



**NATIONAL HISPANIC
LEADERSHIP AGENDA**

2008 HISPANIC POLICY AGENDA

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MESSAGE FROM THE CHAIR

August 2008

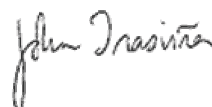
On behalf of the 26 national Hispanic organizations comprising the National Hispanic Leadership Agenda (NHLA), I am pleased to present our platform. This platform, a product of meetings and input from Latino leaders and advocates from around the nation, focuses on civil rights, economic empowerment, education, government accountability, health and immigration not only from the perspective of what is good for the Latino community but what is essential for the nation's future.

Today, as Latinos account for one-sixth of the population on the mainland United States, Puerto Rico and the territories, every issue facing the Latino community has a national impact. Every family, every business and every community is touched by Latinos, whether we have resided here for generations or whether we are the newest of the newcomers. The NHLA agenda highlights policies and solutions in priority areas where federal government policy can make a difference in the lives of members of our communities. These policies do not simply "serve" the community, they enable the Latino community to better serve the nation and to fulfill their own dreams and aspirations for a better life.

This year will be a watershed year for Latinos in the election. We have candidates and parties that are seeking the Latino vote and the Latino vote is likely to be decisive in a number of the swing states in the presidential election. Whichever candidate is elected has a responsibility, with Congress, to uplift and advance the Hispanic community and the nation. The NHLA Policy Agenda presents a pathway forward. Whatever the outcome of the election, NHLA organizations will work with the new Administration making the case for policies and programs that better the lives of Latinos, and we will identify Latinos for key appointed positions in the next administration. In addition, we will identify key posts where the decisions made have a special impact on our ability to succeed as a community and as a nation. Whoever is appointed to those positions must have an understanding, appreciation and sensitivity to the contributions and needs of Latinos.

Here is our agenda for our nation and our future. We call upon elected officials, candidates, political parties, the media and the general public to consider and adopt this Agenda and ensure that the interests of the Latino community for the betterment of the nation are carried out. Join us in that effort.

Sincerely,



John Trasviña
Chair

ABOUT NHLA

THE NATIONAL HISPANIC LEADERSHIP AGENDA

The National Hispanic Leadership Agenda (NHLA) was established in 1991 as a nonpartisan association of major Hispanic* national organizations and distinguished Hispanic leaders from all over the nation. NHLA's mission calls for unity among Latinos around the country to provide the Hispanic community with greater visibility and a clearer, stronger influence in our country's affairs. NHLA brings together Hispanic leaders to establish policy priorities that address, and raise public awareness of, the major issues affecting the Latino community and the nation as a whole. NHLA is composed of 26 of the leading national and regional Hispanic civil rights and public policy organizations and other elected officials, and prominent Hispanic Americans. NHLA coalition members represent the diversity of the Latino community – Mexican Americans, Puerto Ricans, Cubans, and other Hispanic Americans.

The goals that guide the NHLA's mission are:

- To identify, examine, and form public policies on Latino issues based on a national consensus of Latino leaders.
- To prepare and disseminate a consensus-based policy agenda that specifies the nature and scope of Latino concerns and needs throughout the country.
- To promote greater awareness of, and attention to Latino concerns among the nation's policy-makers, corporate America, civic community leaders, and the general public.

ABOUT THE NHLA 2008 POLICY AGENDA

The NHLA 2008 Hispanic Policy Agenda is a comprehensive document that addresses prime policy issues facing Hispanics in six main issue areas:

- Education
- Civil rights
- Immigration
- Economic Empowerment
- Health
- Government Accountability

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INTRODUCTION

The nation's large and growing Hispanic community emerges ready to take center stage and be a decisive force in this year's Presidential and Congressional elections. Everyday across the United States, Latinos touch the lives of every family, business and community. We call on presidential candidates, elected and government officials, civic and business leaders, and the media to hear our voices, understand our concerns and act on our priorities.

Since 1992, the National Hispanic Leadership Agenda (NHLA) has come together on a quadrennial basis to present a platform on the major issues facing the Latino community and the nation as a whole. This platform is the product of deliberations by 26 of the leading national and regional Hispanic organizations that comprise the diverse membership of the NHLA.

The Hispanic community is larger and more diverse than ever, numbering close to 50 million persons and making up over 16% of the combined population of the United States, Puerto Rico, and the United States territories. We continue, as a community, to have common concerns on education, civil rights, immigration, economic empowerment, health, and government accountability.

Access to quality education is fundamental to integrating Hispanics into the larger society. Action on education by the next President and the next Congress will define the future for this and the next generation of Hispanics. From pre-school to post-secondary, education must have the resources, teachers, curriculum and priority to provide meaningful opportunities for Hispanic students to close academic achievement gaps and graduate from high school prepared for college, work, and life. Our students must be prepared to fill 21st century jobs in science, technology, engineering, mathematics, and other fields. As a backbone of Latino higher education, Hispanic Serving Institutions (HSI) should be made a higher national priority. Also, English language learners must be able to learn academic English without sacrificing their native language skills.

Over the past several years, the federal government has dramatically reduced enforcement of civil rights and liberties. This lack of enforcement has created a hostile environment towards Latinos and immigrants across the country. Latinos have faced discrimination from the mainstream media and as a consequence the number of hate groups formed and hate

crimes reported against Latinos has increased. Discrimination against Latinos continues to pervade throughout employment sites and the juvenile justice system. Civil rights enforcement begins by ensuring that the 2010 Census accurately account for the U.S. Latino population and ensuring that Latino voters are not disenfranchised.

We are not all immigrants but we have come together to defend those who bear the brunt of over-reaching immigration enforcement, the harmful separation of families and lack of due process, and we speak out in favor of comprehensive immigration reform. As we stand united as a community in protecting our immigrant population that is so vulnerable, we are also resolute in protecting the civil rights of the majority of Latinos who are U.S. citizens and permanent residents.

A vast percentage of Latino families that fall in the lower to middle income range have been affected by a weak U.S. economy. The Hispanic unemployment rate has risen and the current housing market crisis has led many Hispanic families to lose their homes. We must promote Latino economic development and empowerment both domestically and in Latin America.

