



# **HISPANIC PUBLIC POLICY AGENDA**

## **TWO YEAR PROGRESS REPORT**

Evaluating Success and Challenges: 2009-2010



**National Hispanic Leadership Agenda**

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# Executive Summary

At the midway point since issuing its quadrennial Hispanic Public Policy Agenda in 2008, the National Hispanic Leadership Agenda assessed the progress made thus far in addressing the major public policy issues facing the Hispanic community nationally across six broad issue areas; Education, Immigration, Government Accountability, Health, Civil Rights and Economic Development. All of these areas have equal value in terms of the impact on the lives of Hispanic Americans and their pursuit of the American dream. Much of the progress made during the two years evaluated by this report have since been placed at risk due to budget proposals that would dramatically roll back federal investments in programs that play an important role in advancing the Hispanic community and the nation.

## Education

While policy changes to the Elementary and Secondary Education Act eluded Congress and the Administration, delaying further important reforms needed to ensure Latino youth succeed in school, funding was increased for various education programs, from pre-K through the university level. The most significant progress was achieved in the realm of higher education, including historic investments in Hispanic Serving Institutions and our nation's veterans' ability to pursue higher education.

In the first half of 2011, two sobering reports, from the U.S. Department of Education's Civil Rights Data Collection and National Center for Education Statistics, underlined the low educational attainment levels and achievement gaps of Hispanic Americans and Limited English Proficient students, reinforcing the need for meaningful reform and investments in improved educational services and opportunities for Latinos.

### EARLY CHILDHOOD EDUCATION

- Head Start funding was increased to enable an expansion of Head Start and Early Start services to 70,000 additional children, including 55,500 infants and toddlers, nearly doubling the population served by Early Head Start.

### HIGHER EDUCATION

- The American Recovery and Reinvestment Act and FY2009 appropriations increased the maximum Pell Grant by more than \$600 for a total award of \$5,350. The maximum award increased to \$5,550 in 2010.
- The Health Care and Education Reconciliation Act of 2010 will limit loan payments to 10% of income, and forgive any remaining debt after 20 years, or after 10 years for those in public service.

- Hispanic Serving Institutions (HSIs) won a 25% increase in funding to develop undergraduate education, known as Title V, Part A; and funding for graduate education at HSIs (Title V, Part B) was funded for the first time at \$22 million in FY 2010.
- As a part of the College Cost Reduction Act, HSIs received \$1 billion for STEM Education development per year for 10 years, starting with \$100 million in FY 2010.

## VETERANS

- The Post 9/11 Veterans Educational Assistance Improvements Act enhances the New GI Bill for the 21<sup>st</sup> Century to provide a four-year college education for veterans. The new legislation expands coverage to vocational programs, distance learning for disabled veterans, and includes a stipend to pay for textbooks.
- The FY 2009 Supplemental Appropriations bill extended college education benefits to children of members of the armed forces who die while on active duty

## Immigration

In no other area of public policy have the Obama Administration and Congress over-promised and under-delivered more than in immigration. Despite the president's promises to move comprehensive immigration reform during his first year in office, no movement was achieved in reaching that goal. In contrast, Congress and the Administration approved and implemented greater and harsher enforcement measures, including the deployment of 1,200 National Guard soldiers to the U.S.-Mexico border and \$500 million for border protection and law enforcement technology in May 2010. And while the Administration announced some positive changes to the "Secure Communities" program in the first half of 2011, these did not go far enough to address concerns about the program's largely negative impact in communities across the nation.

Among the Administration's few welcome acts in the immigration context was the Justice Department's vigorous effort to block implementation of Arizona's SB 1070 racial profiling law, its investigation into Maricopa County Sheriff Joe Arpaio for alleged discrimination against Latinos in the county's police practices and jail operations, and its increased enforcement actions against anti-immigrant vigilantes. USCIS does deserve recognition for improving services by cutting naturalization and adjustment-of-status application processing times, as well as for eliminating the backlog in the FBI name check program.

Meanwhile, in Congress, the then-Speaker of the House of Representatives deserved applause for bringing the DREAM Act to the floor and securing its passage. However, similar efforts in the Senate by the Majority Leader were stymied by a filibuster, despite support for the bill by a majority of Senators.

## Government Accountability

### HISPANICS IN THE FEDERAL WORKFORCE

The Obama Administration has made appointments to his Administration and the Judiciary that are historic in nature and number, including the first Hispanic to serve on the U.S. Supreme Court and the hiring of more Latinos into top positions than any other previous administration. However, the challenge of increasing Hispanic representation and retaining that talent in the civil service persists.

### HISPANIC BUSINESS PROMOTION, CONTRACTING AND GRANTS

SBA loans to small and minority businesses are up sharply thanks to provisions in the American Recovery and Reinvestment Act (ARRA). Under the Small Business Jobs Bill, Congress created a \$20 billion fund for small business loans which is intended to inject much needed capital into businesses in underserved areas to help stabilize local economies.

Despite the Obama Administration's otherwise strong record of hiring Hispanics, only one Hispanic OSDBU Director was hired in the top 35 Federal agencies. Meanwhile, the SBA has failed to address the inadequacy of small business size standards in certain sectors, resulting in many Hispanic-owned small businesses being forced into competition for government contracts with very large businesses.

One of the continuing opportunities for small businesses is to secure contracts and sub-contracts from the federal government. The White House created a Small Business Federal Contracting Task Force which has submitted over 20 recommendations to the President for improving small business programs, and many of these directly impact the Hispanic business community. Contracting with Hispanic owned and bilingual newspapers and magazines for outreach, education, and awareness campaigns provides the mutual benefits of directly reaching the growing Hispanic population and also supporting the small business community.

## Health

Health reform included many provisions that will help expand health insurance coverage for Latinos and improve health outcomes for our community as a whole.

- Expands Medicaid eligibility to people with incomes under 133% of the federal poverty level.
- Provides significant funding for disease prevention and enhances community health centers.
- Makes significant investments in recruiting and training a diverse and culturally competent health workforce.
- Includes \$6.3 billion in new Medicaid funding for the territories; grants new flexibility for Puerto Rico to determine how to best use funding to expand coverage; and authorizes Puerto Rico to establish a health care exchange with \$1 billion in subsidies for individuals and families of modest means.

At the same time, a failure in leadership resulted in the inclusion of onerous verification requirements that will result in preventing low-income, elderly and minority American citizens and legal residents from accessing coverage in the health insurance exchanges, even for private insurance options, where no federal taxpayer subsidies are involved.

Several other notable developments outside of health reform include:

- The Children’s Health Insurance Program Reauthorization Act was passed by Congress and signed by President Obama, expanding coverage to the children of legal immigrants and pregnant women by giving states the option to eliminate the five year waiting period.
- Increased funding for HIV/AIDS programs and release of a National HIV/AIDS Strategy by the White House emphasizing the need for testing and prevention among Latino and other minority communities.
- The launch of the First Lady’s *Let’s Move!* Initiative, and related efforts, to reduce childhood obesity, which disproportionately impacts the Latino community, with devastating long-term impacts on our community’s health and quality of life.

## Civil Rights

Congress passed, and President Obama signed into law, the Local Law Enforcement Hate Crimes Prevention Act. The Department of Justice has vigorously pursued a number of hate crimes cases, including those perpetrated against Latinos, such as the one that resulted in the death of Luis Ramirez.

The Justice Department’s renewed commitment to Civil Rights enforcement is also evident in its enforcement of voting rights, where it has pursued a number of cases.

President Obama has taken steps to nominate independent, fair-minded judges who appreciate the role of the courts as often being the forum of last resort for protecting the civil rights of vulnerable populations. However, the pace of nominations has been slow, and during the 111th Congress, the Senate had a poor record of confirming nominees in a timely fashion.

## Economic Empowerment

With the U.S. facing the worst economic crisis since the Great Depression and Hispanic Americans suffering the greatest percentage of job loss and slashed wages among minority communities, the American Recovery and Reinvestment Act (ARRA) averted Depression-level unemployment by creating new jobs and protecting existing ones, spurring economic activity, and providing tax breaks to millions of working families and businesses. The law provided \$228 billion in tax cuts, \$224 billion for education, job training and healthcare programs, and \$275 billion in federal contracts, grants, and loans.

Large segments of the Hispanic community continue to struggle through the recovery while vital programs that assist families in meeting their basic needs are under threat of budget cuts. Short-sighted cuts that cripple the Hispanic community's recovery will have a negative ripple effect on the entire nation's fragile economic recovery.

Other action by the President and Congress included:

- ARRA and other legislation, as well as Administrative initiatives, targeted assistance to homeowners and communities to alleviate some of the worst effects of the housing market crisis.
- Four extensions of emergency unemployment compensation benefits.
- The Lilly Ledbetter Fair Pay Act, which makes it easier for women to seek justice when facing workplace discrimination.

