the enforcement of existing laws and penalties on agencies and prime contractors that fail to comply; and 4) that the federal government be precluded from suspending these requirements based upon exigent circumstances.

2. Calling for the NAACP to Begin Mobilization Efforts for Census 2010

WHEREAS, the 2010 Federal Census will perhaps be the most important headcount that this nation has ever experienced; and

WHEREAS, last year nearly 60 local communities successfully challenged official census estimates, including Fulton County, Georgia, which population increased 90,000 to nearly 1 million; our 99th National Convention host city, Cincinnati, which increased its population by 22,000 for a total of 300,000; and

WHEREAS, with hundreds of millions of federal dollars at stake, an inaccurate count can easily result in the loss of needed federal funding for all of our communities; and

WHEREAS, it is estimated that many states would either gain or lose congressional seats if current population trends are confirmed in the 2010 count; and

WHEREAS, an accurate 2012 census count is vital to the re-districting and apportionment efforts on the federal and state level; and

WHEREAS, despite the Census Bureau's initial plans for the 2010 Census to be the first census to use handheld computing devices, officials recently announced that it will count 300 million Americans the old fashioned way by paper and pencil; and

WHEREAS, because of undercounts in past censuses, the full and complete support of the NAACP is vital to its success;

THEREFORE, BE IT RESOLVED, that the NAACP affirms its goal of a complete and accurate Census 2010, especially in those areas of the country where African Americans and others were undercounted in past censuses, and will fully support Census 2010 efforts; and

BE IT FURTHER RESOLVED, that each State/State-Area Conference designate a State/State-Area Conference Census 2010 Committee to assist units in their jurisdiction to ensure that information and resources are properly deployed in their local communities; and

BE IT FURTHER RESOLVED, that the NAACP through its local units will assist the recruitment program by referring both prospective employees as well as qualified vendors for employment as well as business opportunities that will be available throughout the nation; and

BE IT FINALLY RESOLVED, that the NAACP will advocate that the U.S. Congress and the U.S. Department of Commerce Bureau of the Census, that for the purposes of the 2010 census, that all prisoners be enumerated as residents of the census tract wherein they were domiciled at the time of their arrest and/or conviction.

3. Supporting Legislation to Create a Department of Peace and Non-Violence

WHEREAS, on February 15, 2007, H.R. 808 was introduced in the United States House of Representatives to create a cabinet-level Department of Peace, which would embody a broad-based approach to peaceful, nonviolent conflict resolution at both domestic and international levels; and

WHEREAS, the bill would establish a Secretary of Peace, who would report to the President of the United States; and

WHEREAS, the bill would require the Secretary of Defense and the Secretary of State to consult with the Secretary of Peace regarding nonviolent means of conflict resolution

prior to initiating any conflict between the United States and any other government or entity; and

WHEREAS, the bill is comprehensive in scope, establishing the following offices:

- ~ Office of Peace Education and Training
- ~ Office of Domestic Peace Activities
- ~ Office of International Peace Activities
- ~ Office of Technology for Peace
- ~ Office of Arms Control and Disarmament
- ~ Office of Peaceful Coexistence and Nonviolent Conflict Resolution
- ~ Office of Human Rights and Economic Rights

WHEREAS, the bill would require the appropriation of two percent (2%) of the defense budget for funding the Department of Peace; and

WHEREAS, the Department of Peace would serve to promote nonviolence as an organizing principle in our society and help to create the conditions for a more peaceful world;

NOW THEREFORE, BE IT RESOLVED, that the NAACP expresses its strong support for enactment of federal legislation, H.R. 808, to create a United States Department of Peace and Nonviolence; and

BE IT FURTHER RESOLVED, that all units of The National Association for the Advancement of Colored People urge their Senators to introduce companion legislation in the United States Senate for the creation of a United States Department of Peace and Nonviolence; and

BE IT FURTHER RESOLVED, that the NAACP supports enactment of legislation to create a United States Department of Peace and Nonviolence; and

BE IT FINALLY RESOLVED, that the NAACP calls upon all members of Congress to support enactment of this legislation.

4. NAACP Calls for Passage of New Federal Legislation to Regulate International Vulture Funds and Prevent Further Exploitation of Poor and Underdeveloped Nations

WHEREAS, a —vulture fund is a financial organization that seeks to profit by buying up poor country debt in default on the secondary market for pennies on the dollar, then trying to charge up to ten times the purchase price by suing impoverished countries in U.S. or European courts. This practice comes at the expense of the citizens of these indebted countries — some of the most impoverished in the world — as well as taxpayers in countries like the United States, who bear part of the cost of debt relief; and

WHEREAS, vulture fund activity has increased in the past three years as vulture funds attempt to seize monetary resources newly freed by debt relief. Vulture fund activity has resulted in a large and growing number of lawsuits against countries made eligible for debt cancellation by the 2005 G8 debt deal (the Multilateral Debt Relief Initiative); and

WHEREAS, more than two-thirds of the lawsuits brought by vulture funds are adjudicated in U.S. or UK courts. In the majority of cases, vulture funds sue in courts located in New York, Paris and London because these courts are viewed as more creditor-friendly and more efficient; and

WHEREAS, vulture funds tend to be quite secretive, and many of them are based in tax havens. Some are owned by large, often U.S.-based, financial institutions such as hedge funds. In other cases, there is limited or no information on who owns them; and

