



2020-2024 HISPANIC PUBLIC POLICY AGENDA

NATIONAL HISPANIC LEADERSHIP AGENDA
QUADRENNIAL BLUEPRINT FOR ADVANCING THE LATINO COMMUNITY



National Hispanic Leadership Agenda



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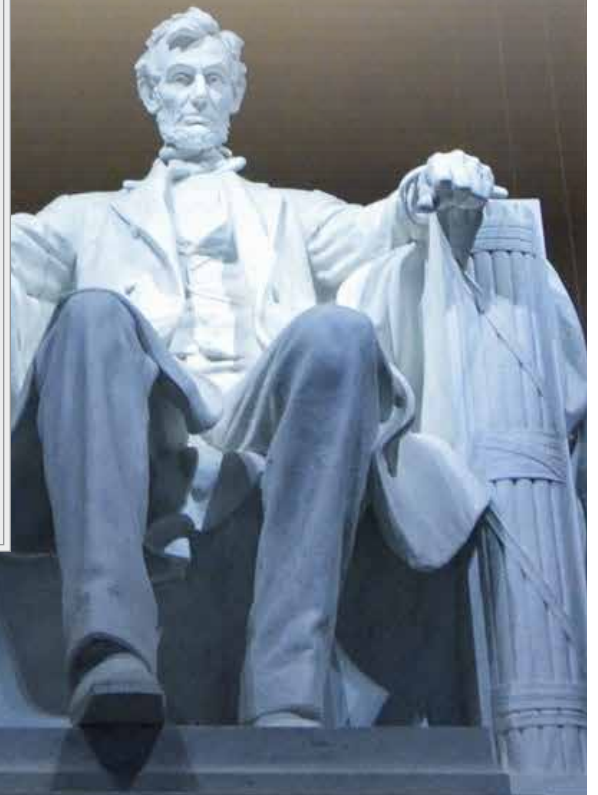
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NHLA is composed of over 40 of the leading national and regional Hispanic civil rights and public policy organizations in the U.S.

IN THIS TEMPLE,
THE HEARTS OF THE PEOPLE
WHOM HE SAVED THE UNION
MEMORY OF ABRAHAM LINCOLN
IS ENSHRINED FOREVER



ABOUT NHLA

The National Hispanic Leadership Agenda (NHLA) was established in 1991 as a nonpartisan association of major Hispanic national organizations and distinguished Hispanic leaders from all over the nation. NHLA's mission calls for unity among Latinos around the country to provide the Hispanic community with greater visibility and stronger influence in our country's affairs.

NHLA brings together Hispanic leaders to establish policy priorities that address, and raise public awareness of, the major issues affecting the Latino community and the nation as a whole.

INCLUSIVITY AND THE TERMS HISPANIC AND LATINO/A/@/E/X

NHLA is committed to being inclusive and seeks to fully reflect and promote the diversity of our communities throughout the NHLA policy agenda. When terms such as “Latino,” “Hispanic,” “Latino/a,” or “Latinx” are used throughout the public policy agenda, we intend them to represent all persons of Latino/a/@/e/x or Hispanic heritage, and those who identify as Hispanic or Latino/a/@/e/x, while also acknowledging the shortcomings of these terms. For those not familiar with the community's subtle usage of these terms, we provide a brief explanation below.

The word Hispanic is closely tied to the U.S. government and its efforts to identify groups of people, which defines it as “Americans of Spanish origin or descent.” Under this definition, Hispanic only refers to people who are originally from Spanish-speaking countries. This term includes people from Spain but excludes people from Brazil. Although this

term is widely used to describe a pan-ethnic Spanish-speaking group of people, it is not universally embraced by the communities who have been labeled as such. Due to its connection to Spanish colonization, some view the term Hispanic as a Eurocentric label that erases the Indigenous and Afro-Latino heritage of people from Latin America.

The terms Latino, Latina, Latin@, Latine, and Latinx refer to a person or group of people of Latin American or Caribbean origin or descent; this includes people from all countries in Latin America and the Caribbean but excludes Spain. When used in the singular form, Latino refers specifically to a man or boy, which is why it is necessary to use the term Latina when referring to women or girls of Latin American origin. The reason the term “Latinos” applies to a broader group of people is that the Spanish language is gendered and the masculine forms of words may also be

(CONT. ON NEXT PAGE)

considered gender-neutral, which means that the language itself sets a baseline that is both heterosexual and masculine and by default exclusionary. The term “Latinx” arose out of a desire to have a gender-neutral term, and is used to refer to people of Latin American or Caribbean origins and is inclusive of those who identify along a gender spectrum and diverse sexual orientation and gender identities. Latinx began appearing on the Internet in queer communities in the United States; however, it is not always considered the perfect response to the search for a postcolonial word because it requires an understanding of the English language and tends to highlight people of mestizo identity while erasing Indigenous and Afro-Latino identities. Some also have used the term “Latin@” to be inclusive, using the @ symbol to represent both an O and an A. More recently, “Latine” has emerged as an alternative to Latinx as a gender-neutral term rooted in the Spanish language. It is starting to be used in some parts of Latin America and the Caribbean and is also starting to gain some recognition in the United States.

The terms
**LATINO, LATINA,
LATIN@, LATINE,**
and **LATINX** refer
to a person or
group of people
of Latin American
or Caribbean
origin or descent.



MESSAGE FROM THE CHAIR

The National Hispanic Leadership Agenda (NHLA) is a coalition of over 40 of the most prominent national Latino advocacy organizations. NHLA releases its Hispanic Public Policy Agenda every four years to coincide with the election of a President. The Agenda can guide voters and candidates in considering and addressing the major concerns of the Latino community, which has been the largest minority community (or the second largest racial/ethnic community) in the United States since 2003. It is also intended to be a guide for where the country should be headed on these policy issues in the next four years.

In this uniquely challenging year, the Agenda was delayed in order to ensure that the ramifications of three critical events could be incorporated throughout every portion of the Agenda. First, the unprecedented COVID-19 pandemic has had a pronounced impact on the Latino community, with higher rates of infection and of death from infection, highlighting the devastating impacts of disparities in income, wealth, housing, and health care. Second, the terrible recession catalyzed by the pandemic and the weak national leadership in response to the recession has also exposed the discriminatory effects of government and private policy on the national Latino community, which has experienced higher rates of job and income loss, as well as discriminatory denial of government relief. Third, nationwide demonstrations in response to the police murder of George Floyd and other instances of biased law enforcement violence have catalyzed a deeper discussion and concerted action in response to heightened awareness of the systemic injustice faced by Blacks and other people of color, including Latinos. The confluence of these three salient demonstrations of our nation's continued challenge with entrenched bias and institutional racism will have an enduring impact on policymaking in the next four years and beyond, so revision of the Agenda was essential in light of these developments.

At the same time, this Public Policy Agenda comes in the midst of four-plus years of unrelenting and open bias against Latino immigrants and the Latino community as a whole, emanating from the White House, election campaigns, and other leaders. There is little question that this more direct and publicly expressed antipathy to the Latino campaign has had a negative effect on the rights of Latino community and has encouraged continued and worsened exclusion of the Latino community in so many areas of social and economic influence in the United States.

One clear catalyst of open anti-Latino discourse is the continued growth of the Latino community and irresponsible exploitation of fears of demographic change catalyzed by that growth. Responsible reaction to demographic growth involves recognizing and welcoming the growth, incorporating that growth in all public policymaking, and working assiduously to secure full integration of the growing community into the national social fabric.

With Latinos now comprising greater than one in four public elementary and secondary school students nationwide, the United States simply cannot thrive in the future without greater strides toward complete Latino integration. Public policy must follow a new paradigm of attention to the Latino community as central to the development of public policy that serves all communities, including all communities projected to see significant growth in the future. "Citizens first" ideology, which too often barely masks repugnant white nationalist tendency, must give way to inclusion and equity first as motivating principles. This NHLA Hispanic Public Policy Agenda can be a guide to responsible and productive policymaking for the next four years.

Together toward a bright future,
Thomas A. Saenz
NHLA Chair

NHLA LEADERSHIP

THOMAS A. SAENZ

CHAIR
MALDEF (MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND)

AMY HINOJOSA

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For more information about NHLA and its leadership, please see our website <https://nationalhispanicleadership.org/>, or reach out to us at info@nationalhispanicleadership.org or [@NHLAagenda](https://twitter.com/NHLAagenda).

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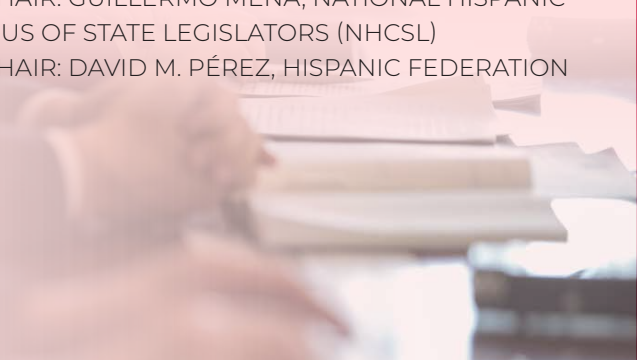
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CO-CHAIR: DAVID M. PÉREZ, HISPANIC FEDERATION



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HISPANIC NATIONAL BAR ASSOCIATION (HNBA)	NATIONAL CONFERENCE OF PUERTO RICAN WOMEN, INC. (NACOPRW)	UNIDOSUS
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For more information about NHLA and its members, please see our website <https://nationalhispanicleadership.org/>, or reach out to us at info@nationalhispanicleadership.org or [@NHLAagenda](https://twitter.com/NHLAagenda).

ACKNOWLEDGMENTS

NHLA's Board would like to extend its gratitude to the many individuals who have dedicated their time, energy, vision, and commitment to make this agenda possible. We would like to thank the leadership and staff members of all the NHLA coalition members for drafting their sections. We would also like to thank Celeste Acevedo,

Brianna Chapa, Adam Fernandez, Alexandra Gulden, Stephanie Lopez, Charles Orta, Carolina Rivera, and Andrea Senteno for their work editing the agenda. Sincerest thanks to LA Pressed for design work on the agenda. Above all, we are thankful for the opportunity to serve the Latino community. It is our true and distinct honor.

ECONOMIC SECURITY AND EMPOWERMENT

Despite progress, Latinos continue to face a wealth gap and other financial obstacles that inhibit the realization of their full economic potential. NHLA proposes a range of policies to empower the economic well-being of Latino communities across the country.

PRINCIPAL POLICY RECOMMENDATIONS

EXPAND WORKFORCE OPPORTUNITIES

Policy solutions must aggressively work to narrow the educational gap between Latino and other adults. Greater investment is also needed in workforce training programs – especially for youth and women – as well as English instruction, and the inclusion of community-based organizations in the implementation of these programs.

IMPROVE WORKING CONDITIONS

Policy solutions must increase federal enforcement of worker protections, including in fissured workplaces where convoluted subcontracting arrangements make it difficult to protect workers' rights. NHLA also recommends enactment of the Paycheck Fairness Act, guaranteed paid sick and family leave, defending workers' ability to join unions, and extending worker protections currently denied to farmworkers, care-givers, domestic workers, and day-laborers. Policies must require employers to provide paid family and parental leave, equal pay by race and gender, and healthcare benefits. Policymakers must support legislation and enforcement of strong worker protection standards that protect farmworkers from pesticides, heat-related illnesses, and other environmental hazards.

PROMOTE POLICIES THAT REWARD WORK

Policies must be implemented to improve living standards for Hispanic workers in low-paid occupations, including increasing the minimum wage to \$15 per hour by 2024 and expanding tax policies, such as the Earned Income Tax Credit, to more people without children. Policies should implement permanent small-area, cost-of-living adjustments to personal income tax brackets, cash or near-cash benefits, including COVID-19 relief payments, and the official poverty measure should fairly account for disproportionate burdens on the urban poor and other city and high-cost area dwellers. Policies should also ensure that essential workers during the COVID-19 pandemic or any other public health emergency are provided additional health protections, benefits, and premium hazard pay, as well as full access to paid sick leave, regardless of immigration status.



ENHANCE FINANCIAL ACCESS AND PROTECT CONSUMERS

To better protect Latinos from predatory financial services while extending access to credit, measures must be taken to increase access to small-dollar loans, individualized financial counseling, improved accuracy of credit reports, and maintain the role of the Consumer Financial Protection Bureau (CFPB).

INCREASE RETIREMENT SECURITY

Policies must be created to improve retirement security and combat elder poverty, including expanded access to 401(k)s and individual retirement accounts (IRAs), the creation of federal savings plans, protecting Social Security from cuts, and increased funding for the Older Americans Act's programs.

SUPPORT AFFORDABLE RENTAL AND HOMEOWNERSHIP

Multiple measures must be taken to reverse the downward trend in the Hispanic homeownership rate, including strong implementation and enforcement of the CFPB servicing rules and increased housing counseling, while also addressing the need for farmworker housing.

SUPPORT LATINAS IN THE WORKFORCE

Latinas face the largest wage gap among women, earning just 53 cents for every dollar paid to White non-Hispanic men. This wage gap is evident even when accounting for educational and professional achievement. NHLA supports policy efforts that advance gender equity in the workplace, study the effects of the wage gap among Latina subgroups, and ensure that all Latina women are compensated fairly and on par with their counterparts.



EDUCATION

With Latinos comprising more than 25 percent of the public school student population, future U.S. economic competitiveness depends in great part on Latinos' educational attainment. While progress has been made, much work remains to be done.

PRINCIPAL POLICY RECOMMENDATIONS

PROTECT THE RIGHTS OF LATINOS AND LATINAS IN ALL LEVELS OF EDUCATION

- Ensure that the Department of Education, Office for Civil Rights advances policies, guidance, and enforcement to ensure equal access to education for all students regardless of race, ethnicity, sexual orientation, gender identity, and immigration status.
- Require the Secretary of Education to publicly support the rights of all students to access education regardless of their immigration status, and affirmatively state that it would be against the law for a school to call immigration enforcement on a student or a parent.

EARLY CHILDHOOD EDUCATION

- Institute universal pre-school and expand existing Head Start programs, including Migrant and Seasonal Head Start.



ELEMENTARY AND SECONDARY EDUCATION

- Assess all students annually with valid culturally and linguistically competent assessments disaggregated by race and ethnicity.
- Establish goals to reduce student achievement gaps across multiple measures and require remedies focused on reducing student achievement gaps.
- Hold schools accountable for the progress of all students, and all groups of students.
- Provide greater resource equity to address academic disparities.
- Expand Latino-serving programs to meet the increased Latino student population, including the migrant education program and language instruction for students with limited English proficiency.
- Ensure that every child has the resources they need to succeed, including every tool that students need for distance learning during the COVID-19 crisis.

HIGHER EDUCATION

- Strengthen financial aid programs.
- Increase funding for Hispanic-Serving Institutions (HSIs) and college preparatory programs.
- Ensure for-profit institutions meet gainful employment standards.
- Incentivize community colleges to transfer more students of all backgrounds to four-year institutions.
- Enact the Dream Act and guarantee that Dreamers, Deferred Action for Childhood Arrivals (DACA) recipients, and Temporary Protected Status (TPS) holders have equal access to federal, state, and institution-level financial aid opportunities.
- Ensure non-U.S. citizen students have equal access to admissions and in-state tuition if they are otherwise eligible but for their immigration status.
- Expand Latino-serving programs to meet the increased Latino student population including federal TRIO programs, Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP), Title IV, Part A, Special Programs for Migrant Students (High School Equivalency Program (HEP), and the College Assistance Migrant Program (CAMP), and grants to HSIs.

SCHOOL-TO-PRISON PIPELINE

- Reform overly harsh school discipline policies that lead to suspension, expulsion, or criminalization.

TEACHERS, COUNSELORS, AND ADMINISTRATORS

- Strengthen the requirements for the cultural and linguistic competency of teachers and administrators (including appropriate assessments and certifications), support teacher preparation programs at Minority-Serving Institutions (which prepare most teachers of color), and encourage the hiring and retention of Latinos in higher education.

VETERANS EDUCATIONAL OPPORTUNITY

- Launch a proactive awareness campaign about G.I. Bill benefits for Latinos who enlist in the armed forces, their families, and those veterans already in college.

TITLE IX PROTECTIONS

- Advance policies and guidance that ensure equal access to education for all students who experience sexual harassment; that protect the health, safety, and well-being of survivors; and ensure that protections from discrimination based on sex also include individuals who experience discrimination based on sexual orientation or gender identity.



IMMIGRATION

In recent years, immigration from Latin America has generally been on a decreasing trend, with the exception of Central Americans who have been seeking a safe haven from violence. Although immigration rates have declined, anti-Latino and anti-immigrant fervor has increased in the media, and from elected and appointed officials in the Executive Branch and Congress. In addition, the disproportionate effects of the COVID-19 pandemic and economic recession on communities of color, low-income communities, and immigrant communities highlight the persistent vulnerabilities that immigrants face in the United States. NHLA calls on the current Administration, and any future administration, to reverse the cruel treatment of Central Americans seeking safe haven, to end family detention practices, and to treat those seeking refuge in a manner consistent with human rights principles. NHLA also calls on Congress to pass substantive immigration reform.

PRINCIPAL POLICY RECOMMENDATIONS

SUBSTANTIVE IMMIGRATION REFORM

- Pass substantive immigration reform legislation that includes: an earned path to citizenship, family reunification, the Dream Act, a path to Lawful Permanent Resident status for long-time recipients of Temporary Protected Status (TPS) and similar programs, greater discretion to immigration authorities to prevent deportation in certain types of cases, and stronger protections against exploitation for immigrant workers, including undocumented farmworkers.
- Eliminate the regulatory red tape created by the Trump Administration that is crippling our legal immigration system, including but not limited to: the public charge wealth test, exorbitantly higher naturalization fees, and other immigration fees.
- Reform temporary foreign worker programs to reduce labor exploitation and provide paths to immigration status and citizenship.
- Terminate the Migrant Protection Protocols and ensure immigrants are provided full access to asylum and refugee protections consistent with federal law and international obligations.

ADMINISTRATIVE RELIEF

- Reverse efforts to end Deferred Action for Childhood Arrivals (DACA). Enact policies to extend deferred action to parents of DACA holders and LGBTQ immigrants without children, in the absence of federal legislation.
- Reverse orders by the Attorney General and new proposed regulations that make establishing gender-based violence or gang violence-related asylum claims more difficult.



STATE AND LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION LAWS

- Stop states and localities from enforcing federal immigration laws.
- Eliminate 287(g) programs that deputize local law enforcement to enforce federal immigration laws and oppose any measures that mandate local authorities to comply with immigrant detainers or requests for notification.

NATURALIZATION AND INTEGRATION

- Lower naturalization fees and reduce processing times for applications.
- Expand adult English language and civics education.
- Provide funding for the U.S. Citizenship and Immigration Services' Office of Citizenship's integration programs, as well as allow it to accept private funds.
- Grant the right of naturalization, including retroactively, to all farmworkers and other essential workers working in the United States during the COVID-19 crisis and provide employers immunity from adverse action for employing those essential workers, if they were undocumented.

DEMILITARIZATION OF THE SOUTHWEST BORDER

- Reverse exorbitant spending on border enforcement.
- Replace National Guard troops with properly trained civilians.
- End racial profiling.
- Limit the geographic range of U.S. Customs and Border Protection activity.
- Halt the construction of walls along the border.

IMMIGRATION DETENTION REFORMS

NHLA calls for sweeping reforms related to detention facilities, including the prevention of detainee abuse, greater access to counsel, ending the mandated bed quota and contracts with for-profit detention service providers, and replacing detention facilities for women, children, and other vulnerable populations with alternatives to detention.

The COVID-19 pandemic makes these reforms all the more urgent.

- Release detainees from facilities where they are highly likely to contract deadly illnesses, such as COVID-19
- Ensure that children in detention centers are released in compliance with the *Flores* agreement and provided an opportunity to remain with their parents or other relatives through alternative to detention programs.

- Ensure better health and sanitation measures within all detention facilities in compliance with Centers for Disease Control and Prevention (CDC) guidelines.



GOVERNMENT ACCOUNTABILITY

NHLA is committed to improving the representation of Hispanics in the federal government career workforce, in appointments to state and federal political positions, and in federal procurement.