Hispanics continue to lack access to high quality healthcare, health insurance and preventative healthcare due to an inability to afford these services as well as the federal government's inability to tailor programs to address unique issues that affect the Hispanic community. Latinos in low income neighborhoods are disproportionately more exposed to environmental hazards, which is a problem exacerbated by the current global warming crisis. Research studies focusing on opportunities to develop healthcare programs to benefit Latinos are scarce, in addition to the fact that the numbers of Hispanic healthcare professionals are underrepresented, at all levels of healthcare administration.

Hispanics are also the most underrepresented minority group in the federal workforce despite the fact that Hispanics represent the fastest growing population in the country. As a result, issues and programs affecting the Hispanic community are rarely addressed. The federal government must ensure that its workforce reflects the face of America and it should also invest in Hispanic-owned businesses since they represent the fastest growing segment in the U.S. economy.

As Hispanics are the second largest racial-ethnic group in the United States, virtually every issue is a Hispanic issue, but there are some issues in which the consequences of the government's policies have a disproportionate impact on our community.

This is no truer than in the wars in Iraq and Afghanistan. Latinos have honorably and valiantly served in the nation's military throughout our history. A disproportionate number of Hispanics, whether U.S. citizens or not, have given their lives and have returned wounded in these wars. Because of the Latino community's serious concerns about the wars in Iraq and Afghanistan, their impact on thousands of our families and on the government's ability to make needed investments in our community and other domestic spending, the NHLA calls for the culmination of these wars in a way that is in the best interest of the country and our community.

Looking beyond the election, NHLA will craft more extensive transition plans for the incoming administration. The NHLA will identify qualified Hispanic candidates for Cabinet, judicial and political appointments across the Administration and identify certain posts that we will expect appointees, Hispanic or not, to be knowledgeable and sensitive to our needs. Beginning in 2009, we will begin to aggressively promote the full participation of Latinos in the 2010 Census to assure that our communities receive fair federal funding and representation in the reapportionment and redistricting processes following 2010.

There is no question that the Hispanic vote in the upcoming election will be more important than ever and decisive in some states. This NHLA Public Policy Agenda provides a blueprint to the urgent needs and aspirations of Hispanics and we offer it, and our votes, to the candidates who take it as their own. Presidential candidates and other aspirants for federal public office are urged to incorporate this information into their policy priorities to motivate Hispanics to support their candidacy.

EDUCATION

There is no more important issue for the future and workforce competence of the Hispanic community than education. However, Hispanics have lacked the opportunities and access to a quality and comprehensive education that other groups enjoy. Sixty percent of Latinos have at least a high school diploma, compared to 89% of non-Latino Whites. Among those 25 years and older, only 13.4% of Latinos have bachelor's degrees compared to 30.6% of non-Latino Whites.

EARLY CHILDHOOD EDUCATION

Hispanic children are less likely than their African American and White peers to participate in early childhood education programs. While Latino children account for more than one in five (22%) of all children under the age of five, they are underrepresented in early childhood education programs. In 2005, 59% of White children participated in center-based preschool education programs, while only 43% of Hispanic children participated.

Policy Recommendations:

- Expand Early Head Start, Even Start and Head Start to include significantly higher numbers of Hispanic children, including increased services under the Migrant and Seasonal Head Start program.
- Increase the number of preschool teachers who are culturally and linguistically competent to work with Hispanics and English Language Learners (ELLs), and the number of bilingual and bicultural proposal reviewers for Head Start programs.
- Support proposals to assist school districts, especially Hispanic-Serving School Districts (HSSDs) that enroll 25% or more Hispanic students, develop high quality dual-language education programs for all Hispanic students, particularly ELLs.

STRENGTHENING THE PUBLIC ELEMENTARY AND SECONDARY EDUCATION SYSTEM

Hispanics have the lowest achievement and attainment rates, and the highest dropout rate of any minority group.

Policy Recommendations:

Reauthorize and strengthen implementation of the No Child Left Behind Act (NCLB):

Accountability and Assessments

- o Ensure the inclusion of Hispanic and ELL students in the NCLB accountability system;
- o Promote high school graduation and address the Hispanic dropout rate;
- o Address the undercount of the Hispanic dropout rate as part of the NCLB accountability system and in determining adequate yearly progress (AYP);
- o Collect student data disaggregated by race, ethnicity, language status, migrant status, and Puerto Rico residence;
- o Fund and disseminate basic research in second language acquisition, including research on assessments for ELLs;
- o Ensure that federal special education referral and placement data is collected in a manner to uncover under- and over-identification of Hispanic students, including ELLs and improve special education evaluation processes to ensure that ELLs receive appropriate services; and
- o Use native-language or dual language assessments for students in bilingual programs in determining AYP and for providing ELL students with individual education plans, when appropriate.

Teachers

- o Ensure that the teacher certification requirements under NCLB are enforced, especially in districts and schools with high concentrations of Latino students; and
- o Ensure that teachers of Latino students receive high quality professional development, especially in reading, mathematics and, for non-Latino teachers, in cultural competency.

Resources

- o Fully fund all Hispanic-serving NCLB programs, especially Title I, Part A, Title III, Language Assistance State Grants and Bilingual Education programs; the

Migrant Education Program; Even Start; Dropout Prevention; Parent Assistance Centers and After-School Programs; High School Equivalency Programs; College Assistance Migrant Program; and

- o Legislate and fund new programs intended to increase high school graduation rates, and approve dropout prevention bills submitted by Congressional Hispanic Caucus members.

Parental Involvement and Adult Education

- o Strengthen the parental involvement provisions in NCLB to ensure adequate implementation of the law;
- o Ensure that Supplemental Educational Services and School Choice options are available to Hispanics, through improved outreach to Hispanic families;
- o Increase support for adult education programs, including English acquisition programs, for the larger number of Hispanics who have not graduated from high school;
- o Increase support for basic adult education and workforce competence programs across the federal government, including such programs as those in the Workforce Investment Act, and increase support for private adult education programs that benefit Hispanics; and
- o Ensure that charter schools are adequately supported and are capable of providing Hispanic children and their parents with a quality alternative to traditional public schools, and increase funding opportunities for charter school start-ups.