WHEREAS, at least 20 Heavily Indebted Poor Countries (HIPCs) have been threatened with or subjected to legal action by commercial creditors and vulture funds since 1999. The debtor governments have almost always lost. When the debtor governments lose, impoverished countries have been obliged to pay the original debt, interest and fees accrued since the debt entered arrears, as well as the hefty legal costs of the plaintiff; and

WHEREAS, as of late 2007, 11 of 24 HIPCs surveyed by the IMF were facing litigation from 46 different commercial creditors. Of these, 25 creditors had received court judgments amounting to roughly US\$1 billion on original claims of US\$427 million; and

WHEREAS, the potential cost of vulture lawsuits in the HIPCs currently being sued represents 18% of annual health and education spending, 59% of debt service and 5% of budget revenue; and

WHEREAS, HIPC countries currently facing lawsuits from the greatest number of private creditors in 2007 were the Republic of Congo, Cameroon and Uganda, which were being pursued by eight, seven, and six vulture creditors respectively; and

WHEREAS, of special concern are countries rich in natural resources which have attracted more lending from private creditors, including the Democratic Republic of Congo and Sierra Leone; and

WHEREAS, one of the most egregious vulture fund cases in recent years is that of Donegal International vs. Zambia, in which a vulture fund bought Zambian debt for \$3.28 million and sued the Zambian government for \$55 million seven years later after the Zambian government had received debt cancellation. As a result, Zambia was required to pay Donegal \$15.4 million, 65% of what Zambia was saved in debt relief delivered in 2006;

THEREFORE, BE IT RESOLVED, that the NAACP strongly supports forthcoming legislation and grassroots efforts to limit vulture fund profits and decrease the incentive to purchase/litigate on sovereign debt and increase transparency through mandatory filing in U.S./UK for purchasers of sovereign debt; and

BE IT FURTHER RESOLVED, that the NAACP strongly supports forthcoming legislation and grassroots efforts that will establish an international bankruptcy framework binding on all creditors, which would force vultures to comply with debt cancellation and/or debt restructuring efforts; and

BE IT FURTHER RESOLVED, that the NAACP strongly supports efforts to achieve an international commitment among sovereign creditors not to re-sell their debt claims; and

BE IT FURTHER RESOLVED, that the NAACP strongly supports efforts to increase and improve multilateral efforts to buy-back vulnerable debt; and

BE IT FINALLY RESOLVED that the NAACP strongly supports efforts to provide funds for legal advice and representation for impoverished countries to minimize the additional harmful impact of costs incurred as a result of vulture litigation.

5. NAACP Support for Present and Future Green Jobs Appropriations and Policies

WHEREAS, prompted by the passage of the Green Jobs Act by the US Congress and by the recent implementation of the District of Columbia's Green Building Act, new opportunities will soon flood our local economy, as developers will be required to use sustainable products and methods in new buildings and renewable technologies will be developed throughout the country. With these developments comes the need for new and enhanced —green related jobs and skills by people in our workforce; and

WHEREAS, the Green Jobs Act was included in Title X of the *Energy Independence and Security Act of 2007* (P.L. 110-140). The bill created a \$125 million grant program at the Department of Labor, amended to the Workforce Investment Act, to provide quality training for jobs created by renewable energy and energy efficiency industry sectors; and

WHEREAS, the Congress now considers work on the upcoming fiscal year (FY) 2009 Senate Labor, Health and Human Services, and Education Appropriations bill, and we urge full funding for the Green Jobs Act in this year's package and in other appropriations bills in the future; and

WHEREAS, the Green Jobs Act takes a three-pronged approach to tackling the challenge of training and preparing workers for careers in these dramatically growing sectors. First, it expands our nation's capacity to identify and track the new jobs and the skills needed for clean energy and efficiency industries, and to provide technical assistance, capacity-building, and labor exchange services to better place workers in these industries. Second, competitive grants will fund partnerships between community colleges, labor unions, private industry and community-based organizations to train thousands of workers each year for careers in the green energy sector. Finally, funding for 'Pathways out of Poverty' demonstration projects will specifically target low-income communities to give them the training; and

WHEREAS, transitioning our country toward a clean energy economy that will provide all regions of the nation and all Americans with the opportunity to work in these quality skilled jobs, which are essential to our country's future; and

WHEREAS, fully funding the Green Jobs Act at \$125 million is critical to our efforts to support economic development and job creation, as well as to produce a workforce that is trained and skilled in these emerging green collar trades. Investing in Green Jobs will also pay dividends in moving our nation toward greater energy independence, a cleaner

environment, and a more equitable society built on a strong middle class of green collar workers.

THEREFORE, BE IT RESOLVED, that the NAACP shall advocate for present and continued funding for the Green Jobs Act and for the inclusion of African Americans and other people of color's rightful place in the emerging new green energy sectors and sustainable economies.

