

2012

# HISPANIC PUBLIC POLICY AGENDA

QUADRENNIAL BLUEPRINT FOR ADVANCING  
THE LATINO COMMUNITY





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## MESSAGE FROM THE CHAIR

August 2012

On behalf of the 30 national Latino organizations comprising the National Hispanic Leadership Agenda (NHLA), I am pleased to present the 2012 Public Policy Agenda. This agenda is a culmination of meetings, discussions, and roundtables in which Latino leaders and community advocates addressed many critical issues of the utmost importance to the Latino community. These issues include economic development, education, civil rights, immigration reform, government accountability, and health care.

The agenda consists of specific changes, goals and improvements in the legislative, judicial, and executive spheres where NHLA believes that government action could have a profound, lasting, and positive impact. The policy suggestions presented in this agenda positively affect everyone from the worker desperately struggling to make ends meet to corporations intimately intertwined with the Latino community.

The Latino population consists of over 50 million individuals spanning the United States, Puerto Rico, and other territories. In the last ten years, Latinos represented more than half of the total population growth. This explosive demographic change signals a shift in community attitudes, political representation, and electoral power. Indeed, the Census estimates that by 2050 Latinos will comprise nearly one third of the entire nation's population.

Growth, however, has not come without its challenges. The Great Recession disproportionately affected Latinos, with the median household wealth among Latinos plummeting more than any other group. Additionally, misguided immigration laws in states like Arizona, Georgia, and Alabama disproportionately affect Latinos, breed an environment of mistrust, and cripple economic development.

Moving forward, Latino civic participation will play a central role in confronting these challenges. Already, candidates, parties, and organizations recognize the increasing influence and importance of the Latino vote, but they must fight for our vote and deliver on their promises. The administration and elected officials must recognize that Latinos are not a monolithic voting bloc but, rather, a group filled with diverse voices and an overarching desire to achieve the American Dream. Candidates' respect for the Latino community and its needs is critical to ensuring Latino political support.

The 2012 Public Policy Agenda represents our goals and aspirations for the future. We seek to work with the government, candidates, political parties, organizations, and, most importantly, the public to make the aims of this agenda a reality. The Latino community exists as an integrated and interconnected part of this nation. Latino priorities are, by definition, the priorities of the United States as a whole.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Sanchez', with a stylized flourish at the end.

**Hector E. Sanchez**  
**Chair**

## Table of Contents

<b>About NHLA</b>	<b>pg. 6</b>
<b>NHLA Leadership</b>	<b>pg. 6</b>
<b>NHLA Members</b>	<b>pg. 7</b>
<b>Executive Summary</b>	<b>pg. 8</b>
<b>Introduction</b>	<b>pg. 18</b>
<b>Economic Security and Empowerment</b>	<b>pg. 20</b>
<b>Education</b>	<b>pg. 25</b>
<b>Immigration</b>	<b>pg. 29</b>
<b>Government Accountability</b>	<b>pg. 31</b>
<b>Civil Rights</b>	<b>pg. 33</b>
<b>Health</b>	<b>pg. 36</b>
<b>Contact Information</b>	<b>pg. 38</b>

# About NHLA

Established in 1991, the National Hispanic Leadership Agenda (NHLA) is a nonpartisan association of major Hispanic national organizations and distinguished Hispanic leaders from all over the nation. NHLA's mission calls for unity among Latinos around the country to provide the Hispanic community with greater visibility and a clearer, stronger influence over our country's affairs. NHLA brings together Hispanic leaders to establish policy priorities that address, and raise public awareness of, the major issues affecting the Latino community and the nation as a whole.

NHLA is composed of 30 of the leading national and regional Hispanic civil rights and public policy organizations, other elected officials, and prominent Hispanic Americans. NHLA coalition members represent the diversity of the Latino community – Americans and immigrants of Mexican, Puerto Rican, Cuban, and other Hispanic descents.

## NHLA Leadership

CHAIR

**Hector Sanchez**

Labor Council for Latin American Advancement

VICE CHAIR

**Brent Wilkes**

League of United Latin American Citizens

SECRETARY

**Jessica Gonzalez**

National Hispanic Media Coalition

TREASURER

**Albert Zapanta**

United States-Mexico Chamber of Commerce

AT-LARGE

**Juan Andrade, Jr.**

U.S. Hispanic Leadership Institute

AT-LARGE

**Thomas A. Saenz**

Mexican American Legal Defense & Educational Fund

AT-LARGE

**Yanira Cruz**

National Hispanic Council on Aging



## NHLA Membership

ASPIRA Association

Cuban American National Council

Hispanic Association of Colleges & Universities

Hispanic Federation

Hispanic National Bar Association

Labor Council for Latin American Advancement

League of United Latin American Citizens

MANA, A National Latina Organization

Mexican American Legal Defense & Educational Fund

National Association of Hispanic Federal Executives

National Association of Hispanic Publications

National Association of Latino Elected and Appointed Officials Educational Fund

National Council of La Raza

National Conference of Puerto Rican Women

National Hispana Leadership Institute

National Hispanic Caucus of State Legislators

National Hispanic Council on Aging

National Hispanic Environmental Council

National Hispanic Foundation for the Arts

National Hispanic Media Coalition

National Hispanic Medical Association

National Image, Inc.

National Institute for Latino Policy

National Puerto Rican Coalition, Inc.

Self Reliance Foundation

SER – Jobs for Progress National, Inc.

Southwest Voter Registration Education Project

United States Hispanic Chamber of Commerce

United States Hispanic Leadership Institute

United States-Mexico Chamber of Commerce



# EXECUTIVE Summary

The National Hispanic Leadership Agenda (NHLA) presents its quadrennial Public Policy Agenda to elected officials, candidates, and other policymakers with the goal of providing them an understanding of the policies needed to advance the social and economic status of the Latino community in 2012 and beyond. As the Latino community continues to grow, policymakers cannot ignore that the success of the United States relies more heavily than ever before on the success of the Latino population.

## Economic Security And Empowerment

The Latino community continues to struggle to regain the ground lost during the Great Recession. The foreclosure crisis disproportionately impacted Latinos, at the same time as the Latino community faced higher-than-average levels of unemployment and lower-than-average earnings.

### *Principal Policy Recommendations*

- Achieve federal deficit reduction through a balanced approach that includes allowing tax cuts for high-income earners to expire; ending subsidies and tax breaks for profitable industries; and cutting the defense budget. Deficit reduction should not be exclusively achieved through cuts to domestic programs and the social safety net that serve the most vulnerable.
- Provide greater access to capital for entrepreneurs to start and grow small businesses, as well as preserving and growing opportunities for Hispanic-owned businesses to access federal contracting and subcontracting opportunities.
- Expand the Work Opportunity Tax Credit, which provides tax credits to employers who hire from targeted disadvantaged groups by expanding it to include all other members of an underserved community.
- Provide pathways to sustainable homeownership and combat predatory lending practices by increasing funding for Housing Counseling, supporting principal reduction through the Federal Housing Finance Agency, implementing the National Mortgage Servicing Standard, and strengthening the role of the Consumer Financial Protection Bureau.





- Reauthorize the Workforce Investment Act to improve access to workforce development training and adult/civics education services for youth, veterans, and individuals with low educational and English language attainment, including migrant workers.
- Create jobs through major public investments in rebuilding neighborhoods and transit systems through legislation beyond the reauthorization of the federal transportation law.
- Strengthen worker protections by defending the right of public and private sector workers to collective bargaining, and bolstering the capacity of federal agencies to enforce basic worker protections.
- Support gender equity in the workplace by enacting the Paycheck Fairness Act and implementing strong measures to prevent and prosecute quid pro quo sexual harassment, hostile environment sexual harassment, and sexual assault/rape in the workplace.
- Enact the Healthy Families Act, allowing workers at businesses with 15 or more employees to earn paid sick days.
- Enhance the Federal Communications Commission's E-Rate Program to subsidize teacher training to help students gain digital literacy skills and keep computer labs open in poor neighborhoods after school hours and on weekends.
- Promote competition in the broadband and mobile phone markets to promote lower prices and protect consumers from predatory billing and privacy practices.



## Education

In June 2012, we celebrated the thirtieth anniversary of *Plyler v. Doe*, a seminal 1982 Supreme Court ruling ensuring our schoolhouse gates are open to all Latino students, including undocumented students. The future economic competitiveness of the United States depends in great part on increasing the high school graduation and college completion rates among all Latino student groups.

Much work remains to be done, as Hispanics have lacked the opportunities and access to a quality and comprehensive education that others have enjoyed. To ensure a quality education for Latinos will require significant changes in state and federal outreach to the nation's Hispanic community at all levels of education.