Instructional Quality and School Climate

- o Increase the number of well qualified teachers who are prepared to help Hispanic and ELL students meet rigorous academic and graduation standards;
- o Provide for the training of existing school leaders (including superintendents and principals) and counselors to be culturally and linguistically competent to address the needs of Hispanic students;
- o Support “one-way” and “two-way” bilingual education programs;

- o Expand support for community-based organizations that provide education and counseling services to students in Latino communities; and
- o Enhance and support high quality vocational and technical education programs.

Office for Civil Rights (OCR)

- o Require that the OCR be engaged in ensuring that the U.S. Department of Education’s policy positions meet federal civil rights standards; and
- o Increase OCR monitoring and vigorous enforcement of federal civil rights laws and regulations.

HIGHER EDUCATION

Hispanics currently have the lowest college matriculation and college graduation rates of any major population group. In 2007, 13.4% of Hispanics age 25 years and older had received a bachelor’s degree or higher, compared to 30.6% of comparable non-Hispanic Whites. In addition, in 2003, only 28.2% of Hispanic 12th graders had expectations of attaining a bachelor’s degree, compared to 35.1% of non-Hispanic White 12th graders. During the 2004-2005 academic year, although the average amount of financial aid received by a Hispanic fulltime undergraduate was \$4,622, White students received on average \$4,837 and African American students received \$4,908 in financial aid.

Policy Recommendations:

Financial Aid

- o Double Pell Grant caps and increase the grants to loans ratio;
- o Lower student loan costs;
- o Support exemptions for federal loan default rate and create a new loan forgiveness program for low-income Hispanic students;
- o Support the DREAM Act to provide undocumented immigrant students with the opportunity to attend college and adjust their status; and
- o Support efforts to expand dissemination of information on financial aid to Hispanic families.

Teacher Education

- o Establish a new teacher education program under Title II of the Higher Education Act of 1965 (HEA) to train new and more teachers that are culturally and linguistically competent in such areas as science, technology, engineering, and mathematics (STEM), bilingual education, non-English languages and other areas in which there are shortages;
- o Create incentives for Hispanic students to select teaching as a career through fellowships, loan forgiveness and federal support to school districts with a high number of Hispanic students;
- o Increase funding to Hispanic Serving Institutions (HSI) for teacher development and training to meet the education workforce needs of the pre-school and K-12 education system; and
- o Establish and fund through legislation a National Hispanic Education Leadership Institute to train Hispanic principals, superintendents and HSI college faculty and presidents.

HSI Executive Order

- o Establish by Executive Order a “President’s National Board of Advisors to Hispanic Serving Institutions” to strengthen the capacity of Hispanic Serving Institutions.

Pre-College and College Support

- o Increase college preparation program funding for HSIs to engage in pre-college enrichment programs, including a new pre-collegiate program focusing on science, technology, mathematics and engineering training;
- o Increase funding for student support services, including the federal TRIO programs, and increase funding under TRIO for Hispanic non-profit organizations;
- o Increase the funding authorization level for HSIs under Title V to address both undergraduate and graduate education, faculty research, and outreach in two-

- and four-year colleges and universities;
- o Increase federal funding to agencies that support higher education teaching research and outreach programs (e.g., Department of Energy, Department of Agriculture, NSF, NASA) and ensure they increase funding to institutions serving Hispanic students;
- o Expand the Fund for the Improvement of Postsecondary Education (FIPSE), programs for international study by Hispanic students and faculty;
- o Increase opportunities for the recruitment of Latino faculty by colleges and universities;
- o Support policies that would increase Latino faculty in colleges and universities;
- o Increase the number of Hispanic students who attend four-year universities as well as two-year colleges;
- o Support policies that would increase Latino representation in top-tiered schools in collaboration with HSIs; and
- o Increase access to in-state tuition assistance to graduates of U.S. high schools, regardless of immigration status.

Veterans

- o Expand education benefits for veterans, such as provided in the GI Bill Post-9/11 Veterans Educational Assistance Act, for military on active duty since September 11, 2001, who have served the nation so honorably (including activated reservists and National Guard members), a disproportionate number of who are Hispanic and who make the military strong.

CIVIL RIGHTS

The civil rights and liberties of the Latino community have never been at greater peril. The retreat by the federal government from rigorous and principled civil rights enforcement has reached a crisis and has contributed to the nation's increasing blindness to its growing racial-ethnic disparities and prejudice. The FBI reports that hate crimes against Hispanics increased 35% since 2003, and more than 300 new anti-immigrant organizations have been formed during this period.

2010 U.S. CENSUS

An accurate and efficient 2010 U.S. Census and ongoing American Community Survey (ACS) that count all residents of the United States are of the highest priority for the Latino community. Data from the Census are indispensable to the enforcement of civil rights, the fair allocation of federal funding, and documenting the economic and social status of the Latino population.

Policy Recommendations:

- Issue and widely disseminate in the Latino community a written statement reaffirming the Census Bureau's commitment to the full confidentiality of the personal information provided for the Census, including the legal protections involved;
- Implement new and/or more effective protections (e.g., increased criminal penalties for misuse of Census data or for interference in data gathering and security processes; prohibition of the use of Census data by other government agencies for purposes other than those previously authorized);
- Mandate that Immigration and Customs Enforcement (ICE) suspend raids during the 2010 Census to ensure full Latino participation;
- Show greater flexibility in the hiring of legal non-citizens as enumerators and other staff in hard-to-enumerate areas with large concentrations of immigrants;
- Hire greater numbers of Latino employees and advisors at all levels and program areas by the Census Bureau to address the problem of Latino underrepresentation (currently Latinos are less than 6% of the Census Bureau work force, despite being over 13% of the civilian labor force); and

- Develop a creative and adequately funded communications strategy to reach Latino immigrant and U.S.-born Latino communities, including Puerto Rico.

HATE SPEECH IN MEDIA AND HATE CRIMES

The amount of ugly rhetoric against undocumented Latinos on radio and television has increased significantly in recent years. It has demonized Latino citizens and immigrants alike.