6. NAACP Supports Applying the Decision by the US Sentencing Commission to Reduce Mandatory Sentences for People Convicted of Crack Cocaine Possession Retroactively to those Already in Prison and Reiterates Support for Completely Eliminating the Crack/Powder Cocaine Sentencing Disparity

WHEREAS, the NAACP has consistently supported and continues to strongly support the complete elimination of the federal sentencing disparity for conviction of crack cocaine possession versus possession of powder cocaine; and

WHEREAS, the United States Sentencing Commission has steadfastly sought to eliminate the racially discriminatory sentencing laws mandating that a conviction for possession of 5 grams of crack cocaine is equivalent to one for 500 grams of powder cocaine; and

WHEREAS, crack cocaine and powder cocaine are pharmacologically indistinguishable; and

WHEREAS, the result of this 100-to-1 sentencing ratio has been the incarceration of a vastly disparate number of African Americans and Americans of Hispanic origin. Specifically, despite the fact that cocaine use is approximately proportional among the different populations of our Nation, more than 82% of those currently in prison for federal crack cocaine convictions are African Americans and 96% are racial or ethnic minorities; and

WHEREAS, the NAACP commends the Sentencing Commission for its May 2007 amendments to sentencing guidelines for crack cocaine which will have the effect of lowering the guideline sentencing range for certain categories of offenses and offenders. While it is not all that we have been advocating for, it is an important first step; and

WHEREAS, the Commission's recent amendment which will, on average, trim over 15 months from current crack sentences; and

WHEREAS, a decision to make this amendment retroactive will impact roughly 19,500 men and women currently in jail; and

WHEREAS, it only makes sense that a person who was sentenced between October 1, 1991 and June 30, 2007 should not have to spend more time in prison than those sentenced after November 1, 2007, simply because they had the misfortune of being sentenced at the wrong time; and

WHEREAS, a failure to apply the reduction in sentences retroactively, however, as has been done in the past relative to LSD, marijuana and oxycodone – all of which has

benefited other groups more so than African Americans – would perpetuate and perhaps even intensify the image of injustice that currently exists among African Americans and others in relation to the crack cocaine sentencing disparity and other aspects of the American criminal justice system; and

WHEREAS, United States' Attorney General Mukasey's characterization of people currently in prison for crack cocaine convictions, and of the impact that a potential reduction in their sentences could have on our communities, is not only wrong, but it is disingenuous, alarmist and plays on the worst fears and stereotypes many Americans had of crack cocaine users in the 1980s; and

WHEREAS, a federal judge will be called on to review each case individually and take into account if there were other factors involved in the conviction, whether it be the use of a gun, violence, or the defendant's criminal history before determining if the retroactivity can apply;

THEREFORE, BE IT RESOLVED, that the NAACP strongly supports making the May 2007 amendment by the US Sentencing Commission to decrease the amount of time an individual sentenced to prison for crack cocaine possession to comply with current powder cocaine sentencing ranges retroactive to those currently incarcerated for crack cocaine convictions; and

BE IT FURTHER RESOLVED, that the NAACP commends, supports and appreciates all of the efforts by the US Sentencing Commission to eliminate the crack cocaine/powder cocaine sentencing disparity which has resulted in too many African Americans and other racial and ethnic minorities and the poor in prison today; and

BE IT FINALLY RESOLVED, that the NAACP reiterates its strong support for one-to-one sentencing ranges for crack and powder cocaine convictions consistent with existing powder cocaine sentences.

7. NAACP Supports Reauthorization of the Juvenile Justice Delinquency and Prevention Act and Strengthening of its Programs and Core Protections

WHEREAS, currently, the number of adjudicated youth sent to residential placements, such as juvenile correctional facilities, has dramatically increased by 44% from 1985 to 2002 so that on any given day, over 90,000 youth found to be delinquent are in juvenile correctional facilities; and

WHEREAS, there have been numerous, highly publicized, troubling incidents in recent times including those in Jena, Louisiana, in Texas, South Dakota, Florida and elsewhere over the past few years that highlight the poor conditions many youth must endure while being held in juvenile detention or correctional facilities, boot camps and other facilities; and

WHEREAS, the Juvenile Justice Delinquency and Prevention Act (JJDP) provides federal funding for delinquency prevention and improvements in state and local juvenile justice programs, funds a nationwide juvenile justice planning and advisory system, and

funds the operation of the Office of Juvenile Justice & Delinquency Prevention (OJJDP); and

WHEREAS, for more than three decades, the JJDPA has served to protect children in the justice system through the four core protections:

- Disproportionate Minority Contact (– DMCII): Requires all states to focus on and assess the disproportionate contact of youth of color at all points in the justice system. According to the National Council on Crime and Delinquency in their January 2007 report, —And Justice for Some, ll youth of color are over-represented at all stages in the juvenile justice system. This provision seeks to address the fact that youth of color receive much harsher sentences and are more likely to be incarcerated than white youth, even when charged with the same offense.
- Deinstitutionalization of Status Offenders (– DSO): Ensures that status offenders (e.g. truants, runaways, and curfew violators), are not held in secure juvenile or adult jails or correctional facilities. Instead, more appropriate programs and services are provided to them and their families.
- Adult Jail and Lock-Up Removal (– Jail Removal): Requires that youth cannot be detained in adult jails (with limited exceptions such as bad weather or prior to court appearances). Every day in America, an average of 7,500 youth are incarcerated in adult jails in the U.S. However, as many as one-half of all transferred youth will ultimately be sent back to the juvenile justice system or not be convicted. Most youth who are detained in adult jails, even if not convicted in adult court, will have spent at least one month in an adult jail and one in five of these youth will have spent over six months in an adult jail. It is extremely difficult to keep children safe in adult jails and new scientific evidence shows that placing youth in the adult criminal justice system increases their likelihood of re-offending. In addition, children in adult jails are at much greater risk of assault, abuse, and suicide.
- – Sight and Sound Separation: Requires that in the very limited circumstances where youth can be placed in adult jails, —sight and sound contact with adults is prohibited. This provision seeks to protect youth from threats, intimidation, and other forms of psychological, physical or sexual abuse by adults; and

WHEREAS, recent events also have highlighted the continued need for the JJDPA. The events in Jena, Louisiana highlight the growing concerns about racial disparities in the justice system, the prosecution of youth as adults, and the placement of youth in adult jails; and

WHEREAS, there are less severe, proven effective alternatives to detaining or committing youth, including community-based programs such as diversion programs, drug treatment, evening reporting centers, treatment clinics and family programs, which have been shown to be less costly than detention or incarceration and help youth stay out of trouble and to not re-offend.