### *Principal Policy Recommendations*

- Renew and fully fund the Elementary and Secondary Education Act (ESEA) to help Latinos, English Language Learners (ELLs), and migrant students.
- Maintain a robust federal accountability system to hold schools accountable and ensure that minority students, low-income students, ELLs, and students with disabilities have access to a quality education and persistent achievement gaps are closed.
- Ensure that consortia developing college- and career-ready and common core standards also timely deliver valid diagnostic and summative assessments for ELLs that are benchmarked to the new standards.
- Ensure states receiving a flexibility waiver under ESEA continue to collect and report student subgroup data in a manner that does not mask student subgroup performance or rob school officials of the means to pursue narrowly tailored interventions to address persistent subgroup achievement gaps unique to a subgroup of low performers.
- Institute universal pre-school that meets national standards, and expand Head Start, Early Head Start, and Migrant and Seasonal Head Start.
- Improve Hispanic achievement in science, technology, engineering, and mathematics (STEM) through increased support to Hispanic-Serving Institutions (HSIs), so they may provide advanced training to elementary and secondary school STEM teachers, expand the number of advanced placement courses, and create articulation programs between community colleges and four-year universities that prepare students for STEM careers.
- Work with Latino community-based organizations to deliver extended learning opportunities and wrap-around services that keep students in school and on track to graduation with college- and career-ready skills.
- Strengthen financial aid programs to make college affordable by increasing Pell Grant caps, maintaining lower interest rates on federal student loans, expanding student loan forgiveness programs for those in public service, and maintaining or lowering the current limit on loan payments at 10 percent of income.
- Enact the DREAM Act, in part, to allow undocumented students to qualify for federal financial aid.
- Invest in institutions and programs that promote Hispanic achievement in higher education, such as HSIs, programs for migrant students, and college preparation programs.
- Invest in outreach and education programs targeted at Hispanic veterans, especially those operated by Hispanic-serving colleges and universities.





## Immigration

Federal immigration policy continues to be a major concern of the Hispanic community, as 38 percent of Hispanics in the U.S. are foreign-born. Our immigration, asylum, and naturalization laws must respect the dignity of the individual, reflect our nation's commitment to human and civil rights, and deny state and local encroachment into this federal arena. The Supreme Court's latest immigration ruling from June 2012, in *Arizona v. United States*, reaffirms longstanding law on exclusive federal authority in the area of immigration regulation. The Supreme Court unequivocally stated that "The Government of the United States has broad, undoubted power over the subject of immigration and the status of aliens," when it held that frustrated states and localities simply cannot pursue policies that undermine federal law and enforcement.



#### *Principal Policy Recommendations*

- Enact comprehensive immigration reform that offers undocumented immigrants an earned path to legalization and citizenship, unites families, and allows workers to enter with the rights and protections that safeguard our workforce.
- Curtail the state and local enforcement of immigration laws, which inevitably lead to racial profiling and unnecessarily strained relations between police and local Latino communities.
- Enact the DREAM Act, in part, to give undocumented students a path to earned legalization and then citizenship, and in the interim, maintain a fair and orderly path to administrative relief (from removal) for DREAM Act-eligible individuals.
- Revisit per-country caps unfairly slowing down the orderly adjustment of Latino immigrants.
- Continue to reduce the average processing time for green card applicants and green card holders applying for naturalization.
- Recognize the important benefit that naturalization confers on our nation and the related critical significance of maintaining naturalization fees at an affordable level.
- Demilitarize the southwest border by replacing National Guard troops with civilian law enforcement officers and halting construction of walls and fences along the border.
- Invest in cost-effective alternatives to detention for those who do not pose a risk to public safety or are a flight risk.





## Government Accountability

It is fundamentally important for the legitimacy of the federal government that it is inclusive of the entire population in its composition and basic functions. The workforce it employs and the companies it contracts with to carry out government services and activities must look like America. Unfortunately, Hispanics have long been under-represented in the workforce and among government contractors. Disturbingly, Hispanic representation among new hires across the federal government has dropped since 2009, undoing modest prior gains and despite the growth in the nation's Hispanic population.

### *Principal Policy Recommendations*

- Substantially and affirmatively increase the number of Hispanics in the federal workforce, including senior positions, through expanded recruitment and staff development, creating a pipeline of candidates for all levels of federal employment.
- Hold agency leaders accountable for tangible increase in Hispanic hiring.
- Support improvements on critical issues such as contract bundling, increasing federal contracting goals for small business, size standard reform and improved enforcement, and equal access to grants across all federal agencies.

## Civil Rights

Achieving progress on all the issues in this Policy Agenda requires a Latino community that is empowered to fully participate in the civic life of the nation. NHLA and its member organizations will therefore continue to vigorously advocate against efforts that, purposefully or by effect, dehumanize and disenfranchise Latinos.

### *Principal Policy Recommendations*

- Oppose voter photo identification requirements and other measures that disproportionately suppress Latino voter turnout.
- Support legislation or a constitutional amendment to rein in unlimited corporate money from disproportionately influencing elections and the democratic process and that remove “personhood” from corporations.
- Safeguard the continuation of the Census Bureau’s data collection, which is indispensable to the enforcement of civil rights and the fair allocation of federal funding, by opposing deep cuts to the Census Bureau and efforts to eliminate the American Community Survey.
- Encourage a comprehensive Federal Communications Commission inquiry into the extent and effects of hate speech in media and support FCC policies to expand and promote media ownership diversity.
- Support efforts to ensure that the U.S. Department of Justice, U.S. Department of Labor, and the Equal Employment Opportunity Commission aggressively pursue violations of voting rights, civil rights, workplace safety, and employment laws.
- Enact legislation that cracks down on and reprimands authorities involved in racial profiling.
- Provide sufficient funding to effectively implement the Elder Justice Act.
- Maintain and enhance the Violence Against Women Act, including all protections for undocumented victims of domestic violence.
- Significantly increase efforts across the federal government to ensure language accessibility standards are carried out in all federally conducted activities, including past poor performers like the U.S. Department of Homeland Security, and by recipients of federal assistance, such as state courts.
- Nominate and confirm judges that have demonstrated records of preserving or expanding civil rights legal protections and that reflect the growing diversity of the country.





## Health

To reverse the disparity between the health status of Latinos and the population at large, public policy must focus on expanding health insurance to the 30 percent of Latinos without coverage, investing in prevention, and improving the cultural and linguistic competence of our health care professionals. The Affordable Care Act (ACA) lays the foundation for addressing many of these factors. In upholding the ACA in June 2012, the Supreme Court affirmed the federal government's constitutional power to provide national solutions to national problems, including lack of health coverage. Given that health challenges facing Latinos will remain, so will the need for solutions.



#### *Principal Policy Recommendations*

- Encourage prompt and full implementation of important provisions of the ACA, such as the expansion of Medicaid and the Prevention and Public Health Fund.
- Eliminate the five year waiting period for legal residents to access Medicaid and remove obstacles to undocumented individuals' access to health exchanges to purchase private unsubsidized insurance.
- Double investment in Public Health Service Act Title X clinics that serve millions of low-income or uninsured individuals in underserved areas.
- Increase funding for Ryan White CARE Act and related programs to ensure the full implementation of the National HIV/AIDS Strategy.
- Find affordable means to implement the Community Living Assistance Services and Supports Act in order to provide the country with an affordable, easily accessible long-term care insurance plan.
- Support programs to recruit and train a new cadre of Hispanic health professionals with cultural and linguistic competencies, and continue to enforce Culturally and Linguistically Appropriate Services guidelines.





## Introduction

Twenty years since the National Hispanic Leadership Agenda (NHLA) first presented policymakers with a quadrennial platform on the major issues facing Latinos and the nation as a whole, both the Latino community and the nation have experienced significant transformation. Perhaps none is more significant than the impressive growth of the Hispanic population, from 22 million in the 1990 census to over 50 million according to the 2010 census, accounting for 16.3 percent of the total population. Today, the Latino population of the United States, including Puerto Rico, is estimated to be 56 million. This growth is destined to continue as Latinos account for 23.1 percent of children ages 17 and younger. The Latino community's contribution to the nation's economy and cultural life has grown as well, though not yet to a proportional degree. This Public Policy Agenda – the product of deliberations by the leading national and regional Hispanic organizations that comprise the diverse membership of the NHLA – recommends policies that will empower the Latino community and ultimately enhance its contributions to American society in 2012 and beyond.

The top concerns among Latinos today are jobs and the economy. The Great Recession hit the Latino community especially hard, with the foreclosure crisis and higher-than-average unemployment drastically reducing median wealth among Latino households by 66 percent between 2005 and 2009. At the same time, cutbacks in federal, state, and local government budgets are resulting in fewer investments in the education and job training programs needed to keep the economy growing. And the ongoing debate about reducing the deficit threatens to cut vital safety net programs at a time when those hit hardest by tough economic times, including Latinos, need them the most.

The Latino community needs a balanced approach to our budget challenges that includes both targeted spending cuts and increases in revenue. Growing our economy will also require support for Latino entrepreneurs, whose energy and enthusiasm is evident in the thousands of new small businesses created by Latinos each year.

To achieve long-term economic success, no investment is more important than education. Recognized by Latinos as a prerequisite for achieving the American Dream, increasing Hispanic high school graduation, college enrollment, and college completion rates remains some of our nation's greatest challenges. Not only will greater educational attainment mean higher lifetime salaries and an improved standard of living for millions of Latino families, but it is critical for the future economic competitiveness of the United States in the global economy.