Policy Recommendations:

- The Federal Bureau of Investigation and the Department of Justice must prioritize the investigation and prosecution of hate crimes against Latinos;
- Pass the Local Law Enforcement Hate Crimes Prevention Act to strengthen the ability of law enforcement officials to investigate and prosecute the more than 9,000 bias-motivated violent crimes reported each year;
- Support the efforts to secure an update of the 1993 National Telecommunications and Information Administration's (NTIA) Report to Congress: "The Role of Communications in Hate Crimes";
- The Federal Communications Commission (FCC) must promote greater media ownership diversity to address the problem of Latinos currently owning less than 3% of television and radio stations by establishing a Female and Minority Task Force and the reinstatement of minority media tax certificates; and
- Encourage that the Telecommunications Act of 1996 be amended to include broadcast content rules beyond its current scope that will protect foreseeable harm to Latinos and the general public.

VOTING RIGHTS

For American democracy to function effectively, all eligible voters must be allowed to participate in elections. Minority communities are often subject to discrimination as they organize politically and begin to make new political gains, however, Latino voters have increasingly become targets of voter suppression in recent years. This November, a record number of more than 9 million Latinos are expected to vote, making over 6% of the U.S. electorate.

However, the voter turnout rate for Hispanic citizens was only 32% in 2006, compared to 52% for non-Hispanic White citizens.

The NHLA opposes laws that require proof of citizenship for voter registration and/or voter identification at the polling place. Such laws, which purport to address “voter fraud,” discriminate against Latino and other minority voters who lack documents (e.g., passports) necessary to prove identity and/or citizenship. While there is no evidence that “voter fraud” has ever had a substantial impact upon a U.S. election, there is strong evidence that voter identification and proof of citizenship laws disenfranchise many Latino citizens. The NHLA supports voting reforms that increase Latino voters’ access to democracy.

Policy Recommendations:

- Remove partisanship from the Department of Justice (DOJ) Civil Rights Division hiring process – the Voting Section must hire and retain attorneys and experts who are experienced and committed to protecting minority voting rights;
- Vigorously enforce the Voting Rights Act and other federal statutes that protect minority voters – the enforcement of Sections 2, 5, 203, and 4(f)4 of the Voting Rights act is particularly critical to Latino voters; and
- Oppose voter identification and proof of citizenship laws, and support reforms that increase Latino voters’ access to democracy.

EMPLOYMENT DISCRIMINATION

The Latino community is strongly opposed to the reduced federal enforcement of Title VII of the Civil Rights Act, especially as it relates to actions on behalf of Latino employees. Under the Bush Administration, the Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC) have severely limited enforcement activities that protect Latino employees from workplace discrimination.

Policy Recommendations:

- Support efforts to ensure that the DOJ and the EEOC aggressively pursue violations of civil rights employment laws;

- Oppose employment verification systems that lead to increased and unnecessary burdens on employers and workers and potentially increases discrimination against work-eligible Latino employees; and
- Civil rights enforcement agencies must hire and retain well-qualified attorneys and experts who are committed to enforcing anti-discrimination laws and regulations.

CRIMINAL JUSTICE

Hispanics' disproportionate overrepresentation in correctional institutions is a phenomenon that is often overlooked. Widespread discrimination in the criminal justice system, coupled with poor educational opportunities, increases Hispanics' likelihood of incarceration. There are 283,000 Hispanics in federal and state prisons and local jails, making up slightly over 15% of the inmate population. Nationally, in state prisons and local jails, Hispanics are incarcerated at nearly twice the rate of Whites, while in some states the rate is much higher (e.g., seven times higher in Connecticut and Pennsylvania and six times higher in Massachusetts and North Dakota).

Policy Recommendations:

- Review sentencing guidelines, which may contribute to racial disparities in punishment for crimes. Assess judges' discretion in applying sentencing guidelines to detect and address racial inequalities in the criminal justice system;
- Review and quantify court decisions in regards to ethnicity to employ effective policies that will reduce bias within the U.S. legal system. Create legislation that will provide Hispanics with adequate, culturally competent legal representation;
- Legislative reform must take place to diminish policies that make it legal for authorities to practice racial profiling. Create legislation that cracks down on and reprimands authorities involved in racial profiling; and
- Take into serious account claims of police and correctional officer abuse in order to implement a comprehensive policy. Implement policies that will make police and correctional authorities accountable for their abuses.

LANGUAGE AND INTEGRATION

The Latino community strongly opposes the increasing hostility toward the protection of the civil rights of language minorities and efforts to establish English as the national or official language. About 20% of Hispanics between ages 5 and 18 do not speak English very well, compared to less than 2% of non-Latino Whites, making this an important issue for the Latino community.

Policy Recommendations:

- Support policies that increase resources for English language acquisition and new American integration programs;
- Oppose national legislation or state or local laws establishing English as the official or national language as they are unnecessary, harmful, and conflict with the constitutional rights of citizens and non-citizens alike;
- Support “English-Plus” legislation that celebrates the country’s multiculturalism and multilingualism and enhances our global competitiveness; and
- Oppose attempts to limit or eliminate civil rights protections for language minorities.

JUDICIARY

A fair and independent judiciary is critical for the preservation of Latino civil rights. However, despite being 16% of the population, Hispanics make up less than 4% of the state and federal judiciary. As the Latino population continues to grow, the need to protect the civil rights of the community will continue to increase.

Policy Recommendations:

- Nominate and confirm judges who champion expansive interpretations of civil rights legal protections; and
- Nominate and confirm judges who reflect the growing diversity of the country.

UNITED STATES COMMISSION ON CIVIL RIGHTS

Created by the Civil Rights Act of 1957, the U.S. Commission on Civil Rights has served as a critical civil rights investigation, monitoring, and research tool for much of its history. In recent years, however, the Commission has been captured by partisan ideologues who are using the Commission to advance positions in opposition to civil rights.

Policy Recommendation:

- Restore balance to the Commission and ensure that it fulfills its critical role as a key investigation and monitoring tool for civil rights.