THEREFORE, BE IT RESOLVED, that the NAACP supports the updating of the JJDPA to decrease over-reliance on detention, detention of status offenders, promote effective

community-based alternatives to detention and incarceration, and reduce racial disparities in the justice system; and

BE IT FURTHER RESOLVED, that the NAACP supports Congress strengthening the DMC core protection by adding specific steps for states to take to reduce all racial disparities in the system; and

BE IT FURTHER RESOLVED, that the NAACP supports Congress updating the JJDP A to ensure that all status offenders – who have not committed crimes – are kept out of secure facilities; and

BE IT FURTHER RESOLVED, that the NAACP supports Congress updating the JJDP A to reflect the original intent of the law: to remove youth from adult jails altogether. The JJDP A should extend the protections of the Act to all children, no matter what court they are in – juvenile or adult; and

BE IT FURTHER RESOLVED, that the NAACP supports Congress expanding the definition of —sight and soundll separation to apply to all juveniles, whether or not they are tried as adults; and

BE IT FURTHER RESOLVED, that the NAACP supports Congress requiring more humane conditions of confinement for youth in custody. In order to accomplish this goal, Congress should require that states adopt polices and procedures to stop dangerous practices that cause unreasonable risk of physical injury, pain, or psychological harm; and

BE IT FURTHER RESOLVED, that the NAACP supports a prohibition on use of federal JJDP A funds for any programs or facilities that engage in these dangerous practices; and

BE IT FINALLY RESOLVED, that the NAACP supports Congress requiring the OJJDP to adopt best practices for providing safe and humane environments for youth.

8. NAACP Support a New Look at Federal Budget in FY 2009

WHEREAS, a nation's budget is, in its aggregate, a statement about the values and priorities of its people; and

WHEREAS, on February 4, 2008, President Bush released his budget proposal for fiscal year 2009, which begins October 1, 2008 and goes through September 30, 2009; and

WHEREAS, The President's proposed budget is most notable in that it features cuts in scores of programs that are essential to millions of middle- and low-income families and calls for additional tax cuts that will primarily benefit the wealthiest Americans; and

WHEREAS, President Bush has proposed spending \$3.11 trillion while bringing in \$2.7 trillion in revenues in fiscal year 2009. He would squeeze most domestic programs by essentially freezing them at this year's levels. Furthermore, President Bush has not included much of the anticipated cost of the war in Iraq in his estimate, he has made unrealistic tax assumptions and he has assumed that domestic spending will remain stagnant for the next five years; and

WHEREAS, past and current military spending consumes more than 40 cents of every income tax dollar; anti-poverty programs are given only 8.7 cents on the dollar and education, training and social services programs receive only 4.4 cents on the dollar; and

WHEREAS, current estimates of the United States' spending on the war on Iraq show that we have already spent \$522.5 billion; the President has requested another \$83.8 billion in fiscal year 2008 and \$139.4 billion in fiscal year 2009; and

WHEREAS, according to the National Priorities Project, the war in Iraq costs American taxpayers \$341.4 million per day, which comes out to \$4,681 so far per American household, or \$1,721 per person; and

WHEREAS, between now and the beginning of the new fiscal year on October 1, 2008, the United States Congress will debate and decide not only how the American taxpayers' money is spent, but also how it is collected; and

WHEREAS, it is important that we make our voices heard and that we let our elected officials know that we place a premium on federal programs which help low- and middle-income Americans reach their potential and help fight continued racism and discrimination, which holds everyone back;

THEREFORE, BE IT RESOLVED, that the NAACP supports a seismic shift in the current federal budget away from defense and military spending and more towards meeting the basic human needs of all of our people, including spending on infrastructure development and job creation, education, housing, and the protection of our civil rights; and

BE IT FINALLY RESOLVED, that the NAACP can and should continue to fight for more federal funding for public education, access to safe, secure and affordable housing, health care access and quality, crime prevention, job training and job creation, small business promotion, the protection of our basic civil rights and liberties, energy assistance, the protection of workers' rights and more, including continued assistance for those whose lives were devastated by Hurricanes Katrina and Rita in 2005.

9. NAACP Calls for Federal Action to End the Home Foreclosure Crisis Facing our Nation

WHEREAS, currently about 20,000 homes a week are being foreclosed upon across our Nation, a disproportionate number of which are owned by African Americans and other racial and ethnic minority Americans; and

WHEREAS, over a year ago the NAACP joined others in calling for a moratorium on foreclosures; and

WHEREAS, the NAACP firmly believes there is much the federal government can and should do to address the current foreclosure crisis; and

WHEREAS, homeownership makes neighborhoods safer, encourages community investment, provides financial security and improves the lives of families by helping to provide a safe, secure and stable home; and

WHEREAS, across the Nation a disproportionate number of the subprime loans which at the heart of the massive wave of foreclosures that our Nation is currently facing were made to African Americans and other racial and ethnic minorities; and