The next reauthorization of the Elementary and Secondary Education Act, already long overdue, must hold states and schools accountable for reducing Latino drop-out rates, and include the provisions necessary to ensure that low-income, minority, English Language Learners (ELL), and migrant students have the differentiated support they need to succeed. To ensure Latino students are able to successfully pursue degrees in higher education, investing in financial aid (including Pell Grants and subsidized student loans) must continue to be a priority, along with supporting college preparation programs such as TRIO and GEAR-UP, and enhancing the capacity of Hispanic-Serving Institutions (HSIs) to provide excellent services at the undergraduate and graduate levels.

One of the greatest frustrations among Latinos is the inability of our political system in the past decade to achieve comprehensive immigration reform. The past four years have seen steps backward and only small steps forward. Draconian anti-immigrant measures have been enacted in several states, most notoriously Arizona and Alabama, and deportations by federal authorities are at record highs. While the Supreme Court, in *Arizona v. United States*, reaffirmed the exclusive federal authority in the area of immigration regulation by striking down most of Arizona's anti-immigrant law, the Latino community will continue to be under assault in the various states and localities that continue down this path in the absence of federal comprehensive immigration reform. While administrative steps to temporarily provide relief to law-abiding individuals and families have been welcomed—including the recent announcement to provide many DREAM Act beneficiaries an affirmative path to administrative relief and work authorization—they do not obviate the need for a lasting solution to an immigration system that is unfair, unrealistic, and ultimately broken. In recent years, the ugly economic interest of companies that build and run for-profit detention facilities have fueled the rise of anti-immigrant policies. It is therefore time to end the commercialization of detention, so that private interests no longer obscure the public interest.

Health reform has provided the foundation for making significant progress in addressing a number of the health disparities between Latinos and the

rest of the population, by expanding affordable coverage, investing in the prevention of chronic diseases that disproportionately afflict Latinos, and improving cultural competence among health professionals. The Supreme Court's upholding of the Affordable Care Act (ACA) in June 2012 settled various legal disputes delaying the implementation of the ACA. The high court's decision reaffirmed the federal government's constitutional power to provide national solutions to national problems like health care. Accordingly, the health challenges facing Latinos will remain requiring additional effort in the coming years to reach underserved areas and populations, effectively combat HIV/AIDS, remove artificial barriers to immigrants' access to health services, and recruit more Latinos into health professions.

Even as the nation has grown more Hispanic, the federal workforce and federal marketplace have not. While there have been a record number of Latinos appointed to leadership positions in the executive and judicial branches – a development that has been enthusiastically welcomed – the remainder of the workforce continues to lag behind.

Projected mass retirements in the federal workforce, an existing pool of well-qualified Hispanic workers present in government departments and agencies, and an affirmative recruitment effort would present the government the opportunity to change the numbers for the better. Additionally, Hispanic businesses have been dramatically under-represented in federal minority business programs and this too is worth affirmative effort by government officials.

Achieving progress on all the issues above requires a Latino community that is empowered to fully participate in the civic life of the nation. NHLA and its member organizations will therefore continue to vigorously fight against efforts that purposefully or by effect dehumanize and disenfranchise Latinos. This requires active civil rights enforcement by the federal government that safeguards our right to vote, fair housing, workplace protections, and adequate access for language minorities to government-funded services. It also requires combating hate speech, which can be mitigated by increasing Latino ownership of, and employment in, media outlets.

# ECONOMIC SECURITY AND EMPOWERMENT

The Latino community continues to struggle to regain the ground lost during the Great Recession. According to the Pew Research Center, median wealth fell by 66 percent among Latino households between 2005 and 2009, compared to a 16 percent drop among non-Hispanic white households. In 2010, the median income per household for Latinos was \$37,759, 27 percent lower than that for whites. The foreclosure crisis disproportionately impacted Latinos, at the same time as the Latino faced higher-than-average levels of unemployment. The average unemployment rate in 2011 was 11.5 percent among Latinos, compared to 7.9 percent among the white population. This has resulted in lower credit scores and increased barriers and extra costs to obtain credit, making Latinos even more susceptible to predatory lending practices.

Efforts to reduce the federal budget deficit and national debt have already resulted in cuts to many domestic programs and the looming sequester, set to take effect in January, 2013, will require even more cuts, impacting education, health, and other important investments. While for some Americans, domestic programs appear only as a number in a budget for thousands of others these programs can mean the difference between life and death. NHLA accepts that some cuts to non-defense, domestic discretionary programs have been necessary, but cannot accept that those with the greatest means – and who will benefit greatly from a stronger economy – are unable to contribute to deficit reduction. NHLA therefore recommended to last year's Super Committee, and continues to recommend, that the 2001-2003 tax cuts for high income earners be allowed to expire; that subsidies and tax breaks for profitable industries in the oil, gas, and agricultural sectors be ended; and that cuts be made to the defense budget beyond those required in the sequester that was established by the 2011 Budget Control Act.

Continued support for the growth of small business, investments in our technology and transportation infrastructure, ensuring fairness for women in the workplace, as well as investing in job training and education, will put millions of families on stronger economic footing.

## Income Support

With all of the economic challenges facing Latinos, it is more important than ever to ensure that the basic social safety net remains intact so as to provide a lifeline to the most vulnerable in our community and those families that have been hit by hard times. Major cuts to the domestic programs that help individuals and families meet their most basic needs would only further

exacerbate the hardships facing millions of Latinos.

### *Policy Recommendations*

- Oppose deep cuts to Medicaid and Medicare that would jeopardize coverage for the most vulnerable. Latino children accounted for 42.6 percent – the largest share of any ethnic or racial group – in the Medicare program in 2010.
- Support extensions of unemployment insurance benefits, especially if there is no significant reduction in unemployment rates. The high unemployment rate means that there is not only substantial human suffering in our communities, but that there are also many local economies that rely on the money unemployment benefits provide.
- Protect Social Security from privatization or cuts that would erode seniors' economic security. Latinos are more likely to rely on Social Security benefits as their main source of income during retirement because they are more likely not to have other sources of retirement income, such as pensions or retirement accounts. Studies by the Berkley Center of Labor confirmed that 26 percent of Latinos, compared to 22 percent of whites, relied on Social Security for more than 90 percent of their retirement income.
- Reauthorize and increase funding for the Older Americans Act. This act provides dozens of services to help older adults age in dignity and in the best possible health. Nutrition programs like Meals on Wheels and the congregate nutrition program provide older adults with nutritious meals. The National Family Caregiver Support Program provides training to families to help them care for the older adults among them. The Senior Community Service Employment Program gives older adults marketable skills and puts them back to work. Overall, the programs of the Older Americans Act help increase economic security and health.

## Ending Food Insecurity

### *Policy Recommendations*

- Increase the Supplemental Nutrition Assistance Program (SNAP), allotments formerly known as food stamps), by at least 20 percent in the short term, and take steps to ensure that the minimum - rather than the maximum allotments - are based upon the Thrifty Food Plan.
- Include Puerto Rico equitably within the SNAP, preserving pre-ARRA SNAP benefits levels and allotments for families.



- Restore SNAP benefits, without a waiting period, to all legal immigrants. The Farm Bill of 2002 restored SNAP benefits to Legal Permanent Residents who have been present in the U.S. for more than five years, as well as certain legal immigrants, without a waiting period (including children under age 18 and disabled immigrants). Full restoration is still needed.
- Improve education and outreach efforts to Hispanic households given the high rate of food insecurity in our community and lower-than-average participation levels, including SNAP.
- Expand the summer food program, especially in Latino communities.
- Fully fund the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), of which 41.2 percent of participants in 2008 were Latino.

## **Promoting Small Business**

The Latino community has fueled small business growth in the U.S. economy in the past decade.

The number of Hispanic-owned businesses increased by 43.7 percent to 2.3 million between 2002 and 2007, more than twice the national rate of 18 percent, according to U.S. Census Bureau figures released in 2010. It is estimated that the number of Hispanic-owned businesses could grow to 4.3 million in the next six years. However, the Great Recession hit many Hispanic businesses hard. Ensuring that they have the tools to grow will help strengthen the economic recovery and produce more jobs, not just for Latinos but across the economy.

### *Policy Recommendations*

- Provide greater access to capital for Latino entrepreneurs to start and grow small businesses.
- Preserve and create greater opportunities for Hispanic-owned businesses to access federal contracting and subcontracting opportunities.
- Expand Hispanic participation in small business programs and minority business programs to reflect America's minority business community.
- Increase funding for the Small Business Administration and Minority Business Development Agency.

## **Hispanic Homeownership**

Homeownership is a critical step in building wealth for Latino families and helping low- and moderate-income Latino families move toward the middle class. Savings

accrued from home equity can be used for retirement, college, starting a small business, or financial emergencies. For many Latinos, home equity is their greatest financial asset, accounting for two-thirds of their total assets.

Despite gains in homeownership over the past decade, predatory lending targeted at minority borrowers and the subsequent foreclosure crisis threaten to undermine Latino homeownership in the United States. In fact, new research estimates that 25 percent of Latino homeowners are in foreclosure, or have already lost their homes. The fallout is not over yet in a market rife with foreclosure rescue scams, blatant discrepancies on behalf of mortgage servicers, and erroneous foreclosures.