PUERTO RICO'S SELF-DETERMINATION

The NHLA supports the self-determination of the people of Puerto Rico in deciding their future political status.

IMMIGRATION

Of the close to 50 million Latinos in the United States, 37% are foreign-born. Federal immigration law and policy, therefore, is a top concern of the Latino community in the 2008 election season. U.S. immigration laws and policies respecting immigration must reflect a commitment to human and civil rights.

COMPREHENSIVE IMMIGRATION REFORM

NHLA stands with the strong majority of Americans in urging prompt federal action in enacting comprehensive immigration reform to restore the rule of law to the nation's immigration system and strengthen our commitment to basic fairness, opportunity for all, and equal treatment under the law.

Policy Recommendations:

- Enable the 12 million undocumented people in our country to come forward, attain legal status, learn English and assume the rights and responsibilities of citizenship while creating smart and secure borders that enhance national security;
- Crack down on unscrupulous employers and take away incentives for hiring undocumented workers;
- Strengthen legal channels that reunite families and allow workers to enter with the rights and protections that safeguard our workforce; and
- Enact proactive measures to advance the successful integration of new immigrants into our communities.

STATE AND LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION LAWS

The NHLA strongly objects to state and local law enforcement of immigration laws, either on their own or delegated by the federal government pursuant to Section 287(g) agreements that delegate authority for enforcing federal immigration law to state and local law enforcement officials. According to the Department of Homeland Security (DHS), as of March 10, 2008, there are 41 active 287(g) agreements and more than 660 officers have been trained and certified to enforce federal immigration law.

The approval of 287(g) agreements in such anti-immigrant areas has led to numerous reports of likely civil rights violations. In addition, local police enforcement of immigration laws inhibit cooperation between law enforcement and communities.

Policy Recommendations:

- DHS must impose a moratorium upon DHS approval of 287(g) agreements; and
- The Department of Justice Special Litigation Section must review the civil rights training currently provided pursuant to these agreements and develop mechanisms to limit the impact of these agreements upon civil rights.

PROTECT FAMILIES FROM IMMIGRATION RAIDS

To terrorize and attempt to deport millions of people who have lived in and contributed to this country for most of their lives is not only inhumane but also impractical. Moreover, these raids have devastating social and economic effects in the community at large.

Policy Recommendations:

- Support family reunification as a cornerstone of U.S. immigration policy, which is consistently jeopardized as families are separated from their loved ones; and
- Stop immigration raids and deportations that jeopardize public safety.

DEVELOPMENT, RELIEF AND EDUCATION FOR ALIEN MINORS ACT (DREAM ACT)

Each year, approximately 65,000 students see their dreams to attain higher education, serve in the military, or pursue other aspirations come to an abrupt halt as their immigration status prevents them from having access to several opportunities. Despite the contentious debate over Comprehensive Immigration Reform, the DREAM Act has garnered bipartisan backing and has the support of the House and Senate leadership.

Policy Recommendations:

- Approve the DREAM Act to allow promising, talented, ambitious and law-abiding undocumented students to have access to higher education, the armed services and

legal employment; and

- Prevent the victimization of immigrant youth through policies that push them into the shadows or force them to return to a land that they barely know.

EMPLOYMENT VERIFICATION SYSTEMS

NHLA expresses its strong opposition to the Department of Homeland Security's Social Security No-Match initiative. If this harmful program is implemented, 160,000 workers would lose their jobs immediately and millions more would be forced to navigate an inefficient government bureaucracy in order to prove their eligibility to work.

Policy Recommendations:

- NHLA opposes employment verification systems that do not meet accuracy rates and are not ready to pass the demonstration stage; and
- NHLA opposes all employment verification proposals that require verification under uncertain conditions and would ultimately place an unreasonable burden on employers, workers, and the economy.

NATURALIZATION DELAYS & BACKLOGS

In July 2007 USCIS increased naturalization application fees from \$400 to \$675. Because of this increase there has been a dramatic increase in naturalization applications since 2006. By the end of 2007, the number of applications filed was the highest annual number in a decade at 1.4 million applications, and the third highest in our nation's history. As a consequence, there has been an enormous backlog that has extended the processing period of applications.

Policy Recommendations:

- Expedite elimination of the naturalization backlog; and
- Rescind fee increases.

PROTECT WORKERS FROM DISCRIMINATION AND WRONGFUL TERMINATION

The Department of Justice Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) is responsible for enforcing the anti-discrimination provisions of the Immigration and Nationality Act (INA) which protect U.S. citizens and legal immigrants from employment discrimination based upon citizenship or immigration status and national origin. Despite a significant increase in worksite enforcement of immigration laws, there has been no corresponding increase in civil rights enforcement from OSC.

Policy Recommendations:

- Ensure that OSC has the resources necessary to fulfill its mission to protect authorized workers from certain discriminatory employment actions; and
- Ensure that OSC engages in significant outreach, community education, and enforcement actions necessary to ensure that Latinos are protected from unlawful discrimination.

ECONOMIC EMPOWERMENT

Lower and middle income families are much more vulnerable to rough economic times and income loss because they have higher debt loads and are seeing the value of their homes plummet. The economic well being of underserved and Hispanic communities is a critical component in the social equality of our nation.

NHLA supports the role of promoting economic development not just at home, but also abroad in our hemisphere. In addition, we support the strengthening of the relationship between the United States and Latin America. Efforts to encourage economic development, ameliorate poverty, and foment socio-economic investments such as those contained in legislation by Senators Martinez and Menendez are the clearest ways to reduce poverty and in so prevent political repression.

LOW INCOME FAMILIES

Half of Latino households had incomes of less than \$38,000, compared to only 29% of non-Hispanic White households. Almost half (48%) of Latinos working earn \$20,000 or less a year, compared to 34% of non-Hispanic Whites. The poverty rate for Latinos is 22% compared to 9% for non-Hispanic Whites.

Policy Recommendations:

- Support legislative efforts at the national, state and local levels that support low and middle income families, encourage workforce participation and promote a healthy, productive workforce and economy; and
- Extend sick leave benefits for all workers* as well as job training and education programs targeted at low and middle income workers to help businesses meet skill shortages, increase productivity, and retain workers.