# NHLA Leadership

## Executive Committee 2011-2012

<b>CHAIR</b>	Lillian Rodríguez López Hispanic Federation
<b>VICE CHAIR</b>	Brent Wilkes League of United Latin American Citizens
<b>SECRETARY</b>	Diana Sen Hispanic National Bar Association
<b>TREASURER</b>	Albert Zapanta United States-Mexico Chamber of Commerce
<b>AT-LARGE</b>	Juan Andrade, Jr. U.S. Hispanic Leadership Institute
<b>AT-LARGE</b>	Thomas A. Saenz Mexican American Legal Defense & Educational Fund
<b>AT-LARGE</b>	Hector Sanchez Labor Council for Latin American Advancement

# NHLA Membership

**ASPIRA Association**

Ronald Blackburn Moreno, President

**Cuban American National Council**

Guarione M. Diaz, President & CEO

**Hispanic Association of Colleges & Universities**

Antonio R. Flores, President & CEO

**Hispanic Federation**

Lillian Rodríguez López, President

**Hispanic National Bar Association**

Diana Sen, President

**Labor Council for Latin American Advancement (LCLAA)**

Milton Rosado, President

**League of United Latin American Citizens**

Margaret Moran, President

**MANA, A National Latina Organization**

Alma Morales Riojas, President & CEO

**Mexican American Legal Defense & Educational Fund (MALDEF)**

Thomas A. Saenz, President & General Counsel

**National Association of Hispanic Federal Executives**

Al Gallegos, President

**National Association of Hispanic Publications**

Clara Padilla Andrews, President

**National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund**

Arturo Vargas, Executive Director

**National Conference of Puerto Rican Women**

Vivian Ortiz, President

**National Council of La Raza**

Janet Murguía, President & CEO

**National Hispana Leadership Institute**

Barbara DesMarteau, Interim President

**National Hispanic Caucus of State Legislators**

Joseph Miro, President

**National Hispanic Council on Aging**

Yanira Cruz, President & CEO

**National Hispanic Environmental Council**

Roger Rivera, President

**National Hispanic Foundation for the Arts**

Felix Sanchez, Chairman

**National Hispanic Media Coalition**

Alex Nogales, President & CEO

**National Hispanic Medical Association**

Elena V. Rios, President & CEO

**National Image, Inc.**

Manuel Oliverez, Chairman

**National Institute for Latino Policy (NiLP)**

Angelo Falcón, President & Co-Founder

**National Puerto Rican Coalition, Inc.**

Rafael A. Fantauzzi, President & CEO

**Self Reliance Foundation**

Roberto Salazar, President

**SER – Jobs for Progress National, Inc.**

Ignacio Salazar, President

**Southwest Voter Registration Education Project**

Antonio Gonzalez, President

**United States Hispanic Chamber of Commerce**

Javier Palomarez, President & CEO

**United States Hispanic Leadership Institute (USHLI)**

Juan Andrade, Jr., President

**United States-Mexico Chamber of Commerce**

Albert Zapanta, President & CEO

# Introduction

In 2008, the National Hispanic Leadership Agenda issued its quadrennial Hispanic Public Policy Agenda, which provided policymakers with a blueprint of policy recommendations on how to address the major issues of concern facing the Hispanic community in America. This progress report provides an assessment of what has been accomplished in the first two years since the release of the 2008 agenda, and what remains to be done.

As the release of 2010 Census data further underscores, population growth in America is driven in large part by Hispanics, and the success of America therefore rests on the success of its growing Hispanic community. In the past two years, we have witnessed significant investments in the future of our community through reforms to financing higher education – lowering costs for student loans and increasing Pell Grants. Historic legislation was passed to reform our health care system, with the promise of major investments in prevention and the recruitment of minorities into health professions.

In 2009 and 2010, we also welcomed progress made to prosecute hate crimes, the confirmation of the first Hispanic Justice on the U.S. Supreme Court, the Justice Department's success in blocking implementation of Arizona's SB1070 racial-profiling law, and we cheered House passage of the DREAM Act. Furthermore, the American Recovery and Reinvestment Act provided funding to create jobs and invest in many of our community's needs, staving off an even worse economic recession.

At the same time, the Hispanic community faces economic hardship as the economic recovery has been slow to take hold, and we have borne the brunt of a wave of anti-immigrant sentiment that seemed to reach fever pitch, with passage of Arizona's SB 1070 racial profiling law and moves to pass copycat bills in other states, more enforcement-only measures, a rise in anti-Hispanic hate crimes, and the inclusion of onerous verification requirements in health reform that will have an adverse impact on lower-income and minority communities. The failure of Congress and the Administration to enact comprehensive immigration reform continues to cause havoc in our communities as families continue to be separated and the hard work of undocumented immigrants continues to be welcomed, ignored and assailed, all at the same time.

In the next two years and beyond, our work continues on the unfinished business that this progress report highlights and defending the gains we have won. Already this year, we have witnessed a budget debate in which some would place the burden of reducing government spending on the shoulders of society's most vulnerable while giving generous tax breaks to millionaires and corporations. Such proposals risk plunging many Latinos into poverty and undermining all the gains made in recent years. We have therefore spoken out and will continue to do so, against massive cuts to important programs that serve our community, such as

Medicaid, Medicare, Social Security, and critical education, job-training, worker safety, health, and environmental programs.

We will also continue to push the Administration to increase the representation of Hispanics in the federal workforce and improve its recruitment of Hispanic-owned businesses as government contractors and subcontractors. As Congress and the Administration move toward reforming the Elementary and Secondary Education Act, we will vigorously advocate for the best educational opportunities for our youth. We will continue to advocate for fairer and more humane immigration policies, calling on the President to use his executive authority to modify federal immigration enforcement efforts, and we will monitor the implementation of health reform to ensure it reaches our community and helps reduce minority health disparities.

As over ninety new Representatives and Senators chart their course in Congress and various political leaders campaign in the 2012 presidential election, we urge policymakers and candidates for federal office to adopt NHLA's public policy priorities so that they can work with us towards the success of Hispanic Americans and the nation as a whole.

# 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 Hispanics have at least a high school diploma, compared to 89% of non-Hispanic Whites. Among those 25 years and older, only 13.4% of Hispanics have bachelor's degrees compared to 30.6% of non-Hispanic Whites.



President Obama signed Executive Order 13555, renewing the White House Initiative on Educational Excellence for Hispanics. The initiative intends to promote public-private partnerships, establish a Presidential Advisory Commission and national network of community leaders that inform education policy, and form a Federal Interagency Working Group to exchange resources and address issues impacting the lives of Hispanics nationwide.

## 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.

RECOMMENDATION	PROGRESS
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.	 Increased funding for Head Start services was included in the FY2010 appropriations and American Recovery and Reinvestment Act, which increased the number of children served by Head Start and Early Start by 70,000 between 2008 and 2010. This included 55,500 infants and toddlers, nearly doubling the population served by Early Head Start.
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.	  Congressman Raúl M. Grijalva introduced The PRIDE Act which would improve dual-language education for preschool through grade five. Congress took no action on this legislation.
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.	 No such action taken.

## 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. NHLA's 2008 Policy Agenda recommendations to address these critical problems centered around proposals to amend the No Child Left Behind Act, known prior to 2002 as the Elementary and Secondary Education Act (ESEA). In May 2010, the Obama Administration unveiled a blueprint for the reauthorization of ESEA, which addressed many of NHLA's recommendations. However, there has been no Congressional action on this legislation.

Among the NHLA recommendations addressed in the Administration's blueprint:

- Inclusion of ELLs in the new ESEA's accountability system, by removing flexibility from school districts that fail to improve performance of ELLs.
- Adoption of statewide English language proficiency standards.
- Continuation of formula grants to states and school districts to implement various bilingual education programs.
- Professional development for all teachers of ELLs, including teachers of academic content areas.
- Research in second language acquisition and the effectiveness of instruction for ELLs.
- Improved data collection by population subgroups.

In Congress, measures were introduced that would help alleviate the dropout crisis. There was no movement to enact this legislation due to overall inaction on ESEA:

- Rep. Hinojosa and Sen. Bingaman introduced the Graduation Promise Act (HR 418/S1698) which would fund competitive grants to LEAs, nonprofit organizations, and institutions of higher education to develop and implement, or replicate, effective secondary school models for struggling students and dropouts.
- Rep Linda Sánchez introduced Put School Counselors Where They're Needed Act (HR 5671) which would establish demonstration project to provide additional school counselors and counselor resources in schools with high drop-out rates.