PRINCIPAL POLICY RECOMMENDATIONS

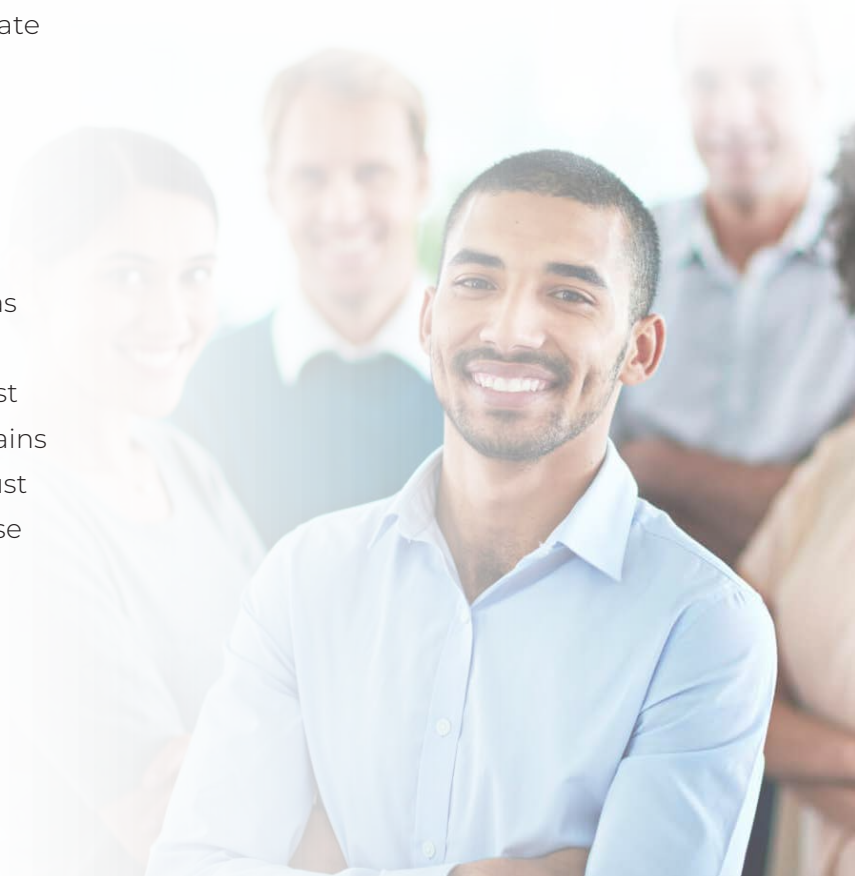
FEDERAL EMPLOYMENT

The president should issue an executive order on Hispanic hiring to increase the representation of Hispanics in career federal employment positions and other government posts. In the absence of an executive order, federal government agencies and departments should address the underrepresentation of Hispanics in the federal workforce by implementing the following items:

- Developing, funding, implementing, and enforcing a pipeline program for Hispanic candidates into GS-12 through GS-15 senior positions, to include the career Senior Executive Service (SES) and Candidate Development Programs.
- Increased cooperation with Hispanic organizations that promote Hispanic hiring and training through memorandums of understanding and partnerships.
- Implementing, funding, and enforcing strong accountability mechanisms that encourage agencies and managers to meet hiring targets.
- Require hiring and retention policies that do not discriminate based on sexual orientation or gender identity, which include policies that are inclusive of transgender military personnel.

POLITICAL APPOINTMENTS

NHLA Latino Appointments Program has helped increase the number of Latinos tapped for appointed positions in the last Administration, though more work remains to be done. The next administration must implement an executive order to increase the pool of eligible candidates for appointed positions.



FEDERAL PROCUREMENT

To increase federal contracting opportunities for the thriving Latino-, and particularly Latina-, owned small business sector, the federal government should:

- Take steps to increase Hispanic participation in the 8(a) Business Development Program.
- Increase the number of Hispanics serving as Small Business Directors in the top 25 agencies.
- Implement the White House's Small Business Federal Contracting Task Force recommendations.
- Improve small business contracting opportunities in general.

GOVERNMENT SHUTDOWNS

Amend the Antideficiency Act to ensure that government shutdowns are no longer used as a partisan weapon that puts innocent Americans in the crossfire.



CIVIL RIGHTS

Today's obstacles to the full civic engagement of the Latino community come from both institutional and purposefully discriminatory actions. NHLA is dedicated to protecting the civil and constitutional rights of all persons within the United States.

PRINCIPAL POLICY RECOMMENDATIONS

DEMOCRACY AND VOTING RIGHTS

- Oppose the unconstitutional attempts to restrict or end birthright citizenship.
- Amend the Voting Rights Act of 1965 to require pre-clearance review of election changes by historic offenders, and require pre-clearance of election changes most associated with voter discrimination, to protect against future discrimination.
- Oppose excessive documentary requirements that disenfranchise Latino citizens.
- Support same-day registration and early voting options.
- Ensure federal investigations and prosecutions of voter discrimination.
- Rein in unlimited corporate money to prevent it from distorting the democratic process.
- Expand absentee and early voting to protect higher-risk populations from COVID-19.

CENSUS

- Oppose any effort to exclude non-citizens from the total population count used to apportion congressional seats and votes in the Electoral College.
- Adequately fund the Census Bureau and support the American Community Survey.
- Ensure that the Census Bureau increases Latino representation in its workforce, enhances its engagement with Latino stakeholders, strengthens its linguistically and culturally appropriate outreach, and includes Puerto Rico in all of its data sets.
- Protect door-to-door Census data collectors from spreading COVID-19 in low-income communities that did not complete the Census online, and provide an extended time period to complete the census if necessary due to the impact of the pandemic.



CRIMINAL JUSTICE AND MASS IMPRISONMENT

- Reform policing to address issues of systemic racism and excessive use of force.
- Reduce the number of people in local jails, state, and federal prisons to stop the rapid spread of COVID-19 among incarcerated people.
- Require law enforcement to better report statistics on hate crimes, and require social media platforms to combat the dissemination of hate and White nationalist rhetoric.
- Adopt guidelines from the American Bar Association (ABA) on a uniform Spanish translation of Miranda rights for Spanish dominant persons.
- Restore the right to vote and access to federal financial aid to all persons regardless of convictions, and reduce the criminal bars to naturalization.
- Require ethnic and racial classifications in all relevant criminal justice data collection.
- Implement pre-trial reforms that reduce excessive bail, bonds, and civil forfeiture.
- Enact trial and sentencing reforms to diversify juries and reduce overly harsh sentences.
- Improve educational, employment, and civic engagement opportunities for the re-entry population.
- Reform juvenile justice systems to break down the school-to-prison pipeline.

JUDICIARY

- Confirm judges who have demonstrated records of preserving or expanding civil rights protections and who reflect the country's growing diversity, and improve the representation of Hispanics in the federal judiciary.
- Reject any representations that judges of Latino ancestry are somehow biased and unfit to serve on the judiciary or preside over specific cases.

EMPLOYMENT DISCRIMINATION

- Support the U.S. Department of Justice and the U.S. Equal Employment Opportunity Commission's (EEOC) enforcement actions against employment discrimination.
- Update and improve the EEOC's guidance on national origin discrimination.

LANGUAGE AND INTEGRATION

- Oppose legislation to establish English as the national language and other measures that discriminate against language minorities.
- Support "English-Plus" legislation and language assistance standards for those with limited English proficiency skills receiving federally supported services.

PROMOTING DIVERSITY AND TOLERANCE IN THE MEDIA

- Promote media ownership diversity, and collect diversity data on media ownership and employment.
- Address hate speech in the media and investigate its correlation to hate crimes.

ENVIRONMENT AND ENERGY

At this moment, we are facing an existential climate emergency that, if not sufficiently and urgently addressed in the next several years, could seal the devastating fate of our planet, our families, our children, and generations to come. The majority of U.S. Latinos live in areas that have experienced devastating impacts of such extreme events, such as Hurricanes Irma and Maria in Puerto Rico, longer and stronger wildfires in California, flooding from sea level rise in Florida, and historic drought and heatwaves in Texas. NHLA strongly supports action, taken at all levels, to protect the health of communities and the planet, and to mitigate the growing climate crisis.

PRINCIPAL POLICY RECOMMENDATIONS

CLIMATE EMERGENCY

- Support an immediate, urgent, and comprehensive response across the federal government to the climate crisis facing Latino communities and the planet with a persistent focus on the gendered impacts of climate change.
- Use science-based approaches and solutions to combat the climate emergency and return to participation and leadership in international efforts to address climate change.
- Build climate-prepared and resilient communities.
- Engage Latinos and impacted communities in the development of environmental laws, policies, and regulations.
- Create programs to deal humanely with the humanitarian crises of migrants displaced by environmental disasters or climate change.

ENVIRONMENTAL JUSTICE

- Enforce and strengthen existing public health, environmental, and civil rights laws, including: the Clean Air and Clean Water Acts, legislation that covers Superfund clean-ups, exposure to toxic pesticides, the National Environmental Protection Act (NEPA), methane and mercury standards, legislation intended to protect farmworkers and domestic workers, and Title VI of the Civil Rights Act.
- Ensure appropriate disaster relief and other federal funds and release them in a timely and legal manner without additional restrictions and barriers to access.

CLEAN ENERGY, WATER, AND OCEANS

- Promote the use of renewable power generation, energy efficiency, and enabling technologies.
- Support comprehensive federal legislation, policies, and regulations that move the U.S. towards utilizing 100 percent clean energy by 2050, such as the Green New Deal and the 100 Percent Clean Economy Act.
- Oppose efforts to weaken the Clean Water Act.
- Create employment opportunities by encouraging the training and participation of Latinos in the growing green energy sector.

CONSERVATION & PUBLIC LANDS

- Support policies to protect public lands, develop Latino conservation leadership, and protect and share Latino history in national monuments and protected areas.
- Support efforts to improve wildlife management and critical habitats across federal and state agencies, including defending and strengthening the Endangered Species Act and improving wildlife corridors, including those along the southern border.
- Oppose efforts to privatize or develop public lands in ways that harm Indigenous communities and communities of color, and oppose all efforts to advance oil and gas drilling in the Arctic National Wildlife Refuge and other sensitive areas.
- Continue to support full funding for the Land and Water Conservation Fund (LWCF) and oppose all efforts to undermine the Antiquities Act.
- Support federal agency policies and funding to ensure frontline communities of color are prioritized for coastal resilience projects, and support programs that promote coastal access, recreation, and education for low-income communities and communities of color.
- Support moratoriums on offshore drilling and legislation heavily curbing plastic production.

CLEAN ENERGY TRANSITION

- Support deep investments in post-secondary and continuing education resources, and worker training programs ensuring access to skilled jobs in emerging and transforming economies.
- Invest heavily in STEM programs at HSIs and workforce transition programs.



HEALTH

Latinos face barriers to healthcare, especially with high numbers of uninsured, a lack of culturally and linguistically appropriate healthcare professionals and services, and decreasing Federal support for programs that affect the health of our communities. NHLA strongly supports the Affordable Care Act (ACA) as well as leadership, policies, and programs that can improve the health of Latinos across the nation.

PRINCIPAL POLICY RECOMMENDATIONS

ACCESS TO QUALITY AND AFFORDABLE HEALTHCARE

- Support and expand the ACA, and resist attempts to repeal it or to challenge it in court.
- Ensure that health insurance options are affordable.
- Enhance health insurance literacy programs.
- Eliminate the seasonal worker exemption under the employer mandate.
- Strengthen health insurance portability across state lines.
- Develop policies to increase healthcare coverage for immigrants.

HEALTHCARE DELIVERY REFORM

- Address the challenges facing economically and socially disadvantaged individuals.
- Require that healthcare delivery reform be inclusive of culturally competent and linguistically appropriate services.
- Focus on safety-net hospitals, clinics, and private medical practices.



MEDICARE AND MEDICAID

- Support and expand Medicare and Medicaid, and resist attempts to cut these benefits.
- Develop incentives for quality care for underserved populations.
- Encourage the collection of racial and ethnic identification in healthcare data.
- Ensure cultural and linguistic competency in health education, policies, and care facilities.
- Increase disease prevention programs that incorporate social determinants of health.
- Eliminate the five-year waiting period for legal residents to access Medicaid.
- Maintain the expansion of Medicaid to those up to 133 percent of the federal poverty line.
- Eliminate barriers to care for people in Puerto Rico.

POPULATION HEALTH

- Encourage the participation of children and their families in programs to increase healthy nutrition and physical activity.
- Ensure Hispanic youth receive the human papillomavirus (HPV) vaccination.
- Ensure access to the full range of comprehensive reproductive healthcare.
- Promote child care and other policies that allow young parents and families to thrive, especially mothers.
- Provide LGBTQ Latinos coverage and access to care that is culturally competent.
- Address the needs of an aging population, including the particular needs of Hispanic elders.

SMOKING AND VAPING

Develop and mandate programs about the harmful effects of smoking and vaping for schools and community organizations that target Hispanic students and their parents.

OPIOIDS

- Work to eliminate racial inequity in access to prescription medicine.
- Create and fund an outreach program to racial minorities with mental illness and other diseases.

COVID-19

- Ensure COVID-19 treatment, testing, and vaccines are affordable for all people within the United States.
- Develop the infrastructure within the public health system to support free or low-cost education, testing, and treatment for Latinos through partnerships with national and regional organizations.
- Create a Hispanic healthcare initiative that includes developing medical education, research, community outreach, public education, and financing testing, treatment, and vaccines.
- Create and enforce strong occupational safety standards to prevent and respond to job-related exposure to COVID-19, and provide support to businesses for implementation.
- Expand economic security measures for families, including those with undocumented immigrant family members, such as paid family and sick leave, unemployment compensation, healthcare access, cash assistance, child care programs, educational opportunities, nutrition programs, and premium pay for workers in essential sectors.



NHLA's Priorities for Puerto Rico are included within each section of the 2020–2024 Public Policy Agenda

PUERTO RICO

Puerto Rico is home to over 3 million people who are denied some of the basic rights and federal benefits of citizens living on the U.S. mainland, despite paying billions of dollars in federal taxes each year. As U.S. citizens and taxpayers, people in Puerto Rico deserve the same treatment as those living on the U.S. mainland. Puerto Rico has been plagued in recent years by natural disasters that have resulted in widespread death and devastation to outdated infrastructure. The island's recovery has been slowed by ineffective federal response and assistance and an overreliance on public debt by the local government. Our federal government has a moral and legal responsibility to help Puerto Rico recover. Congress and the federal government must enact a “Marshall Plan” to systematically invest the resources necessary to rebuild, revitalize, and revive Puerto Rico.

Today, Puerto Rico is hit by extreme austerity due to the PROMESA federal law, which resulted in the closure of hundreds of schools and proposals to take money from the university system, cut pensions, and undermine worker protections by allowing workers to be paid less than the federal minimum wage. It is time for Congress to repeal PROMESA.

PRINCIPAL POLICY RECOMMENDATIONS

ECONOMIC SECURITY AND EMPOWERMENT

- Ensure adequate disaster relief and other federal funds are appropriated and released in a timely and legal manner, without additional restrictions and barriers to access that are not required of other post-disaster entities.
- Repeal the PROMESA legislation, and reverse draconian austerity measures imposed by the federal budgetary oversight board that allows workers to be paid less than the minimum wage in Puerto Rico.
- Enact a Marshall Plan to hasten Puerto Rico's recovery from its natural disasters.
- Ensure people in Puerto Rico have equitable access to federal programs including the federal Child Tax Credit, the Earned Income Tax Credit, the Supplemental Nutrition Assistance Program (SNAP), and Medicaid.
- Repeal the Jones Act, which requires shipments to Puerto Rico to cost more than those to the mainland United States.



EDUCATION

- Halt austerity measures imposed on Puerto Rico by the federal budgetary oversight board in the PROMESA legislation, which have resulted in school closures and decreased funding for the island's public university system.
- Allocate and distribute funds appropriated by Congress to Puerto Rico for rebuilding and restarting the island's education system without imposing additional controls that are not required of other local governments.

GOVERNMENT ACCOUNTABILITY

- Require the U.S. Department of Housing and Urban Development (HUD) and other federal agencies to release all disaster relief funds that are appropriated by Congress.
- Establish a moratorium on negotiations or repayment of existing debt until the federal government has ensured an independent audit is performed and certified by non-governmental experts, and discharge of any illegal or unconstitutional debt is allowed.
- Establish a process that ensures transparency in decisions, allocations, and contracts by all government agencies at every level to avoid corruption and favoritism.
- Ensure meaningful community participation and appropriate allocation of resources.
- Create systems that ensure public participation and radical transparency during all phases of decision-making processes, such as robust stakeholder analysis, and collaborative and mandatory public participation mechanisms.

CIVIL RIGHTS

- Prioritize collection of damage awards against the local government for civil rights and constitutional violations in the debt-restructuring proceedings in federal court.
- Ensure rebuilding and recovery in Puerto Rico are not an excuse for exploitation or displacement or for waiving any civil, human, or environmental rights in the name of speed or greed.
- Prioritize mitigation before displacement in the recovery and rebuilding process. People should be allowed to elect to stay, choose where to relocate, and have a say in decisions that impact their communities.

ENVIRONMENT AND ENERGY

- Bolster Puerto Rico's agriculture sector and promote resilient and sustainable local food production, and access to safe, potable water, which is essential for communities on the island to recover and thrive.
- Support investments into renewable and sustainable energy sources.

HEALTH

- Eliminate federal funding healthcare disparities and make large-scale investments to revitalize the infrastructure and operations in hospitals and community health centers, and retain medical professionals on the island.
- Require Medicare programs in Puerto Rico to be reimbursed at the same rate as programs in the mainland United States.

NHLA's Priorities for Latina Rights are included within each section of the 2020–2024 Public Policy Agenda

LATINA RIGHTS AND WELL-BEING

While the NHLA policy agenda seeks to address issues that impact all individuals in our communities, we also recognize that Latinas often encounter additional systemic barriers to advancement. To reduce these barriers, NHLA has committed to also bring a gendered lens to the impact of policies and to highlight a range of policies aimed at improving the conditions of Latinas through increased access to opportunities and improved access to safety and well-being.

PRINCIPAL POLICY RECOMMENDATIONS

ECONOMIC SECURITY AND EMPOWERMENT

In the United States, the gender pay gap disproportionately impacts Latina women when compared to all other demographic groups. NHLA calls on lawmakers to close the Latina gender pay gap and increase Latina economic security by enacting legislation that promotes equal pay, increases the minimum wage, prohibits sex-based discrimination, and guarantees paid sick and family leave. Also, to better protect Latinas from workplace sexual assault and harassment, lawmakers must enact legislation that provides survivors of assault and harassment with protections against retaliation and improves access to services and safety.

EDUCATION

Latinas are a growing demographic in public and private education and deserve access to educational opportunities that enable them to thrive. To further this goal, lawmakers must support measures that protect students from sex-based discrimination and promote increased Latina enrollment and faculty hiring and retention in higher education. Lawmakers must also oppose administrative changes of Title IX that undermine student safety and students' rights in schools and on college campuses.

IMMIGRATION

To ensure that migrants, especially women and children, are treated humanely, lawmakers must enact legislation that prohibits family detention and separation. Lawmakers must also codify agreements that protect children, families and other vulnerable groups from unlimited detention and support measures to prevent violence against all detainees. Additionally, lawmakers must demand the timely

adjudication of relief for immigrant victims of domestic violence, sexual assault and trafficking through the VAWA self-petition, U and T visas, and access to asylum. Additionally, any legislation that provides temporary work visas, a pathway to temporary immigration status or lawful permanent residency should take into account the distinct needs of spouses to obtain work authorization and access to immigration relief.

GOVERNMENT ACCOUNTABILITY

Despite the nation's increasing Latino/a population, Latinas are still severely underrepresented in government employment, which is why lawmakers must increase Latina state and presidential political appointments. Additionally, lawmakers must take steps to increase federal contracting opportunities for

Latina-owned small businesses and develop a pipeline program for Latina candidates into senior-level government positions, while also enforcing strong accountability mechanisms that encourage agencies and hiring managers to meet hiring targets.

CIVIL RIGHTS

Latinas are on track to become one of the most powerful voting blocs in the United States, yet they still face rampant discrimination. To ensure that Latinas can influence policy development, lawmakers must enact legislation that provides meaningful and long-term protections for the Latino electorate, eliminates the school-to-prison pipeline, and enhances protections

for survivors of violence, sexual assault, and harassment. To better serve Latinas and their families, lawmakers must also prioritize alternatives to detention, especially for pregnant women and primary caretakers, and enact legislation that increases funding for affordable housing and prohibits felon disenfranchisement.

ENVIRONMENT AND ENERGY

To ensure that Latinas and their families are better able to adapt to environmental changes, lawmakers must support measures that foster the creation of resilient communities and enact legislation that holds polluters accountable and protects every person's right to clean air, water, and public lands. To combat environmental

degradation, which disproportionately affects communities of color, lawmakers must also strengthen and support the enforcement of existing public health, civil rights, and environmental laws and enact legislation, policies, and regulations that move the U.S. toward 100 percent renewable energy.

HEALTH

Lack of access to affordable healthcare makes it difficult for Latinas to make healthcare decisions for themselves and their families. To improve access to quality healthcare, lawmakers must support access to comprehensive reproductive healthcare, restore the integrity of the Title X program, increase funding for teen pregnancy prevention programs, and remove all language in annual appropriations legislation that

restricts coverage for abortion care in public health insurance programs. Policymakers must also enact legislation that eliminates health disparities for communities of color by tackling discriminatory practices and other systemic barriers that produce health inequities in vulnerable populations and support access to comprehensive reproductive healthcare for women of color.