* Please note that the United States Hispanic Chamber of Commerce, a member of NHLA, does not support extension of mandatory sick leave legislation.

HISPANIC HOMEOWNERSHIP

NHLA promotes the goal of Hispanic homeownership. Only 49% of Latinos are homeowners, compared to 74% of non-Hispanic Whites. We are also concerned that the current crisis in the housing market will result in families seeing a reduction in their assets or net worth, and too many families may either lose their home or fall prey to market conditions that require them to sell their home.

Policy Recommendations:

- Promote and fund expanded efforts into affordable housing;
- Expand financial literacy education to Hispanic communities, including non-English speaking households;
- Support prescriptive relief to those most likely to face foreclosure, including those with subordinated debt based on their homes, including reform or regulation of the servicing industry to ensure that refinancing and financial hardship adjustments are done appropriately and ethically;
- Leverage investments in order to best allow local communities to develop vacant or foreclosed properties; and
- Revisit the harmful bankruptcy reforms that have placed too many Hispanic households at a disadvantage of protecting their homes and assets when it becomes necessary to declare bankruptcy.

UNEMPLOYMENT BENEFITS

The slowdown and potential contraction in the U.S. economy has resulted in the loss of hundreds of thousands of jobs and analysts expect the trend to continue. The unemployment rate for Hispanics in the U.S. rose to 6.5% in the first quarter of 2008, well above the 4.7% rate for all non-Hispanics.

Many Latinos who become unemployed due to recessionary forces will not meet state eligibility requirements for unemployment insurance (UI) benefits. Two critical aspects of eligibility for UI are earnings and/or a consistent work history: many low-income Latino

workers do not make enough money to qualify or have been in and out of a job at such rates that they become ineligible.

Policy Recommendations:

- Extend and expand the access and timeframe for unemployment benefits to workers, including those who are currently not eligible by allowing a workers' most recent wages to be considered in determining eligibility and benefit amount.

JOB TRAINING

Policy Recommendations:

- Even in the current economic climate, various sectors of the economy are adding jobs. Good-quality jobs await well prepared workers, especially in industries such as green technology and renewable energy;
- Job training initiatives must be adequately equipped and programmatically flexible to connect workers with Limited English Proficiency to good-quality jobs and to train them to be competitive candidates for employment;
- Increased federal funding for successful job training programs in growing industries to correct workforce mismatches in the short term and propel traditionally underserved workers into well-paying jobs in high demand areas of the labor market;
- Research and demonstration projects should be expanded to include integrated training, especially in states and localities where the demand for English language assistance is high; and
- Reauthorize and expand Trade Adjustment Assistance.

INVESTING IN ECONOMIC GROWTH FOR THE U.S., INCLUDING PUERTO RICO

Policy Recommendations:

- Award and expand incentives to domestic manufacturing in order to improve our economy and labor force (e.g., Manufacturing Extension Partnership Program); and

- Expand the Work Opportunity Tax Credit, which provides tax credits to employers that hire from targeted disadvantaged groups by expanding to include all other members of an underserved community.

ENDING FOOD INSECURITY

Policy Recommendations:

- Increase food stamp allotments by at least 20% in the short term, and take steps to ensure that the minimum - rather than the maximum allotments - are based upon the Thrifty Food Plan. In addition, NHLA supports including Puerto Rico equitably within the Food Stamp Program;
- The Farm Bill of 2002 restored food stamp benefits to Legal Permanent Residents, but it was limited to those that have been LPRs for more than five years. NHLA believes the end goal is the full restoration of food stamp benefits to immigrants;
- Education and outreach efforts to Hispanic households ought to be improved given the high rate of food insecurity in our community; and
- Expansion of the summer food program especially on Latino communities.

PAY AND GENDER EQUITY

Policy Recommendations:

- Support the promotion of gender equity and racial equality in the workplace, and develop assessments on remaining barriers and remedies; and
- Ensure adherence to minimum wage, equal employment opportunity laws, family and medical leave, and promotion of child care.

HEALTH

The lack of access to quality health care, due to financial and non-financial barriers, has been a pervasive problem harming the Hispanic community. There are also certain diseases and conditions as well as social determinants of health, including socio-economic and built-in environment factors that affect the health status of the Hispanic population. Lastly, there are major issues such as lack of diversity in the health professions and regional issues that need to be a priority. Addressing issues of access to health care, prevention and population health, health professions, and research and data collection are critical to the health and well being of this rapidly growing population.

ACCESS TO HEALTH CARE

Latinos are more likely to report a fair or poor health status than non-Hispanic Whites: 13% of Latinos reported fair or poor health, compared to 8% of non-Hispanic Whites. In 2006, just 40% of Hispanics were covered by employer-based insurance, compared to 66% of non-Hispanic Whites. At the same time, the health care system lacks adequate preventative, cultural and language services. These barriers to accessing health care and the disparity in the quality of care have created disastrous consequences for many Hispanics, exacerbating chronic diseases affecting this population. As the nation debates health care reform, it is critical that the proposed solutions address the unique issues of the Hispanic population.

Policy Recommendations:

- Provide financing mechanisms that improve affordability of health care for the Hispanic population. Existing systems such as employer-based health coverage need to be strengthened in their own right in order to best serve the Latino population. Additionally, we need to explore new options outside of the current channels that give Latinos the ability and opportunity to access health care coverage, including bolstering the ability of small business to be able to provide health coverage;
- Increase federal funding for Ryan White AIDS by 10%;
- Improve access to health care for immigrants throughout the U.S., with a special emphasis on infrastructure of the U.S.-Mexico border;
- Provide outreach and enrollment programs with promotoras (lay health workers) for Hispanics, immigrants, and workers on the U.S.-Mexico border;

- Provide prevention programs in the community, especially in community health centers, where we call for improving prevention programs in clinics and Ryan White Centers;
- Provide incentives for Spanish language services with reimbursement in Medicare, Medicaid, SCHIP, and pay for performance risk adjustments;
- Mandate cultural competence training and adoption of CLAS standards (Culturally and Linguistically Appropriate Services) for health care providers and health professional students;
- Provide health information technology adoption and utilization grants for physicians and clinics;
- Conduct multimedia marketing campaigns and provide grant programs that focus on prevention;
- Cover legal immigrant children under the Children’s Health Insurance Program(CHIP);
- Provide equitable treatment under federal health care programs for Puerto Rico; and
- Provide returning reservists and National Guard members from Iraq and Afghanistan and other Global War on Terrorism locations the same health care benefits as their active duty counterparts, especially since Latinos are serving in greater numbers in combat units than any other ethnic group, thus are being overly impacted by Killed-in-Action, Wounded and Post Traumatic Syndrome.