Providing pathways to sustainable homeownership is crucial for this nation's economic recovery. First, the housing market must become fair and balanced, allowing creditworthy borrowers, including Latinos, to access safe and affordable home loans. When matched with fairly priced home loans, Latino families will be successful homeowners and see their homes build equity. Second, the next Congress and Administration should take more aggressive steps toward stopping unnecessary foreclosures and stabilizing neighborhoods. To this end, we provide the recommendations below.

### *Policy Recommendations*

- Increase funding for Housing Counseling.
- Support principal reduction through the Federal Housing Finance Agency.
- Implement National Mortgage Servicing Standard.
- Ensure that the housing finance system furthers our nation's fair housing goals.
- Ensure the Mortgage Credit Market is fair and accessible.
- Avoid over-reliance on Federal Housing Administration.
- Support and strengthen the role of the Consumer Financial Protection Bureau to educate consumers and crack down on predatory lending practices.
- Increase funding for Section 202 Public Rental Assistance Contract housing, the only federal housing program specifically for older adults.

## Prepare Latino Workers to Compete in the 21st Century Economy

With the ratio of jobseekers to job openings slightly better than four to one, competition for jobs in post-recession America is severe. Workers with lower educational attainment—including the 52 percent of Latino workers who have only a high school degree or less—find themselves at a disadvantage. Given that Latinos are the fastest-growing segment of the U.S. workforce, public policy solutions must aggressively work to narrow the educational gap between Latino adults and other adults. But businesses cannot take on these challenges alone. Now, more than ever, there is an essential role for the federal government to play in educating and training working adults who have aged out of the public school system. The publicly-funded workforce development system is largely governed by the federal Workforce Investment Act (WIA). But for Hispanics, who often face a combination of challenges, including limited educational attainment, limited basic skills, and limited English proficiency, a one size-fits-all approach, combined with severe funding constraints, has meant those who most need the system's benefits are the least likely to receive them.

In various instances, the current WIA and its implementation by local workforce areas have resulted in the systematic exclusion of non-profit community-based organizations as operators of one-stops. WIA also suffers from structural disincentives for assisting the hardest-to-serve job seekers and disadvantaged populations. Training opportunities are limited for disadvantaged populations, and the number of overall training services provided by the workforce system has been declining for five years. Additionally, inadequate connections among the workforce funding areas limit the opportunity to design and implement workforce strategies for low-skilled individuals.

WIA reauthorization presents an opportunity to advance a system that is the primary source of employment and career advancement services for these disadvantaged job-seekers. This is also an opportunity to create intentional connections to the support systems that they need, by investing in the community-based infrastructure that provides high quality, culturally-competent services.

In the Job Corps System, there is a critical need for our Latino youth to receive effective services by providers that demonstrate cultural competency and understand the unique barriers facing them. The population of Job Corps youth that are Hispanic is 17.3 percent; however, of the 125 centers nationally, there is not a single Hispanic provider of Job Corps services. The adult ESL/civics education, migrant worker, and veteran portions of WIA are also critical to the Latino community.

### *Policy Recommendations*

- Defend investments in adult education and workforce development to tackle America's skills crisis, especially programs that help low-skilled and limited-English-proficient adults prepare for jobs in the short term and gain the necessary skills to pursue the postsecondary education and training needed for the jobs of tomorrow.
- Reauthorize WIA to improve access to workforce development training and adult ESL/civics education for youth, veterans, and individuals with low educational and English language attainment, including migrant workers.
- Ensure systematic inclusion of community - based providers.
- Increase access to workforce services for the disadvantaged job seeker.
- Reauthorize WIA to include:
  - Two- and four-year training of Hispanics and low-income youth and adults in: health care professions; "green jobs" and new technologies; public safety and emergency management and response; child care.
  - Transitioning of migrant and seasonal farm workers to year-round employment in the food industry, health care, transportation and communications areas.
  - Increased support of education programs for veterans and programs to educate veterans regarding their education benefits under the post-911 extension of the Montgomery bill.
  - Fully fund Adult Basic Literacy Education Grants (Title II of WIA) and provide support for evening and weekend educational opportunities for single working parents.
- Ensure that services to Hispanic youth are improving at existing Job Corps Centers by contracting with national Hispanic nonprofit organizations to provide technical assistance with outreach, recruitment, assessment, program delivery, and retention. Funded at a minimum of \$1 million to ensure greater positive outcomes for Hispanic youth.
- Provide mentoring process and operator certification for potential Hispanic Job Corps operators.
- Ensure that Trade Adjustment Assistance receives funding, especially in efforts to expand U.S. trade.



## Create Good Jobs and Promote Shared Prosperity in the U.S. and Puerto Rico

As the largest and fastest-growing minority group, Latinos compose an increasingly important segment of the U.S. workforce. While the national Latino employment picture is improving, this is not the case for all states and localities. For instance Rhode Island, Connecticut, and Pennsylvania all had Latino unemployment rates of about 17 percent in the fourth quarter of 2011. Unemployment among young Latinos remains dire, robbing families of needed income and shortchanging young people of critical work experience to prepare them for future labor market success. It is not surprising that public opinion polls demonstrate unease among Latinos about their economic and financial security.

For these reasons, policymakers must not mistake an economic upswing that puts people back to work in low-wage, low-quality jobs as a true recovery. Building a better economy requires the creation of high-quality jobs that provide family-sustaining wages and benefits, keep workers safe on the job, and provide opportunities for career mobility.

### Policy Recommendations

- Create jobs through major public investments in rebuilding neighborhoods and transit systems through legislation such as the pending reauthorization of SAFETEA-LU, the federal transportation law, and “Project Rebuild” (H.R. 3502), which builds on the success of the Neighborhood Stabilization Program administered by the Department of Housing and Urban Development.
- Improve work opportunities for Latino youth and prioritize paid work experience targeted to disadvantaged youth through promising proposals such as the “Pathways Back to Work Act” (H.R. 3425/S. 1861) and the “Transportation Job Corps Act of 2011” (H.R. 929).
- Bring dignity and safety to all work through stronger worker protections by bolstering the capacity of federal agencies, especially the Department of Labor’s Wage and Hour Division and Occupational Safety and Health Administration to enforce basic worker protections.
- Pass the “WAGES Act”, which would raise the minimum wage for tipped workers from \$2.13 to \$5.50 an hour.
- Award and expand incentives to domestic manufacturing in order to improve our economy and labor force (e.g., Manufacturing Extension Partnership Program).
- Expand the Work Opportunity Tax Credit, which provides tax credits to employers who hire from

targeted disadvantaged groups by expanding to include all other members of an underserved community.

## Organized Labor

Membership in labor unions boosts the standard of living for thousands of Latino families each year. Unionization results in a 17 percent increase in wages for Latino workers, equivalent to \$2.60 per hour. It also results in Latino workers being 26 percent more likely to have employer-provided health insurance and 27 percent more likely to have pension plans offered by their employers. Latino membership in labor unions has been on the rise, more strongly than any other group. As of 2008, when 140,000 Latinos became new union members, 10.7 percent of unionized workers were Latino.

### Policy Recommendation

- Defend the right of public and private sector workers to collective bargaining.

## Gender Equity

A major report released by the Labor Council for Latin American Advancement found that Latina workers face many injustices in the workplace. For example, Latina workers make 60 cents for each dollar that white male workers earn for performing the same work. The same report also found that it is too common for male supervisors to illegally use a Latina’s immigration status as leverage to silence complaints concerning incidents of sexual violence or sexual assaults.

### Policy Recommendations

- Support gender equity in the workplace by enacting the Paycheck Fairness Act.
- Take strong measures to prevent and prosecute quid pro quo sexual harassment, hostile work environment sexual harassment, and sexual assault/rape in the workplace.

## Paid Sick Days

In a fragile economy, our community needs a paid sick days standard more than ever. Approximately 12 million Latino workers – nearly 60 percent of the Latino workforce – do not have a single paid sick day to use to recover from common illnesses. Millions more Latino workers lack paid sick days to care for a sick child or elderly parent. When workers cannot access paid sick days, their families’ economic security is jeopardized. Too often, workers lose their jobs or are threatened with job loss for taking a sick day without pay. And even those who can take unpaid sick time compromise their

family's ability to afford basic necessities like groceries. Latinos understand too well the need for paid sick days: three-quarters of Latinos nationwide support a law that would guarantee all workers a minimum number of paid sick days to care for themselves or immediate family members.

Hispanic workers' access to leave for more serious illnesses and family caregiving needs is also critically important. The Family and Medical Leave Act (FMLA) provides unpaid, job-protected leave to workers under certain conditions. However, about half of the nation's workforce – including part-time workers and those employed by smaller employers – cannot access any job-protected leave when they face serious health conditions, need to care for a family member with serious health conditions or to care for a newborn or newly adopted child. In addition, because the FMLA only provides unpaid leave, close to eighty percent of workers who need leave are unable to take it because of financial reasons. FMLA is only available for caregiving for a spouse, parent or child, and does not extend to grandparents, siblings or grandchildren.

#### *Policy Recommendations*

- Enact the Healthy Families Act – allowing workers in businesses with 15 or more employees to earn paid sick days.
- Expand FMLA to businesses with 25 or more employees.
- Broaden the definition of “family member” under FMLA to include a domestic partner, parent-in-law, adult child, sibling, grandchild, and grandparent.