NHLA's Priorities for LGBTQ Rights are included within each section of the 2020-2024 Public Policy Agenda

LGBTQ RIGHTS AND WELL-BEING

The Hispanic (Latinx/Latine) community in the United States includes at least 1.4 million lesbian, gay, bisexual, transgender, and queer (LGBTQ) adults and several hundred thousand children and youth. LGBTQ rights vary greatly depending on the location of the workplace or residence, with some states, territories, and cities offering comprehensive protections against discrimination in employment, housing, public accommodations, education, family relations, and credit, while others offer almost no protection at all. Federal courts recognize the rights to same-sex marriage and employment protections but the federal government lags in other key areas, with transgender Americans, particularly those serving in our Armed Forces, and new transgender Hispanic immigrants. NHLA is committed to eliminating the systemic barriers placed on the LBGTQ community.

PRINCIPAL POLICY RECOMMENDATIONS

ECONOMIC SECURITY AND EMPOWERMENT

- Increase the availability of microfinance for small business development, which is particularly critical for Hispanic, immigrant, and LGBTQ entrepreneurs.
- Expand and enforce anti-discrimination legislation, including anti-LGBTQ discrimination in housing, the workplace, credit, education, public accommodations, public spaces and services, federally funded programs, and jury service.

EDUCATION

- Prohibit harassment, discrimination, and bullying, particularly against LGBTQ students.
- Enforce Title IX protections for all persons regardless of sexual orientation or gender identity, to ensure that all students are free from discrimination.
- Provide appropriate school-based mental and emotional health support for students, and staff that is culturally and linguistically competent, including LGBTQ competence.
- Combat the school-to-prison pipeline for LGBTQ youth.

IMMIGRATION

- Reverse efforts to end the use of deferred action to provide relief to immigrants, including DACA holders, undocumented immigrants with family ties in the United States, and other immigrants without children.
- Increase protections for LGBTQ immigrants in detention, including emphasizing safer alternatives to detention and preventing physical and sexual violence. If a transgender person must be detained, ensure they are housed consistent with their gender identity.

GOVERNMENT ACCOUNTABILITY

- Support policies that are inclusive of transgender military personnel.
- Support documenting hate crimes against LGBTQ people nationally and per state.
- Encourage financial support for victimized LGBTQ people and organizations supporting LGBTQ people.

CIVIL RIGHTS

- Promote the ability to update identification documents based on gender identity rather than medical treatment.
- Support the collection of data on sexual orientation and gender identity in the American Community Survey and other surveys, and include a non-binary option under gender.
- Encourage the nomination of executive and judiciary branch nominees with a record of advancing equality and opportunity for LGBTQ people.
- Encourage law enforcement to adopt best practices for policing LGBTQ communities and condition federal grants to law enforcement agencies on adopting LGBTQ-inclusive anti-profiling and anti-bias policies.
- Create model Justice Department policies for law enforcement on key topics including police sexual misconduct, interactions with LGBTQ people, and eliminating the confiscation and use of condoms as evidence.
- End “stop-and-frisk” policies, which disproportionately impact Latinos, other people of color, immigrants, and LGBTQ people.
- Support legislation that moves away from criminalization of sex work.
- Prohibit the replacement of in-person visits with any tech-based alternative, and the denial of visitation rights for any non-disciplinary reason, including LGBTQ status.
- Ban LGBTQ discrimination in federally-funded re-entry programs.
- Support community re-entry programs that help LGBTQ individuals reintegrate.
- Discourage arrests or detainments for youth truancy or homelessness.
- Ensure that juvenile justice programs address the particular issues faced by LGBTQ Latinx youth, who are disproportionately homeless and resort to survival crimes.

ENVIRONMENT AND ENERGY

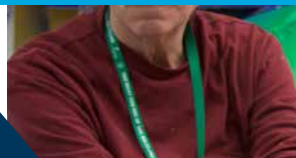
- Expand research on the historic contributions and places related to Latina and LGBTQ Hispanic individuals to ensure their inclusion in existing parks or new designations.
- Expand research identifying preventative measures that address the effects that climate change will have on vulnerable populations, including the LGBTQ community.

HEALTH

- Support policies that provide LGBTQ Latine coverage and access to gender-affirming care that is culturally competent, including ensuring that health plans do not have arbitrary transgender-specific exclusions.
- End the U.S. HIV/AIDS epidemic by 2030.



2020-2024
HISPANIC
PUBLIC POLICY AGENDA



ECONOMIC SECURITY AND EMPOWERMENT

Over the past few decades, Latinos have played an increasingly more significant and critical role in the U.S. economy. In 1980, Latinos made up only 6 percent of America's middle class — our engine of economic growth. In 2017, that composition increased to 22 percent.¹ According to a recent report by the U.S. Joint Economic Committee, Latinos account for a \$2.3 trillion economy, which on its own would rank as the eighth largest economy in the world.² As the report concludes, “Hispanics will take on an increasingly important role in the U.S. economy.”

Latinos are also driving new enterprises, owning nearly one in four new businesses.³ In addition to sparking economic growth, Latinos are major tax contributors, funding over \$215 billion in tax revenues, including some \$76 billion in state and local taxes.⁴ Foreign-born Latinos draw less than they contribute to social insurance programs,

helping to sustain Medicare and Social Security programs.⁵

Despite this economic progress, Latinos continue to face significant economic challenges. Latinos are 1.7 times more likely than Whites to live in poverty.⁶ The unemployment rate for Latino workers is also higher than that of their White counterparts, even for Latinos with a college degree.⁷ Median household income for Latinos is about three-quarters that of Whites, and Latinas make 53 cents for every dollar earned by White men.⁸ With over 10.5 million children living in low-income families, Hispanic children are more than twice as likely as White children to experience economic insecurity.⁹ Even when accounting for comparable revenue, employment growth, and profitability, Latino business owners are more likely to experience credit availability issues than Whites.¹⁰

EXPAND WORKFORCE OPPORTUNITIES

Latinos are the fastest-growing segment of the U.S. workforce and will become nearly one-third of the total U.S. workforce by 2050. Public policy solutions must aggressively work to narrow the educational gap between Latino adults and other adults.¹¹ Now, more than ever, the federal government must play an essential role in educating and training working adults who have aged out of the public school system. The federal Workforce Innovation and Opportunity Act (WIOA) largely governs the publicly funded workforce development system. While WIOA has led to gains for

Hispanics, greater investment is needed to ensure that community-based organizations can support the education and training needs of their communities.

Hispanics often face a combination of challenges for workforce opportunities, including limited educational attainment, limited basic skills, and limited English proficiency. The current one-size-fits-all approach to adult education and training, combined with severe funding constraints, has meant that Latinos who most need the

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system's benefits most are often the least likely to receive them. Furthermore, Latinas continue to contend with unemployment rates of 4.2 percent compared to 3.4 percent for Latino men.¹² Unemployment among young Latinos remains stubbornly high, at 14 percent in late 2019, which deprives young people of critical work experience to prepare them for future labor market success.¹³ Congress

must enact legislation to expand career opportunities for Latinos, increase access to training, lower Latino youth unemployment, and fully fund WIOA implementation.

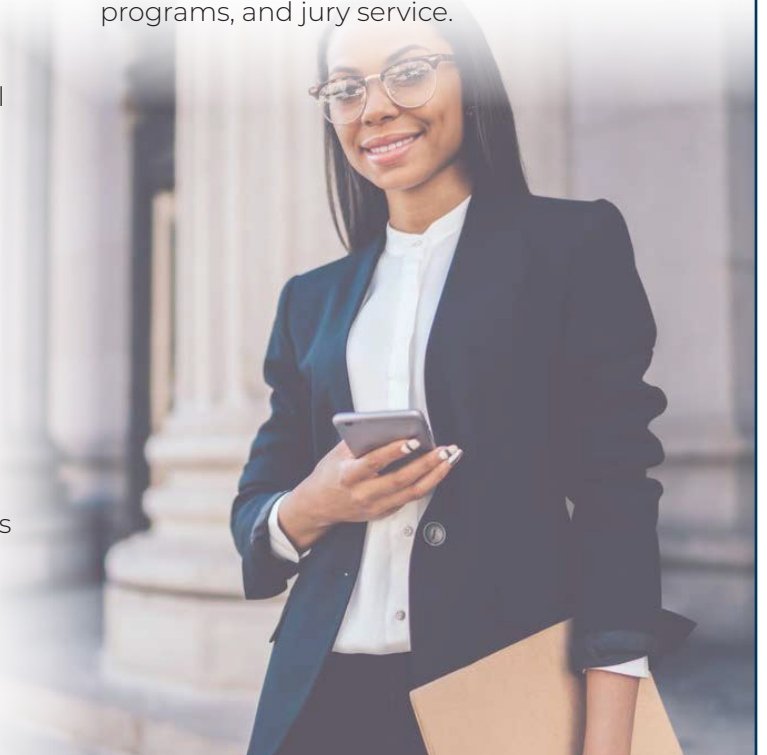


POLICY RECOMMENDATIONS

- Increase investments in adult education and workforce development services for low-skilled, limited English proficient job seekers, and young workers.
- Provide women with equal access to training opportunities and programs.
- Enforce existing anti-discrimination provisions that prohibit sex-based discrimination, including sexual orientation and gender identity discrimination in hiring, job placement and segregation, training, promotions, pregnancy discrimination, equal pay, and take a firm stance against sexual harassment in the workplace.
- Ensure the systematic inclusion of community-based providers in addressing unemployment and career advancement.
- Ensure that Trade Adjustment Assistance, which provides training and support to workers who lose their jobs due to international trade, receives sufficient funding, especially in conjunction with efforts to expand U.S. trade agreements.
- Create a tracking and monitoring system to protect internationally recruited workers

from labor abuses by recruiters, placement agencies, supervisors, employers, and third parties.

- Enact the Equality Act, which would amend and expand existing civil rights law to provide consistent and explicit non-discrimination protections for LGBTQ people across employment, housing, credit, education, public spaces and services, federally funded programs, and jury service.



IMPROVE WORKING CONDITIONS

In 2017, 900 Latino workers died on the job — a 10 percent increase from 2013 — while deaths in the overall workforce declined.¹⁴ Farmworker deaths are six times the national average.¹⁵ Farmworkers also often encounter abusive labor practices, including wage theft and substandard housing. These abuses are challenging to address because farm work is not covered by many of the important labor protections that cover other workers. Farmworker women face additional challenges, including being given the least desired and lowest-paying jobs, being the first to be laid off, receiving fewer opportunities for advancement, and being subjected to sexual assault and harassment.¹⁶

Latino workers in all industries and occupations are also vulnerable to sexual harassment. Since 2017, the #MeToo movement has increased the

visibility of victims of sexual harassment and sexual assault in the workplace and the toll it takes on people's lives. Women are more often at risk in low-wage jobs with pronounced power imbalances or with work done in isolation, such as domestic care workers, hotel workers, agricultural workers, and janitors. Latinas in these fields may be less likely to report sexual harassment and assault out of fear of losing their job or fear of retaliation related to their immigration status.



POLICY RECOMMENDATIONS

- Defend the right of workers to join labor unions and to participate in collective bargaining.¹⁷
- Support gender equity in the workplace by enacting the Paycheck Fairness Act and other measures that promote gender fairness in the workplace, such as prohibiting pregnancy discrimination¹⁸ and ensuring equal pay for equal work.¹⁹
- Support the Fair Pay for All Act, which would amend the Fair Labor Standards Act of 1938 to expand the definition of sex to include sexual orientation and gender identity.
- Support legislation that would close the gender wage gap that affects LGBTQ communities.
- Take active measures to prevent, investigate, and prosecute all forms of sexual harassment, including sexual assault and rape in the workplace.
- Protect workers and prevent workplace harassment by passing the BE HEARD in the Workplace Act.
- Increase and improve the quality of enforcement of the wage and hour and health and safety laws, including those that protect farmworkers.
- Enact legislation to protect victims of crime or serious labor violations from deportation.
- Enact legislation that guarantees paid sick and family leave. Latinos are the least likely of any racial or ethnic group to have access to any form of paid leave.²⁰

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- Prohibit forced arbitration of workplace disputes.
- Grant farmworkers parity with other occupations under employment laws and regulations, including minimum wage, overtime pay, the right to organize, child labor and occupational safety standards.
- Extend federal workplace protections to individuals employed in the shadow economy, including domestic workers, caregivers, farmworkers and day laborers, among others.
- Protect internationally recruited workers, including temporary foreign workers, from abuse, including debt peonage, modern-day slavery, discrimination in recruitment and hiring, and workplace exploitation.
- Address the issues faced by workers in the gig economy and fissured workplaces by strengthening policies and enforcement to reduce the mischaracterization of employees as independent contractors and through enforcement of the joint employer concept in labor subcontracting arrangements.²¹
- Encourage portable employment benefits that are afforded to workers in traditional workplace environments for workers in the gig economy.
- Ensure that essential workers during the COVID-19 pandemic or any other public health emergency are provided additional health protections, benefits, and premium hazard pay, as well as full access to paid sick leave, regardless of immigration status.

PROMOTE POLICIES THAT REWARD WORK

It is time to raise the minimum wage. Today, the federal minimum wage is \$7.25. If the U.S. minimum wage kept pace with the enormous productivity produced by the American workforce since the 1960s, today's minimum wage would be about \$20.34.²² While minimum wage workers are often characterized as younger workers, the average age of workers who would benefit from raising the wage is 35 years old.²³ Latinos are 41 percent more likely to earn low wages. Latinas face the most significant wage gap, earning only 53 cents for every dollar paid to White, non-Hispanic men.

The Earned Income Tax Credit (EITC) and Child Tax Credit (CTC) incentivize work, support children, and promote lifelong health and economic benefits, but leave out millions of low- and moderate-income families from much-needed financial relief. As a result, there are about 7.5 million childless workers, including about 1.7 million Latinos, who are

currently taxed into, or deeper into, poverty and who could greatly benefit from an expanded EITC.²⁴ There are more than 1.3 million low-income Latinos who would benefit from a fully refundable expanded CTC.²⁵ The Census Bureau publishes the Supplemental Poverty Measures (SPM) which improve on the Official Poverty Measure by partially accounting for variations in median rent, utilities, and some basic necessities, but still fail to account for geographical cost-of-living variations on other goods and services like food, transportation, education, recreation, and medical expenses.²⁶ Except for SNAP, none of the cash or near-cash benefits for low-income people, including the EITC and COVID-19 relief, contains regional cost of living adjustments (COLAs).²⁷ Fixing these issues would provide a much-needed income boost for 46 million households, including nine million Latinos.

POLICY RECOMMENDATIONS

- Raise the federal minimum wage to \$15.00 per hour by 2024, which would benefit at least nine million Latino workers.
- Support efforts to address income inequality, including pay discrimination based on race, ethnicity, or sex, including sexual orientation and gender identity.
- Phase out of the subminimum wage for tipped workers.
- Remove the exclusions of certain agricultural employers from paying the federal minimum wage.
- Pass the Working Families Tax Relief Act, which would fix the EITC and CTC holes by providing fairness for childless workers who receive very little, if anything, from the EITC and making the CTC fully refundable for up to \$2,000 per child.
- Implement permanent small-area, cost-of-living adjustments to personal income tax brackets, cash or near-cash benefits (including COVID-19 relief), and the official poverty measure (or switch the Official Poverty Measure to an improved version of the SPM) to account for disproportionate burdens on the urban poor and high-cost area dwellers.
- Oppose efforts to penalize U.S. citizen children in response to concerns about errors in the tax system.
- Ensure that labor enforcement agencies prevent, investigate, and vigorously prosecute wage theft and other labor abuses committed against Latino workers.²⁸

ENHANCE FINANCIAL ACCESS AND PROTECT CONSUMERS

Latino and immigrant families have lower rates of access to mainstream financial products and often resort to non-mainstream markets to access necessary financial products.

According to the Federal Deposit Insurance Corporation (FDIC), while 24.2 percent of all U.S. households are either unbanked or under-banked, 43 percent of Latino households are either unbanked or under-banked.²⁹ Operating outside of mainstream markets leaves Latinos vulnerable to less regulated and predatory products, such as payday loans. Strong consumer protections are necessary to ensure that individuals are shielded from predatory and discriminatory lending practices and financial products.³⁰

Congress should strive to enact legislation and regulatory actions to increase access to credit, provide strong consumer protections from predatory and discriminatory practices, and support individualized financial counseling while opposing any efforts to dismantle, weaken, or undermine the structure of the Consumer Financial Protection Bureau (CFPB). Unhindered access to mainstream financial products is essential for the Latino community and a strong economy.



POLICY RECOMMENDATIONS

- Increase access to small-dollar loans and credit for underserved consumers and enforce the accuracy and accountability of credit reporting entities to ensure that reporting errors do not harm individuals.
- Oppose any efforts to dismantle, weaken, or undermine the structure of the CFPB.
- Provide strong consumer protections from predatory and discriminatory practices, including payday lending.
- Support individualized financial counseling.
- Eliminate discrimination in automobile loan lending.
- Increase the availability of microfinance for small business development, which is particularly critical for Latinos, immigrants, LGBTQ persons, and other marginalized entrepreneurs who often have difficulty accessing capital to start or grow their businesses.

INCREASE RETIREMENT SECURITY

Studies show that Latinos are more likely to rely on Social Security benefits as their main source of retirement income due to the absence of other sources of retirement income, such as pensions or retirement accounts.³¹

For many, Social Security is the sole means of retirement income. Studies by the Berkeley Center of Labor found that 26 percent of Latinos, compared to 22 percent of Whites, rely on Social Security for more than 90 percent of their retirement income. Currently, poverty rates for elderly Latinos are more than twice that of the U.S. elderly population as a whole. Older Latinas are especially vulnerable, as they face poverty rates three times higher than older White women and one in five Latinas over the age of 65 live in poverty. Labor market trends suggest that absent intervention, these rates will continue to increase. Latinos are projected to account for the bulk of growth in the American workforce between 2010 and 2050. However, the majority of Latinos work for employers that do not offer retirement plans. Latinos have the lowest level of access to employer-sponsored retirement plans, and the lowest rate of eligibility for the retirement plans offered by their employers.³²

As such, many future retirees will rely solely on Social Security and on programs authorized by the Older Americans Act to provide critical nutrition, caregiving, and employment support services. A lack of retirement security not only affects retirees but can also have a profound effect on our national economy. This lack of retirement security undermines household wealth and economic mobility, straining the federal social safety net, and slowing economic growth, as retirees reduce their consumption of goods and services to make ends meet. Therefore, it is in the nation's interest to ensure that Latinos maximize opportunities to prepare for a financially secure retirement.



POLICY RECOMMENDATIONS

- Improve the adequacy of Social Security benefits and protect the program from cuts that would erode the economic security of low-income seniors and future generations.
- Expand access to private retirement savings such as 401(k)s and IRAs through state and federal policy.
- Support a savings system that encourages, through the tax code and other means, low- and moderate-income families to save for their children’s education, to buy a home, pay off debt, and retire securely.
- Provide a mechanism by which workers who are employed in low-paid positions or the shadow economy may have a way to participate in any federally created savings plans, particularly women who are overrepresented in many of these positions.
- Reauthorize and increase funding for the Older Americans Act, which provides services to help older adults age in dignity and the best possible health. This includes Meals on Wheels, the congregate nutrition program, the National Family Caregiver Support Program, and the Senior Community Service Employment Program.

SUPPORT AFFORDABLE RENTAL HOUSING AND HOMEOWNERSHIP

Rising housing costs and tight credit markets combine to harm the Latino community. Latino homeownership continues to lag far behind the national rate.³³ Latinos are about twice as likely to be denied a home loan compared to White borrowers.³⁴ Additionally, today more Americans are renting than at any other point in the last 50 years.³⁵ A large and growing share of households cannot find rental housing that they can afford, a challenge that is particularly acute for young households of color — especially Latinos.³⁶



POLICY RECOMMENDATIONS

- Support dedicated funding for the construction of affordable rental housing and increased investment in the Federal Housing Trust Fund.
- Increase the quality and quantity of housing for farmworkers and other rural Latinos.
- Increase federal investments in affordable housing development, and encourage policies at the state and local levels, to increase the supply of affordable rental units, as well as preserve existing affordable housing units.
- Increase the Latino homeownership rate through increased funding for housing counseling, the number of conventional mortgages issued to Latinos, and affordable mortgage options.
- Support robust banking and lending protections within the Community Reinvestment Act (CRA), which should include a general framework of rating banks based on their lending, investments, and services to LMI individuals.
- Oppose the Office of the Comptroller of the Currency's proposed August 2018 rule that would switch its rating process to a ratio of a bank's CRA activities divided by the bank's assets. This ratio would harm the Latino community by tempting banks to find the lowest risk loans with the highest yields, ignoring the broader community's needs.
- Support full-service physical bank branches, bank deposit facilities that serve the communities in which they are chartered to do business, and credit for consumer lending when banks demonstrate that products are responding to inadequately served local needs and are affordable.³⁷
- Ensure that the housing finance system furthers our nation's fair housing goals.
- Prohibit all forms of housing discrimination based on race, ethnicity, national origin, immigrant status, sex, religion, sexual orientation, or gender identity in all federal housing policy, including public housing, homeownership, and rental assistance.
- Enact a national, uniform moratorium on evictions and foreclosures in time of crises/pandemic.
- Support legislation that provides emergency rental assistance, eviction prevention, and provides additional resources for housing stability programs.