While reauthorization of the ESEA was stalled, progress has been made in funding various education programs important to NHLA:



Federal funding for English Learner Education has increased since 2008, to \$730 million in 2009 and \$750 million in 2010.



The Administration's FY2011 budget request proposed to increase by 200,000 the number of teachers for low income and minority students to teach hard-to-staff subjects.



Final funding figures for FY2011 are still awaiting action by Congress.



Federal funding for Adult Education increased since 2008, to \$567 million in 2009 and \$640 million in 2010.



The Administration’s budget request for FY2011 proposed \$1.8 billion for the Supporting Student Success initiative, which would fund various measures to reduce drop-out rates. Final funding figures for FY2011 are still awaiting action by Congress.

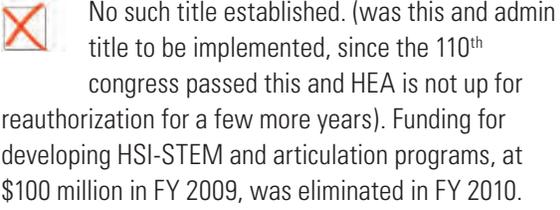
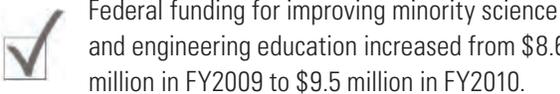
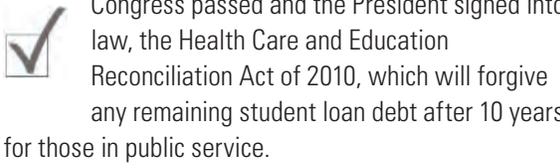
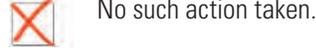
## HIGHER EDUCATION

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.

Financial Aid	
RECOMMENDATION	PROGRESS
Double Pell Grant caps and increase the grants to loans ratio	 The American Recovery and Reinvestment Act and FY2009 appropriations increased the maximum Pell Grant by more than \$600 for a total award of \$5,350. The maximum award increased to \$5,550 in 2010.
Lower student loan costs and support exemptions for federal loan default rate and create a new loan forgiveness program for low-income Hispanic students	 Congress passed and the President signed into law, the Health Care and Education Reconciliation Act of 2010, which will limit loan payments to 10% of income, and forgive any remaining debt after 20 years, or after 10 years for those in public service.
Support the DREAM Act to provide undocumented immigrant students with the opportunity to attend college and adjust their status; and Increase access to in-state tuition assistance to graduates of U.S. high schools, regardless of immigration status.	 DREAM Act was passed by the House but stalled in the Senate by five votes in a procedural cloture vote.

**Teacher Education**

**RECOMMENDATION** | **PROGRESS**

<p>Establish a new teacher education program under Title II of the Higher Education Act 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; and increase funding to HSIs for teacher development and training.</p>	<p></p> <p></p>
<p>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.</p>	<p></p>
<p>Establish and fund through legislation a National Hispanic Education Leadership Institute to train Hispanic principals, superintendents and HSI college faculty and presidents.</p>	<p></p>

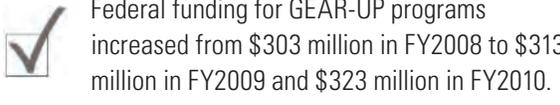
**HSI Executive Order**

**RECOMMENDATION** | **PROGRESS**

<p>Establish by Executive Order a "President's National Board of Advisors to Hispanic Serving Institutions" to strengthen the capacity of Hispanic Serving Institutions.</p>	<p></p>
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**Pre-College and College Support**

**RECOMMENDATION** | **PROGRESS**

<p>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; and increase funding for student support services, including the federal TRIO programs, and increase funding under TRIO for Hispanic non-profit organizations.</p>	<p></p> <p></p>
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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.



Funding to develop Hispanic Serving Institutions (Title V, Part A) for undergraduate education increased from \$93 million in 2008 to \$117.4 million in FY2010 and Title V, Part B for graduate education was funded for the first time at \$22 million for FY2010.

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;



As a part of the College Cost Reduction Act, HSIs received \$1 billion for STEM Education development per year for 10 years. FY 2010 was the first year for funding at \$100 million.



USDA provided \$9.2 million toward HSIs for teaching, research and outreach in FY2010.

Expand the Fund for the Improvement of Postsecondary Education (FIPSE), programs for international study by Hispanic students and faculty;



Funding for FIPSE Institutions increased from \$120 million in 2008 to \$134 million in FY 2009 and \$159 million in FY2010.

Increase opportunities for the recruitment of Latino faculty by colleges and universities;



Unclear whether such action was taken.

Increase the number of Hispanic students who attend four-year universities as well as two-year colleges; and support policies that would increase Hispanic representation in top-tiered schools in collaboration with HSIs.



No such specific action taken, but legislation passed to increase Pell grants and reduce student loan costs are expected to help increase Hispanic enrollment in higher education programs.

**Additional Progress:**



A new Department of Education program to promote post-baccalaureate opportunities for Hispanic Americans was established and funded at \$12 million in FY2009 and \$22 million in FY2010.

**Veterans**

**RECOMMENDATION** | **PROGRESS**

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).



Congress passed, and the President signed into law, the Post 9/11 Veterans Educational Assistance Improvements Act which strengthened the New GI Bill for the 21st Century to provide a four-year college education for veterans. The new legislation expands coverage to vocational programs, distance learning for disabled veterans, and includes a stipend to pay for textbooks.



The FY 2009 Supplemental Appropriations bill extended college education benefits to children of members of the armed forces who die while on active duty

# Immigration

Of the close to 50 million Hispanics in the United States, 37% are foreign-born. Federal immigration law and policy, therefore, continues to be a top concern of the Hispanic community. U.S. immigration laws and policies respecting immigration must reflect a commitment to human and civil rights.

There have been numerous setbacks and disappointments related to immigration policy, chief of which was Arizona's S.B. 1070 coupled with a failure by the Administration and Congress to advance immigration reform. In addition to federal policy, advocates spent much of their time on the defensive against punitive proposals at the state level.

## COMPREHENSIVE IMMIGRATION REFORM

NHLA stands with the strong majority of Americans in urging prompt federal action in enacting comprehensive and compassionate 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.

RECOMMENDATION	PROGRESS
<p>Enable the estimated 12 million undocumented people in our country to come forward, attain legal status, learn English and be allowed to assume the rights and responsibilities of citizenship while creating smart and secure borders that enhance national security.</p>	<p> Major Comprehensive Immigration Reform bills were introduced in both chambers of Congress. Reps. Luis Gutierrez and Solomon Ortiz introduced the CIR ASAP Act of 2009 and Sen. Bob Menendez introduced the CIR Act of 2010. There was no legislative action taken to advance these bills.</p>
<p>Crack down on unscrupulous employers who employ unfair labor practices with undocumented workers.</p>	<p> As part of its efforts to discourage companies from hiring and then mistreating undocumented workers, the federal government announced it would audit over 1000 employers.</p>
<p>Strengthen legal channels that reunite families and allow workers to enter with the rights and protections that safeguard our workforce.</p>	<p> The Reuniting Families Act was introduced by Rep. Michael Honda and Sen. Bob Menendez. There was no legislative action taken to advance these bills in either chamber. However, provisions of a Sen. Menendez bill to protect the legal status of the immigrant orphans, widows and widowers of U.S. Citizens, was passed by the Senate.</p>

Enact proactive measures to advance the successful integration of new immigrants into our communities.



The Department of Education’s budget for adult education increased to \$640 million in 2010 and its budget for English language learner education increased to \$750 million with an additional \$50 million increase requested for 2011.



The Department of Homeland Security was appropriated \$11 million in FY2010 to enhance immigrant integration initiatives within US Citizenship and Immigration Services, which includes approximately \$7 million to support citizenship preparation services for LPRs. The Administration requested \$18 million for FY2011.

### 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 were 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.

RECOMMENDATION	PROGRESS
DHS must impose a moratorium upon DHS approval of 287(g) agreements.	 While DHS did not impose a moratorium, it released new criteria for existing 287 (g) agreements.
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.	 DHS has increased the capacity of, and funding for, the DHS Office of Civil Rights and Liberties. In the last year, the office has met with Hispanic organizations to expand their work in the community.