WHEREAS, for decades, predatory lenders have targeted African Americans and other racial and ethnic minorities through steering and other immoral practices with dubious products that contain prepayment penalties, the so-called —exploding ARMSII and the list goes on and on; and

WHEREAS, more than 52% of home-purchase loans made to African Americans in 2006 were subprime; and

WHEREAS, among subprime, overpriced loans made in 2005 and sold to investors, 55% "went to people with credit scores high enough to often qualify for conventional loans with far better terms." By the end of 2006, the share of over-priced loans rose to 61%; and

WHEREAS, as a conservative estimate, 1 in 10 African American homeowners who received subprime loans in recent years will lose their home to foreclosure; and

WHEREAS, the subprime market has not increased homeownership for communities of color; in fact, subprime loans made between 1998 and 2006 produced a net loss in homeownership. In 2004, African American homeownership peaked nationally at 49.1 percent, but by the end of 2006, it dropped 1.2 percentage points to 47.9 percent; and

WHEREAS, the subprime mortgage crisis will drain \$213 billion in African American wealth, the greatest loss of wealth in modern U.S. history; and

WHEREAS, conservative figures estimate that 1 out of every 5 mortgages that originated during the last two years will end in foreclosure; and

WHEREAS, the effect of years of predatory lenders targeting African Americans and other racial and ethnic minorities will now begin to hurt not only the borrowers, but also their neighbors and their communities as homes are foreclosed upon in record numbers, and those numbers will be concentrated in African American communities and other communities with high concentrations of racial and ethnic minorities; and

WHEREAS, the impact on whole communities which can least afford the instability of massive foreclosures, will be nothing short of devastating; and

WHEREAS, one study estimated that for every home that is foreclosed on in a given block, the other homeowners on that block lose 1.14% of their property's value; and

WHEREAS, given that homeownership is one of the most reliable ways for economically disadvantaged populations to close the wealth gap, one direct result of the unfair and immoral discriminatory predatory lending that has been going on in our communities for

years is that it is harder for African Americans and other racial and ethnic minorities to build wealth or pass any material possessions on to their heirs; and

WHEREAS, for many, homeownership means the difference between spending their golden years in either poverty or comfort, yet a predatory mortgage or refinancing can ruin all these dreams and more.

THEREFORE, BE IT RESOLVED, that the NAACP supports efforts in Congress to help immediately end the foreclosure crisis by providing homeowners the tools necessary to avoid foreclosure while still paying a fair market value for their homes; and

BE IT FURTHER RESOLVED, that these tools include a mechanism for the federal government to guarantee loans that are rewritten to reflect the ability of the borrower to pay the loan and the current market value of a home; and

BE IT FURTHER RESOLVED, that these tools should also include a change in current bankruptcy laws to allow bankruptcy judges to supervise the modification of mortgage loans to affordable and sustainable levels, a privilege which is already afforded to people facing bankruptcy and who are trying to save their second homes or their yachts, which would save over half a million homes from foreclosure; and

BE IT FINALLY RESOLVED, that the NAACP supports strong anti-predatory lending legislation that establishes higher standards for loan originators and provides stronger penalties and remedies for lenders who break the law, as well as ensuring that any final federal product is the minimum, and that states be allowed to continue to be more aggressive in eliminating predatory lending.

VETERANS' AFFAIRS

1. Support of Veterans in Unity with the Community

WHEREAS, the brave veterans and members of the United States Armed Forces provide a unique and vital service to the nation as a whole, even before the terrorists attacks of 9/11, in the preservation of freedom and liberty enjoyed by all who reside within our borders; and

WHEREAS, the US has a proud history of offering educational assistance to millions of veterans that has helped to assist them in readjusting to civilian life and boosts the economy by developing more educated citizens more capable of producing income and taxes. However, the current educational assistance program is outmoded and has not kept pace with the increased costs of tuition, living expenses, and educational books and supplies, at our Nations colleges and universities; and

WHEREAS, the number of veterans' claims for new or increased benefits from the Dept. of Veterans Affairs has risen sharply since 2001 to more than 838,000 in 2007 with approximately 100,000 of such claims being over one year old without resolution. However, only 3.5 million veterans and survivors out of 24.5 million veterans in America are receiving compensation and pension benefits under the VA Disability Benefits System, many due to lack of awareness about VA benefits or misinformation and fear of the filing process; and

WHEREAS, suicide among veterans suffering from post-traumatic stress disorder (PTSD) and other mental illnesses is a serious problem. However, many veterans fail to admit to symptoms of mental disorder due to fear of being stigmatized by the military, civilian agencies, and the public; and

WHEREAS, 23% of members of the Armed Forces on active duty and a similar percentage among members of the National Guard, acknowledge a significant problem with alcohol use. While some facilities of the VA Health Administration provide exemplary substance use disorder treatment, the availability of such treatment is inconsistent; and

WHEREAS, the Dept of Labor's Veterans Employment and Training Service manages the use of Disabled Veterans Outreach Program (DVOPs) Specialists that provide intensive services to meet the employment needs of disabled veterans and other eligible veterans, and particularly veterans who are economically or educationally disadvantaged, homeless, or who have other barriers to employment. However, the unemployment rate among younger veterans is currently 15 to 22%; and

WHEREAS, the recent sub-prime mortgage crisis has caused many veterans securing homeownership to face exploding monthly payments on adjustable rate mortgages or the prospect of foreclosure; due in part to the maximum VA home loan guarantee limit of \$144,000 being virtually useless in many parts of the country, especially in Northern California; and