END HOUSING DISCRIMINATION AND HOMELESSNESS

LGBTQ youth are significantly more likely to be homeless. LGBTQ seniors are also more likely to be at risk. According to AARP's "2018 Maintaining Dignity Survey," 76 percent of LGBTQ adults age 45 and over worry about having adequate family and social support systems to fall back on as they grow older. For Hispanic LGBTQ seniors, they are also far more likely to be concerned that their race or ethnic identities, as well as gender identity, puts them at risk for poor quality of care. This is in part due to older LGBTQ people being two times

more likely to be single and three to four times less likely to have children.

The same survey reveals that, although more than half (53 percent) of transgender or gender-expansive survey respondents have children or grandchildren, this group is least likely to say they consider gay or straight friends, family or neighbors part of their support network, putting them at increased risk of isolation now and as they age. Gay men report being less connected than lesbians on

every relationship type tested, from friends to partners and neighbors. This may put gay men at higher risk of isolation and potentially influences the kinds of services they will need later in life. Rather than one type of

discrimination out-ranking others, Latino members of the LGBTQ community carry additional reasons to feel vulnerable in the housing and healthcare systems.

POLICY RECOMMENDATIONS

- Support policies that develop, promote, and increase federal funding for affordable housing and improve access to public housing Section 8 vouchers for LGBTQ youth and adults as part of anti-trafficking efforts.
- Promote policies that provide free or low-cost smartphones to homeless youth and elderly persons, particularly when they are also LGBTQ.
- Collect data on the efficacy of federally funded aging programs in serving LGBTQ seniors through the Department of Health and Human Services, and the agencies that fall under its purview.
- Support wrap-around services for LGBTQ seniors that ensures they have access to adequate health services and housing, particularly addressing LGBTQ retirement home discrimination.
- Support legislation that requires states to remove barriers to LGBTQ individuals and families applying for public assistance and expanding eligibility criteria for public assistance to recognize LGBTQ families.
- Support legislation that increases funding for homeless shelters, supportive housing programs, voluntary drug rehabilitation, and mental health services, earmarking some funding for training programs to reduce discrimination against LGBTQ people and people living with HIV in such programs.
- Support legislation that would increase and expand eligibility for cash assistance, remove time limitations and family caps on receiving cash assistance, and remove restrictions on immigrants receiving assistance.
- Prohibit all forms of housing and housing accommodation discrimination based on race, ethnicity, national origin, immigrant status, sex, religion, sexual orientation, gender or gender identity or expression in all housing policies, including public housing, homeownership, and rental assistance.
- Support legislation that provides emergency solutions grants to respond to and prevent outbreaks among people experiencing COVID-19 surges.

EXPAND ACCESS TO AFFORDABLE BROADBAND AND MOBILE PHONE SERVICES

Latinos are currently facing a broadband crisis. According to the Pew Research Center, only half of all Latinos have a home broadband connection - down from 56 percent in 2013 - with many indicating that the cost of the service is the main barrier to adoption. 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, students without home broadband, who are often already challenged with poverty, are increasingly victims of the “Homework Gap” and are falling further behind in our schools.³⁸

POLICY RECOMMENDATIONS

- Modernize the Federal Communications Commission’s (FCC) Lifeline Program to subsidize broadband services.
- Launch bilingual digital literacy campaigns.
- Ensure competition in the broadband and mobile phone markets.
- Fund expansion of broadband services to rural communities.
- Continue the FCC’s E-Rate program, among other measures.

SUPPORT PUERTO RICO AND ITS RECOVERY FROM NATURAL DISASTERS

Puerto Rico has been plagued in recent years by natural disasters that have resulted in widespread death and devastation to outdated infrastructure. Ineffective federal response and assistance slowed the island’s recovery. In 2017, two devastating Hurricanes – Irma and Maria – hit the island of Puerto Rico in quick succession. These two natural disasters caused massive infrastructure damage to the island, leaving millions to struggle through the longest energy blackout in U.S. history. Between 3,000 and 4,000 people died in the six months following the 2017 hurricanes. The federal government’s response was slow and underwhelming – especially as compared to the federal response to other natural disasters affecting mainland states in the same year. In January 2020, Puerto Rico began experiencing a series of strong earthquakes causing additional damage to already weakened systems. The federal government should fund Puerto Rico’s recovery and rebuild it at a level that is commensurate with its standing as a U.S. territory populated by millions of U.S. citizens.

Our federal government has a moral and legal responsibility to help Puerto Rico recover. The only way the island can do so is if Congress and the federal government enact a “Marshall Plan,” which would systematically invest the resources necessary to revive Puerto Rico’s healthcare and education systems, economy, housing, public social services, and infrastructure. A sustainable and just recovery must focus on forward-thinking, community-driven solutions to minimize future devastation, ease recovery, and set-up the island, and its millions of residents for a successful, sustainable future. Our concerns extend to Puerto Ricans who have been forced to leave the island because of ineffective emergency relief, a slow recovery, and lack of employment or education. Puerto Rican Americans are disaster victims and need ongoing support from national and local governments, and from philanthropic sources, to ensure a successful transition to the U.S. or promote a safe return to the island.



POLICY RECOMMENDATIONS

- Ensure adequate disaster relief and other federal funds are appropriated and released in a timely and legal manner without additional restrictions and barriers to access not required of other post-disaster entities.
- Increase access to federal programs that lift families out of poverty and help workers, such as access to the federal Child Tax Credit (CTC), the Earned Income Tax Credit (EITC), and the Supplemental Nutrition Assistance Program (SNAP), and ensure they have access to the same health services, such as Medicaid, and the same protections other U.S. workers enjoy.
- Support measures that ensure that disaster relief funding has a multiplier effect by prioritizing local businesses and non-profit organizations to strengthen local economies and communities, by supporting the current work, investing in the growth and capacity of the small business sector, and prioritizing local workforce development.
- Collaborate with Puerto Rico's government and community leadership to develop economic and social support plans that allow the island to rebuild and retain its social capital, such as promoting the return of evacuees.
- Reverse draconian austerity measures imposed by the federal budgetary oversight board in the PROMESA legislation that allows workers to be paid less than the minimum wage in Puerto Rico.
- Repeal the PROMESA legislation, particularly the establishment of the Fiscal Control Board, which prioritizes debt repayment above all else and has produced an unsustainable debt burden that will force the Puerto Rican government to default again, which would accelerate the island's economic decline and outmigration.
- Enact legislation to permanently and retroactively include Puerto Rico in Chapter 9 of the Bankruptcy Code:
 - This should include special provisions for the current debt crisis to provide federal relief for retirement plans and small investors who trusted the Federally promoted triple-exempt status of Puerto Rican debt and require an independent audit of the debt to determine illegality and conflicts of interest.
 - This also should exclude protections for so-called vulture funds, sophisticated investors who gambled by buying distressed debt at pennies on the dollar and now wrongfully demand full repayment.
- Support a Marshall Plan for Puerto Rico to ensure that the Island is on a path to recovery and that it can access substantial federal funding to invest in critical infrastructure, such as an electric grid, a water system, and roads, which were damaged by Hurricane Maria and subsequent natural disasters.
- Support the permanent exemption of Puerto Rico from the coastwise restrictions of the Merchant Marine Act of 1920, also known as the Jones Act or the Cabotage Law. The President should issue a temporary Jones Act waiver for Puerto Rico immediately and keep it for as long as it takes Congress to repeal the law.
- Ensure U.S. citizens living in Puerto Rico have equitable access to programs that lift children and families out of poverty such as the Child Tax Credit (CTC) and the federal Earned Income Tax Credit (EITC).

EDUCATION

In 2020, Latinos will make up 28 percent of students in public schools, a number projected to rise to 30 percent by the end of the decade. White students are no longer the majority; they make up 47 percent of students in public schools, a number projected to fall to 44 percent by the end of the decade.³⁹ Ensuring Latino students receive high-quality education will be the key to ensure America has a prosperous twenty-first century. But over the past few years, the Latino community has seen a rise in incidents of hate against Latino students based on their race, ethnicity, and immigration status. These incidents of hate interfere with their Constitutional rights to access education.

“Go back to Mexico.” “You don’t belong here.” “You’re not a real American.” These are the most common hate slurs directed at Latino students in school, although the vast majority of Latinos in schools are American citizens.⁴⁰ Over the past few years, hate speech against Latinos and perceived immigrant students has risen sharply both in college⁴¹ and in K-12 public schools.⁴² All levels of government must do what they can to end hate speech, bullying, and harassment against Latinos, immigrant students, and other protected classes. In the past few years, we have also seen some states attempt to enact policies

that would discriminate against immigrant students and citizens with immigrant parents. These policies attempt to deny them college admissions, in-state college tuition, and financial aid benefits based solely on their immigration status or the immigration status of their parents. These discriminatory practices must be expressly prohibited by legislation and investigated as discrimination by the Department of Education, Office for Civil Rights.

At the time of publication, the COVID-19 crisis continues to unfold. Despite the best efforts of educators and many others, it is proving difficult to provide high-quality online instruction for many Latino students due to lack of electronic devices, connectivity, digital curricula specifically designed for English Learners, and language access for parents and guardians. As policymakers address the COVID-19 crisis and its aftermath, they must work to ensure all students receive a high-quality education at all levels. Relief funds must be targeted where there is the most need, including low-income students, English learners (ELs), students with disabilities, families impacted by the digital divide, Latinos and other students of color, and Hispanic-Serving Institutions and other Minority-Serving Institutions.

PROTECT THE RIGHTS OF LATINOS AND LATINAS IN ALL LEVELS OF EDUCATION

Over the past few years, while hate speech, bullying, and harassment of Latino students has been on the rise, the Department of Education has rolled back and rescinded many protections for Latino students, and even considered eliminating the Office of English

Language Acquisition, the office responsible for coordinating language instruction for the 10 percent of public school students who are English learners, 78 percent of whom are Latino.⁴³ The Department of Education must fulfill its mission to protect the rights

of all students, regardless of their actual or perceived race, ethnicity, English language proficiency, immigration status, disability status, survivor status, sexual orientation, gender identity, religion, or income. Congress must also use its oversight authority to ensure that the Department of Education prioritizes protecting these rights.

In 2018, Secretary of Education Betsy DeVos incorrectly opined that it was “a school decision...a local decision” whether schools could call immigration authorities on a student or a family that were suspected to be

undocumented. However, the law is clear: any public school that denies a child an education by reporting them to immigration authorities has violated the Equal Protection Clause of the Constitution. Nevertheless, it took DeVos 14 days and six separate questions from Senator Murphy for her to retract that statement in a public hearing.⁴⁴ This kind of apathy or ignorance is unacceptable. Going forward it must be a high priority of the Department of Education to actively defend the rights of actual or perceived immigrant students, and students with mixed-status families.

POLICY RECOMMENDATIONS

- Fulfill the mission of the Department of Education to protect the rights of all students, regardless of their actual or perceived race, ethnicity, English language proficiency, immigration status, disability status, survivor status, sexual orientation, gender identity, religion, or income.
- Strengthen the role of the Office of English Language Acquisition within the Department of Education, and the White House Initiative on Educational Excellence for Hispanics, and resist efforts to eliminate them.
- Issue a strong public statement from the Secretary of Education supporting the rights of all students to access education regardless of their immigration status. This should support the related May 8, 2014 guidance, and should affirmatively state that it would be against the law for a school to call immigration enforcement on a student or a parent.⁴⁵
- Withdraw any attempts to roll back Title IX protections for survivors of campus sexual misconduct and transgender students.
- Ensure that the Department of Education, Office for Civil Rights:
 - prioritizes claims of bullying and harassment against Latino students, immigrant students, and other protected classes;
 - advances policies and guidance that ensure equal access to education for all students who experience sexual harassment, and that protect the health, safety, and well-being of survivors;
 - investigates claims of discrimination, bullying, and harassment against LGBTQ students;
 - enforces claims of differential treatment against Latinos and other groups that can be enforced by the disparate impact regulations implementing Title VI of the Civil Rights Act of 1964;
 - prioritizes the investigation of systemic issues, in addition to individual cases; and
 - reinstates guidance on:

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- protections against discrimination for transgender students,
- protections for survivors of campus sexual misconduct,
- the nondiscriminatory administration of school discipline,
- the complaint handling process for students with disabilities and students of color, and
- promoting diversity in K-12 schools and higher education.



EARLY CHILDHOOD EDUCATION

Latinos are the racial or ethnic group least likely to be enrolled in early childhood education, according to a 2019 study by the Annie E. Casey Foundation.⁴⁶ This study found among three- and four-year-old children enrolled in preschool, Latinos trailed behind other groups at 41 percent enrollment, as compared to 51 percent

of African American children, and 49 percent of non-Hispanic White children. Without an academically robust high-quality early childhood education, Latino children will start elementary school behind their peers and be less prepared to move up the education ladder to academic and career success.

POLICY RECOMMENDATIONS

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



ELEMENTARY AND SECONDARY EDUCATION

In 2015, the Every Student Succeeds Act (ESSA) was signed into law, reauthorizing the Elementary and Secondary Education Act (ESEA). First enacted more than fifty years ago in 1965, ESEA is a civil rights bill written to ensure equal access to quality education. Within those fifty years, the Latino community has grown from roughly 3 percent of the nation to 18 percent today nationwide, and 28 percent of students in public schools. Hispanic-Serving School Districts (HSSDs) are school districts that enroll 25 percent or more Hispanic students. In 2016, there were 3,471 HSSDs in the nation. Nine of the ten largest school districts in the nation are Hispanic-Serving School Districts. The growth of the Hispanic population is highlighted by a projected doubling of public-school enrollment

from 7.7 million in 2000 to 15.2 million in 2027. Hispanics are the only group that is expected to experience these unprecedented rates of growth in public elementary and secondary schools. It is because of this growth in the Latino community that students of color are no longer the minority, but the new majority of students in our nation's public schools.

ESSA pushes much of the burden to ensure equal access to education to state and local governments. The Department of Education must issue strong federal regulatory guidance, and states must ensure vigorous implementation and enforcement, in implementing ESSA consistent with the law and with NHLA's policy recommendation outlined below.

POLICY RECOMMENDATIONS

- Require states, districts, and schools to collect, and make available annually, disaggregated data on student subgroup and overall school progress.
- Ensure data is collected and reported on subgroups of students, that the data is cross-tabulated by race, income, EL status, and disability status.
- Ensure that data collection allows students with more than one race or ethnicity — such as Afro-Latinos, Asian American Latinos, and Indigenous Latinos — to correctly report each of their heritages.
- Ensure all students have access to:
 - high academic standards that are statewide and prepare students for college and a career;
 - curricula that are culturally and linguistically appropriate, and aligned to a state's college- and career-ready standards;
 - culturally and linguistically appropriate assessments of student academic performance, based on multiple measures of student academic performance, not an isolated, high-stakes test; and
 - ensure that at least one major component of assessment must be objective and generalizable across states, and all components of assessment must be objective and generalizable within a state.
- Ensure that systems are accountable for the performance of students by:

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- assessing all students with valid and reliable statewide annual assessments, including students with disabilities except for the most cognitively disabled one percent, and English-learners exempt only in their first year in the country;
- including performance goals to reduce student achievement gaps, which must aim toward equity of outcomes at all levels of achievement, not simply to an established competency floor; and
- requiring proven remedies and interventions that reduce student achievement gaps.
- Ensure that every child has the resources they need to succeed by requiring intervention where there are disparities in access to educational resources, including access to high-speed internet and electronic devices, such as laptops and tablets, that can be used for distance learning.
- Enact policies prohibiting harassment, discrimination, and bullying, particularly against students based on sexual orientation, gender identity, or actual or perceived immigration status.
- Support policies that eliminate funding of law enforcement officers in schools that increase the detention of Latinx students, ELs, and LGBTQ students and promote alternatives including counseling, peer-to-peer accountability mechanisms, and family support through federal funding.
- Enforce Title IX protections for all persons regardless of sexual orientation or gender identity, to ensure that all students are free from discrimination and have access to bathrooms that correspond with their gender identity.
- Support policies that promote LGBTQ inclusion in high school athletics, including the participation of transgender people in sex-segregated sports.
- Support policies that further research the impact of implicit bias and the discriminatory application of school policies such as dress codes and codes of conduct to girls and LGBTQ youth.
- Expand Latino-serving programs to meet the full needs of the community, including:
 - accountability, data, and parental involvement (Title I, Part A); and
 - the Migrant Education Program (Title I, Part C).
- Ensure states set rigorous proficiency targets for the English language proficiency of ELs, and ensure that their assessments are culturally and linguistically competent, and aligned to state college and career-ready standards.
- Ensure that English proficiency for English-learners is a significant portion of every state's accountability system. Cross-tabulate data by race, gender, EL status, student with disability status, and economic disadvantage so that disparities can be better identified, and interventions can be better tailored to the needs of the involved student groups.
- Ensure that state plans do not diminish accountability for any subgroup of students, and that accountability applies to all groups of students protected by ESEA, including racial and ethnic subgroups, ELs, students with disabilities, and the economically disadvantaged.
- Ensure states collect and report data in a manner that does not mask student subgroup performance or rob school officials

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of the ability to narrowly tailor improvement interventions to where they are most needed.

- Ensure that schools, districts, and states are held accountable for the performance of all students in all schools, not just the lowest-performing schools.
- Ensure that state and local plans do not disrupt standing Office for Civil Rights (OCR) settlements with particular districts within those states. Pilot test the feasibility for states and districts to collect and report subgroup data within the larger EL category, including recently arrived ELs, long-term ELs, former

ELs, and interrupted ELs.

- Ensure that any requests to waive elements of ESEA do not disrupt standing Office for Civil Rights (OCR) settlements with particular districts within those states, or waive any recommendations described above.



SCHOOL-TO-PRISON PIPELINE

Within many schools, Latinos are disproportionately suspended, expelled, and referred to law enforcement. These exclusionary discipline practices are directly contrary to the goal of equal access to education for all students. While this “school-to-prison pipeline” is not unique to the Latino community, it has a disproportionate impact on the Latino community (especially on the

LGBTQ Latino community). For instance, criminalization of simple disciplinary matters could send a student to prison, but if that child is an immigrant, it could bar that child from ever receiving temporary or permanent status and may make that child eligible for deportation. Criminal convictions can also bar a child from ever obtaining federal financial aid to go to college.

POLICY RECOMMENDATIONS

- End the practices of suspension, expulsion, zero-tolerance policies, the criminalization of truancy, and involuntary school transfers.
- Collect data on suspension, expulsion, involuntary school transfers, and in-school arrests by groups of students, including students who may have more than one race or ethnicity such as Afro-Latinos, Asian American Latinos, Indigenous Latinos, Latinos with disabilities, and Latinos who are ELs.
- Address disparities on suspension, expulsion, involuntary school transfers, and in-school arrests between racial and ethnic groups, ELs, and students with disabilities and students in the LGBTQ community.
- Require that school resource officers be equitably distributed between schools, not concentrated in schools that predominantly serve low-income students and students of color.
- Ensure that teachers are trained on classroom management as an alternative to suspension, expulsion, and the criminalization of in-school behavior.
- Repeal prohibitions on federal financial aid for persons convicted of a crime.

HIGHER EDUCATION

The Department of Education projects that Latino student college enrollment will increase by 26 percent by 2026, but Latino college completion rates lag far behind those of other groups.⁴⁷ Only 17.2 percent of Hispanic adults had at least a bachelor’s degree, compared to 53.9 percent of Asians, 38.1 percent of Non-Hispanic Whites and 24.3 percent of African Americans.⁴⁸ Current demographics, employment, and education data for Hispanics document the national need for more significant investment to assure academic access and success throughout the PK-20 pipeline for the country’s nearly 60 million Hispanic Americans (including 3.3 million in Puerto Rico) and the 3.5 million Hispanics in higher education.

Hispanic-Serving Institutions (HSIs) are at the forefront of efforts to increase educational access and success for the nation’s Latinos. As of the 2017-18 academic year, there are 523 HSIs in 25 states, DC, and Puerto Rico that represent

over 15 percent of all higher education institutions yet serve 66 percent of all Hispanic undergraduate students. One main challenge HSIs face as they address their critical role is persistent underfunding relative to every other degree-granting institution. According to the Department of Education, HSIs, on average, received \$3,117 per student from all federal revenue sources, compared to \$4,605 per student for all degree-granting institutions, just 68 cents on the federal dollar received by other institutions to educate a disproportionately low-income student population. Furthermore, since 2009, HSIs have seen an annual increase of 30 new HSIs per year. While federal funding has continued to increase in the last four years, sadly, the funding has not kept pace with the explosive growth of HSIs. While HSIs are currently located in half of the states in America, it is only a matter of time before their presence is seen in nearly every state in the United States.