## 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.

RECOMMENDATION	PROGRESS
<p>Support family reunification as a cornerstone of U.S. immigration policy, which is consistently jeopardized as families are separated from their loved ones.</p>	<div data-bbox="824 489 950 562">   </div> <p>The Reuniting Families Act was introduced by Rep. Michael Honda and Sen. Bob Menendez. There was no legislative action taken to advance these bills in either chamber. However, provisions of a Sen. Menendez bill to protect the legal status of the immigrant orphans, widows and widowers of U.S. Citizens, was passed by the Senate.</p> <div data-bbox="833 814 898 888">  </div> <p>Congress approved and the president signed into law an extension of authority for USCIS to complete the processing of permanent resident applications for surviving spouses and other relatives of immigration sponsors who die during the adjudication process.</p>
<p>Stop immigration raids and deportations that jeopardize public safety.</p>	<div data-bbox="833 1056 898 1129">  </div> <p>Rather than slow down the number of raids and deportations, the Administration has increased the number of deportations.</p>

## 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 immigration reform, the DREAM Act has garnered bipartisan backing and has the support of the House and Senate leadership. This is the only major piece of immigration legislation that made some movement through the legislative progress since the release of NHLA’s 2008 Hispanic Public Policy Agenda. After successfully passing through the House of Representatives with bipartisan support, it failed to advance in the Senate despite winning the support of 55 Senators.

RECOMMENDATION	PROGRESS
<p>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 countries they are unfamiliar with.</p>	<p><input checked="" type="checkbox"/> During the 2010 lame duck session of Congress, the House passed a compromise version of the legislation by a bipartisan vote of 216-198.</p> <p><input type="checkbox"/> In the Senate, the DREAM Act failed to secure 60 votes to end a filibuster of the bill, on a vote of 55-41.</p> <p><input checked="" type="checkbox"/> In April 2010, Senators Durbin (D-IL) and Lugar (R-IN) sent a letter to DHS asking for a moratorium on deportations of DREAM-eligible students. While a moratorium has not been imposed, the number of deportations of DREAM-eligible students is reported to have decreased.</p>

## 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.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p><input checked="" type="checkbox"/> No action taken on legislation introduced in the House to extend the E-Verify pilot program.</p>

### NATURALIZATION DELAYS & BACKLOGS

In July 2007 USCIS increased naturalization application fees from \$400 to \$675. Prior to the increase, there was a dramatic rise in naturalization applications beginning in 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.

RECOMMENDATION	PROGRESS
<p>Expedite elimination of the naturalization backlog.</p>	<p> USCIS has cut the application processing time from eight months in 2008 to four months in 2009, and cut adjustment-of-status processing times from nearly 14 months to 4.3 months during the same period. USCIS also has eliminated a backlog in the FBI name check program.</p>
<p>Rescind fee increases.</p>	<p> While fee increases of recent years were not rescinded, U.S. Citizenship and Immigration Services announced that the naturalization fee would not be increased in 2011. However, other USCIS fees will increase. The Administration has requested USCIS funding in FY10 and FY 11 for processing political asylum, refugee, and military naturalization applications. This would offset the direct cost of processing these applications to other applicants. \$55 million was appropriated for this purpose in FY2010.</p>

### 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.

RECOMMENDATION	PROGRESS
<p>Ensure that OSC has the resources necessary to fulfill its mission to protect authorized workers from certain discriminatory employment actions.</p>	<p> No action taken.</p>

Ensure that OSC engages in significant outreach, community education, and enforcement actions necessary to ensure that Latinos are protected from unlawful discrimination.



OSC provides educational materials for workers and employers but has not announced significant improvements to its current outreach, education, and enforcement programs.

## OTHER DEVELOPMENTS



**Justice Department moves to block SB1070.** The Department of Justice successfully challenged unfair provisions of Arizona's SB 1070 racial profiling law in federal district and appeals courts.



**More enforcement, but no long term solutions.** President Barack Obama ordered the deployment of 1,200 National Guard soldiers to the U.S.-Mexico border and \$500 million for border protection and law enforcement technology in May 2010.



**Justice Department sues Maricopa County Sheriff Joe Arpaio.** DoJ filed a lawsuit against Sheriff Arpaio, the Maricopa County Sheriff's Office, and Maricopa County for refusing full cooperation with the department's investigation of alleged discrimination against Latinos in the county's police practices and jail operations. This is the first such lawsuit against local law enforcement in over 30 years.

# Government Accountability

## HISPANICS IN THE FEDERAL WORKFORCE

The systemic exclusion of Hispanics in the federal workforce as documented by 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. 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 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.

RECOMMENDATION	PROGRESS
Substantially increase the number of Hispanics in the federal workforce.	 The percentage of new Hispanic hires government wide reduced from 9.2% to 7.3% of the total workforce from 2008 to 2009. Total Hispanic representation in the permanent federal civilian workforce remained at just 8% in 2009. Sen. Daniel Akaka and Rep. Danny Davis introduced the Senior Executive Service Diversity Assurance Act (S 1180/HR 3774) but no action was taken on the bill in either chamber.
Enforce the Presidential Executive Order to increase Hispanic representation at all levels of the executive branch.	 No action was taken.
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.	 No action was taken.

Dramatically increase the number of Hispanics in the Senior Executive Service (SES).



Hispanic hiring for SES doubled and Hispanic representation increased from 2% to 3.2% of the total SES workforce from 2008 to 2009. However, much of this gain may be attributable to temporary political appointments, and therefore does not significantly change the long-term composition of the senior ranks of the civil service. Even at 3.2%, this rate remains very low compared to the total Hispanic civilian workforce. Sen. Daniel Akaka and Rep. Danny Davis introduced the Senior Executive Service Diversity Assurance Act but action was not taken in either chamber.

Increase political appointments of Hispanics, including increased Hispanic appointments to Boards and Commissions.



President Obama has hired more Latinos into top positions in his administration than any other previous president. The many appointees include Labor Secretary Hilda Solis, Interior Secretary Ken Salazar, Ambassador Mari Carmen Aponte, Ambassador Raul Yzaguirre, White House Director of Intergovernmental Affairs Cecilia Muñoz, and Assistant Attorney General for Civil Rights Thomas Perez.

Increase judicial nominations of Hispanics at all levels.



In 2009, President Obama nominated, and the Senate confirmed, Justice Sonia Sotomayor to become the first Hispanic to serve on the U.S. Supreme Court.

Other Hispanic judges confirmed to federal court in the past two years include Albert Diaz, Mary Murguia and Jimmie Reyna to U.S. Circuit Courts, and William Martinez to U.S. District Court.



Other Hispanic judges confirmed to federal court in the past two years include Albert Diaz, Mary Murguia and Jimmie Reyna to U.S. Circuit Courts, and William Martinez to U.S. District Court.

Ensure continuous professional development and job training, especially in technology, for Hispanic women.



No action was taken.

Establish partnerships with academic institutions, including Hispanic Serving Institutions (HSI), and create exchange programs for Hispanic faculty members.



While it is unclear whether such specific partnerships have taken place, the Department of Education's budget for HSI development increased to \$117 million in 2010, giving HSIs greater resources to pursue such partnerships.

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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.



No action was taken.

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Executive Agencies, in conjunction with the Office of Personnel Management, should train personnel officers on how to work with a multicultural workforce.



No action was taken.

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Increase veterans, military and military spouse employment.



The Department of Labor's budget for veteran employment and training increased slightly to \$210 million in 2010.



The Post 9/11 Veterans Educational Assistance Improvements Act covers veterans' vocational education and job-training.

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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).



The House of Representatives implemented a diversity initiative to recruit and hire more diverse employees.

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## HISPANIC BUSINESS PROMOTION, CONTRACTING AND GRANTS

Hispanic-owned businesses in 2007. The number of businesses owned by Hispanics grew by 43.7% from 2002. 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.

In the past two years, there has been a strong resurgence in White House and Congressional efforts to support and foster the development on small and minority businesses. These efforts include large infusions of capital into the small business community through SBA and Treasury loan programs. Powerful initiatives have been created by the Congress to provide capital to small businesses under ARRA economic stimulus programs and under the recently passed Small Business Jobs Bill (both efforts strongly supported by the Obama Administration).

SBA loans to small and minority businesses are up sharply under the ARRA initiatives as a result of the increased loan guarantees (90%) and the waiver of loan fees. Under the Small Business Jobs

Bill, Congress created a \$20 billion fund for small business loans. Treasury will provide these funds directly to community-based lenders (CDFIs and other local institutions) in underserved rural and urban low-income neighborhoods. This small business loan fund is intended to inject much needed capital into businesses in underserved areas to help stabilize local economies.

One of the continuing opportunities for small businesses is to secure contracts and sub-contracts from the federal government. The White House created a Small Business Federal Contracting Task Force with the mission of improving federal contracting for small businesses. The Task Force has submitted over 20 recommendations to the President for improving small business programs and many of these directly impact the Hispanic business community. One of the most important recommendations would require federal agencies to include small businesses in task and delivery orders awarded under GSA Schedules and MAS Contracts (Multiple Award Schedule contracts). When implemented, this could add another \$100 billion annually to federal prime contract awards to small and minority businesses.