WHEREAS, Veterans of the United States Armed Forces have been and continue to be vital to the small business enterprises of the United States, though too little is still being done to assist veterans, particularly service-disabled veterans, in playing a greater role in the economy of the United States by forming and expanding their own small business enterprises;

THEREFORE, BE IT RESOLVED, that the NAACP identify resources, services, and programs in the community that will help assist and educate veterans with health care, education, mental health and PTSD, entrepreneurship, employment, housing and homeownership, issues unique to female veterans, homeless veterans, and formerly incarcerated veterans, and information and access to VA benefits; and

THEREFORE, BE IT FURTHER RESOLVED, that the NAACP use its Armed Services and Veterans Affairs committees throughout all of its units across the Nation to disseminate the identified resources, services, and programs to its members who are veterans and their families; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP, through its national and state conventions, and regional conferences, continue to raise the level of awareness of

the American citizenry of the need to support our veterans when they return back into our communities.

2. Quality Military Healthcare

WHEREAS, recent investigations reveal substantial shortcomings in the health care system designed to serve active duty military personnel, veterans and their families and specifically for all beneficiaries of the TriCare System who are routinely denied preventative services, diagnostic testing and mental health services which would reduce the rates of active duty and veteran suicide rates; and

WHEREAS, this healthcare system is overwhelmed, in part, because of the significant number of wounded warriors returning from Iraq and Afghanistan;

THEREFORE, BE IT RESOLVED, that the NAACP calls upon Congress to increase funding for a comprehensive healthcare system and approve routine preventative services, diagnostic testing, and mental health services which would reduce the rates of active duty and veteran suicide rates for active military personnel, veterans and their families; and

THEREFORE, BE IT FINALLY RESOLVED, that the NAACP calls upon Congress to enact legislation to restructure the healthcare delivery system for active military personnel, veterans and their families to guarantee access to existing VA facilities and private sector healthcare providers for both physical and mental healthcare needs, including necessary medications.

VOTER EMPOWERMENT

1. Proposed NAACP National Popular Vote

WHEREAS, the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination; and

WHEREAS, the Electoral College was instituted, in part, as a mechanism for protecting the political advantage of White male propertied slaveholders in the antebellum South by allowing slave states to increase their electoral votes based on slave populations while denying those enslaved of the right to vote; and

WHEREAS, the Electoral College and accompanying —winner take all methods (used by forty-eight states and the District of Columbia) effectively discount all votes for candidates other than the popular vote winner in each of these states; and

WHEREAS, the Electoral College and accompanying —winner take all methods result in Presidential campaigns predicting most state election outcomes before each election, and directing the overwhelming majority of campaign resources and attention to voters in a few targeted competitive states (states for which election outcomes cannot be easily predicted before the election). Less than two of every ten persons of color (21% of African Americans and Native Americans, 18% of Latinos, 14% of Asian Americans) live in the thirteen most competitive states as compared to three out of every 10 (more than 30%) White persons increasing election competitiveness and the political efficacy of each vote has a direct positive impact on increasing voter turnout (U.S. Census); and

WHEREAS, only 17% of African Americans live in states where the African American voting population is likely to determine the outcome of that state's election (where the partisanship is 47.5% - 52.5% and African Americans make up at least 5% of the population) (U.S. Census, CNN 2004 news report); and

WHEREAS, reducing all of the popular votes within a state to the state's electoral votes places enormous power in the hands of state authorities to determine the outcome of the Presidential election and generates incentive for manipulation of state election outcomes, as evident in the Florida Presidential election of 2000; and

WHEREAS, the Electoral College places the power of minority votes in the hands of a small number of state electors, even in Confederate states that have a history of disenfranchising minority voters and are therefore subject to the pre-clearance provisions of Section 5 of the 1965 Voting Rights Act; and

WHEREAS, the interests of most African American voters are increasingly discounted by the platforms of both dominant political parties; and

WHEREAS, the NAACP supports the ideal of one person, one vote, as mandated by the United States Supreme Court;

THEREFORE, BE IT RESOLVED, that the NAACP supports —National Popular Vote state legislation that has the end effect of electing the President of the United States by popular vote.

BE IT FURTHER RESOLVED, that the NAACP supports a constitutional amendment abolishing the Electoral College.

BE IT FINALLY RESOLVED, that the NAACP supports election of the President of the United States by direct popular vote.

EMERGENCY RESOLUTIONS

COMMUNICATION

1. NAACP Condemns Islam-A-Phobic, Mean Spirited, Tasteless and Racially Offensive July 21st, 2008 New Yorker Magazine Cover

WHEREAS, the cover of the New Yorker magazine dated July 21, 2008, but first released on Sunday, July 13, 2008, depicts Sen. Barack Obama as a Muslim wearing a turban and a caftan, much like the picture of Osama Bin Laden in the background, Michelle Obama as a militant revolutionary carrying an AK-47 assault rifle wearing camouflage pants, commando boots and the American flag aflame in the background; and

WHEREAS, the cartoon is mass media at its worst, as it perpetuates false information, plays on negative stereotypes and is highly inflammatory; and

WHEREAS, the cartoon exacerbates rumors and blatant misinformation that has been spread in attempts to discredit or malign Senator Obama and his wife; and

WHEREAS, the New Yorker magazine has said that the cover illustration is —intended to make fun of conservatives as ignorant racists, and essentially marginalize any criticism of Obama as moronic. In response, Senator Obama’s spokesman has called the cover —tasteless and offensivel and even Senator John McCain’s campaign has decried the cartoon as —totally inappropriate.