POLICY RECOMMENDATIONS

- Strengthen financial aid programs to make college affordable by:
 - decreasing the interest rates on federal student loans to a low fixed rate;
 - making Pell Grant funding mandatory, increasing Pell Grant caps, and indexing those caps to inflation;
 - increasing income protection allowances, and matching them to inflation to better determine financial need;
 - providing small-dollar emergency grants for students;
 - streamlining and simplifying the Free Application for Federal Student Aid (FAFSA);
 - simplifying the procedure for migrant, foster, and homeless applicants to complete and file their financial aid applications;
 - making financial aid information available to limited English proficient parents and students;

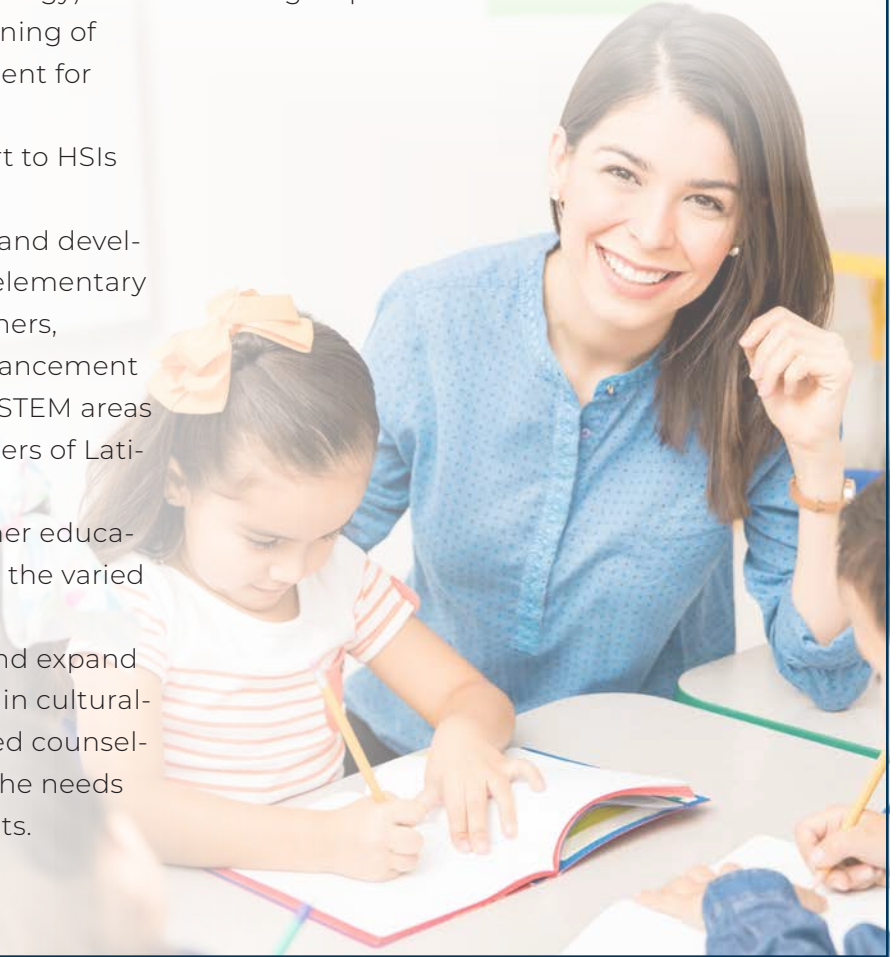
- requiring the Department of Education to partner with institutions to standardize financial aid award letters and terminology;
- improving and promoting informational tools;
- establishing grants to provide high-quality and evidence-based college counseling;
- allowing educational loans to be discharged in bankruptcy;
- expanding teacher loan forgiveness programs to cover the full cost of their education after five years;
- expanding income-based repayment by:
 - giving all borrowers the option to pay back their educational loans at 10 percent of their discretionary income,
 - waiving accrued interest for former Pell grant recipients, and
 - reducing the marriage penalty to 50 percent of the combined household adjusted gross income for married borrowers;
- implementing fully student loan debt forgiveness programs in current law including Public Service Loan Forgiveness, and Teacher Loan Forgiveness;
- expanding student loan debt forgiveness programs by:
 - creating a new public service loan repayment plan for borrowers who are working toward the public service or teacher loan forgiveness programs, which would be based on income-based repayment but whose payments would be 5 percent of discretionary income, and under which unpaid interest would not accrue, and
 - increasing the amount forgiven by the Teacher Loan Forgiveness Program; and
 - restoring access to federal financial aid for current and formerly incarcerated potential students.
- Protect the rights of non-U.S. citizen students to access higher education by:
 - defending against discriminatory admissions policies that deny access to institutions of higher education based solely on an applicant's immigration status, or the immigration status of a parent;
 - protecting the rights of students to access in-state tuition, if they would otherwise be eligible were it not for their immigration status; and
 - guaranteeing Dreamers, DACA recipients, and TPS holders equal access to federal, state, and institution-level financial aid opportunities.
- Improve completion rates for Latinos across all institutions by:
 - establishing evidence-based grant programs that improve completion rates;
 - creating grant programs to provide first-generation, DACA, TPS, and undocumented students with culturally competent academic and non-academic support services;
 - developing grant programs for equity audits;
 - disaggregating post-secondary data by race, ethnicity, income, and student enrollment status while ensuring the data collected can be cross-tab-

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ulated and will provide accurate data on students with more than one race or ethnicity such as Afro-Latinos, Asian American Latinos, and Indigenous Latinos; and

- making cross-tabulations of that data available.
- 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 by:
 - codifying the 80/20 rule;
 - codifying the borrower defense repayment rule; and
 - codifying the gainful employment rule.
- Increase funding for college preparation programs that assist low-income students and students of color to gain access to higher education opportunities, including federal TRIO programs, Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP), Title IV, Part A, Special Programs for Migrant Students (High School Equivalency Program (HEP), and the College Assistance Migrant Program (CAMP).
- Fund fully Title V of the Higher Education Act (HEA), which gives undergraduate and graduate support to Hispanic-Serving Institutions (HSIs).
- Support passage and enactment of the Hispanic Educational Resources and Empowerment (HERE) Act, which supports partnerships and collaboration between HSIs and school districts that educate the majority of Latino students to facilitate the transition between secondary and post-secondary education.
- Support the development of a Capital Financing Program for HSIs at the Department of Education for a total amount of \$10 billion in secured loans and accrued interest as part of the program.
- Incentivize universities to enroll groups of students commensurate with the demographics of the state.
- Incentivize universities to hire and retain faculty that represent the demographics of the state since it has been shown that Latino/a/x are tenured at lower rates than other racial and ethnic counterparts yet provide substantial support to campus communities and support to Latina/o/x students.
- Increase federal resources for PK-12 schools and teacher preparation programs to recruit a diverse teaching body, and train student teachers in cultural and linguistic competency and intersectionality with diverse student bodies, including LGBTQ students, as well as incorporating STEM and the arts into PK-12 curricula.
- Institute mandatory funding for Technology Partnership Programs (TPPs) at Minority Serving Institutions (MSIs).
- Incentivize universities to encourage students to pursue careers in STEM, including having culturally competent career counselors.
- Expand support to schools of education at HSIs to increase the number of Latino elementary and secondary school teachers.

- Support the creation of a capacity-building program at HSIs to be housed within pertinent federal agencies (e.g., U.S. Department of Commerce; U.S. Department of Defense; U.S. Department of Energy) to support the training and retraining of faculty and curriculum development for STEM education.
- 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 EL students.
- Measure, monitor, and incentivize community colleges to transfer higher proportions of students to 4-year institutions successfully, and to eliminate subgroup transfer differentials.



TEACHERS, COUNSELORS, ADMINISTRATORS

Numerous studies show that students benefit from both teacher diversity and having teachers that are their same race or ethnicity. However, while 28 percent of children in public schools are Latino, only 8 percent of teachers are Latino. This massive gap requires direct action to quadruple the

number of Latino teachers. This will require a dramatic investment in, and support for the teacher preparation work at Minority-Serving Institutions, which prepare most teachers of color. It will also require expanding teacher loan forgiveness programs, scholarships that fund teacher release time to attend degree-

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related classes (including costs of child care, transportation, and substitutes), and providing systemic support for these teachers through every step of their careers. These investments and supports must be for all levels of teaching from early childhood, to elementary and

secondary, to higher education. Additionally, regardless of their racial or cultural background, all teachers must be culturally and linguistically competent and prepared for the diversity within their classrooms.

POLICY RECOMMENDATIONS

- Ensure that students of color have equitable access to quality teachers, counselors, and school administrators at all levels of education, including early childhood, K-12, and higher education.
- Develop assessments and certifications of cultural competency and assign teachers and counselors appropriately based on such assessment and training.
- Expand teacher loan forgiveness programs to cover the full cost of their education after five years, and make teachers eligible for a new public service loan repayment plan, which would be based on income-based repayment but whose payments would be 5 percent of discretionary income, and under which unpaid interest would not accrue.
- Ensure quality professional development for teachers and counselors of Latino, EL, and migrant students, to ensure these teachers are culturally and linguistically competent. This should include:
 - strengthening the Department of Education’s oversight over teacher preparation programs;
 - recommending that the Educator Preparation Reform Act (EPRA) serve as the framework for reauthorizing Title II of the Higher Education Act;
 - defining the terms “Profession Ready Teachers” and “Profession Ready Principals” using the following language: “has demonstrated the ability to work with students who are culturally and linguistically diverse”;
 - recommending that the Reaching English Learners (EL) Act serve as the foundation of the preparation of teachers of ELs under Title II, Part B of the Higher Education Act;
 - establishing a Grant Program to Fund Development of teacher preparation programs to train teachers;
 - enhancing and expanding counseling programs to train culturally and linguistically prepared counselors capable of addressing the needs of Hispanics and EL students; and
 - increasing investment in Teacher Quality Partnership Grants.
- Develop partnerships between school districts and colleges and universities to provide degree advancement and professional development to teachers of Latino and EL students.
- Provide federal resources to train teachers, counselors, teaching assistants, principals, superintendents, and other high-level school officials with cultural and linguistic competency, including LGBTQ cultural competency, and encourage diversity in these positions.

- Provide appropriate school-based mental and emotional health support and resources for students, teachers, and educational staff that is culturally and linguistically competent, including LGBTQ competent services and care.



VETERANS EDUCATION OPPORTUNITY

According to the Department of Veterans Affairs, Latinos make up the largest single group of veterans under 34 years old, at 19 percent as compared to White veterans at 7 percent, and African Americans at 11 percent. This is the result of a long tradition of service in the Latino community; Hispanics have served in every war since World War I, many making the ultimate sacrifice to protect our nation. After World War II, the Montgomery G.I. Bill was the first federal program to grant higher education

assistance. To this day, the G.I. Bill assists veterans, including Hispanics, to pursue higher education. Unfortunately, the Montgomery G.I. Bill does not provide meaningful outreach provisions to assist the Office of Veterans Affairs with resources to identify and reach out to Hispanic veterans and other veterans of color to encourage and support access to higher education.

POLICY RECOMMENDATIONS

- Fund proactive college outreach and recruitment of Hispanic veterans and other veterans of color, as well as programs that provide academic and related support services to eligible veterans, enrolled in Hispanic-Serving Institutions and other Minority-Serving Institutions.
- Include a college outreach and guidance

plan for veterans as they enlist into the armed services, throughout the transitions in their location of service, and as they approach the conclusion of their term of service.

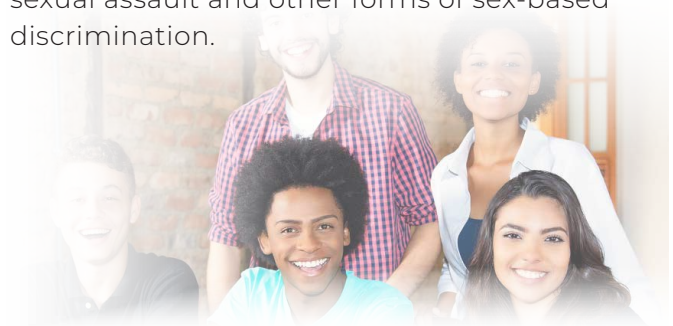
- Promote awareness of the extension of Montgomery G.I. benefits to immediate family in communities of color.



TITLE IX PROTECTIONS

Title IX of the Education Amendments of 1972 provides important civil rights protections that require educational institutions to protect all students, faculty, and staff from sex-based discrimination, including sexual harassment and sexual assault. Studies have shown that the impact of gender-based violence can cause immediate and long-term physical and mental health consequences for students, as well as undermine their academic progress. To ensure equal access to education, it is crucial that schools, colleges, and universities respond promptly and effectively to address sexual violence and sexual harassment and that they

improve comprehensive prevention efforts. However, recent policy changes undertaken by the U.S. Department of Education, as well as their proposed rules regarding Title IX implementation, undermine access to safety in preventing and responding to campus sexual assault. These policies are a step backward at a time when our nation and educational institutions need to be strengthening the commitment to preventing and improving the response to sexual harassment and sexual assault and other forms of sex-based discrimination.



POLICY RECOMMENDATIONS

- Withdraw the Department of Education’s proposed Title IX rule, which undermines protections from sexual harassment and sexual assault.
- Advance policies and guidance that prohibit discrimination based on sex and ensure equal access to education for all students, including protecting the health, safety, and well-being of survivors.
- Strengthen policies and increase resources to improve prevention efforts in K-12 schools and institutions of higher education.
- Ensure that protections from discrimination based on sex also include individuals who experience discrimination based on sexual orientation or gender identity.

ACCESS TO EDUCATION IN PUERTO RICO

Children and youth in Puerto Rico have the right to a quality public education that will ensure equal access to personal, professional, and labor opportunities.

Quality public education is a key element in achieving an effective recovery, lowering poverty levels, and overcoming the economic crisis of the island.

POLICY RECOMMENDATIONS

- Halt austerity measures imposed on Puerto Rico by the federal budgetary oversight board in the PROMESA legislation, which have resulted in school closures and decreased funding for the island’s public university system.
- Allocate and distribute funds appropriated by Congress to Puerto Rico for rebuilding and restarting the island’s education system without imposing additional controls that are not required of other local governments.

IMMIGRATION

Of nearly 60 million Hispanics living in the United States, 43 percent are foreign-born.⁴⁹ Federal immigration law and policy continue to be a top priority for Latino communities. Our immigration, asylum, and naturalization policies must respect the dignity of the individual, end the criminalization of Hispanic immigrants, reflect our nation's commitment to human and civil rights, deny encroachment of state and local enforcement into this federal arena, and prioritize providing permanent relief to the millions of individuals who call this country home. The disproportionate effects of the COVID-19 pandemic and economic recession on communities of color, low-income communities, and immigrant communities highlight the persistent vulnerabilities that immigrants face in the United States.

In recent years, immigration from Latin America has generally been declining. One notable exception is the case of Central American adults and children who have been fleeing Honduras, El Salvador, and Guatemala, seeking safe haven and opportunities for a dignified way of life. However, anti-Latino and anti-immigrant fervor has increased in the media and from elected and appointed officials in the Executive Branch and Congress. Our country is long overdue for sweeping immigration reforms. While we seek to modernize our system in meaningful ways, the core American principles of justice,

fairness, shared prosperity, and a commitment to family unity must be at the heart of a reimagined system. The costs of not doing so are unacceptably high.

Our current immigration policies and political trajectory threaten to sabotage the futures of an entire generation of American children — nearly 6 million by some estimates — by undermining their long-term economic, health, and education outlooks. Rather than demonizing and attacking immigrants and immigration, Congress must work toward passing broad immigration relief for immigrants already in the U.S. and fair and humane immigration reform legislation that ensures that all people are treated with dignity and afforded the necessary protections under the law against discrimination and abuse. NHLA denounces the Trump Administration's immigration policies and calls on the Administration to reverse its harsh positions concerning Central Americans seeking safe haven and to end family detention practices. We urge any subsequent administration to treat those seeking refuge in a manner consistent with human rights principles.

SUBSTANTIVE IMMIGRATION REFORM

Latinos support an immigration system that simultaneously honors our values as a nation and furthers our national interests. These goals are not in conflict with one another. As we have

seen over many decades, enforcement-only immigration strategies failed, and resulted in significant harm to immigrant families and communities, escalated the militarization

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of our southern border, and have made us all less safe. Enforcement-only immigration approaches must be rejected. The nation must stop terrorizing Latino and immigrant communities not just as a matter of basic human decency, but also in recognition that among those bearing the heaviest brunt of a broken immigration system are millions of American children living with an undocumented family member or loved one. An entire generation of young Americans — our future workers, caregivers, taxpayers — are counting on our leaders to get this right.

NHLA also recognizes that a modern immigration system must be flexible enough to meet the needs of the nation. Such a system would provide more — not less —

efficient avenues for legal immigration while valuing family unity, work protections, and a commitment to domestic investments in the ladders of opportunity for young people from traditionally underserved communities. Legislative action should help restore America's leadership in the world by, among other things, recognizing the need to address the push factors that lead many individuals to flee their countries as a result of violence, poverty, acute food insecurity due to climate change and government corruption.



POLICY RECOMMENDATIONS

- Enable the estimated 11.5 million undocumented people in our country to come forward and attain legal status with an earned pathway to full citizenship.
- Enact legislation to provide a pathway to lawful permanent resident status to individuals who have resided in the U.S. for long periods of time as recipients of different forms of temporary status, such as Temporary Protected Status (TPS).
- Enact legislation to provide an expedited pathway to citizenship for veterans and service members, which should include return to the U.S. and relief for veterans who have been deported, and measures to prevent the deportation of veterans and service members that have served honorably in the U.S. military.
- Expand legal channels that reunite families, such as changes to the family preference system.
- Use legislative prerogatives to eliminate the regulatory red tape created by the Trump Administration that is crippling our LEGAL immigration system, including but not limited to the public charge wealth test and exorbitant new citizenship and other immigration fees.
- Eliminate per-country caps that unfairly discriminate and delay the entry of Latino immigrants.
- Expand the number of visas available in appropriate immigrant and non-immigrant categories.
- Eliminate the U visa and T visa caps for victims of sexual assault, domestic violence,

trafficking, and other crimes.

- Limit the expansion of guest-worker programs that do not lead to permanent residence.
- Oppose all efforts, whether through constitutional amendment, federal or state legislation, state-to-state compacts, or litigation, that would attempt to reopen the Citizenship Clause of the Fourteenth Amendment or call into question the citizenship of persons born in the United States.
- Include stronger protections for immigrant workers against exploitation by employers who underpay, cheat and use abusive and retaliatory tactics, including but not limited to:
 - bolstering the U visa and T visa to ensure protections for immigrant workers suffering from labor or civil rights violations;
 - opposing discriminatory and unfair employment eligibility verification systems, such as E-Verify; and
 - ensuring workplace discrimination is eliminated and all immigrant labor and civil rights are protected.
- Terminate the Migrant Protection Protocols and ensure immigrants are provided full access to asylum and refugee protections consistent with federal law and international obligations.
- Restore historic levels of asylum caps, and provide for the free movement of people granted asylum and awaiting the adjudication of their claims.
- Oppose any legislation or policies that establish a preference for certain types of immigrants over other types of immigrants.
- Ensure U.S. Citizenship and Immigration Services is allocated adequate resources and staffing levels, and require systems reform to address current backlogs and prevent future backlogs of immigration benefit applications, including eliminating the significant backlogs in the U visa and asylum adjudication process.
- Require oversight of immigration judges to ensure they do not issue arbitrary adjudications and are free from undue outside influence.
- Ensure that any temporary worker program protects temporary workers and protects against adverse effects on the wages and working conditions of domestic workers. Temporary worker protections should include, at a minimum:
 - a roadmap to citizenship for guest workers;
 - strong and equal labor protections for foreign and domestic workers;
 - true economic freedom and mobility;
 - ability to live with immediate family if desired, including work visas for spouses;
 - sensible limits ensuring temporary workers are only brought in when there is a true market need; and
 - protection against modern-day slavery, debt peonage, gender discrimination, sexual violence, and other abuse during the international labor recruitment process.
- Implement robust enforcement mechanisms for foreign and domestic workers, placing the responsibility on employers, recruiters, and labor contractors.
- Provide undocumented farmworkers and their immediate family members with a path to adjust their immigration status and attain eventual citizenship.
- Ensure all workers' ability to enforce legal protections, improve wages and working

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conditions, and participate in civic life.