### **Expanding Access to Affordable Broadband and Mobile Phone Services**

Latinos are less likely to have broadband at home than any other racial or ethnic group. Over the past decade, broadband has evolved from a luxury to a necessity, as basic services and educational and occupational opportunities have migrated online. Indeed, textbooks in many states already include extensive digital learning components, and students without home broadband – often already challenged with poverty – are falling further behind in our public schools. Latinos also pay more for mobile phone service than any other racial or ethnic group. Mobile phones, too, have become necessities, as they keep people connected to employers, child-care providers, children and relatives.

#### *Policy Recommendations*

- Support modification of the Federal Communications Commission's (FCC) Lifeline Program – which currently subsidizes low-income Americans' telephone service – to also cover broadband services.

- Encourage enhancement of the FCC's E-Rate Program, which currently subsidizes broadband access in schools and libraries, so that it subsidizes not only broadband connections, but also teacher training to help students gain digital literacy skills and funding to keep computer labs open in poor neighborhoods after school hours and on weekends.
- Fund English- and Spanish-language digital literacy campaigns, ensuring that Latino outreach in these campaigns is culturally relevant.
- Promote competition in the broadband and mobile phone markets to promote lower prices.
- Support the building of high-speed Internet infrastructure to improve connectivity in rural and underserved areas, schools, libraries and community centers.
- Protect consumers from predatory billing and privacy practices.
- Support the Wireless Tax Fairness Act, which will reduce discriminatory wireless taxation.

### **Transportation**

Latinos are three times more likely than non-Hispanic whites to use public transit.

#### *Policy Recommendations*

- Support increased funding for public mass transit, because Latinos' livelihoods and contributions to the economy disproportionately depend on a functioning public transportation system.



## EDUCATION

In June 2012, we celebrated the thirtieth anniversary of *Plyler v. Doe*, a seminal 1982 Supreme Court ruling ensuring our schoolhouse gates are open to all Latino students, including undocumented students. The future economic competitiveness of the United States will depend in great part on the educational attainment of the nation's growing Hispanic community. Increasing the high school graduation and college completion rates among all Latino student groups will translate into higher lifetime salaries, raise the standard of living for millions of Latino families and strengthen the economic base of the United States.

Much work remains to be done. Hispanics have lacked the opportunities and access to a quality and comprehensive education that others have enjoyed. According to 2010 Census Bureau data, 62.9 percent of Hispanics have at least a high school diploma, compared to 87.6 percent of non-Hispanic whites. Among those 25 years and older, only 13.9 percent of Hispanics have bachelor's degrees compared to 30.3 percent of non-Hispanic whites.

To ensure a quality education for Latinos will require significant changes in state and federal outreach to the nation's Hispanic community at all levels of education and workforce preparation and development. Essentially, an academically sound and comprehensive education is fundamentally critical for Hispanics to achieve success in all careers and professions available to the citizens of our nation.

### Early Childhood Education

Hispanic children remain the group least represented in early childhood programs. Without an academically robust early childhood education, Latino children and youth will be unprepared to maneuver through the education ladder leading to academic and career success. According to a 2011 study by the University of California Berkley, the share of Latino four year-olds attending preschool fell nationwide, from 53 percent to 48 percent between 2005 and 2009. In 2009, almost 70 percent of white 4-year-olds were enrolled in pre-school program, while the enrollment of Latino children in early education programs has been below 50 percent. Comparatively, almost 70 percent of non-Hispanic white and African American 4-year-olds were enrolled in pre-school programs, and the share of African American four year-olds attending preschool equaled that of whites for the first time in 2005. Moreover, early childhood education disparities between Hispanic children and others are expected to continue because of higher birth rates and continued immigration of childbearing-age Hispanics.

Starting early will guarantee long term education results. NHLA therefore recommends the following remedies to make pre-school a successful experience for Hispanic youth:

#### *Policy Recommendations*

- Institute universal pre-school that meets national standards.
- Increase support for Early Head Start, Head Start, Migrant and Seasonal Head Start, and the Individuals with Disabilities Education Act.
- Ensure that Migrant and Seasonal Head Start provides after-school and daytime (in the summer) activities for children to prevent them from being pulled into farm labor.
- Establish support for schools of education and teacher colleges to establish teacher education programs in culturally and linguistically competent early childhood instruction that addresses the educational and developmental needs of Hispanics and English Language Learners (ELL) students and increases the ability of school officials to communicate effectively with limited English proficiency parents

### Elementary and Secondary Education

According to the Census Bureau, nearly half (47 percent) of the nation's children younger than five are from minority groups, and 25 percent are Hispanic. At the elementary and secondary education level, the

National Center for Educational Statistics projects that between 2007 and 2019 Hispanic enrollment in public schools will increase 36 percent for Hispanic students in comparison to 4 percent for students who are white, 4 percent who are Black, 31 percent for Asian or Pacific Islander and 13 percent for students who are American Indian or Alaska Native.

The key to increasing education achievement and success is a sound and inclusive elementary and secondary education experience. The reauthorization of the Elementary and Secondary Education Act (ESEA) (formerly known as No Child Left Behind (NCLB)) provides an enormous opportunity to meet the educational needs of Latino students.

There is broad agreement that NCLB needs to be revised. The various proposals before Congress, however, fail to reauthorize ESEA in manner that would help Latinos, ELLs, and migrant students. This is not the time to walk away from a robust federal accountability system. Nor is it time to limit accountability to a small percentage of our schools while ignoring the others, thereby retreating from the long-standing federal role in ensuring that minority students, low-income students, ELLs, and students with disabilities have access to a robust and well-rounded curriculum, well-supported and prepared educators, safe environments that are conducive to learning, and meaningful support that addresses a range of student needs so that they are better prepared to succeed in the classroom.

#### *Policy Recommendations*

- Require all State Education Agencies (SEAs) and Local Education Agencies (LEAs) to collect, and make available annually, disaggregated data on student subgroup and overall school progress.
- Establish a robust federal accountability system to gauge curriculum quality, teacher and support staff preparation and environments conducive to learning and supportive of student social and academic needs.
- Ensure that federal accountability applies to at least:
  - The lowest performing schools in the state (i.e., bottom quartile).
  - All “dropout factories” (high schools with a promoting power of less than 60 percent) and feeder schools, where applicable.
  - All schools with substantial or persistent achievement gaps or barriers to learning for one or more subgroups.
- Ensure all students have access to college- and career-ready curriculums and student progress is measured by multiple objective measures, not an isolated, high-stakes test.

- Fully fund all ESEA programs that serve Latino students, especially Title I, Part A (accountability, improvement, data, and parental involvement); Title I, Part B (William F. Goodling Even Start Family Literacy Programs); Title I, Part C, (migrant education); and Title III (ELL education).
- Guarantee that ELLs have a productive and successful experience in elementary and secondary schools through:
  - Ensure that the state consortia developing common core standards also timely deliver diagnostic and summative assessments, benchmarked to college- and career-ready standards. The assessments must measure an ELL’s baseline proficiency upon entering a district and eventual progress in listening, speaking, reading, and writing English, and also ensure that ELLs are measured by objective progress targets as to both content and language.
  - Pilot test the feasibility for a SEAs and LEAs to collect and report subgroup data within the larger ELL category (i.e., recently-arrived ELLs, long-term ELLs, former ELLs, interrupted ELLs) and to cross-tabulate ELL data (i.e., ELLs with special education needs and “migratory” ELLs).

### **ESEA Flexibility Applications**

The U.S. Department of Education has been working with dozens of states to finalize flexibility/waiver applications that reset the accountability systems for each approved state. A number of criteria must be met to ensure states do not leave Latino and ELL students behind.

#### *Policy Recommendations*

- Ensure equitable representation for Latino and ELL advocates on the U.S. Department of Education’s peer review panels that examine states’ flexibility applications.
- Ensure applications do not diminish accountability for minority students, ELLs, and other disadvantaged students.
- Ensure revised states collect and report data in a manner that does not mask student subgroup performance or rob school officials the ability to narrowly tailor improvement interventions to address persistent subgroup achievement gaps unique to a subgroup.
- Ensure revised state systems do not disrupt migrant records transfers.
- Double check that flexibility applications do not disrupt standing Office of Civil Rights (OCR) settlements with particular districts within those states.



## Extended Learning Opportunities and STEM Education

Children in America, including Latino students, deserve an education that prepares them for college and careers and a rich, fulfilling life. Unfortunately, antiquated school calendars are too constrained to provide students with the breadth and depth of educational experiences they will need to thrive. Moreover, science, technology, engineering, and mathematics (STEM) education attempts to transform the typical teacher-centered classroom by encouraging a curriculum that is driven by problem-solving, discovery, exploratory learning, and requires students to actively engage a situation in order to find its solution. Yet, Hispanics only account for 2 percent of professionals working in STEM fields.

- Provide grants to SEAs/LEAs to pilot extending the calendar year for K-12 students, so that there are more days for instructions.
- Provide grants to SEAs/LEAs to pilot lengthening the school day in persistently low-performing schools and school districts.
- Expand after-school academic support and enrichment programs in Title I schools, including tutoring and mentoring programs.
- Establish programs for LEAs to work with Latino community-based organizations to deliver wrap-around services that keep students in school and on track to graduating with college- and career-ready skills.
- Create articulation programs between community colleges/city colleges and four-year universities to prepare students in STEM careers.
- Provide funding to create incubators in community colleges/city colleges for students to take two years in STEM courses and successfully transfer and graduate from a four-year university.
- Reinstate vocational education that provides a seamless relationship with the work place and institutions for secondary education.