Many of the growing small businesses in the Hispanic community are newspapers and magazines, which serve as the main thread that keeps the community informed, educated and engaged. Federal agencies that use Hispanic owned and bilingual publications in outreach, education, and awareness campaigns, not only succeed in reaching the growing Hispanic population, but also support the small business community.

The SBA has undertaken a comprehensive effort to improve the 8(a) program and its proposals are very positive. In recent months, SBA has vastly improved the WOB (Woman Owned Business) procurement preference program and will launch the program in early FY 2011.

Under the Small Business Jobs Bill, Congress addressed a major problem affecting all the SBA business development programs. The problem was the favoritism given to HUB Zone companies in procurement decisions over all other socio economic programs (WOB, SDB., Service Disabled Vets, 8(a), etc.). Under the Small Business Jobs Bill, the Congress established parity among all SBA business development program so that one program is not favored over the other.

There are two notable failures over the past two years with respect to small and minority business programs:

1. Despite the fact that the Obama Administration has been very receptive to Hispanic issues across the board, at the present time, there is only one Hispanic OSDBU Director in the top 35 Federal agencies - Mauricio Vera, USAID. That is a serious problem for the Hispanic business community;
2. The SBA has failed to address the inadequacy of small business size standards in areas such as IT Systems Engineering (and related fields), base maintenance, and environmental remediation. Current size standards are too small and, as a result, SBA prematurely ejects small businesses from small business size status, thereby pushing them into unfair competition with very large businesses.

RECOMMENDATION	PROGRESS
<p>Support the reauthorization of the Small Business Administration programs and other related improvements to minority business promotion and federal procurement programs.</p>	<p> The Small Business Administration’s programs have been reauthorized by Congress.</p>
<p>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.</p>	<p> The implementation of Executive Order 13170 is ongoing. Each Agency Secretary is responsible for reporting annually to the White House on departmental efforts under this Executive Order. The SDB program has expired at the civilian and defense agencies (authorized in separate statutes). Efforts to re-enact the SDB program are being considered by the small business committees in Congress. A Federal court held the DOD program was unconstitutional because Congress failed to provide the necessary justification for the program. For the program to be reinstated, the congress will have to amass sufficient evidence of discrimination to overcome objections by the courts to the continued use of race-based preference programs. The future of the SDB Program is uncertain. That includes the PEA (Price Evaluation Adjustment) which is part of the SDB Program. PEA is a price preference of up to 10% given to certified SDBs under certain circumstances to enhance the likelihood that they will win federal contract awards.</p>
<p>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.</p>	<p> Both Congress and the Administration continue to grapple with the problem of bundling which most often results in small businesses being left out of major federal contracts. It is a pernicious problem with no easy solutions. Federal agencies are coping with 1/3 reductions in procurement personnel and have a huge need for more efficient ways of awarding and managing contracts. Bundling is a favorite method to accomplish this. One critically important way of partially solving this problem was the White House Task Force’s recommendation to the President which would require federal agencies to include small businesses in task and delivery orders under GSA Schedules and MAS Contracts (Multiple Award Schedule contracts). When implemented, this could add another \$100 billion annually to federal prime contact awards to small and minority businesses.</p>

Support reversing restrictions on the use of price evaluation adjustment for Small Disadvantaged Businesses (SDBs) at the Department of Defense.



See above for progress on SDBs.

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.



The Small Business Fairness in Contracting Act passed the House in 2007 but was not taken up by the Senate during the 110th Congress. The bill was not reintroduced in the 111th Congress. There is no indication as to whether or not it will be taken up in the 112th Congress. The most probable course of action will be for the House and Senate Small Business Committees to start over from scratch.

Advertise in Hispanic owned and bilingual publications to maximize outreach.



No action was taken.

Federal agencies need to invest in and maximize programs, as well as develop strategic partnerships with Hispanic businesses.



No action was taken.

# 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 certain diseases and conditions as well as social determinants of health that affect the health status of the Hispanic population. Lastly, the lack of diversity in the health professions and regional disparity issues 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.

NHLA engaged in the health reform debate, directing much of its activity through its Latinos United for Healthcare campaign, led by three guiding principles: 1) to make health insurance better and more affordable; 2) close the gap in health disparities; and 3) end discrimination in access and funding against Puerto Rico and immigrants. NHLA won several key provisions in the Affordable Care Act (ACA) that will support improvements in Latinos' health. However, further progress was hampered by a toxic political climate surrounding questions about coverage for immigrant populations and a failure in leadership to ensure that cost-effective, common-sense policy prevailed.



**Medicaid expansion.** The Affordable Care Act expands Medicaid eligibility to individuals with incomes under 133% of the federal poverty level.



**Verification requirements.** In a purported attempt to prevent undocumented immigrants from accessing health insurance, the Affordable Care Act includes costly and onerous verification requirements that will result in preventing low-income, elderly and minority American citizens and legal residents from accessing coverage in the health insurance exchanges. Latino citizens and legal residents should not have to face roadblocks to getting the services they help fund through their tax dollars. Such verification provisions especially have no place in blocking access to private insurance options, where no federal taxpayer subsidies are involved.

RECOMMENDATION	PROGRESS
<p>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;</p>	<p> ACA requires the establishment of American Health Benefit Exchanges based in states, regions, or administered federally that: (1) facilitate the purchase of qualified health plans; and (2) provide for the establishment of a Small Business Health Options Program (SHOP Exchange) that is designed to assist qualified small employers in facilitating the enrollment of their employees in qualified health plans offered in the small group market in the state.</p>
<p>Increase federal funding for Ryan White AIDS by 10%</p>	<p> Congress reauthorized the Ryan White CARE Act to continue funding through FY2012.</p> <p> Funding for HIV/AIDS programs through the Department of Health and Human Services increased by 7.5% over two years, from \$2.14 billion in FY2008 to \$2.24 billion in FY2009 and \$2.3 billion in FY2010.</p>
<p>Improve access to health care for immigrants throughout the U.S., with a special emphasis on infrastructure of the U.S.-Mexico border;</p>	<p> No specific actions taken with an emphasis on the U.S.-Mexico border region. Other policies provided indirect support.</p>
<p>Provide outreach and enrollment programs with promotoras (lay health workers) for Hispanics, immigrants, and workers on the U.S.-Mexico border;</p>	<p> In CHIPRA, a pilot program on obesity permits eligible grant entities to use community health workers to execute their prevention and health education work. In addition, community health workers are included as part of the efforts to expand the health care workforce in ACA.</p>
<p>Provide prevention programs in the community, especially in community health centers, for the improvement of prevention programs in clinics and Ryan White Centers; and conduct multimedia marketing campaigns and provide grant programs that focus on prevention.</p>	<p> The Affordable Care Act provides \$11 billion to bolster and expand community health centers over the next 5 years.</p> <p> The Affordable Care Act created the Prevention and Public Health Fund with \$15 billion over 10 years, designed to expand and sustain the necessary infrastructure to prevent disease, detect it early, and manage conditions before they become severe.</p>

RECOMMENDATION	PROGRESS
<p>Provide incentives for Spanish language services with reimbursement in Medicare, Medicaid, SCHIP, and pay for performance risk adjustments; and mandate cultural competence training and adoption of CLAS standards (Culturally and Linguistically Appropriate Services) for health care providers and health professional students.</p>	<p> Affordable Care Act authorizes funding for professional development, including cultural competency training.</p> <p>The Children's Health Insurance Program Reauthorization Act also included provisions that increased reimbursements for language services under Medicaid and CHIP.</p>
<p>Provide health information technology adoption and utilization grants for physicians and clinics.</p>	<p> The American Recovery and Reinvestment Act provided \$2 billion for HHS to help fund the development, implementation, and adoption of Health Information Technology standards and systems.</p>
<p>Cover legal immigrant children under the Children's Health Insurance Program (CHIP).</p>	<p> The Children's Health Insurance Program Reauthorization Act was passed by Congress and signed by President Obama, expanding coverage to the children of legal immigrants and pregnant women, giving the states the option to eliminate the five year waiting period.</p>
<p>Provide equitable treatment under federal health care programs for Puerto Rico.</p>	<p> The Affordable Care Act includes \$6.3 billion in new Medicaid funding for the territories; grants new flexibility for Puerto Rico to determine how to best use funding to expand coverage; and authorizes Puerto Rico to establish a health care exchange with \$1 billion in subsidies for individuals and families of modest means.</p>
<p>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.</p>	<p> The FY2010 appropriations for Veterans Affairs increased funding for veterans' medical care and benefits by 11 percent.</p>

**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.

RECOMMENDATION	PROGRESS
Eliminate the Medicaid cap. Without the elimination, provide federal funds for all major health initiatives outside of the cap.	 The Affordable Care Act increases Medicaid funding for US territories by 30%.
Provide equitable inclusion of Children’s Health Insurance Program funds according to the national formula, as opposed to the current inequitable block grant.	 The Children’s Health Insurance Program Reauthorization Act expands coverage for US Territories through Medicaid and CHIP by excluding certain expenditures for payment limits for Puerto Rico and other US Territories
Provide hospitals the national Medicare formula (100% federal payment) as opposed to the “blended” lower rate of 75% federal contribution/25% local formula.	  Resident Commissioner Pedro Pierluisi introduced the Puerto Rico Medicare Reimbursement Equity Act (H.R.1501), which would provide hospitals with the national Medicare formula of 100% federal payment. Congress took no action on this legislation.
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.	 In a step backwards, Congress enacted several cuts to federal DSH payments that will limit all safety-nets’ ability to care for the disadvantaged.
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.	 No such action taken
Increase federal oversight of Ryan White AIDS money disbursed in Puerto Rico.	 Unclear whether such action was taken.