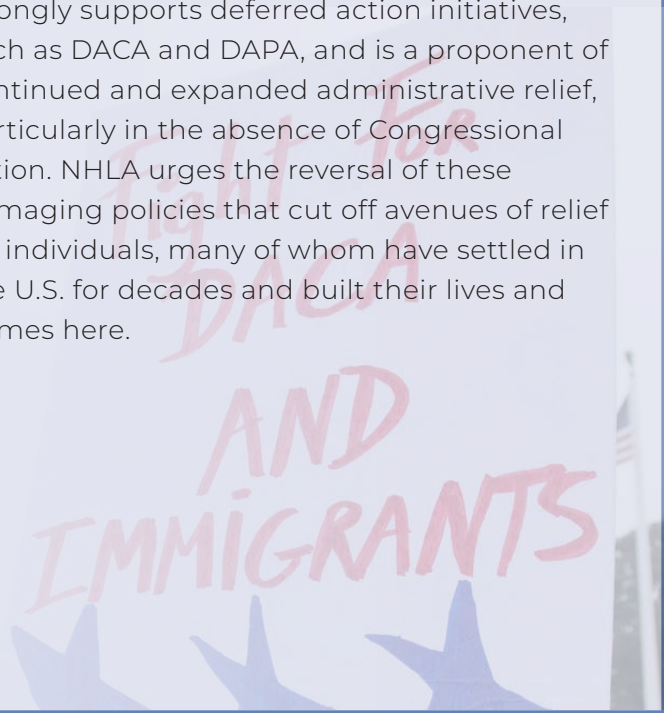
- Ensure passage of a Dream Act to ensure undocumented immigrants who entered the U.S. as minors have paths to earned legal status and ultimately citizenship.
- Pass legislation that allows individuals with qualifying family or employment ties to adjust their immigration status upon payment of a penalty.⁵⁰
- Provide a pathway to temporary immigration status or lawful permanent resident status which includes immigration benefits and work authorization for spouses, including a confidential self-petitioning process, like the VAWA self-petition, to enable victims of domestic violence to be eligible for immigration status independent of their spouses.
- Promote immigrant entrepreneurship by awarding green cards and a path to citizenship to immigrants whose businesses thrive and create jobs.
- Allow immigration judges and DHS officers to waive inadmissibility factors or terminate removal proceedings for non-citizens where it would not be contrary to the public interest, where there would be a hardship to a U.S. citizen or lawful permanent resident spouse, child, or parent, or where the non-citizen would be otherwise eligible for naturalization.
- Enact legislation to provide adequate foreign aid to “sending” countries to creatively and thoughtfully address the factors that lead so many people, including unaccompanied children, to flee their homes as a matter of survival.



ADMINISTRATIVE RELIEF AND OVERSIGHT

The Obama Administration announced Deferred Action for Childhood Arrivals (DACA), a policy to protect immigrants who were brought to the United States as children and meet other specific requirements against deportation.⁵¹ In 2014, President Obama announced that his Administration would offer deferred action to undocumented parents in a policy known as Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA), and would extend DACA to allow relief for more individuals who came to the United States as children.⁵² DAPA and the DACA expansion were never implemented, and on June 16, 2017, President Trump rescinded the DAPA policy. On September 5, 2017, the Trump Administration attempted to terminate the DACA policy, upending the lives of hundreds of thousands of DACA holders who face the possible loss of their work authorization and protection against deportation, but was stopped by the U.S. Supreme Court for now.

Furthermore, the Trump Administration has taken a hostile approach to Temporary Protected Status (TPS) relief, by terminating almost every single TPS designation under the Administration's watch, despite ample evidence of their warranted continuance. NHLA strongly supports deferred action initiatives, such as DACA and DAPA, and is a proponent of continued and expanded administrative relief, particularly in the absence of Congressional action. NHLA urges the reversal of these damaging policies that cut off avenues of relief for individuals, many of whom have settled in the U.S. for decades and built their lives and homes here.



POLICY RECOMMENDATIONS

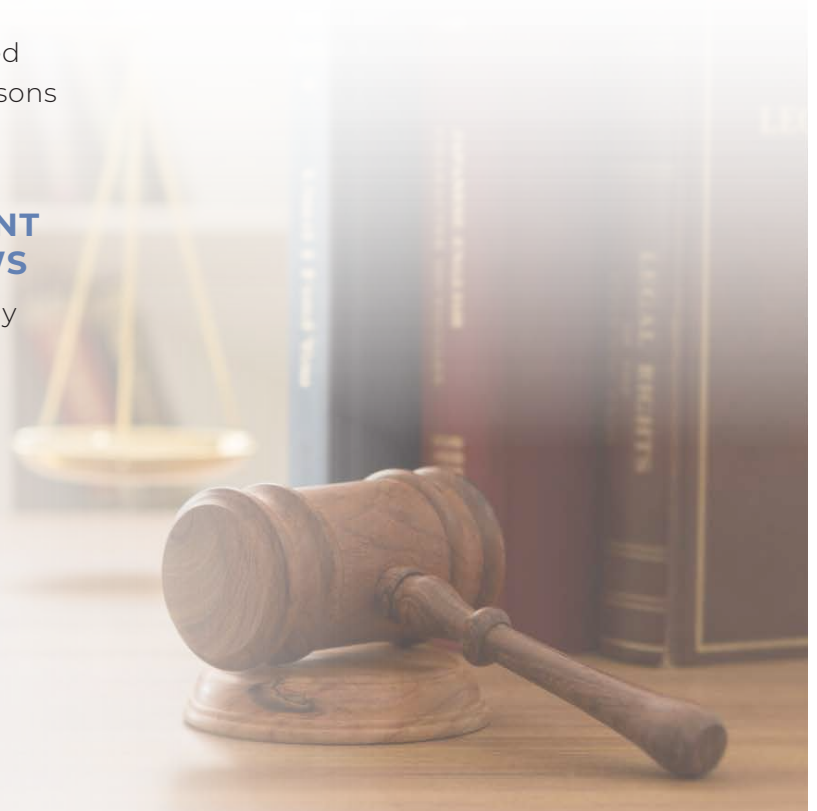
- Reverse efforts to end the use of deferred action to provide relief to immigrants, including DACA holders, undocumented immigrants with family ties in the United States, and other immigrants without children.
- Provide deferred action to workers and others with deep ties to the United States.
- Provide a more robust system to expand access to prosecutorial discretion and take necessary steps to ensure uniform availability nationwide.
- Expand the use of Deferred Enforced Departure and Temporary Protected Status for Latinos from countries that are experiencing a crisis — such as a natural disaster, armed conflict, or extreme criminal violence, including sexual, domestic or anti-LGBTQ violence.
- Ensure the timely adjudication of naturalization, visa, and other immigrant applications by USCIS, and minimize current backlogs.

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- Ensure the timely adjudication of all deferred action applications and renewals, and provide interim Employment Authorization Documents and other protections for DACA renewal applicants facing lapses in status in employment authorization.
- Ensure the timely adjudication of immigration relief for victims of domestic violence, sexual assault, and trafficking pursuant to U visa, T visa, and VAWA self-petitions.
- Ensure that U visa eligible applicants are placed on a waitlist within six months and can access work authorization and deferred action even after the annual U visa cap has been reached.
- Protect immigrants from removal while applications for immigration relief are pending and eliminate referrals to ICE for removal if their application is denied unless there are exigent circumstances.
- Restore the use of Administrative Closures to stop removal proceedings and halt efforts to reopen administratively closed cases and orders of supervision for persons in cases in which people with final removal orders cannot be deported to their home countries.
- Allow certain cases, such as non-lawful permanent resident cancellation cases, to receive adjudication by USCIS to ensure the fair and proper administration of immigration judge dockets.
- Provide protections for victims of notario fraud.
- Reverse the decision made by former Attorney General Jeff Sessions in Matter of A-B-, which overturned Matter of A-R-C-G-, and USCIS's implementing guidance, thus making it more difficult to establish domestic violence-related or gang violence-related asylum claims.
- Establish regulations providing access to asylum for qualifying victims of gender-based violence and gang-related violence.

STATE AND LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION LAWS

Federal immigration enforcement properly rests with federal authorities. Accordingly, 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.



POLICY RECOMMENDATIONS

- Stop states and localities from enforcing immigration laws, which by their nature should be enforced at the federal level.
- Eliminate 287(g) programs that deputize local law enforcement to enforce federal immigration laws, which harm public safety by spreading fear and diverting resources, making people less likely to report crimes or trust law enforcement.
- Oppose any measures that seek to mandate local authorities to comply with immigrant detainers or requests for notification.
- Eliminate all U.S. Immigration and Customs Enforcement (ICE) presence in or access to local jails and databases, a practice that has led to racial profiling, illegal detention, and deportation.
- Enact policies that treat courthouses as sensitive locations and only conduct immigration enforcement actions in courthouses upon a showing of exigent circumstances and with prior approval of a designated supervisory official.
- Ensure protections from immigration enforcement for sensitive locations including: schools, hospitals, community health clinics, institutions of worship, religious ceremonies, public demonstrations such as a march, rally, or parade, as well as transportation to and from these events, school buses, and school bus stops.
- Prohibit any information sharing (e.g. release date from custody, home address, place of employment, court hearings) between all local law enforcement and ICE, including but not limited to, police, sheriffs, probation officers, parole officers, and prosecutors.
- Enforce federal laws, such as the ruling in *Plyler v. Doe*,⁵³ that protect a student's equal access to education without discrimination based on immigration status.
- Work with the U.S. Department of Homeland Security in its efforts to exercise prosecutorial discretion in the 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.
- Support state and local programs to enable immigrants to integrate into the economy and communities.
- Prohibit immigration enforcement during and immediately following natural disasters.
- Support measures that allow undocumented individuals to access emergency services, food, and shelter following natural disasters.



DREAM ACT

Each year, approximately 98,000 students who came to this country as young children,⁵⁴ 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 immigration status denies them access to the opportunities they were raised to believe they could 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 healthcare, federal higher education assistance, student loans, and college admissions and in-state tuition where they would otherwise be eligible but for their immigration status.
- Oppose policies that would deport individuals who grew up in the United States to a country they barely know.

NATURALIZATION AND INTEGRATION

Since January 2017, U.S. Citizenship and Immigration Services (USCIS) has adopted or proposed several policies that threaten to restrict access to citizenship and the opportunities and benefits it provides, to the detriment of all Americans and American communities. The agency has proposed to add duplicative, burdensome questions to numerous forms associated with the naturalization process, and ceased accepting the most straightforward method of proving eligibility for a naturalization fee waiver in December 2019. At the same time, diversion of USCIS’s resources to initiatives like the widespread investigation of previously naturalized individuals have contributed to the buildup of historically large backlogs of naturalization and other applications awaiting adjudication, and extraordinary waits of as long as two and a half years for initial adjudication of naturalization applications.

In August 2020, the Administration finalized an ill-justified, potentially devastating increase in the naturalization application fee, from \$640 to \$1,170. USCIS will eliminate fee waivers that have long been available to qualified low-income LPRs considering citizenship, undermining the national interest in encouraging their commitment to the United States. A study by the Pew Hispanic Center stated that 93 percent of Latino immigrants who have not yet naturalized say they would if they could.⁵⁵ Of those Latino immigrants eligible to naturalize, nearly 20 percent cited financial costs as a main prohibitive factor to naturalizing, with another 28 percent conveying language and other personal barriers.⁵⁶ This study suggests the negative impact of high costs on the rate of naturalization, particularly for groups with generally lower incomes and English language difficulties.

POLICY RECOMMENDATIONS

- Stabilize and lower the cost of naturalization by reversing the ill-conceived immigration fee structure finalized on August 2, 2020, and expanding the availability of full and partial fee waivers to make naturalization more affordable.
- Reverse the burdensome, illogical refusal to accept the receipt of means-tested benefits as proof of qualification for a fee waiver.
- Provide discretionary funding of at least \$18 million for Citizenship and Integration Grants and administration of the Office of Citizenship, which distributes grants and promotes naturalization. This grant program is a cost-effective and efficient means of making naturalization more accessible to LPRs.
- Fund the Systematic Alien Verification for Entitlements (SAVE) program for at least \$25 million, to protect against improper use of Immigration Examinations Fee Account funds, and relieve the pressure that forces USCIS to periodically consider proposing higher application fees.
- Clarify that USCIS Immigration Examinations Fee Account (IEFA) funds shall set a level that ensures the ability to meet the expenses of adjudication generally and need not specifically take into account the cost of free services, such as no-fee adjustments of status for refugees.
- Prohibit the transfer of funds from the IEFA to any other agency within DHS other than USCIS.
- Ensure a fully operational Task Force on New Americans by allocating funding for and appointing an Executive Director, as directed by the President, who is tasked with creating the Task Force agenda, convening meetings, and supervising Task Force activities.
- Reduce extraordinary application backlogs and the current, unreasonably long average processing times for naturalization applications.
- Expand flexible exemptions from naturalization testing requirements for certain LPRs who are long-term residents of the United States and of advanced age.
- 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.
- Encourage state, local, and employer incentives that support and encourage, but do not coerce naturalization.
- Ensure immigrant eligibility for critical services, such as healthcare, regardless of status, and ensure immigrant access to critical services for which they are eligible, including by reducing language and other barriers.



NATURALIZATION FOR COVID-19 ESSENTIAL WORKERS

Federal law currently grants a special pathway to naturalization and citizenship to all English-speaking persons of good moral character who serve in our armed forces during wartime or hostilities, even when they are undocumented immigrants,⁵⁷ under the rationale that they put their lives at risk for us, showing commitment to our safety. Farmworkers, meatpacking plant workers and other essential workers, as defined by DHS,⁵⁸ especially those who cannot practice social distancing at work, along with their immediate family members residing in the same household, are taking a substantially similar risk of their lives and health for our safety during the COVID-19 crisis as service members do during hostilities.



POLICY RECOMMENDATIONS

- Grant the right of naturalization, including retroactively, to all farmworkers and other essential workers working in the United States during the COVID-19 crisis, and to their immediate families residing in the same household, regardless of current or past immigration status or particular ability in the English language, allowing them to take the citizenship test in Spanish or their native language.
- Grant employers and their agents immunity from adverse action for the act of employing (or otherwise acquiring the services of) those essential workers if they were undocumented.

DEMILITARIZATION OF THE SOUTHWEST BORDER AND BORDER COMMUNITIES

Militarization and spending on securing the Southwest border have increased exorbitantly over the last decade. For 2020, the budget for CBP is \$18.2 billion, an increase of 200 percent from 2004's budget of \$6 billion.⁵⁹ The U.S. Customs and Border Protection (CBP) employs more than 19,500 agents, more than double the number of agents in 2000, and five times the number of agents in 1992.⁶⁰ Approximately 85 percent of its force is deployed at the U.S.-Mexico border.⁶¹ The number of CBP agents does not include the thousands of Department

of Homeland Security and Immigration and Customs Enforcement personnel deployed along the Southwest border. Nearly two-thirds of the United States population, or about 200 million people, live within CBP's 100-mile border zone jurisdiction.⁶² The militarization along the Southwest border has destroyed environmental resources, involved the unfair and discriminatory taking of private property, encouraged racial profiling, proliferated immigration checkpoints, endangered communities and drastically affected the means of subsistence and way of

life of persons living in border communities.

There are nearly 700 miles of fencing, hundreds of video surveillance systems and the regular presence of advanced military equipment, including drones at the US-Mexico border. As of August 2019, the Trump Administration constructed 60 miles of his vowed border wall and has done so by raiding funding from

the Department of Defense in an attempt to circumvent Congress's power of the purse. As of the printing of this agenda, this action has been held by a federal court to be unlawful. Nonetheless, budgets or continuing resolutions passed by Congress must include restrictions on the ability to transfer funds within the Department of Homeland Security or from other agencies to pay for an unfunded border wall.

POLICY RECOMMENDATIONS

- Oppose the construction of any more walls along the Southwest border. Construction of a wasteful border wall not only falls disproportionately on Latino and immigrant communities, but its wide-reaching negative effect is clear to the American public-at-large — a border wall is consistently opposed by a clear majority of Americans.⁶³
- Prevent the expansion of the Pentagon's role along the US-Mexico border.
- Oppose exorbitant spending on border enforcement, spending which is taking place without thoughtful consideration of current border-community and security needs.
- Restrict CBP's authority on the border to under 25 miles and limit searches of private property.
- Prohibit racial profiling anywhere, regardless of proximity to the border.
- End discriminatory checkpoints.
- Limit CBP authority to conduct internal immigration enforcement to a designated area along the border.
- Ensure robust Congressional oversight of CBP, and hold CBP and DHS accountable for chronic mismanagement of funds, lax hiring standards, and failure to comply with agency standards and practices, such as the use of body-worn cameras.
- Require the implementation of law enforcement best practices, such as requiring the retention of video surveillance.
- 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.
- Prioritize the reduction of CBP agents that patrol between ports of entry, also known as "green-uniformed" agents, where most illicit drugs are not transported into the U.S.



IMMIGRATION DETENTION REFORMS

Over the last decade, government spending on immigration detention beds has increased at a rapid rate without any commensurate justification. A mandated bed quota is only found in the immigration detention system and is justified to detain immigrants who pose a public safety risk. However, according to DHS data, the majority of immigrants detained had no criminal record. The dramatic increase in immigration detention beds is out of step with the decline in unauthorized immigration rates and the stabilization of the undocumented population in recent years.⁶⁴

With the increase of women and children migrating to the United States from Central America, there has been a dramatic rise in family detention to slow the flow of migration. The Trump Administration has pursued an aggressive agenda to increase the use of detention for all asylum seekers, including children and families, and to circumvent the courts and the federal governments' obligations under the *Flores* Settlement Agreement.⁶⁵

Overall private prison corporations have increased their share of the immigrant detention industry. A 2018 investigative report found that nearly \$1 billion of taxpayer money went to for-profit immigrant detention facilities.⁶⁶ For-profit prison companies operate hundreds of ICE immigrant detention facilities, representing tens of thousands of immigration beds. In detention, immigrants often suffer physical, verbal, and emotional mistreatment, and are routinely denied access to medical care and attorneys. Furthermore, detention results in family separation, negatively affects children, and destroys the financial stability of the family. DHS must prioritize a system that keeps families together and respects due process rights of all immigrants. LGBTQ immigrants in detention face a high likelihood of sexual assault and other abuse; DHS must protect all detainees from such violations, or release them from detention.

POLICY RECOMMENDATIONS

- Release detainees from facilities where they are highly likely to contract deadly illnesses, such as COVID-19, and ensure that children in detention centers are released in compliance with the *Flores* Settlement Agreement and provided an opportunity to remain with their parents or other relatives through alternative to detention programs.
- Ensure better health and sanitation measures within all detention facilities in compliance with CDC guidelines.
- End the detention of families and close all facilities used for the sole purpose of detaining women and children.
- Pass legislation to prohibit the unlimited detention of children, families, and other vulnerable populations.
- Pass legislation that limits the number of days children can be detained, codify the standards from the *Flores* Settlement Agreement, and ensure that parents are not separated from their children.
- Reduce funding for immigrant detention to decrease the number of immigration beds and facilities for immigrant detention.
- Require that budgets or continuing resolutions passed by Congress include restrictions on the ability to transfer funds

within the Department of Homeland Security, ICE, or other agencies to pay for immigrant detention facilities and the increase in immigration beds.

- Reject any inclusion of a mandated bed quota in Congressional appropriations legislation.
- Ensure robust Congressional oversight of ICE, and hold ICE and DHS accountable for chronic mismanagement of funds, poor detention conditions, failure to comply with agency standards, and most importantly, the failure to prevent deaths in custody.
- Require DHS to use cost-effective alternatives to detention, with an emphasis on community supervision and case management programs and not GPS monitoring, and increase the number of persons granted release on own recognizance, and reform bond practices.
- Prohibit the federal and state governments from contracting with for-profit companies for immigration-related detention services or alternatives to detention programs.
- Immediately end contracts with facilities with reported abuse, and prosecute individuals accused of having abused immigrants.
- Ensure all detention facilities provide adequate access to primary care and mental health services.
- Ensure that personnel can transfer individuals to hospitals for specialized care if needed.
- Ensure that medical staff and mental health staff can provide services that are culturally informed, trauma-sensitive, and developmentally appropriate.
- Ensure all detention facilities provide every individual with blankets and beds, clothing, as needed, nutritious food and clean water, adequate sanitary supplies and facilities, and an appropriate climate-controlled environment.
- Increase the protections for LGBTQ immigrants in detention. Alternatives to detention are the safest options for LGBTQ immigrants. However, if a transgender individual must be detained, ICE's policy should be to place the individual in housing that is consistent with the individual's gender

identity, not the anatomy or sex assigned at birth.

- Reinstate ICE policies that were terminated by the Trump Administration that had established a presumption against detaining pregnant women, absent extraordinary circumstances.⁶⁷
- Require Legal Orientation Programs in all immigration facilities and increase access to counsel for immigrants to ensure detained immigrants have an understanding of their basic rights. Access to counsel is the biggest determining factor in the outcome of immigration cases, but 85 percent of detained immigrants do not have an attorney.
- Ensure that all personnel are trained on how to interact with survivors of trauma and how to prevent further traumatization.
- Ensure that CBP officers are properly trained and monitored to refer individuals who may have a claim for asylum for screening and ensure that only properly trained USCIS asylum officers conduct adequate, trauma-informed, credible fear interviews.
- Ensure that there are adequate staffing levels of bilingual personnel and interpretation services when needed.
- Provide basic training for agents and support staff that includes training on the identification of the risk factors and warning signs of mental health issues and crisis intervention related to trauma utilizing a developmentally informed approach.
- Provide services to help personnel better manage their on-the-job stress.
- Ensure that all individuals are thoroughly and properly screened for any immigration relief to which they are entitled, including but not limited to U visas, T visas, asylee or refugee status.
- Take measures to prevent violence against all detainees, including physical and sexual violence, by federal employees, third-party contractors, other detainees and any other individual who is in contact with detained individuals, particularly women and LGBTQ persons.