## Teachers, Counselors, Administrators

- Ensure quality professional development for teachers of Latino, ELL, and migrant students.
- Develop partnerships between school districts and Hispanic Serving Institutions (HSIs) to provide degree advancement and professional development to teachers of Latino and ELL students.

- Increase federal and state support to HSIs to provide advanced training and development in STEM areas for elementary and secondary school teachers, expand the number of Advancement Placement (AP) courses in STEM areas in schools with large numbers of Latino students, promote awareness of higher education options for students in the varied STEM fields, and support HSIs to enhance and expand counseling programs to train culturally and linguistically prepared counselors capable of addressing the needs of Hispanics and ELL students
- Provide federal resources to HSIs to establish Educational Leadership Institutes to train principals, superintendents, and other high level school officials with cultural competency for school districts with predominately Hispanic students.

## Higher Education

Hispanics have the lowest college matriculation and college graduation rates of any major population group. In 2010, 13.9 percent of Hispanics age 25 years and older received a bachelor's degree or higher, compared to 30.3 percent in the white population. In addition, the National Center for Education Statistics in 2010 found that 50 percent of Hispanic 12th graders had expectations of attaining a bachelor's degree, up from 43 percent in 2000. Sixty-one percent of white 12th graders, on the other hand, had expectations of attaining a bachelor's degree.

Between 2007 and 2008 the average amount of total financial aid awarded to full-time, undergraduate Hispanic students was \$9,006, compared to \$ 9,917 for white students and \$10,520 for African American students. Pell Grants are an important part of Latino students' financial aid package, with 39 percent of Latino students using the grants, making up 20 percent of all Pell Grant recipients. Additional work is needed to improve college completion rates among these students as only 40 percent of Pell Grant recipients graduate from college.

### *Policy Recommendations*

- Strengthen financial aid programs to make college affordable by increasing Pell Grant caps; maintaining lower interest rates on federal student loans; expanding student loan debt forgiveness programs, especially for those in public service including teaching in public schools; and maintaining or lowering the current limit on loan payments at 10 percent of income.
- Support enactment of the DREAM Act, in part, to allow undocumented students to qualify for federal financial aid.

- Support state-level measures that allow long-tenured graduates of a state's high schools to qualify for in-state tuition in that state, regardless of their immigration status.
- Regulate for-profit institutions that receive federal financial aid, in which Hispanic students are disproportionately enrolled, to ensure that they provide students with a quality education that adequately prepares them for gainful employment and does not overburden the students with loan debt.
- Increase funding for college preparation programs that assist lower income and minority students to gain access to higher education opportunities, including federal TRIO programs and Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP).

Fully fund all Hispanic-serving Higher Education Act

- programs, especially Title V Hispanic-Serving Institutions (undergraduate support and graduate support); and Title IV, Part A, Special Programs for Migrant Students (High School Equivalency Program (HEP) and College Assistance Migrant Program (CAMP)).

Increase federal resources for K-12 schools and teacher

- preparation programs to recruit a diverse teaching body, and train student teachers in cultural competency with diverse student bodies, as well as incorporating STEM into K-12 curricula.

Support the creation of a capacity-building program for

- HSI to be housed within pertinent federal agencies (e.g., National Science Foundation; U.S. Department of Commerce; U.S. Department of Agriculture; U.S. Department of Energy) to support the (re-)training of teachers and curriculum development for STEM education.

Expand support to HSI schools of education to increase

- the number of Latino elementary and secondary school teachers.

## **Veterans Education Opportunity**

Hispanics have served in every war since World War I, many making the ultimate sacrifice to preserve peace and democracy for our nation and its allies. The G.I. Bill assists war veterans, including Hispanics, in pursuing a higher education that would allow them meaningful integration into a changing work force. Congress passed the G.I. Bill in 1944, the Montgomery Bill in 1948, and the Post-9/11 G.I. Bill in 2008. Unfortunately, neither of the higher education support bills provides meaningful outreach provisions to assist the Office of Veterans Affairs with resources to reach out and identify Hispanic veterans and to encourage and support access to higher education.

Recently, Hispanic men and women have served in the Iraq war and, more recently, in the Afghanistan conflict. A 2009 American Council on Education report on veterans indicates that approximately 10 percent of all veterans 39 years of age or younger are of Hispanic heritage. Many Latino veterans in this age group do not consider a post-secondary education due to economic constraints, family responsibilities or lack of information about available federal resources.

### *Policy Recommendations*

Fund proactive college outreach and recruitment of Hispanic veterans and programs that provide academic

- and related support services to eligible Hispanic veterans enrolled in Hispanic Serving Institutions (HSIs).

Include a college outreach and guidance plan for veterans as they enlist into the armed services,

- throughout the transitions in location of service, and as they approximate the conclusion of their term of service.



## IMMIGRATION

Of the 52 million Hispanics on the United States mainland, 38 percent are foreign-born. Federal immigration law and policy, therefore, continues to be a major concern of the Latino community. Our immigration, asylum, and naturalization must respect the dignity of the individual and reflect our nation's commitment to human and civil rights and deny state and local encroachment into this federal arena.

While immigration from Latin America has declined in recent years, anti-immigrant fervor has incongruously increased. Draconian anti-immigrant measures have been enacted in several states, most notoriously Arizona and Alabama. However, the Supreme Court's latest immigration ruling from June 2012, in *Arizona v. United States*, reaffirms longstanding law on exclusive federal authority in the area of immigration regulation. The high court unequivocally stated that "The Government of the United States has broad, undoubted power of the subject of immigration and the status of aliens," when it held frustrated states and localities cannot pursue policies that undermine federal law and enforcement. This development does not negate the need for a comprehensive approach to immigration reform that better serves the national interest by offering undocumented immigrants an earned path to legalization and then citizenship.

### Comprehensive Immigration Reform

The majority of Americans support prompt federal action in enacting comprehensive and compassionate immigration reform to fix our nation's broken immigration system and strengthen our commitment to basic fairness, opportunity for all, and equal treatment under the law.

#### *Policy Recommendations*

- Enable the estimated 11 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.
- Strengthen legal channels that reunite families and allow workers to enter with the rights and protections that safeguard our workforce.
- Expand the number of visas made available each year.
- Revisit per-country caps unfairly slowing down the orderly adjustment of Latino immigrants.
- Include the Agricultural Job Opportunities, Benefits and Security Act (AgJOBS) in comprehensive reform to provide farmworkers with a path to adjust their immigration status and protect them from exploitative working conditions.
- Include the Uniting American Families Act in comprehensive reform in order to eliminate discrimination in immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status.
- Include the DREAM Act in comprehensive reform, in part, to give students paths to earned legalization and then citizenship and in the interim, maintain a fair and orderly affirmative path to administrative relief (from removal) for DREAM Act-eligible individuals.
- Extend the dates for eligibility under section 245(i) of the Legal Immigration Family Equity Act so that qualified individuals can adjust their immigration status upon payment of a penalty.
- Promote immigrant entrepreneurship by awarding green cards and a path to citizenship to immigrants whose businesses thrive and create jobs.
- Ensure foreign investors with the capital to start job creating companies are able to invest in the United States with the expectation of preferential immigration treatment.
- Enact temporary worker programs that give labor rights to immigrants and recognize the importance of the immigrant workforce to many leading industries.

### State and Local Enforcement of Federal Immigration Laws

Federal immigration properly rests with federal authorities. Accordingly, the NHLA strongly objects to state and local law enforcement of immigration laws, either on their own or delegated by the federal government to state and local law enforcement officials.



- Stop states and localities from intervening in the expansion and/or enforcement of immigration laws, which by their nature should be enforced at the federal level.
- Eliminate or drastically reform the Secure Communities program, which, in contradiction to its name, has bred fear and mistrust, inhibiting cooperation between law enforcement and communities.
- Enforce federal laws, such as the ruling in *Plyer v. Doe*, which protect a student's right to an education without discrimination based on immigration status.
- Work with the U.S. Department of Homeland Security in its efforts to exercise prosecutorial discretion in enforcement of immigration laws and the U.S. Department of Justice in its efforts to curtail states and localities impermissibly enacting immigration laws, a federal responsibility.

### **Development, Relief, and Education for Alien Minors Act (DREAM Act)**

Each year, approximately 65,000 students who came to this country as young children, unaware of their immigration status, see their dreams to attain higher education, serve in the military, or pursue other aspirations come to an abrupt halt as their status prevents their access to the opportunities they were raised to believe they would enjoy.

#### *Policy Recommendations*

- Consider both Republican and Democratic immigration proposals that offer minors and young adults meaningful immigration relief. Encourage bipartisan efforts to develop workable legislation to help immigrants.
- Enact the DREAM Act to give undocumented students a path to earned legalization and citizenship.
- Enact legislation that ensures that eligible students have the right to federal higher education assistance and student loans. Oppose policies that would deport youth who grew up in the United States to a land they barely know.
- Until the DREAM Act is enacted, maintain an affirmative path to administrative relief from removal and work authorization for DREAM Act-eligible individuals.