POPULATION HEALTH

A. Puerto Rico

Historically, Puerto Rico has not been equitably included in many federal programs including Medicaid, CHIP, and Medicare. The Island government makes a great investment in health care, spending approximately \$1.7 billion to cover one third of its population. Yet despite this investment, the federal Medicaid reimbursement is just over \$250 million, covering a minute fraction of the actual costs. Similarly, the federal government under-funds Puerto Rico’s hospitals and sets aside money for children’s health without taking into consideration actual need. Without federal support, it is difficult for Puerto Rico to sustain its health care system.

Policy Recommendations:

- Eliminate the Medicaid cap. Until the cap is eliminated provide federal funds for all major health initiatives outside of the cap;
- Provide equitable inclusion of Children’s Health Insurance Program funds according to the national formula, as opposed to the current inequitable block grant;
- Provide hospitals on the Island the national Medicare formula (100% federal payment) as opposed to the “blended” lower rate of 75% federal contribution/25% local formula;
- Correct the Medicare Disproportionate Share Hospital formula, which severely underestimates the number of low-income patients, therefore reducing Puerto Rico’s qualifications for DSH payments;
- Provide federal support for medical facilities for the patient population in severely underserved areas such as Vieques, a former U.S. naval training range with only one severely limited health care facility; and
- Increase federal oversight of Ryan White AIDS money disbursed in Puerto Rico.

B. Comprehensive Population Health Approach

Eliminating health disparities and improving the health of Hispanics requires a population health approach beyond focusing on the health status of the individuals. It is necessary to consider the social, economic, cultural, and environmental conditions, as well as the places we live, work and play and to recognize the importance of the design of healthy public policy from sectors beyond public health – housing, transportation, labor, commerce, treasury, agriculture and education.

Policy Recommendations:

- Develop leadership training and conferences for government and private sector leaders on the population approach to policy development for healthy Hispanic communities;
- Develop incentives for policies in communities, media, housing, transportation, schools, and the health care system that increase prevention of diseases, including heart disease, cancer, diabetes, obesity, HIV/AIDS and infectious diseases, environmental and occupational diseases, asthma, and mental illness; and
- Review and establish policies focused on eliminating childhood obesity with schools,

media, business, communities and healthcare providers.

C. Environmental Health

The health impacts on Latinos in the U.S., including Puerto Rico, from instances of environmental injustice continue unabated. Latinos are more likely to be exposed to environmental hazards such as poor air quality related to smokestacks; lead exposure from paint; working conditions with excessive exposure to chemicals/pesticides/herbicides and others, which in turn lead to other chronic conditions and disabilities. To exacerbate matters, global warming, which causes natural disasters and is expected to produce a rise in infectious and water borne diseases, such as dengue fever, malaria, and more, again will have distinct and disproportionate public and environmental health impacts on Latinos.

Policy Recommendations:

- Include a set-aside for affected communities in any programs designed to provide companies incentives to reduce emissions; and
- Provide educational resources to low-income and communities of color on environmental hazards that affect them, including funding to Community-Based Organizations (CBOs) for outreach.

DIVERSITY IN THE HEALTH PROFESSIONS

There is a lack of bilingual, culturally competent health care professionals serving the Hispanic community resulting in a dire need to increase educational opportunities and promote health professions in minority communities. Latinos represent just 5.7% of physicians and surgeons, 4.2% of registered nurses, and 6.7% of physician assistants.

Policy Recommendations:

- Improve the recruitment process of Hispanic students starting with health career awareness, career pathway programs in K-12 and undergraduate education to expand the applicant pool for health professions schools and mentoring programs;
- Provide funding to CBOs to conduct education programs for youth to promote the health professions early on in the educational pipeline;

- Support initiatives to retain Hispanics in health care education programs;
- Support efforts to increase Hispanics in all levels of health care administration;
- Increase funding for Health Careers Opportunity Programs and Centers of Excellence (COE) programs;
- Provide long term funding at appropriate levels to Hispanic regional COE programs;
- Support comprehensive and long-term data collection on health professions graduates; and
- Provide higher reimbursements, scholarships and loan repayments (e.g., National Health Service Corps., U.S. Public Health Service Commissioned Corps.) for health professionals who provide service in underserved areas.

RESEARCH AND DATA COLLECTION

Research and data collection are critical to understanding the complex health issues within the Hispanic community and for establishing health care policy. There is a lack of research on the health of the Hispanic population in regards to their assets and opportunities to develop improved health care programs. There is also a lack of comprehensive data by subgroup and inconsistent data collection in Puerto Rico for major federal health related reports. Currently, there appears to be no policy guiding federal health agencies about the inclusion or exclusion of Puerto Rico in federal surveys. Thus, data about the Island is often limited or left out altogether, making it hard, or at times even impossible, to define the needs of the patient population.

Policy Recommendations:

- Continue and expand support for the annual collection of health disparities data on racial and ethnic minorities through the Agency for Healthcare Research & Quality;
- Improve data collection on Hispanic subgroups by country of origin and by lifespan. Ensure that “the SOL study” (epidemiologic cohort study of approximately 16,000 Latinos of Cuban, Puerto Rican, Mexican and Central/South American origin) receives adequate funding;
- Collect information specific to gender, ethnicity, and language preference;
- Increase role of Hispanics as researchers and as participants in clinical trials;

- Support for epidemiological study on prevalence of cancer rates among agricultural workers;
- Standardize federal data collection. Any ongoing or new federally conducted or supported health surveys, studies or research that will aggregate data along state, Standard Metropolitan Statistical Areas or labor market lines should also include Puerto Rico;
- Until legislation is passed on standardizing federal data collection, work towards the development and execution of Memorandum of Understanding between the Secretary of Health of Puerto Rico and HHS is necessary in order to outline a mutually agreed strategy for data collection relevant to Puerto Rico; and
- Promote collaboration among researchers at NIH and Puerto Rico.