GOVERNMENT ACCOUNTABILITY

The future of the Latino community hinges on the ability for Latinos to sit at every decision-making table in our government. Our democracy works best when it represents the diverse voices of every community. NHLA is committed to improving the representation of Hispanics in the federal government career workforce, in appointments to state and federal political positions, and in federal procurement.

FEDERAL EMPLOYMENT

In 2000, the President signed Executive Order 13171 on Hispanic Employment in the federal government, noting the significant underrepresentation of Latinos, representing a mere 6.4 percent at that time. Twenty years later, Latino representation in the federal workforce is now 8.4 percent, but given the increase in the Latino population since 2000, this modest increase represents a regression when compared to the population as a whole.⁶⁸

The issue of Hispanic underrepresentation remains protracted and problematic. Hispanics remain the most underrepresented group in the federal workforce.⁶⁹ In 2016, Hispanics

represented 17 percent of the civilian labor force but only 8.6 percent of the federal government's workforce.⁷⁰ Similarly, Hispanic representation in the career Senior Executive Service (SES) ranks was very poor at a mere 4.6 percent.⁷¹ 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 Hispanic community. The federal government must work toward creating equal opportunities to remedy the historically severe underrepresentation of Hispanics in the federal workforce.

POLICY RECOMMENDATIONS

- Sign a new executive order addressing the need for the federal government to affirmatively correct the underrepresentation of Hispanics in its workforce, which should increase the representation of Hispanics in the career SES, military officer recruitment, and military officer promotion to general and flag officer positions.
- 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 the Hispanic civilian labor force statistics as tangible 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.
- Eliminate citizenship requirements for employment with the federal government, unless constitutionally mandated.
- Require that Hispanic Council on Federal Employment (HCFE) recommendations be institutionalized into agencies' policy structures.
- Prevent agencies from receiving a positive green Government Performance and Results Act (GPRA) rating if their hiring of Hispanics fails to meet strategic targets.
- Place the agencies with the worst records of Hispanic hiring under special status requiring a major restructuring. This should include agencies that have historically had the poorest records of Hispanic hiring.
- Require each agency to undergo an annual Federal Advisory Commission Act comprehensive review process addressing Hispanic underrepresentation in its workforce.
- Require agencies to develop partnerships through Memoranda of Understanding with Hispanic organizations that promote Hispanic hiring.
- Provide adequate resources to develop a pipeline program of Hispanic candidates leading into GS-14 and GS-15 positions, the career Senior Executive Service (SES) positions, and SES Candidate Development Programs (CDP).
- Develop mentoring programs for Hispanics, women, and LGBTQ persons aspiring to progress and advance into the supervisory/management and SES levels. Publicly disclose demographic data for federal flagship programs, such as the Presidential Management Fellows (PMF) Program, career pathways, and special hiring authorities.
- Increase recruitment and placement of Hispanics, women, and LGBTQ persons in the Presidential Management Fellows Program, especially Hispanics from Hispanic Serving Institutions (HSIs). If there is a lack of commitment to increasing Hispanic representation in this program, a separate program for Hispanics should be created and funded.
- Require hiring and retention policies that do not discriminate based on sexual orientation or gender identity, which include policies that are inclusive of transgender military personnel.
- 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.

FEDERAL CAREER EMPLOYMENT SCORECARD

NHLA will develop and distribute a Federal Career Employment Scorecard. NHLA periodically issues an assessment of the Administration on its efforts to ensure the full inclusion of Hispanics throughout the federal workforce and issues a scorecard on the level of Hispanic employment within each federal agency. The fundamental purpose of the Scorecard is to ensure that leaders, organizations, the public, and the media are fully informed about the performance of federal agencies as related to the underrepresentation of career and non-career employees in the federal government.

NHLA Federal Career Employment Scorecard will reflect the representation of Hispanics within those agencies. The categories specifically related to Hispanics that will be scored will be: GS-5 through GS-11, GS-12 through GS-13, GS-14, and GS-15, as well as Senior Executive Service (SES) levels. It will also evaluate programs developed to address the underrepresentation of Hispanics, including: how those programs are implemented, enforced, funded versus other non-Hispanic programs, the Applicant Data Pool collected for Hispanics, and the number of Hispanics selected from that Applicant Pool by occupation.

CONGRESSIONAL SCORECARD

NHLA regularly supports and opposes pieces of legislation before Congress, as consistent with or in opposition to various provisions within this policy agenda. NHLA periodically issues a Congressional Scorecard to educate the public, media, and Members of Congress on important votes taken in the House and Senate, which affect the social, economic, and political

advancement and quality of life of Latinos. The goal of the Scorecard is not to influence elections but rather to provide important legislative feedback to the public as well as to shape the upcoming legislative agenda in the remaining days of this Congress and into the next Congress.

FEDERAL PROCUREMENT

In fiscal year 2011, the latest year for which we have data, of the \$98.2 billion in government awards, Hispanic-owned companies won only about 8.4 percent of that total, or \$8.21 billion. That year, only the U.S. Department of the Treasury and the U.S. Small Business Administration exceeded their minority-owned small business procurement goals. Under the 8(a) program, Hispanic businesses constitute 40 percent of all minority-owned firms in the United States, but receive only 14 percent

of the dollar value of all contracts awarded by that program. Hispanic businesses are also underrepresented among recipients of SBA loans and technical assistance grants. Additionally, the number of women-owned firms is increasing faster than the number of male-owned businesses. Hispanic women-owned operations have increased by an astounding 87.5 percent.⁷²

According to the National Women’s Business Council, Latinas own close to 1.9 million businesses in the U.S., employing 550,400 workers and generating \$97 billion in revenues.⁷³ The number of Hispanic women entrepreneurs grew at a faster rate than any other group: 137 percent between 2007 and 2016.⁷⁴ However, Hispanic women-owned businesses are significantly smaller than businesses owned by other major racial and ethnic groups, generating on average \$54,000

in revenue per year compared to businesses owned by their white women counterparts (\$171,000) and businesses owned by white men (\$716,000). They represent less than one percent of government contractors from the five percent of the prime and subcontractors for women-owned small businesses established by federal executive agencies according to the SBA.⁷⁵ Moreover, there is only one Hispanic serving as Small Business Director among the top 25 federal agencies.

POLICY RECOMMENDATIONS

- Support improvements on critical issues such as contract bundling, increased federal contracting goals for small businesses, 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.
- Streamline the 8(a) application process to make it more accessible to Hispanic entrepreneurs.
- Provide training for Hispanic Providers on the 8(a) application process.
- Increase the number of contracts with Latino owned ad agencies
- Implement prime contractor accountability systems on mainstream ad agencies to hire Latino owned ad agencies to conduct outreach and place ads and stories that are relevant to the Latino community rather than relying on Latino owned agencies to publish information or stories via free public service messages.

POLITICAL APPOINTMENTS

Despite the growth of the Latino population and their increased civic participation, Latinos account for a fraction of state and presidential political appointments. The Latino Appointments Program helps tackle the pipeline problem by creating the infrastructure to identify and support Latino candidates interested in political appointments, running state pilot programs with our coalition members to increase

political appointments made by Governors, and creating a network of current and former appointees that we can support as they move up the pipeline and that we engage to serve as mentors for those coming up behind them. Over time, tied to Presidential elections, it appears that Hispanic appointments have increased within each term. Following the creation of NHLA Latino Appointments Program, Hispanic appointments increased

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more steadily. The apparent correlation between increased representation and direct intervention provides evidence in favor of the need for an Executive Order on Hispanic Federal Employment.

Another disparity occurs in the appointment of Article I judges and other Executive Branch adjudicators, including immigration judges. Hispanics have had a much harder time than others achieving meaningful participation in the legal field which is central to determining

our rights and the policies our government enacts. This occurs even though over 5 percent of all lawyers nationwide are Hispanic and 13 percent of law students are Hispanic. In the federal government's main offices in the DC area, only 3.3 percent of attorneys are Hispanic. This has real-life implications beyond the careers of Hispanic attorneys. For example, only one of the 21 members of the Board of Immigration Appeals has a Hispanic surname.⁷⁶ Unconscious bias in immigration decisions is hard to avoid without diversity.

POLICY RECOMMENDATIONS

- Ensure that Hispanic-Americans are fairly represented in the legal field, including Federal employment and appointments.
- Devise new methods to evaluate their qualifications that take into account that they have been systematically excluded from appointments and good career positions up to now.

GOVERNMENT SHUTDOWNS

National Hispanic Leadership Agenda (NHLEA) believes that an open government should be a priority and that, in the event of a budgetary impasse, the Congress and the Executive should prevent shutdowns by carrying over the latest approved budget at the end of a fiscal year, month by month, with certain inflationary adjustments. Government shutdowns are particularly difficult for innocent government

workers and small contractors caught in the political crossfire, as well as Americans of color who often depend, more than others, on Federal government services. Additionally, more recent shutdowns are increasingly centered on issues of particular concern to Hispanic Americans such as the southern border and DACA.

POLICY RECOMMENDATIONS

- Amend the Antideficiency Act to prevent shutdowns when there is a budgetary impasse, with safeguards including:
 - an automatic continuation of monetary totals for recurrent expenditures, such as employee salaries, safety-net programs, Medicaid, veterans' compensation, SSI and SNAP, which should be automatically deemed appropriated and increased to cover inflation; and
 - that the continuation should have a one-year sunset, thereby forcing a new budget at least every two years.

PUERTO RICO DISASTER AND DEBT RELIEF

Between 3,000 and 4,000 people died in Puerto Rico within six months of Hurricane Maria. The response by FEMA and HUD was anemic at best in terms of preparedness, staffing and release of disaster relief funding. Already several years have passed since the disaster devastated Puerto Rico and, yet, of the \$46 billion appropriated by Congress, a little over half has been delivered by federal agencies.⁷⁷ In particular, HUD has released only a fraction of the relief. Our federal government has a moral and legal responsibility to help Puerto Rico recover. This

includes the appropriation of all appropriate disaster relief funds and their timely release.

Puerto Rico's \$74 billion debt is being restructured without a clear understanding of the terms under which the debt was issued and under which the people of Puerto Rico are obligated to pay. Punitive debt payment agreements are forcing the Puerto Rican government to cut essential services and strangling the economy. Puerto Ricans should not be held liable for debt that is illegal and unconstitutional.

POLICY RECOMMENDATIONS

- Require HUD and other federal agencies to release all funds that are appropriated.
- Establish a process that ensures transparency in decisions, allocations, and contracts by all government agencies at every level to avoid corruption and favoritism and to help ensure meaningful community participation and appropriate allocation of resources.
- Create systems that ensure public participation and radical transparency during all phases of decision-making
- processes, such as robust stakeholder analyses and collaborative and mandatory public participation mechanisms.
- Establish a moratorium on negotiations or repayment of existing debt until the federal government has ensured an independent audit is performed and certified by non-governmental experts and discharge of any illegal or unconstitutional debt is allowed.



CIVIL RIGHTS

The barriers to the full civic engagement of the growing Latino community are both institutional and in direct response to the increasing size and influence of the Latino electorate. The political establishment continues to profile, punish, and marginalize potential Latino civic participation. Against the backdrop of increasing demonization

of the Latino and immigrant communities, among other communities of color, NHLA stands united to ensure the full protection of civil and constitutional rights for every individual, because our democracy depends on the contributions of every person in the United States.

DEMOCRACY AND VOTING RIGHTS

American democracy requires constant vigilance against overt and dilutive measures to weaken the Latino vote. Suppression of the Latino vote ranges from intimidation at the polls to illegal purges to excessive documentary requirements to prove citizenship among our naturalized citizens. Such voter identification or restrictive proof of citizenship laws purport to address “voter fraud” — a phenomenon that has no basis in fact. Instead, these measures are aimed at disenfranchising many Latino citizens and

have a disproportionately negative impact on women.⁷⁸

Since the 2013 Supreme Court decision in *Shelby County v. Holder*—which struck down Section 4 of the Voting Rights Act of 1965 (VRA), a key provision that determines those states and subdivisions required to seek federal preclearance for election-related changes to ensure voters are not disenfranchised based on race—discrimination in voting continues to run rampant.

POLICY RECOMMENDATIONS

- Oppose legal and legislative efforts to alter the Fourteenth Amendment’s grant of citizenship to native-born Americans, or to reinterpret the Fourteenth Amendment to exclude children and non-citizens from consideration in legislative apportionment and redistricting.
- Support legislation to amend the Voting Rights Act of 1965 that restores key voting protections by providing for pre-clearance review of election changes by historic offenders and also guards against future discrimination by requiring federal review of election changes most associated with voter discrimination.
- Ensure any legislation to amend the VRA to provide meaningful, long-term protections for the growing and highly mobile Latino electorate.
- Oppose voter photo identification requirements, voter purges, and other measures that disproportionately suppress Latino voter turnout.
- Oppose proof of citizenship requirements for purposes of voter registration; signed attestations are sufficient.
- Support same-day registration and early voting options.
- Support the right of the people of Puerto Rico and the District of Columbia to determine

their future political status.

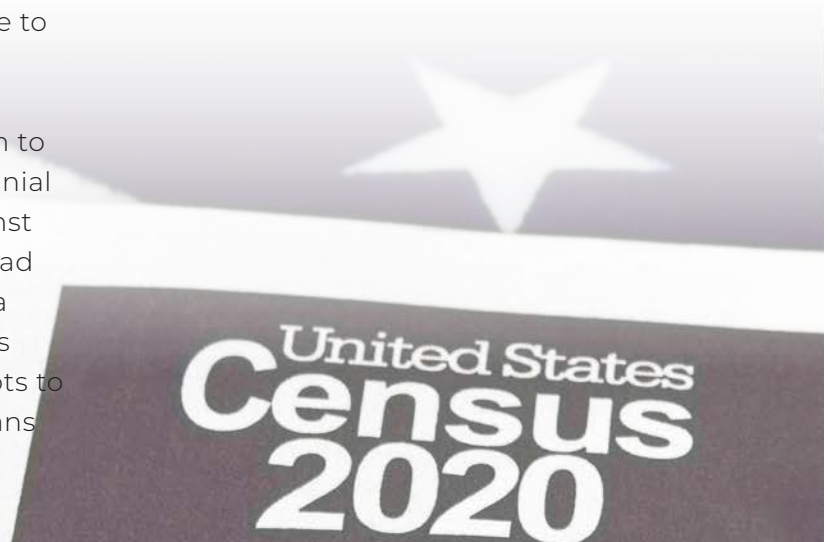
- Support legislation or a constitutional amendment to rein in unlimited corporate money from influencing elections and the democratic process and to remove “personhood” from corporations.
- Provide for new discretionary funding to support states and localities, through the mechanisms established in the Help America Vote Act, in making crucial upgrades to outdated election equipment and processes.
- Ensure the federal government is using all tools at its disposal to target voter discrimination, including rigorous investigation and prosecution of violations of federal language assistance and accessibility requirements applicable to all levels of government actors.
- Abolish the electoral college or support efforts to require electoral college votes to be assigned based on the popular vote nationally.
- Ensure transgender and other individuals can access identification documents based on their gender identity. Outdated and burdensome requirements that make it difficult or expensive for transgender individuals to change government-issued forms of identification create an unfair barrier to their right to vote.
- Expand absentee and early voting to protect higher-risk populations from COVID-19.

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, to the fair allocation of federal funding, and to documenting the economic and social status of the Latino population. As the United States’ demographic profile becomes increasingly diverse, it is critical that the Census Bureau collect reliable data about Latinos and the nation as a whole, and that Census activities not be held hostage to partisan politics.

The recent attempt by the Administration to insert a citizenship question in the decennial census was motivated by racial bias against Latino residents in the country and has had a chilling effect on the 2020 Census and a corrosive effect on the confidence Latinos should have in their government. Attempts to gather the same data through other means

must be thwarted. Donald Trump’s most recent assault on the Census by announcing an effort to exclude undocumented immigrants from the apportionment count used to divide seats in the House of Representatives and Electoral Colleges votes must be swiftly rejected and reversed for the unconstitutional power grab it is.



POLICY RECOMMENDATIONS

DATA COLLECTION

- Oppose any effort to exclude undocumented immigrants or other non-citizens from the total population count used to apportion Congressional seats and seats in the electoral college.
- Ensure that state redistricting is based on the total population, and oppose the use of anything but the total population to equalize populations in the redistricting process.
- Oppose the collection and production of citizenship or immigration status through the use of administrative records to provide states with block-level data that can be used for redistricting.
- Ensure that data collected through the decennial Census, the American Community Survey, and any other data collections by the Census Bureau cannot be used to personally identify any individual persons within the United States.
- Support a change in the Bureau’s “usual residency rule” to allow prisoners to be counted at their home address and thus eliminate “prison-based gerrymandering.”
- Support the collection of data on sexual orientation and gender identity in the American Community Survey and other surveys, and include a non-binary option under gender.
- Support measures to allow persons to select more than one race or ethnicity — such as Afro-Latinos, Asian American Latinos, and Indigenous Latinos — to report each of their heritages.⁷⁹
- Protect door-to-door Census data collectors from spreading COVID-19 in low income communities that did not complete the Census online, and provide an extended

time period to complete the Census if necessary due to the impact of the pandemic.

FUNDING

- Support sufficient funding to the Census Bureau to adequately prepare for the 2020 Census, and assure the continuation of the Economic Census.
- Fund the Census Bureau to ensure the data collection process is both more effective and efficient while reducing the incidence of undercounting Latinos, children, immigrants, non-English proficient, and other hard-to-reach populations.

AMERICAN COMMUNITY SURVEY AND 2020 CENSUS TESTING

- Support the continuation and further development of the American Community Survey (ACS), including increasing its sample size, to further improve its accuracy with smaller geographies and subgroups. Turning the ACS into a voluntary survey would seriously and completely undermine its value.
- Ensure that the Census Bureau tests all options under consideration with linguistically diverse pools of sample respondents and that any redesign of race and ethnicity questions does not diminish the quality of detailed data collected about specific Latino national origin and other racial and ethnic groups.
- Improve race and ethnicity data collection for all Latinos that will allow individuals to more accurately self-identify.

LATINO EMPLOYMENT AND PROCUREMENT

- Establish a special Latino Employment Task Force that reports directly to the Director

of the Census Bureau to address the long-standing and persistent problem of the extreme underrepresentation of Latinos on the Bureau's workforce.

- Review the use of prior arrest records and citizenship status as barriers to employment to address chronic staffing shortages for the decennial Census. This is particularly critical in the staff recruitment and build-up that takes place before the next decennial census.
- Create and adequately fund the position of Chief Diversity Officer in the Census Bureau to develop a Minority and Woman-Owned Business Procurement Program to substantially increase the business it conducts with Latino and other minority-owned vendors, particularly as it develops its Communications Program for the 2020 Census.
- Identify and eliminate obstacles to such contracting in the Census Bureau's current procurement rules and practices.

LATINO COMMUNITY OUTREACH

- Increase the Census Bureau's active engagement with Latino stakeholders on critical decisions regarding the 2020 Census and other Census surveys, including decisions that may fundamentally alter the collection of

racial, ethnic, and immigration data.

- Ensure adequate representation of Latino community serving organizations on its National Advisory Committee on Racial, Ethnic and Other Populations, its Scientific Advisory Committee and other advisory and expert committees and forums.
- Develop a stronger language assistance program within the Census Bureau that can provide accurate translations and culturally sensitive messages for all of its surveys and services.

PUERTO RICO

- Require the Census Bureau to include Puerto Rico and other territories as part of its regular national population counts and all of its data sets, including the Current Population Survey and the Economic Census, to ensure all U.S. citizens are represented on such critical issues as national measures of economic, health and other indicators.

HATE CRIMES

According to FBI Hate Crime statistics, hate crime offenses against the Latino community have increased steadily over recent years, increasing a shocking 70 percent from 2015 to 2018.⁸⁰ In November 2019 the FBI reported 850 open investigations into domestic terrorism including White nationalism and neo-Nazism movements.⁸¹ The racist attack on Mexicans in El Paso, Texas in 2019, which left 22 people dead and many more

wounded, is just the latest reminder that the public safety of Latinos in the country is of paramount concern when racist rhetoric from the President on down promotes hate and intolerance. The homophobic attack on the Pulse nightclub 2016, which killed 49 people, was the single deadliest attack on the Latino community. Despite the known rise in hate crimes, far too often these incidents are not properly prosecuted as such.