### **Naturalization & Integration**

In July 2007, the U.S. Citizenship and Immigration Services 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 is an enormous backlog that has extended the processing period of applications.

- Remove or lower the financial impediment to legal residents who apply for citizenship by rescinding the 2007 naturalization fee increase.
- Support, through discretionary funding, the U.S. Citizenship and Immigration Services' (USCIS) Citizenship and Integration Grant Program, which is a cost-effective and efficient means of making naturalization more accessible for our nation's legal permanent residents.
- Continue the progress made in reducing the average processing time for green card holders applying for naturalization.
- Increase funding to expand the availability of adult ESL and civics education so that those applying for naturalization can be prepared for the naturalization exam.

### **Demilitarization of the Southwest Border**

The construction of the wall along the southwest border destroyed environmental resources, involved unfair and discriminatory taking of private property, and drastically affected the means of subsistence and way of life of persons living in border communities.

#### *Policy Recommendations*

- Oppose construction of a wall along the southwest border.
- Withdraw National Guard troops from the southwest border and replace them with civilian law enforcement officers who are properly trained to deal with border issues.

### **End the Commercialization of Detention**

Over the last decade, government spending on immigration detention beds has increased at a rapid rate without any commensurate justification. Since 2003, the number of detention beds increased by 86 percent from 18,000 to 33,400. The dramatic increase in immigration detention beds is out of step with the decline in illegal immigration rates and corresponding decrease in the undocumented population. According to 2010 estimates by the Pew Hispanic Center, the annual inflow of unauthorized immigrants was nearly two thirds smaller in the 2007-09 period than in the 2000-05 period. According to DHS data, the majority of immigration detainees locked up by DHS from 2005 through 2009 had no criminal convictions whatsoever.

#### *Policy Recommendations*

- Require DHS to use cost-effective alternatives to detention (ATD) for those who do not pose a risk to public safety, a flight risk, or are otherwise not suitable for detention at a secure facility. The most expensive form of ATD costs only \$14 per day compared to the cost of detention, which varies per facility but can exceed \$100 per day. DHS's pilot programs for ATDs achieved an appearance rate of 94 percent.
- Prohibit the federal and state governments from contracting with for-profit companies for immigration-related detention services.



## GOVERNMENT ACCOUNTABILITY

### Hispanics in the Federal Workforce

The federal workforce fails to reflect the face of America, as Hispanics remain the only underrepresented racial group. Despite representing 13.6 percent of the civilian workforce, Latinos comprised only 8 percent of the federal government's workforce as of 2010. Among senior positions, Latino representation is only at 4.1 percent despite a record number of Latinos appointed to political positions and an increase of Hispanics in the Senior Executive Service (SES). Most disturbing is the drop in Hispanic representation among new hires across the government since 2009, undoing modest gains. At a time when Hispanics are fueling most of America's population growth, the hiring numbers should also be growing rather than going in the opposite direction.

The lack of proportional Hispanic representation has been and is a persistent problem regardless of which party was or is in the White House. The absence of a representational number of Hispanics across the federal government undercuts the government's ability to produce policies that are inclusive, fair, and responsive to the concerns of the Latino community. As a result, Hispanics, and the issues and programs affecting them, are either overlooked or managed ineffectively.

Projected mass retirements in the federal workforce present government departments and agencies with the opportunity to change the numbers. Since Hispanics constitute the largest and fastest growing segment of the population, it would appear to be a perfect opportunity to both backfill positions and to commence an affirmative, 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 Latinos in the federal workforce.

#### *Policy Recommendations*

- Substantially and affirmatively increase the number of Hispanics in the federal workforce, including increased representation of Hispanics in the career SES.
- Provide staff development programs to retain existing Hispanic federal workers and increase opportunities for promotion into higher ranks of government service.
- Develop a Federal Hispanic Accountability Model, to be promoted at departments and agencies by the Office of Personnel Management.

- Monitor progress toward reaching tangible Hispanic hiring goals and hold department and agency leaders accountable by making Hispanic hiring goals part of the performance-based review system and using it as an evaluation tool for the promotion of managers.
- The Hispanic Council Federal Employment (HCFE) recommendations should be institutionalized into agencies' policy structures. In particular, the U.S. Department of Agriculture (USDA) should institutionalize the recommendations that resulted from USDA Hispanic Roundtable meetings.
- Agencies should not be able to receive a positive green GPRA rating if their hiring of Hispanics fails to meet strategic targets.
- The federal government should accept responsibility for past discrimination against Hispanics. Correcting past wrongs through remedial efforts will help to reassure Hispanics of a level playing field and thereby improve hiring figures.
- Each agency should undergo an annual Federal Advisory Commission Act comprehensive review process addressing Hispanic under-representation in its workforce.
- Agencies should be encouraged to develop partnerships through MOUs with Hispanic organizations that promote Hispanic hiring.
- Publicly disclose demographic data for federal flagship programs, such as the Presidential Management Fellows (PMF) Program.
- Intentionally increase recruitment and placement of Hispanics in the Presidential Management Fellows Program, especially Hispanics from HSIs; if there is resistance or a lack of commitment to increasing Hispanic representation in this program, then a separate program for Hispanics should be created and funded.
- Proactively encourage federal agencies to sponsor/hire Hispanics and students from HSIs into federal internships and contract for such internships through third-party Hispanic providers.
- Develop a pipeline of Hispanic candidates leading into GS-14 and GS-15 positions, SES Candidate Development Programs, and the career SES positions.

### **Hispanic Business Promotion, Contracting and Grants**

In fiscal year 2011, only the Treasury Department and Small Business Administration exceeded their minority-owned small business procurement goals.

Moreover, there is only one Hispanic serving as Small Business Director among the top 25 federal agencies. While Hispanic businesses constitute 40 percent of all minority-owned firms in the United States, they receive only 14 percent of the dollar value of all contracts awarded under the 8(a) program. Hispanic businesses are also underrepresented among recipients of SBA loans and technical assistance grants.

#### *Policy Recommendations*

- Support improvements on critical issues such as contract bundling, increased federal contracting goals for small business, size standard reform and improved enforcement, and equal access to grants across all federal agencies.
- Implement the White House's Small Business Federal Contracting Task Force recommendations that require federal agencies to include small businesses in task and delivery orders under General Services Administration Schedules and Multiple Award Schedule contracts. If implemented, this could add another \$100 billion annually to federal prime contract awards to small and minority businesses.
- Streamline the 8(a) application process to make it more accessible to Hispanic entrepreneurs.
- Encourage the passage of the Wireless Tax Fairness Act, which will ensure that Hispanic businesses have equitable access to mobile technology.

# CIVIL RIGHTS

## Democracy, Voting Rights, and Self-Determination

For American democracy to effectively function, all citizens must have the ability to participate in elections. As minority communities organize politically and make new political gains, they are often met with a backlash of discriminatory efforts to dilute their voice in the political process. The Latino community has been no exception to this phenomenon. Suppression of the Latino vote has evolved from intimidation at the polls to insidious state voter identification laws that place disproportionate burdens on minority, low-income, female, and elderly voters. Such laws purport to address “voter fraud.” However, there is no evidence that “voter fraud” has ever had a substantial impact upon a U.S. election, while in contrast there is strong evidence that voter identification and proof of citizenship laws disenfranchise many Latino citizens.

The voice of minority voters has also been diluted by the Citizens United case, allowing unlimited corporate dollars to influence elections. This change in campaign finance law has altered the political landscape, giving wealthy individuals and corporations the ability to disproportionately influence electoral outcomes. Although everyone has the right to donate to political campaigns, wealthy individuals and businesses can donate so much money that it drowns out the speech of donors with modest to average incomes.

The NHLA supports the right of the people of Puerto Rico and the District of Columbia to determine their own future political status.

### *Policy Recommendations*

- Oppose voter photo identification requirements and other measures that disproportionately suppress Latino voter turnout.
- Support same-day registration and absentee voting options.
- Ensure that the people of Puerto Rico are the ones to decide their future political status.
- Support full voting representation in Congress for the citizens of the District of Columbia.
- Support legislation or a constitutional amendment to rein in unlimited corporate money from influencing elections and the democratic process and to remove “personhood” from corporations.

## Census

The activities of the Census Bureau to collect data on all residents of the United States through the decennial census, American Community Survey (ACS), and other surveys 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. Now that Latinos are the nation's largest racial-ethnic minority population, it is even more critical that the Census Bureau collects reliable data about our community and the nation as a whole.

### *Policy Recommendations*

- Oppose efforts to eliminate the American Community Survey (ACS) or to turn it into a voluntary survey, which would seriously undermine its accuracy.
- Support sufficient funding to the Census Bureau to adequately prepare for the 2020 census, expand the sample size of the American Community Survey and assure the continuation of the Economic Census.
- Actively engage Latino stakeholders in timely decisions concerning proposed changes in methods and approaches in the collection of racial, ethnic, and immigration data for the 2020 Census and other Census surveys.
- Support significant Latino representation on the newly-established Census Bureau National Advisory Committee on Racial, Ethnic and Other Populations that reflects, at minimum, the number of Latinos represented (9) in the Census Bureau's former Advisory Committee on the Hispanic Population.
- Support the inclusion of Puerto Rico and other U.S. territories in the Current Population Survey (CPS) to assure full inclusion of all U.S. citizens in the federal statistics on unemployment rates and related national measures of economic and other indicators.
- Establish a special Latino Employment Task Force reporting directly to the Director in the Census Bureau to address the longstanding and persistent problem of the extreme under-representation of Latinos on the Bureau's work force.
- Continue and expand the Census Bureau's Census Information Centers (CIC) Program that supports Latino and other community-based institutions in the dissemination of Census data and research to the nation's communities of color and other underserved population.