**B. Comprehensive Population Health Approach**

Eliminating health disparities and improving the health of Hispanics requires a 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. Enactment of the Affordable Care Act provides important tools for implementing such an approach.

RECOMMENDATION	PROGRESS
<p>Develop leadership training and conferences for government and private sector leaders on the population approach to policy development for healthy Hispanic communities.</p>	<p> The Obama Administration is moving forward with the Office of Minority Health’s National Action Plan to eliminate health disparities that includes regional meetings and public/private partnership leadership development. The Affordable Care Act created the National Institute of Minority Health Research and Offices of Minority Health in all agencies at US DHHS to work on this effort and other agency efforts to eliminate health disparities.</p>
<p>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;</p>	<p> The Affordable Care Act created the Prevention and Public Health Fund with \$15 billion over 10 years, designed to expand and sustain the necessary infrastructure to prevent disease, detect it early, and manage conditions before they become severe.</p>

Review and establish policies focused on eliminating childhood obesity with schools, media, business, communities and healthcare providers.

 Congress reauthorized the Child Nutrition Act (Healthy, Hunger-Free Kids Act), which ensures healthy lunch options are provided to students in public schools and applies updated nutrition standards to almost all food served in schools.

 The First Lady launched the Lets Move! campaign to help build the momentum of the movement to reduce childhood obesity in America. As part of the campaign, various departments and agencies are taking steps to promote physical activity and healthy eating.

 The Affordable Care Act appropriates \$25 million in funds to carry out childhood obesity demonstration projects.

 The Children's Health Insurance Program Reauthorization Act directs the Secretary to conduct a childhood obesity demonstration project and authorizes appropriations for FY2008-FY2012.

### C. Environmental Health

The health impacts on Latinos resulting from instances of environmental injustice continue unabated in the U.S., including Puerto Rico. 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.

RECOMMENDATION	PROGRESS
<p>Include a set-aside for affected communities in any programs designed to provide incentives to companies to reduce emissions.</p>	<p> The American Recovery and Reinvestment Act provides businesses with tax incentives to reduce green house gas emissions and create eco-friendly jobs.</p>
<p>Provide educational resources to low-income and communities of color on environmental hazards that affect them, including outreach funding to Community-Based Organizations (CBOs).</p>	<p> Unclear whether such action was taken.</p>

## 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.

### RECOMMENDATION

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; and provide funding to CBOs to conduct education programs for youth to promote the health professions early on in the educational pipeline.

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; and provide long term funding at appropriate levels to Hispanic regional COE programs.

### PROGRESS



The Affordable Care Act made available \$250 million in new funding to expand the primary workforce. Combined with the earlier investments made by the American Recovery and Reinvestment Act, the provisions of the Affordable Care Act will support the training, development, and placement of more than 16,000 new primary care providers over the next five years.

In addition, the ACA calls for the development of cultural competence and patient centered education and counseling for patients and training programs for the health care workforce.



Funding for the Health Resource and Service Administration's Health Professions Training for Diversity increased from \$86 million in FY2009 to \$96 million in FY2010.



Funding for the Health Resource and Service Administration's Centers of Excellence programs increased from \$20 million in FY2009 to \$25 million in FY2010; and the Affordable Care Act provides \$50 million for COE programs each fiscal year through 2015. The American Recovery and Reinvestment Act provided \$4.9 million to health professions schools to establish or expand programs for underrepresented minority individuals.



Funding for the Health Resource and Service Administration's Centers of Excellence programs increased from \$20 million in FY2009 to \$25 million in FY2010; and the Health Careers Opportunity Program programs increased from \$19 million to \$22 million and the Affordable Care Act provides \$50 million for COE and HCOP programs each fiscal year through 2015. The American Recovery and Reinvestment Act provided \$4.9 million to health professions schools to establish or expand programs for underrepresented minority individuals.

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; and support comprehensive and long-term data collection on health professions graduates.



Funding for the Nurse Loan Repayment and Scholarship Program more than doubled, from \$37 million in FY2009 to \$94 million in FY2010. The American Recovery and Reinvestment Act included \$5.3 million in funding to address shortages of nursing instructors by helping nursing schools train 500 new nurse faculty; and also funded the Faculty Loan Repayment Program to help health professions faculty from disadvantaged backgrounds repay their student loans.



The American Recovery and Reinvestment Act also provided \$19.3 million to fund scholarships for disadvantaged health professions students; \$3 million for public health traineeships; \$2.6 million to increase nursing workforce diversity; \$2.5 million for the Health Careers Opportunity Program to help individuals from disadvantaged backgrounds to enter and graduate from a health or allied health professions program; and over \$800,000 for dental public health residency training.



Funding for the Health Resource and Service Administration's Health Professions Training for Diversity increased from \$86 million in FY2009 to \$96 million in FY2010.

## 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. At the time NHLA's 2008 Policy Agenda was released, there appeared to be no set policies to guide federal health agencies in the inclusion or exclusion of Puerto Rico in federal surveys. Thus, data about the Island has often been limited or left out altogether, making it hard, or at times impossible, to define the needs of the patient population.

The Affordable Care Act included two important provisions that will help solidify the federal health infrastructure to advance research and data collection as it relates to Hispanic populations:

**National Institute of Minority Health.** The Affordable Care Act elevates the National Center on Minority Health and Health Disparities at the National Institutes of Health from a Center to a full Institute.

**Office of Minority Health.** The Affordable Care Act codifies into the law the Office of Minority Health within the Department of Health and Human Services (HHS) and a network of minority health offices within HHS, to monitor health, health care trends, and quality of care among minority patients and evaluate the success of minority health programs and initiatives.

RECOMMENDATION	PROGRESS
<p>Continue and expand support for the annual collection of health disparities data on racial and ethnic minorities through the Agency for Healthcare Research &amp; Quality.</p>	<p> Funding for the Agency for Healthcare Research &amp; Quality increased from \$372 million in FY 2009 to \$397 million in FY2010. Funding is expected to increase substantially following enactment of the Affordable Care Act. \$21 million was dispersed by HHS from the Affordable Care Act's prevention fund in FY2010 for data collection and analysis.</p>
<p>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.</p>	<p> Unclear whether such action was taken.</p>
<p>Collect information specific to gender, ethnicity, and language preference; and increase role of Hispanics as researchers and as participants in clinical trials</p>	<p> Unclear whether such action was taken.</p>
<p>Support for epidemiological study on prevalence of cancer rates among agricultural workers;</p>	<p> Unclear whether such action was taken.</p>
<p>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;</p>	<p> Unclear whether such action was taken.</p>
<p>Until legislation is passed on standardizing federal data collection, work towards the development and execution of a 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;</p>	<p> Unclear whether such action was taken.</p>
<p>Promote collaboration among researchers at NIH and Puerto Rico.</p>	<p> Unclear whether such action was taken.</p>

# 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 during the previous Administration reached a crisis and 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% between 2003 and 2008, and more than 300 new anti-immigrant organizations were formed during this period. In 2009 and 2010, there was a return to more vigorous enforcement of civil rights statutes. Additionally, the enactment of federal legislation to combat hate crimes gave law enforcement additional and needed tools to pursue alleged perpetrators of hate crimes.

## 2010 U.S. CENSUS

An accurate and efficient 2010 U.S. Census and ongoing American Community Survey (ACS) that counted 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.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p> Census website provided a “Toolkit for Reaching Latinos,” which includes a commitment by the Census Department to maintain the confidentiality of personal information. The Department of Justice issued a letter clarifying that the confidentiality laws of the Census are stronger than the Patriot Act, confirming that the Census is fully confidential.</p>
<p>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).</p>	<p> President Obama makes Presidential Proclamation on April 1, 2010 that the Census Bureau aggressively protects all census participants’ private information, and that it is never used against them or shared with other government or private entities.</p>
<p>Mandate that Immigration and Customs Enforcement (ICE) suspend raids during the 2010 Census to ensure full Latino participation.</p>	<p> ICE stated that it would fully support an accurate count of the U.S. population by prioritizing the enforcement of laws on criminal aliens who present a risk to public safety rather than sweeps or raids to target undocumented immigrants indiscriminately. ICE issued policy guidelines for ICE operations during Census 2010 to complement that statement.</p>

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



No action found.