GOVERNMENT ACCOUNTABILITY

HISPANICS IN THE FEDERAL WORKFORCE

The systemic exclusion of Hispanics in the federal workforce as documented by the NHLA contributes to why Hispanics remain the only underrepresented group in the federal workforce. Despite being over 17% of the civilian workforce including Puerto Rico, Latinos make up less than 8% of the federal government workforce, making Hispanics the only underrepresented group. This is a persistent problem regardless of which party is in control of the White House that keeps the federal workforce from reflecting the face of America. The absence of Hispanics at all levels of the federal government shortchanges the government's ability to produce policies that are inclusive, fair, and responsive to the concerns of the Hispanic community. As a result, Hispanics and issues and programs affecting those communities are either overlooked or managed ineffectively.

The federal government has known but not planned for the projected mass exodus in retirements of the federal work force. Since Hispanics constitute the largest and exponentially growing minority population it would appear to be a perfect opportunity to both backfill positions and to commence a concentrated effort to change the paradigm from one of exclusion to one of inclusion. The federal government must work toward creating equal opportunities to remedy the historically severe underrepresentation of Hispanics in the federal workforce.

Policy Recommendations:

- Substantially increase the number of Hispanics in the federal workforce;
- Enforce the Presidential Executive Order to increase Hispanic representation at all levels of the executive branch;
- Adhere to a closely monitored performance-based review system to assess the progress of all agencies in recruiting, maintaining and promoting Hispanics, and use it as an evaluation tool for the promotion of managers;
- Dramatically increase the number of Hispanics in the Senior Executive Service (SES);
- Increase political appointments of Hispanics;
- Increase judicial nominations of Hispanics at all levels;
- Ensure continuous professional development and job training, especially in technology, for Hispanic women;

- Increase Hispanic appointments to Boards and Commissions;
- Establish partnerships with academic institutions, including Hispanic Serving Institutions, and create exchange programs for Hispanic faculty members;
- Support and empower the role and functions of the Hispanic Employment Managers (HEP) Program to better accomplish its mission to advance employment opportunities for Hispanics as has been done successfully for women and African Americans;
- Executive Agencies, in conjunction with the Office of Personnel Management, should train personnel officers on how to work with a multicultural workforce;
- Increase veterans, military and military spouse employment; and
- Institute and implement an aggressive pipeline of qualified and upwardly mobile Hispanics by fully utilizing the federal student programs, internships, and hiring flexibilities. Federal agencies need to invest in and maximize programs, as well as develop strategic partnerships with Hispanic organizations, that will facilitate the hiring of talent into the federal government such as the Federal Career Internship Program (FCIP) and the Student Career Internship Program (SCIP).

HISPANIC BUSINESS PROMOTION, CONTRACTING AND GRANTS

Hispanic-owned businesses now comprise one of the fastest-growing segments the U.S. economy. Between 1997 and 2002 (the year with the latest data), the number of businesses owned by Hispanics grew by 31% -- three times the national average for all businesses -- reaching 1.6 million in 2002 and generating \$222 billion in revenue. Nonetheless, less than 2% of investment went to Hispanic-owned businesses in the U.S. Small Business Administration's main venture capital initiative, the Small Business Investment Company (SBIC) program.

Policy Recommendations:

- Support the reauthorization of the Small Business Administration programs and other related improvements to minority business promotion and federal procurement programs;
- Support implementation of the Executive Order 13170 to ensure non-discrimination in federal procurement and expansion of the Small Disadvantaged Business Program

(SDBs), 8(a), and Price Evaluation Adjustment to ensure that the federal government receives the best value for its contracts and to promote diversity to mitigate past inequalities in contracting to small businesses owned and controlled by socially and economically disadvantaged individuals;

- Support improvements on critical issues such as contract bundling, increasing federal contracting goals for small business, size standard reform and improved enforcement, equal access to grants, and the reinstatement of the price evaluation adjustment program across all federal agencies;
- Support reversing restrictions on the use of price evaluation adjustment for Small Disadvantaged Businesses (SDBs) at the Department of Defense;
- Support H.R. 1873, the Small Business Fairness in Contracting Act, as the best effort towards reforming the federal marketplace for the benefit of minority entrepreneurs;
- Advertise in Hispanic owned and bilingual publications to maximize outreach; and
- Federal agencies need to invest in and maximize programs, as well as develop strategic partnerships with Hispanic businesses.

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Association for the Advancement of Mexican Americans (AAMA)

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www.aamainc.com

Cuban American National Council

1223 S.W. 4th Street
Miami, FL 33135
Tel: (305) 642-3484; Fax: 642-9122
www.cnc.org

Dominican American National Roundtable (DANR)

1050 17th St. NW, Suite 600
Washington, DC 20036
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www.danr.org

Hispanic Association of Colleges & Universities (HACU)

8415 Datapoint Drive, Suite 400
San Antonio, TX 78229
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www.hacu.net

Hispanic National Bar Association

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Labor Council for Latin American Advancement (LCLAA)

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League of United Latin American Citizens (LULAC)

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www.lulac.org

MANA, A National Latina Organization

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Mexican American Legal Defense & Educational Fund (MALDEF)

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www.maldef.org

National Association of Hispanic Publications

8201 Greensboro Dr., Suite 300
McLean, VA 22102
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www.nahp.org

National Association of Latino Elected and Appointed Officials (NALEO)

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National Council of La Raza (NCLR)

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National Hispanic Council on Aging

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National Hispanic Foundation for the Arts

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National Hispanic Media Coalition

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National Hispanic Medical Association

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Southwest Voter Registration Education Project (SVREP)

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