- The Commerce Department should develop special outreach efforts to solicit outstanding Latino candidates for the currently open position of Census Bureau Director.
- The Census Bureau should conduct a feasibility study on the inclusion of Puerto Rico as part of its regular national population counts and statistics reports, including all of its data sets and reports on the U.S. Hispanic population.

### **Promoting Diversity and Tolerance in Media**

Today one-third of Americans are people of color, yet people of color own less than 5 percent of mainstream media outlets. This lack of diversity has resulted in reckless and false representations of Latinos and other people of color, fostering a climate of hate and intolerance that breeds racism and hate crimes. Indeed, hate crimes against Latinos have rapidly risen over the past decade, as have the number of hate groups across the country.

#### *Policy Recommendations*

- Encourage a comprehensive Federal Communications Commission (FCC) inquiry into the extent and effects of hate speech in media, and/or an update to the National Telecommunications and Information Administration's (NTIA) 1993 report to Congress, *The Role of Telecommunications in Hate Crimes*.
- Support FCC policies to expand and promote media ownership diversity.
- Oppose media consolidation as a race-neutral way to open doors for diverse owners to enter the media marketplace.
- Ensure that the FCC is collecting thorough data on diversity of media ownership and employment and providing this data to the public in a transparent and easily-searchable format that breaks the numbers down by race and ethnicity.
- Increase the number of Latinos working at all levels at the FCC. Currently, only 3 percent of FCC staff is Latino, and no Latinos are in leading or decision-making roles.

### **Hate Crimes**

The rate of hate crimes directed against Latinos continues to trend upwards as the debate around immigration intensifies and elected officials in many states fail to provide leadership in calming the rhetoric.

#### *Policy Recommendation*

- In addition to investigation and prosecution, the Federal Bureau of Investigation and the Department of Justice must improve the monitoring and reporting of hate crimes.

### **Employment Discrimination and Civil Rights Enforcement**

The Latino community strongly supports vigorous federal enforcement of Title VII of the Civil Rights Act, especially as it relates to actions on behalf of Latino employees.

#### *Policy Recommendations*

- Support efforts to ensure that the DOJ and the EEOC aggressively pursue violations of civil rights employment laws.
- Enact a legislative fix to the Hoffman Plastics Supreme Court case to ensure that undocumented workers are not exploited in the work place.
- Enhance enforcement of workplace safety protections.

### **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 percent of the federal and state prison populations and over 15 percent 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.

#### *Policy Recommendations*

- Enact legislation that cracks down on and reprimands authorities involved in racial profiling.
- Support juvenile justice reform that reduces over-criminalization of minority men.
- In order to reduce the abuse of older adults, provide funding for the Elder Justice Act.
- Reauthorize the Violence Against Women Act, including all protections for undocumented victims of domestic violence.

## Language and Integration

The Latino community strongly opposes both the increasing hostilities to language minorities and the resulting efforts to establish English as the national or official language. About 20 percent of Hispanics between ages 5 and 18 do not speak English very well, compared to less than 2 percent of whites, making this an important issue for the Latino community.

### *Policy Recommendations*

- Oppose national legislation or state or local laws establishing English as the official or national language as they are unnecessary, harmful, and conflict with the constitutional rights of citizens and non-citizens alike.
- Support “English-Plus” legislation that celebrates the country’s multiculturalism and multilingualism and enhances our global competitiveness.
- Significantly increase efforts across the federal government to ensure Executive Order 13166 language assistance standards (for those with limited English proficiency skills) are carried out in all federal conducted activities, including past poor performers like the U.S. Department of Homeland Security, and by recipients of federal assistance, like state courts.

## Judiciary

A fair and independent judiciary is critical for the preservation of Latino civil rights. As the Latino population continues to grow, and the backlash of discrimination continues to manifest itself, the need to protect the civil rights of the community will become even greater.

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. The nomination and confirmation of the Honorable Sonia Sotomayor as the first Hispanic to serve on the U.S. Supreme Court continues to be a source of deep pride across the Latino community. In recent years, the number of Hispanics nominated to federal district and appeals courts has increased — a trend that must continue in order to reverse their under-representation in the judiciary.

### *Policy Recommendations*

- Nominate and confirm judges that have demonstrated records of preserving or expanding civil rights legal protections and who reflect the growing diversity of the country.







## HEALTH

The health status of Latinos falls below the national average on a number of measurements, such as the prevalence of chronic diseases and obesity. Latino families face multiple barriers to achieving improved health. Chief among those are a lack of access to affordable and culturally competent health care services, as well as various environmental and community factors that impact health. A history of inconsistent and incomplete data collection has exacerbated research efforts that could help improve Latinos' health.

According to the Census Bureau, 30.7 percent of Latinos were without health insurance in 2010, numbering 15.3 million. Latinos disproportionately suffer from adverse health conditions such as diabetes, HIV/AIDS, and hepatitis. Latino older adults are also less likely than the general population to receive immunizations. In 2011, the Center for

Disease Control (CDC) found that 11.8 percent of Latinos had been diagnosed with diabetes, compared to 7.1 percent of whites. Latinos, who are approximately 16 percent of the U.S. population, made up 20 percent of new HIV infections in 2009, with the HIV infection rate among Latinos almost three times that of whites. According to the U.S. Department of Health and Human Services (HHS), Latinos are twice as likely to die from viral hepatitis as compared to the white population.

The Affordable Care Act (ACA) lays the foundation for addressing many factors that lead to health disparities between Latinos and the rest of the population. In upholding the ACA in June 2012, the Supreme Court affirmed the federal government's constitutional power to provide national solutions to national problems, including lack of health coverage. It expands eligibility for Medicaid, establishes exchanges where families can purchase subsidized health insurance, increases



funding for community health centers, invests in prevention programs that promote healthier living, provides professional training to improve cultural competency, increases Medicaid funding for Puerto Rico by 30 percent, and codifies the Office of Minority Health into law, thereby ensuring leadership within HHS to address minority health disparities.

A number of challenges remain despite enactment of the ACA. Concerted effort is necessary in the coming years to reach underserved areas and populations, effectively combat HIV/AIDS, remove artificial barriers to immigrants' access to health services, and recruit more Latinos into health professions. Measures will also be needed to address care for the growing population of senior citizens, such as tax credits for family members who are caregivers for an elderly relative.

## **Access to Health Care**

### *Policy Recommendations*

- Encourage prompt and full implementation of important provisions of the ACA, such as the expansion of Medicaid and the Prevention and Public Health Fund.
- Eliminate the five year waiting period for legal residents to access Medicaid. Legal residents pay taxes just as U.S. citizens do, and therefore deserve to avail themselves of this critical coverage program when they fall on hard times. The Congressional Budget Office has scored this policy change as having a negligible cost.
- Remove obstacles to undocumented individuals' access to the health exchanges to purchase private, unsubsidized insurance. Costly and ineffective verification requirements that were included in the ACA will prevent some low income, elderly and minority American citizens and legal residents from accessing health insurance exchanges. Such verification provisions especially have no place in blocking anyone's access to private insurance options, especially when they are not subsidized by federal taxpayers.
- Double investment in Public Health Service Act Title X clinics to meet the need in underserved areas. These clinics provide family planning and related preventive health services for millions of low-income or uninsured individuals and others.

- Increase funding for Ryan White CARE Act and related programs to ensure the full implementation of the National HIV/AIDS Strategy.
- Maintain the expansion of Medicaid in the ACA to those up to 133 percent of the poverty line.
- Oppose any effort to include a waiting period for accessing health programs in the DREAM Act or related legislation.
- Provide sufficient funding for the effective implementation of the ACA.
- Find affordable means to implement the Community Living Assistance Services and Supports (CLASS) Act in order to provide the country with an affordable, easily accessible long-term care insurance plan.

## **Comprehensive Population Health**

### *Policy Recommendations*

- Maintain the Prevention and Public Health Fund. This fund provides resources for promoting healthier living focused on the prevention of obesity and tobacco use, leading to improved quality of life and the reduction of costly diseases such as diabetes, cancer, and heart disease.
- Enact the Health Equity and Accountability Act.

## **Cultural Competence and Diversity in Health Professions**

### *Policy Recommendations*

- Establish and fund the Health Corps, a pipeline program to expand the number of minorities studying medicine.
- Ensure continued enforcement of Culturally and Linguistically Appropriate Services (CLAS) guidelines.
- Improve enforcement of Title VI of the Civil Rights Act in the health care context to ensure that adequate language assistance is provided to consumers.
- Support programs to recruit and train a new cadre of Hispanic health professionals with cultural and linguistic competencies.

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