Hire greater numbers of Latino employees and advisors at all levels and program areas by the Census Bureau to address the problem of Latino under representation (currently Latinos are less than 6% of the Census Bureau work force, despite being over 13% of the civilian labor force)



Unclear. The Census Bureau reported that Regional Offices were able to hire work-authorized non-citizens when language skills were needed. There was previously a policy that prohibited the employment of work-authorized non-citizens from Mexico.

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



The Census Bureau had a comprehensive Spanish-language media campaign, but failed to create an equally robust English campaign for the Latino community.

## HATE SPEECH IN MEDIA AND HATE CRIMES

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

### RECOMMENDATION

### PROGRESS

The Federal Bureau of Investigation and the Department of Justice must prioritize the investigation and prosecution of hate crimes against Latinos.



The DOJ's Civil Rights Division issued strong opposition to hate crime-related violence and threats of violence. Federal prosecutors charged and convicted two defendants in Pennsylvania, and one defendant in New Jersey for hate crime-related actions in the death of Luis Ramirez.

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.



H.R.1913 Local Law Enforcement Hate Crimes Prevention Act of 2009, introduced by Rep. John Conyers (D-MI) in April 2009 was passed by the House and Senate and signed into law by President Obama on August 28, 2009.

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".



NTIA has agreed to do the report pending funds from Congress but Congress has not allocated the monies. In the interim, the DOJ's research institute is developing a report on the underlying causes of hate crimes against Latinos and immigrants.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p> In 2010 the FCC decided to collect ownership data from broadcasters. It has started to collect this data, but has not made it publicly available. In 2010 the FCC also sought comment on whether to collect broadcasters' EEO data. Many NHLA member organizations urged it to do so, and are awaiting action in 2011.</p> <p> The FCC issued a report on 3/9/08, detailing steps the FCC will take to increase participation in the broadcasting industry by new entrants and small businesses, including minority- and women-owned businesses, and to reinstate minority media tax certificates. However, so such steps have yet been enacted.</p>
<p>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.</p>	<p> The Telecommunications Act of 1996 has not been amended.</p>

## 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. Latino voters have also increasingly become targets of voter suppression in recent years.

The growth in the Latino population has also led to growth in the Latino electorate. In November 2008, 7.4% of the electorate was Latino, for a total of over 9.5 million Latino voters. However, the voter turnout rate for Hispanic citizens was only 31% in 2010, compared to 48% for non-Hispanic White citizens.

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.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p> The Civil Rights Division of DOJ is now headed by Thomas Perez. Perez previously worked as a federal prosecutor for the Civil Rights Division where he prosecuted and supervised the prosecution of some of the Department’s most high profile civil rights cases.</p>
<p>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.</p>	<p> The Voting Section of the Justice Department’s Civil Rights Division has pursued a number of voting rights cases, including a Section 203 violation in Riverside County, California and Sections 4(f)(4) and 203 violations in Shannon County, South Dakota.</p>
<p>Oppose voter identification and proof of citizenship laws, and support reforms that increase Latino voters’ access to democracy.</p>	<p> Congress did not advance voter identification proposals in the 111<sup>th</sup> Congress.</p>

**EMPLOYMENT DISCRIMINATION**

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

RECOMMENDATION	PROGRESS
<p>Support efforts to ensure that the DOJ and the EEOC aggressively pursue violations of civil rights employment laws.</p>	<p> No action found.</p>
<p>Oppose employment verification systems that lead to increased and unnecessary burdens on employers and workers and potentially increases discrimination against work-eligible Latino employees.</p>	<p>  Legislation was introduced (H.R. 662 and H.R. 2028) to extend the employment eligibility confirmation pilot programs (which include the E-Verify basic pilot program). The House took no action on these proposals during the 111<sup>th</sup> Congress.</p> <p>The Administration requested and received increased funding to expand E-verify.</p>

Civil rights enforcement agencies must hire and retain well-qualified attorneys and experts who are committed to enforcing anti-discrimination laws and regulations.



Several individuals from the civil rights advocacy community have been nominated and placed in leadership positions at DOJ and other agencies.

## 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. According to Bureau of Justice Statistics data from 2010, there were 439,000 Hispanics in federal and state prisons and local jails, making up over 20% of the federal and state prison populations and over 15% of the local-level inmate population. Nationally, in state prisons and local jails, Hispanics are incarcerated at more than twice the rate of Whites, according to 2009 data.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p> Congress passed, and the President signed into a law, a reduction in the disparity between crack and powder cocaine penalties, and reduced mandatory sentences.</p>
<p>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.</p>	<p> No action found.</p>
<p>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.</p>	<p> Rep Conyers (D-MI) introduced H.R. 5748, the End Racial Profiling Act of 2010, in July 2010.</p> <p> The House took no action on the proposal.</p>
<p>Take into account serious 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.</p>	<p> No action found.</p>

## 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.

RECOMMENDATION	PROGRESS
Support policies that increase resources for English language acquisition and new American integration programs.	<p><input checked="" type="checkbox"/> Rep. Honda (D-CA) and Sen. Gillibrand (D-NY) introduced the Strengthen and Unite Communities with Civics Education and English Skills Act of 2009 (H.R. 3249/S. 1478) in July 2009.</p> <p><input type="checkbox"/> No action was taken on this proposal.</p>
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.	<p><input type="checkbox"/> Rep. King (R-NY) in February 2009 and Sen. Inhofe (R-OK) introduced the National Language Act of 2009 (H.R. 1229/S992).</p> <p><input checked="" type="checkbox"/> No action was taken on this proposal.</p>
Support "English-Plus" legislation that celebrates the country's multiculturalism and multilingualism and enhances our global competitiveness.	<p><input checked="" type="checkbox"/> Rep Serrano (D-NY) introduced H. CON. RES. 3 "English Plus Resolution," in January 2009.</p> <p><input type="checkbox"/> No action was taken on this proposal.</p>
Oppose attempts to limit or eliminate civil rights protections for language minorities.	<p><input checked="" type="checkbox"/> No measures to eliminate civil rights protections for language minorities were enacted into law.</p>

## JUDICIARY

A fair and independent judiciary is critical for the preservation of Latino civil rights. Having diverse perspectives and experiences represented on the bench further enriches the ability of the judiciary to consider cases that impact our nation’s diverse population. 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.

RECOMMENDATION	PROGRESS
<p>Nominate and confirm judges who champion expansive interpretations of civil rights legal protections.</p>	<p> The President nominated and Senate confirmed a number of nominees with civil rights backgrounds such as Justice Sonia Sotomayor to the U.S. Supreme Court and Marisa Demeo to the Superior Court for the District of Columbia.</p> <p> The Senate failed to confirm a number of qualified nominees with strong civil rights backgrounds, such as Goodwin Liu to the 9<sup>th</sup> Circuit Court of Appeals.</p>
<p>Nominate and confirm judges who reflect the growing diversity of the country.</p>	<p> President Obama nominated and the Senate confirmed Sonia Sotomayor as Associate Justice of the U.S. Supreme Court, becoming the first Hispanic to join the nation’s highest court.</p> <p> President Obama nominated and the Senate confirmed Albert Diaz to the U.S. Court of Appeals for the Fourth Circuit, Mary Murgia to the U.S. Court of Appeals for the Ninth Circuit, Jimmie Reyna for the U.S. Court of Appeals for the Federal Circuit, William Martinez to the District Court of Colorado, Gloria Navarro to the District Court of Nevada, Edward Davila to the Northern District of California, Marco Hernandez to the District Court of Oregon, Diana Saldana to the District Court of Southern Texas, Esther Salas to the District Court of New Jersey, and Marisa Demeo to Superior Court for the District of Columbia. The confirmations of other nominees, including Marina Marmolejo for the District Court of Southern Texas, are pending.</p>

## 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.

RECOMMENDATION	PROGRESS
<p>Restore balance to the Commission and ensure that it fulfills its critical role as a key investigation and monitoring tool for civil rights.</p>	<p> The President currently has the opportunity to nominate to the commission and restore balance the commission to its true mission. Timing of USCCR nominees is unclear.</p>

## PUERTO RICO'S SELF-DETERMINATION

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

-  President Obama signed an executive order to continue to renew the work of the President's Task Force on Puerto Rico's Status and expand its existing mission to include matters affecting Puerto Rico's economic development. Consulting representatives of the people of Puerto Rico continues to be part of the Task Force's mission. The Task Force held several sessions in 2010 to hear public comments. Report was due in October 2010.
-  In its report released March 2011, the Task Force recommended that Puerto Ricans be able to express their will about Puerto Rico's status options. The Task Force also urged Congress to pass self-executing legislation that would commit the United States to fulfilling the will of the Puerto Rican people. Should Puerto Rico be admitted as a state, the Task Force asks the President and Congress to ensure Puerto Rico continues to control its culture and identity.
-  On May 19, 2009 Congressman Pedro Pierluisi introduced bill H.R. 2499, The Puerto Rico Democracy Act. The legislation passed on the House 223-169 was referred to the Committee on Energy and Natural Resources, hearing were held. Bill died with the sine die adjournment of the 111th Congress.