THEREFORE, BE IT RESOLVED, that the NAACP decries the July 21st 2008 New Yorker magazine cartoon cover as tasteless, Islam-a-phobic, mean-spirited and racially offensive; and

BE IT FINALLY RESOLVED, that the NAACP calls on every American who is similarly offended by the cover to contact the New Yorker magazine, either by e-mail at themail@newyorker.com, or via phone at (212) 508 – 0803, or by post at The Mail, The New Yorker, 4 Times Square, New York, NY 10036.

ECONOMIC DEVELOPMENT

1. NAACP Supports Efforts to Stop and Reverse the Dramatic Increase in Fuel Process; Supports Long-Term, Aggressive Energy Policy to Insulate Us Against Future Situations

WHEREAS, between February 2008 and June 2008, the average cost for a gallon of regular unleaded gasoline has risen by more than 30%; and

WHEREAS, between July 2007 and July 2008, the average price for a gallon of diesel fuel increased by more than 75%; and

WHEREAS, according to an Associated Press-Yahoo News poll, 90% of Americans expect gas prices to pose some form of a financial hardship in the next six months; and

WHEREAS, in less than 5 years, the amount of money the average household spends on gasoline in a year has more than doubled from \$1,422 in 2003 to \$3,196 in 2008; and

WHEREAS, the jump in gas prices over the past year from \$2.00 to \$4.00 a gallon has taken and estimated \$50 a month from the typical suburban commuter driving 25 miles a day; and

WHEREAS, the average private worker now earns about \$600 a week, not including fringe benefits. For this worker, gasoline can easily cost 1/10 of his or her income. Possessing little leeway in spending, a 25% increase in the price of gas could have catastrophic effects for these individuals; and

WHEREAS, as wealthy individuals move back into cities, the poor are being pushed outward, thus causing hospital and hotel employees who work in upscale cities to look for affordable housing that is often 30 to 50 miles from their jobs; and

WHEREAS, while many poorer families continue to live in the city, the greatest job growth in recent years has been in jobs that are located more than 5 miles; and

WHEREAS, low income workers are often forced to drive to and from work since public transportation from the cities to suburbs is very limited; and

WHEREAS, high gas prices are likely to impact low income workers more because they are less capable of making adjustments; and

WHEREAS, low income workers often drive older cars that are frequently maintained poorly because they lack the funds to acquire quality mechanical work and therefore get very poor gas mileage; and

WHEREAS, the high price of gas forces people to choose between paying for a mortgage, medical bills, gasoline, or food, since the budgets of low income individuals are often unable to stretch over all these areas; and

WHEREAS, faced with soaring gas prices, more than half of the agencies that provide services to the elderly have had to cut back their programs; 90% of these agencies say that they expect to make cuts in the 2009 fiscal year; and

WHEREAS, home to only 4% of the world's population, the U.S. uses about 25% of the planet's oil; and

WHEREAS, the average cost of heating oil in winter 2006-2007 was \$2.42; the average cost of heating oil in winter 2007-2008 was \$3.29, which resulted in an increase to the average household of heating oil in the winter of more than \$400; and

WHEREAS, oil companies are currently using, for the production of oil, less than half the public lands that they have leased for drilling.

THEREFORE, BE IT RESOLVED that the NAACP strongly supports comprehensive public, private, domestic and multi-national strategies to address the immediate problems being faced by Americans, and disproportionately low-income and racial and ethnic minority Americans, and small business owners, most notably commercial truckers as a result of higher fuel costs; and

BE IT FURTHER RESOLVED, that the NAACP calls on both public and private employers to begin to employ strategies to help their workers deal with the currently high, and seemingly always increasing cost of fuel; and

BE IT FINALLY RESOLVED, that the NAACP calls on all interested parties, domestic and international, to develop long-term strategies to reduce the global demand for gasoline and stabilize the price of energy.

LEGISLATIVE

1. NAACP Continues to Oppose the Death Penalty and Supports the Creation of a Commission to Investigate the Current Disparities Plaguing the Federal Death Penalty Sentencing Process

WHEREAS, the NAACP has consistently supported and continues to strongly support the abolition of capital punishment in the U.S.; and

WHEREAS, the Death Penalty is applied in an arbitrary and/or inconsistent manner, thereby violating the prohibition of cruel and unusual punishment found in the Eighth Amendment of the U.S. Constitution; and

WHEREAS, on April 16, 2008, the United States Supreme Court in *Baze v. Rees* rejected a constitutional challenge to Kentucky's administration of capital punishment via lethal injection. In the short term, the *Baze* decision has resulted in the resumption of executions, which had been subject to a de facto moratorium since the Court agreed to hear the case; and

WHEREAS, since 1973, 129 death row inmates have been exonerated – most after serving lengthy sentences; and

WHEREAS, for example, Mr. Troy Anthony Davis of Georgia, at 22 years of age, was sentenced to death for the murder of Savannah, Georgia police officer Mark Allen MacPhail, based solely on questionable eyewitness testimony. Although Mr. Davis admitted he was in the vicinity, he maintains his innocence. The evidence in support of Mr. Davis' innocence plea include the following: (1) there was no physical evidence against Mr. Davis; (2) the police never recovered the murder weapon; (3) of the civilian witnesses whose testimonies secured Mr. Davis' conviction, all but three have recanted or contradicted their trial testimony in subsequent affidavits; (4) one of the three witnesses who has remained steadfast in his testimony against Mr. Davis is the principle alternative suspect; and (5) there is new evidence implicating the principle alternative suspect as the gunman; and