# 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. Distressingly, our families are among those that have been hardest hit by the Great Recession.

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.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p> The American Recovery and Reinvestment Act created new jobs and protected existing ones, spurred economic activity, and provided tax breaks to millions of working families and businesses. The law provided \$228 billion in tax cuts, \$224 billion for education and healthcare programs, and \$275 billion in federal contracts, grants, and loans.</p>

Extend sick leave benefits for all workers<sup>1</sup> 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.



The House passed the Federal Employees Paid Parental Leave Act of 2009, introduced by Rep. Maloney (D-NY) but the Senate did not pass it.



President Obama's proposed FY 2011 Budget contains a \$50 million State Paid Leave Fund at the Department of Labor that will provide competitive grants to help cover start-up costs for states that choose to launch paid leave programs.



Rep DeLauro (D-CT) and the late-Sen. Kennedy (D-MA) introduced the Healthy Families Act (H.R.2460/S.1152), which would require certain employers, who employ 15 or more employees for each working day during 20 or more workweeks a year, to permit each employee to earn at least one hour of paid sick time for every 30 hours worked. However, the House and Senate took no action on this legislation.

### HISPANIC HOMEOWNERSHIP

NHLA promotes the goal of Hispanic homeownership. In 2008, only 49% of Latinos are homeowners, compared to 74% of non-Hispanic Whites. The ongoing crisis in the housing market has resulted in families seeing a dramatic reduction in their assets and net worth, and too many families have either lost their home or fallen prey to market conditions that require them to sell their home and lose their equity.

RECOMMENDATION	PROGRESS
<p>Promote and fund expanded efforts into affordable housing; and leverage investments in order to best allow local communities to develop vacant or foreclosed properties.</p>	 <p>The American Recovery and Reinvestment Act provided \$13 billion for the Community Development Fund, of which \$1 billion was allotted for the community development block grant program, and \$3 billion was allotted for the Neighborhood Stabilization Fund, which helps states, local governments, and nonprofits purchase and rehabilitate vacant properties to create more affordable housing and reduce neighborhood blight.</p>

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

Expand financial literacy education to Hispanic communities, including non-English speaking households.

The Dodd-Frank Wall Street Reform and Consumer Protection Act, introduced by Rep. Frank (D-MA) and Sen. Dodd (D-CT) on 12/2/09, was signed into law on 7/21/10. The law expands financial literacy programs to minority communities.

The House passed the Mortgage Reform and Anti-Predatory Lending Act (H.R. 1728), introduced by Rep Miller (D-NC), the bill would require the secretary of HUD to inform homebuyers of the availability and importance of obtaining a home inspection before buying. It also would require HUD to issue several new publications, in both English and Spanish, explaining the importance of home inspection and important questions to ask a home inspector. However, the Senate did not pass this bill.

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.

The Dodd-Frank Wall Street Reform and Consumer Protection Act, introduced by Rep. Frank (D-MA) and Sen. Dodd (D-CT) on 12/2/09, was signed into law on 7/21/10.

The new \$1 billion HUD Emergency Homeowners Loan Program, announced on 8/10/10, will complement the U.S. Treasury's Hardest Hit Fund by providing up to 24 months of assistance to homeowners in hard hit local areas that may not be included in the hardest hit target states.

The Housing Finance Agency (HFA) Innovation Fund for the Hardest Hit Housing Markets (the Hardest Hit Fund), the U.S. Department of the Treasury will make \$2 billion of additional assistance available for HFA programs for homeowners struggling to make their mortgage payments due to unemployment.

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.



The Helping Families Save Their Homes in Bankruptcy Act of 2009 (H.R.1106/S.896), introduced by Rep. Conyers (D-MI) and Sen. Dodd (D-CT) was signed into law on 5/20/09. The law expands eligibility for Chapter 13 bankruptcy by excluding home mortgage debt from the current maximum debt limitations. The law also allows bankruptcy judges to require a mortgage holder to lower the interest rates on a loan or extend a repayment period of the loan to up to 40 years in an effort to reduce the borrower's monthly payment.

### UNEMPLOYMENT BENEFITS

The contraction in the U.S. economy in 2008-2010 resulted in the loss of hundreds of thousands of jobs. The unemployment rate for Hispanics in the U.S. rose from 6.5% in the first quarter of 2008 to 13% by the end of 2010, well above the unemployment rate of 8.5% for Whites.

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.

RECOMMENDATION	PROGRESS
<p>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.</p>	 <p>Congress passed, and the President signed into law, four extensions of Emergency Unemployment Compensation benefits.</p>

**JOB TRAINING**

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.

-  The American Recovery and Reinvestment Act provided \$82.2 billion dollars for aid to low-income workers, unemployed and retirees (including job training). Approximately \$3.45 billion was allotted for job training, \$500 million for vocational training for the disabled, and \$400 million for employment services.

RECOMMENDATION	PROGRESS
<p>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.</p>	<p> No action found.</p>
<p>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.</p>	<p> President Obama’s proposed FY 2011 Budget contains \$907 million for Adult Employment and Training Activities through the Department of Labor, a \$45 million increase over the 2010 and 2009 budgets. The 2010 and 2009 budgets were both \$862 million.</p>
<p>Reauthorize and expand Trade Adjustment Assistance.</p>	<p> President Obama’s proposed FY2011 Budget contains \$2.4 billion for Trade Adjustment Assistance through the Department of Labor, a \$600 million increase over the 2010 budget. The 2010 and 2009 budgets were \$1.8 billion and \$958 million respectively.</p> <p> The American Recovery and Reinvestment Act included Trade Adjustment Assistance benefits for an additional 160,000 downsized workers.</p>

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

RECOMMENDATION	PROGRESS
Award and expand incentives to domestic manufacturing in order to improve our economy and labor force (e.g., Manufacturing Extension Partnership Program).	 President Obama’s proposed FY2011 Budget contains \$129.7 million for the Manufacturing Extension Partnership Program, a \$5 million increase over the 2010 budget. The 2010 and 2009 budgets were \$124.7 million and \$110 million respectively.
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.	 The American Recovery and Reinvestment Act of 2009 (H.R. 1) was signed into law 2/17/09. The law added two new target groups to the Work Opportunity Tax Credit: Unemployed Veterans and Disconnected Youth, who are individuals between 16-25 who are not in school or regularly employed for at least 6 months and who lack certain basic, employable skills.

## ENDING FOOD INSECURITY

RECOMMENDATION	PROGRESS
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 American Recovery and Reinvestment Act allots SNAP, formerly known as the Food Stamp Program, an estimated \$58.5 billion of Recovery Act funds in the coming years to increase benefits and provide additional administrative funds to States to help them serve the growing number of families seeking assistance. Households will receive an average of an additional 19% per month in benefits.
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.	 No action taken yet. Reauthorization of the Farm Bill is expected in 2011 or 2012.
Expansion of the summer food program especially on Latino communities.	 President Obama’s proposed FY 2011 Budget contains \$397 million for the Summer Food Service Program, an increase of \$20 million over the 2010 budget. The 2010 and 2009 budgets were \$377 million and \$356 million respectively.
	 The Healthy, Hunger-Free Kids Act of 2010 (S.3307), which reauthorizes the Child Nutrition Act, was signed into law.

**PAY AND GENDER EQUITY**

RECOMMENDATION	PROGRESS
<p>Support the promotion of gender equity and racial equality in the workplace, and develop assessments on remaining barriers and remedies.</p> <p>Ensure adherence to minimum wage, equal employment opportunity laws, family and medical leave, and promotion of child care.</p>	<p> Congress passed and the President signed into law the Lilly Ledbetter Fair Pay Act of 2009 (H.R.11/S.181), introduced by Rep. George Miller and Sen. Mikulski. The law amends the Civil Rights Act of 1964 to state that the 180-day statute of limitations for filing an equal-pay lawsuit regarding pay discrimination resets with each new discriminatory paycheck.</p>

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