WHEREAS, the Troy Anthony Davis case brings back other similar cases such as that of Gary Graham of Texas in which African American men have been executed despite compelling evidence as to their innocence; and

WHEREAS, the American public's support for capital punishment continues to decrease; and

WHEREAS, whites represent approximately 50 percent of murder victims in the U.S., but represent a disproportionate 80 percent of the murder victims for which current death row inmates have been sentenced. This raises the question of whether, in the aggregate, the judicial system places a higher value on the lives of white victims; and

WHEREAS, since 1976, the likelihood of being executed as a result of a capital punishment offense has varied substantially depending on the region of the U.S. in which the offense occurs. As such, 0.4 percent of executions since 1976 have taken place in the Northeast; 11% in the Midwest; 6% in the West, and 82% in the south; and

WHEREAS, nearly 60 percent of Federal Death Penalty inmates are racial or ethnic minorities; and

WHEREAS, impoverished persons facing potential capital punishment sentences often lack the requisite financial resources to hire adequate defense council or have access to new scientific DNA technology; they are often represented by sub-par and/or ill-equipped legal representatives; and

WHEREAS, the cost of sentencing a prisoner to life without the chance of parole is less expensive to American taxpayers than the aggregated cost of litigation preceding the execution of each death row inmate;

THEREFORE, BE IT RESOLVED, that the NAACP fully supports the commuting of Mr. Troy Anthony Davis' death sentence, and in light of the new compelling information regarding the crime of which he is accused, that he be given a new trial; and

BE IT FURTHER RESOLVED, that the NAACP reiterates its continuing opposition to the death penalty at the state and federal levels; and

BE IT FINALLY RESOLVED, that the NAACP strongly supports and calls for the enactment of legislation to be introduced by Senator Russ Feingold (WI), the *National Commission on Capital Punishment Act of 2008* as a means of investigating the inadequacies surrounding the current Federal Death Penalty.

2. NAACP Continues to Support Laws to Prevent Gun Violence and Increase Gun Safety Nationwide

WHEREAS, on June 26, 2008, the United States Supreme Court, in the *District of Columbia v. Heller* case, in a 5-4 decision held that the [Second Amendment to the United States Constitution](#) allows an individual's [right](#) to possess a [firearm](#) for private use to supercede the power of local communities to effectively regulate the purchase and ownership of guns; and

WHEREAS, it was the first Supreme Court case in United States history to address directly whether the [right to keep and bear arms](#) is a right of individuals or a collective right that applies only to state-regulated [militias](#); and

WHEREAS, in doing so, the United States Supreme court struck down a longstanding law that had helped to curb gun violence in the District of Columbia since 1976 ; and

WHEREAS, it remains much too easy for dangerous people or even people with a diminished mental capacity to obtain lethal weapons in this country and we must solve that problem; and

WHEREAS, there are many well-founded concerns that the *Heller* decision may embolden criminal defendants and gun lobby interests to file legal attacks on existing gun laws, despite language in the ruling indicating that reasonable restrictions on guns are allowed; and

WHEREAS, since the *Heller* decision, lawsuits have been filed challenging handgun restrictions and re-registration laws in Chicago, Evanston, Oak Park and Morton Grove (all in Illinois); and

WHEREAS, in San Francisco, a lawsuit has been filed challenging a local ordinance and lease provisions that prohibit possession of guns by residents of public housing; and

WHEREAS, some town councils have already indicated that they intend to repeal their bans quickly and are looking for model ordinances to replace the ban; and

WHEREAS, the NAACP has a long and consistent policy in support of initiatives to end the destruction and devastation resulting from gun violence; and

WHEREAS, there are currently almost over 200 million privately owned firearms in the United States; and

WHEREAS, it is still much too easy for people with destructive motives or diminished mental capacity to obtain guns, either through legal or illegal means; and

WHEREAS, gun violence continues to have a disparate impact on African American communities; although African Americans make up about 13% of the US population, 54% of all gun homicides are African Americans; and

WHEREAS, gun violence also comes with a very high fiscal cost to the taxpayers of the United States; and

WHEREAS, the average total cost of one gun crime often exceed \$1.1 million, including medical treatment and the prosecution and imprisonment of the shooter; and

WHEREAS, medical costs of gun violence put a terrible burden on health service providers and governments. When indirect costs of gun violence - loss of productivity, mental health treatment and rehabilitation, legal and judicial costs - are figured in, gun violence costs the US over \$100 billion annually; and

WHEREAS, the assault weapons ban, which was signed into law in 1994, was allowed to expire in September 2004; and

WHEREAS, as a result of inaction by the US House of Representatives and the President, assault weapons are again flooding our streets and neighborhoods and are

being used to inflict the maximum amount of damage to lives and property with a minimal amount of energy on the part of the criminal; and

WHEREAS, the 1994 law prohibits the manufacture, sale and importation of new military-style semi-automatic assault weapons and rapid-fire ammunition magazines that hold more than 10 rounds;

THEREFORE, BE IT RESOLVED, that the NAACP continues to support safe, sane and sensible gun safety legislative initiatives which would make it harder for people with questionable motives and/or diminished mental capacity to obtain firearms, either through legal or illegal methods; and

BE IT FINALLY RESOLVED, that the NAACP supports a renewal of the assault weapons ban, with a provision that makes it permanent.