POLICY RECOMMENDATIONS

- Increase the support and funding for Justice Department investigations and prosecutions of hate crimes against Hispanics, including LGBTQ persons.
- Allocate additional resources to the U.S. Commission on Civil Rights to investigate hate crimes against Latinos.
- Close the gaps in existing hate crime reporting by providing grants to states and local law enforcement to adopt policies, practices, and training programs that more effectively identify, investigate, report, and respond to hate crimes.
- Support the implementation of the latest crime reporting standard, the National Incident-Based Reporting System (NIBRS), including training on reporting hate crimes through NIBRS. NIBRS allows law enforcement agencies to record and report detailed information about crimes, including hate crimes, to the FBI.
- Create accountability to ensure that law enforcement grantees report on their progress and require the Attorney General to collect and analyze the information to better mitigate hate crimes.
- Extend civil rights protections to the online marketplace by supporting legislation that combats the dissemination of hate language and White Supremacist rhetoric that is elevated by online media platforms.
- Regulate White Supremacist groups that use internet platforms as tools of radicalization to recruit and organize members and target minority and immigrant populations.
- Ensure targets of cyber-hate and harassment have access to justice by supporting legislation to better hold perpetrators accountable for their actions online.
- Support policies that document the prevalence of hate crimes against LGBTQ people nationally and within each state.
- Support policies that provide financial resources for LGBTQ people that have been victimized and LGBTQ organizations supporting LGBTQ people.



CRIMINAL JUSTICE AND MASS IMPRISONMENT

The United States continues to have the highest proportion of prisoners per capita of any country in the world, a product of a racially skewed criminal justice and law enforcement system. Latinos are disproportionately and adversely affected by discriminatory policing and criminal justice practices but are not actively and fully engaged in shaping their solutions. The reasons for this are multilayered but at the core is the overall Black and White binary that dominates the criminal justice debate in the country. In some parts of the country, imprisonment or arrest data is still collected only for Blacks and Whites. In other parts of the country, the police killing of unarmed Latinos and Latinas is not elevated sufficiently by the mainstream press.

Unconstitutional practices such as racial profiling based on group stereotypes, not individualized suspicion, are a constant yet unwarranted feature of Latino life both near the border and in our urban enclaves. This bias results in more frequent stops by law

enforcement, higher incidences of police brutality including death, and greater obstacles to post-incarceration re-entry. The bias is particularly acute in the pre-trial stages: Hispanics are more likely than any other racial or ethnic group to be detained pretrial, least likely to receive a non-financial release option, and are given the highest bail amounts. This is true even when controlling for the type of offense, prior failure to appear in court, number of charges, and prior criminal record. Latinas make up one of the fastest-growing groups imprisoned. The number of women behind bars is increasing at double the rate for men, and Latinas are 35 percent more likely to be incarcerated than White women.⁸² Once in prison, women are often subject to sexual misconduct perpetrated by prison guards who often go unpunished.⁸³ Finally, the privatization of correctional facilities, especially for immigration detention, places profit over the humane treatment of Latino families, women, and children.

POLICY RECOMMENDATIONS

DATA COLLECTION

- Require through regulatory oversight the collection of all relevant criminal justice data at the federal and state level for both Hispanics and others across racial classifications, as well as sexual orientation and gender identity classifications.
- Condition federal appropriations to States on full and accurate race and ethnicity reporting, such as accurate reporting on those who may have two or more races or ethnicities, including Afro-Latinos, Asian American Latinos, and Indigenous Latinos.

ADDRESSING ABUSE OF POWER BY LAW ENFORCEMENT

- Reform policing in the U.S. to address issues of systemic racism and excessive use of force and hold law enforcement officers accountable for use of excessive force, assault, and murder of African Americans, Latinos, Indigenous persons, and other persons of color.
- Enact policies that prohibit retributive crackdowns against protestors.
- Support the use of body cameras on police personnel and other measures to document the incidences of the use of police

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force, with appropriate protections for the confidentiality of victims of underreported crimes, such as domestic violence and sexual assault.

- Support the institution of special prosecutors to independently investigate and convene grand juries in every instance of a shooting or other severe physical harm of civilians by law enforcement.
- Require a full accounting of all injuries and attacks against Latinos and immigrants in private federal detention centers.
- Adopt guidelines from the American Bar Association on a uniform Spanish translation of Miranda rights for Spanish dominant persons in arrest settings; extend appropriate language protections to persons from Central and South America whose dominant language is a native language.
- Enact a law expressly prohibiting profiling based on race, national origin, skin color, religion, gender, sexual orientation, or gender identity by federal, state, and local law enforcement agencies.
- Encourage law enforcement to adopt the best practices for policing LGBTQ communities as included in the President's Task Force on 21st Century Policing, and condition federal grants to law enforcement agencies on adopting LGBTQ-inclusive anti-profiling and anti-bias policies.
- Require that DOJ publish and disseminate model policies for law enforcement agencies on key topics including police sexual misconduct, interactions with LGBTQ people, and eliminating the confiscation and use of condoms as evidence of prostitution.
- Ensure that DOJ issue strong regulations to implement the Violence Against Women Act's nondiscrimination provisions for police, courts, prosecutors and victim service programs receiving VAWA funds, including ensuring that transgender individuals have access to services and programs consistent

with their gender identity.

- End "stop-and-frisk" policies, which disproportionately impact Latinos, other people of color, immigrants, and LGBTQ people.

PRE-TRIAL REFORMS

- Provide increased funding for restorative justice programs in the pre-trial context to support alternatives that reduce the over-reliance on the criminal legal system and reduce the mass incarceration of individuals from communities of color.
- Eliminate money bail in all cases except where there is a legitimate risk to public safety.
- Reform bail procedures so that those who are ultimately not convicted are refunded their full bail payment, and eliminate bail requirements for asylum claimants.
- Develop a far-reaching mechanism to enforce *Padilla*, which holds that defense attorneys must explain the immigration consequences of a guilty plea to their clients.
- Prohibit excessive bonds and civil forfeiture, which often disproportionately impacts Latinos and immigrant detainees.

TRIAL AND SENTENCING REFORMS

- Study mechanisms to increase the diversity of criminal court juries by promoting service by non-English speakers, non-citizens, and persons with previous criminal convictions.
- Adopt drug policy reform measures that have the biggest impact on reducing the incarceration of Latinos for nonviolent drug crimes.
- Eliminate mandatory minimums, which take discretion away from judges to take nuances of a given case into account, and result in longer prison sentences, thus expanding the prison population.
- Ban the use of the death penalty, which disproportionately impacts people of color.

- Require DOJ to aggressively investigate complaints related to excessive fines and fees that result in increased incarceration of poor Latinos in debtors' prisons across the United States.⁸⁴
- Reduce the number of people in local jails, state, and federal prisons to stop the rapid spread of COVID-19 among incarcerated people.
- Enact policies that ensure the public can freely exercise the right to protest without being targeted for criminal prosecution and prohibit harsh sentencing against protestors.

CORRECTIONS REFORMS

- Ensure that the civil liberties of people in local jails, state, and federal prisons are protected, including in the midst of crises and emergencies, so that no one is jailed indefinitely.
- Provide increased funding for restorative justice programs in the sentencing stages to reduce the mass incarceration of individuals from communities of color.
- Hold prison guards accountable for violence and harassment against prisoners.
- Eliminate the use of private prisons and terminate the Immigration and Customs Enforcement quota for immigration detention beds throughout the country, to sever financial incentives to incarcerate Latinos. Additional policy recommendations for reforming immigrant detention can be found in the Immigration section of this report.
- Prohibit the shackling of pregnant women during their pregnancy and delivery in immigration and criminal detention centers. Such practices are cruel and cause trauma to both the mother and child.⁸⁵ Ensure access to adequate care for pregnant women in detention and prioritize alternatives to detention.⁸⁶
- Prohibit the use of solitary confinement for pregnant women, juveniles, transgender, and gender non-conforming individuals. For all others, eliminate solitary confinement for petty corrections violations, severely limit the stay in solitary confinement beyond reasonable limits, and ensure that basic human needs are provided to anyone sentenced to solitary confinement.
- Enforce and expand mechanisms to prevent sexual assault in prison and improve protocols on how to respond to sexual assault in prisons to ensure access to safety and services for survivors and accountability of offenders.
- Strengthen the Prison Rape Elimination Act to allow for an effective private right of action to hold institutions responsible for sexual harassment and assault in prison and detention.
- Prohibit the full or substantive replacement of the right to in-person visits for and with inmates, or other incarcerated or held persons, with any tech-based alternative, be it remote or on-site.
- Prohibit the denial of visitation rights as a coercive, extortive or investigative technique or for any other non-disciplinary reason, including their own or the visitor's sex, affectional or sexual orientation, gender identity, gender expression, marital status, domestic partnership or civil union, race, creed, color, ethnicity, national origin, disability, genetic information, atypical hereditary cellular or blood trait, or any other social category.
- Support a constitutional amendment to prohibit prison labor.

RE-ENTRY

- Support the establishment of educational resources (e.g., access to GEDs, financial aid, and college credits) available to prisoners as

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a way to rehabilitate Latinos behind bars.

- Eliminate felon disenfranchisement and restore eligibility to vote and access federal financial aid to all persons regardless of convictions, as a way to accelerate prisoner reentry and civic engagement and enhance democracy.
- Increase the ability for lawful permanent residents to obtain citizenship, and the right to vote, by reducing the criminal bars to naturalization.
- Require employers to “ban-the-box” so that the formerly incarcerated have better chances to find permanent employment and require colleges and universities to similarly “ban the box” on admission applications.
- Ban discrimination against people based on sexual orientation or gender identity in federally-funded re-entry programs.
- Support community re-entry programs that help LGBTQ individuals being released from incarceration reintegrate by connecting them with housing, training, support services, and employment.
- Collaborate with Hispanic Serving Institutions (HSIs) to link formerly incarcerated people with higher education opportunities upon release.
- Invest additional resources in family reunification to address the cross-generational effects of incarceration.

JUVENILE JUSTICE

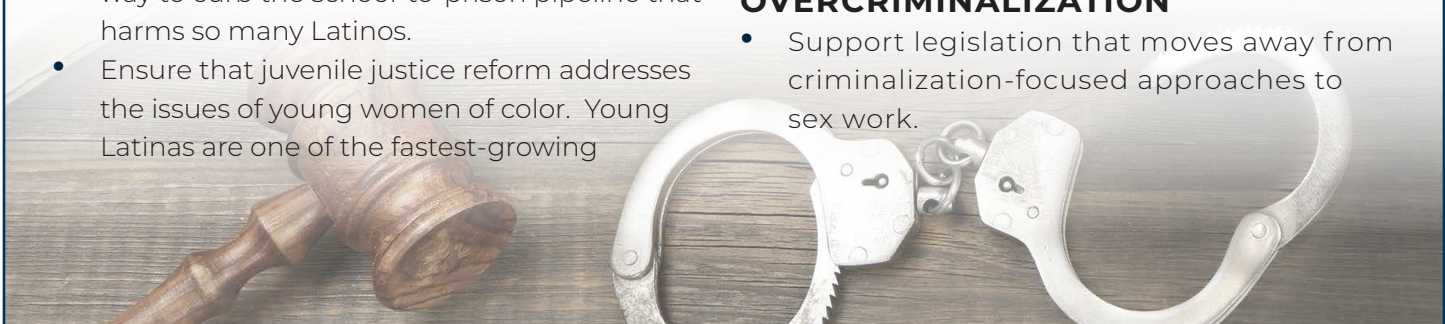
- Provide funding to school districts to reduce the racial discipline gap and over-reliance on school suspensions of Latino students as a way to curb the school-to-prison pipeline that harms so many Latinos.
- Ensure that juvenile justice reform addresses the issues of young women of color. Young Latinas are one of the fastest-growing

segments in the juvenile justice system.⁸⁷

- Ensure that juvenile justice facilities and adult facilities across the country track Latinos by race, gender, and ethnicity, from initial court processing through final sentencing or case disposition.
- Advance a federal mandate that requires all children under 18 years of age to be tried as youth offenders. Latino youth are more likely than their White peers to receive adult sentences.
- Insist that incarcerated youth receive the same quality vocational and educational opportunities that public school students receive by implementing stronger accountability systems.
- Allow teens to speak with a trauma-informed counselor who may be able to determine whether the juvenile has been a victim of sexual assault or domestic violence to address his or her needs as a survivor, not as a criminal.
- Support policies that require the Department of Justice’s (DOJ) Office of Juvenile Justice and Delinquency Prevention (OJJDP) to issue guidance discouraging the arrest and detainment of truant and homeless youth simply because they are truant or homeless.
- Support legislation that combats the school-to-prison pipeline for LGBTQ youth.
- Ensure that juvenile justice programs address the particular issues faced by LGBTQ Hispanic youth, who are disproportionately homeless and resort to survival crimes that place them in the juvenile justice system.

OVERCRIMINALIZATION

- Support legislation that moves away from criminalization-focused approaches to sex work.



EMPLOYMENT DISCRIMINATION

NHLA strongly supports vigorous federal enforcement of Title VII of the Civil Rights Act, and other federal anti-discrimination laws, especially as they relate to actions on behalf of Latino employees.

POLICY RECOMMENDATIONS

- Ensure that the Justice Department and the Equal Employment Opportunity Commission aggressively pursue violations of civil rights employment laws, especially in matters of discrimination based on language, race, national origin, skin color, sex, sexual orientation, gender identity, previous criminal histories, and creditworthiness.
- Support affirmative action outreach and hiring benchmarks via the federal contracting process through the Office of Federal Contract Compliance and other means.
- Ensure robust implementation of Executive Order 13583, or any similar executive actions, to increase Latino representation in the federal workforce.
- Enhance enforcement of protections against discrimination based on race, color, sexual orientation, gender identity, national origin, citizenship status, or previous criminal history.
- Enhance protections for survivors of violence to take time off work to deal with child custody, criminal prosecutions, protection orders, and other issues related to intimate partner violence, and to be able to access unemployment compensation when needing to leave a job as a direct result of domestic violence.
- Enhance protections and improve enforcement of protections against discrimination on the basis of sex to better prevent and respond to sexual harassment and sexual assault in the workplace.
- Create pathways to professional licensing for non-citizens.
- Enhance enforcement of protections against pregnancy discrimination. Women of color and immigrant women disproportionately work in physically demanding and low-wage jobs that offer little flexibility. Thus, they are especially likely to need these accommodations.⁸⁸
- Update and improve the EEOC's guidance on national origin discrimination as a way to curb unlawful practices against Latinos.
- Take steps to protect against bias-driven harassment in the workplace, based on race, color, sexual orientation, gender identity, national origin, or citizenship status.
- Enhance protections against discrimination on multiple bases, such as national origin and sex, or national origin and LGBTQ identity, among others, on matters like hiring, promotion, pay, and other workplace decisions.
- Enhance protections for undocumented immigrants against retaliatory discharge and adverse immigration consequences for seeking to enforce anti-discrimination laws.

LANGUAGE AND INTEGRATION

The Latino community strongly opposes both the increasing hostility to language minorities and the resulting efforts to establish English as the national or official language.

POLICY RECOMMENDATIONS

- Oppose national, state, and local laws and legislation that attempt to establish English as the official or national language because they are unnecessary, harmful, and conflict with the constitutional rights of citizens and non-citizens.
- Support government funding for adult English literacy classes.
- Support “English-Plus” legislation that celebrates the country’s multiculturalism and multilingualism and enhances our global competitiveness.
- Ensure that meaningful access to services under Title VI of the Civil Rights Act and Executive Order 13166 language assistance standards (for those with limited English proficiency skills) are carried out in all federally conducted activities, and by recipients of federal assistance, like state courts and law enforcement agencies.

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. NHLA firmly denounces any representation from members of the executive or legislative branch that judges of Latino

ancestry are somehow biased and unfit to serve on the judiciary or preside over specific cases.

Having diverse perspectives and experiences represented on the bench further enriches the ability of the judiciary to consider cases that affect our nation’s diverse population and reverses the underrepresentation of Latinos in the judiciary.

POLICY RECOMMENDATIONS

- Nominate and confirm judges who have demonstrated a record of preserving or expanding civil rights legal protections and who reflect the growing diversity of the country.
- Increase efforts to close the gap of law school enrollment and increase retention of Latino students to diversify the ranks of lawyers.
- Nominate and confirm more Latina, Latino, and Latinx judges, to improve the representation of Hispanics in the federal judiciary.
- Nominate and confirm other judges with significant experience with an awareness of the growing Latino population.
- Nominate and confirm judges with a record of advancing equality and opportunity for LGBTQ people.

GOVERNMENT SERVICES AND PUBLIC ACCOMMODATION DISCRIMINATION

Public employees should serve all who seek the services of the office they work in based on the criteria and portfolio of the department or office, not on their personal or religious beliefs. The religious freedom of employees does not extend to imposing their personal religious views on their government work, even if those views are shared by a majority of the community they serve in. Public decision-making, in general, should be blind

to gender identity and sexual orientation unless it addresses them to protect persons who may be discriminated against for those reasons. Public accommodations, like hotels and restaurants, should serve all people except when a law of general application (like the age requirement to purchase alcohol) applies. Public accommodations should not serve to enforce immigration laws.

POLICY RECOMMENDATIONS

- Oppose policies that allow discrimination by government employees or public accommodations based on immigration status, sexual orientation or gender identity, as an exception or otherwise, for religious, political, or other reasons.
- Enact the Equality Act, which would amend and expand existing civil rights law to provide consistent and explicit

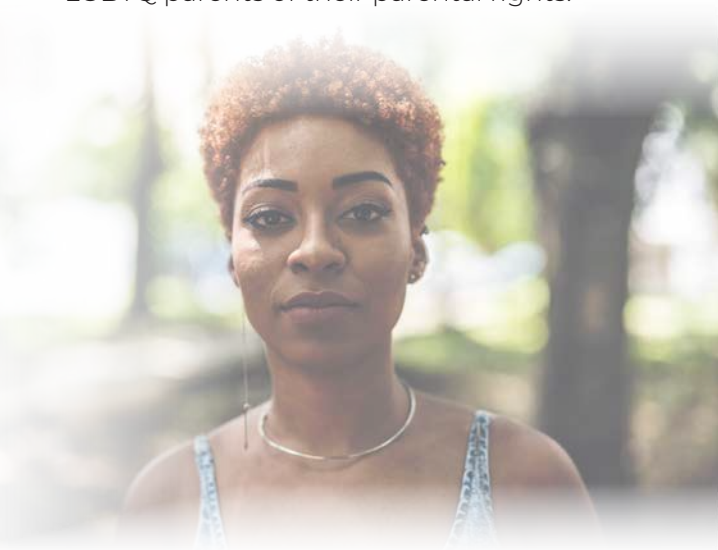
- non-discrimination protections for LGBTQ people across employment, housing, credit, education, public spaces and services, federally funded programs, and jury service.
- Defend marriage equality.
- Oppose discriminatory measures that deprive LGBTQ parents of their parental rights.

RIGHTS OF PUERTO RICANS

POLICY RECOMMENDATIONS

- Eliminate the discriminatory disbursement of disaster funds allocated by Congress by the Executive Branch to ensure equal treatment of Puerto Ricans on the island.
- Ensure that rebuilding and recovery in Puerto Rico is not an excuse for exploitation or displacement or for waiving any civil, human, or environmental rights in the name of speed or greed.
- Require the recovery and rebuilding process to prioritize mitigation before displacement.

- Ensure all people are allowed to elect to stay, choose where to relocate, and have a say in decisions that impact their communities.
- Ensure all communities receive equitable and just access to resources and treatment, regardless of income, property value, location, or other qualifiers.



PROMOTING DIVERSITY AND TOLERANCE IN MEDIA

Today nearly 40 percent of Americans are people of color, yet exceedingly few people of color are represented at mainstream media outlets. Latino men in lead roles are on the decline and Latinas, though their share of leadership roles is increasing, continue to be relegated to roles based on gender and ethnic stereotyping. For example, since 1996 Latinas have portrayed nearly 70 percent of

the most well-known maids on television and cinema.⁸⁹ 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. It has also prevented Latinos and other communities from accessing the important news and information needed to fully engage in our democracy.

POLICY RECOMMENDATIONS

- Encourage a comprehensive Federal Communications Commission (FCC) inquiry into the extent and effects of hate speech in media, and an update to the National Telecommunications and Information Administration's (NTIA) 1993 report to Congress, *The Role of Telecommunications in Hate Crimes*.
- Undertake efforts to discontinue the use of inflammatory language about Latinos and immigrants by the media to help prevent the fueling of hate speech and intolerance.
- Work with the tech industry — including Facebook, Google, and Twitter — to establish a strong, actionable commitment to transparency and protections, particularly against the rise and spread of hate online.
- Support legislation and other policy solutions to reinstate and protect the open internet via Title II net neutrality.
- Support FCC policies to expand and promote media ownership diversity.
- Oppose broadcast consolidation as a race-neutral way to open doors for diverse owners to enter the media marketplace, including but not limited to unreasonable covert consolidation, such as through Joint Sales Agreements and other vehicles, designed to circumvent FCC ownership limits.
- Expand internet access to lessen the digital divide, which should include Broadband Mapping.
- Support policies to increase reliable, meaningful, and affordable access to the internet and other telephonic services, including the defense of the Lifeline program.
- Ensure that the FCC is collecting thorough data on the diversity of media ownership and employment. Require that the FCC provide this data to the public in a transparent and easily searchable format that breaks the numbers down by race and ethnicity.
- Support Congressional action to reinstate the “minority tax certificate,” which increased ownership diversity substantially before it was abandoned in the late 1990s.

ENVIRONMENT AND ENERGY

We are facing an existential climate emergency that, if not sufficiently and urgently addressed, could seal the devastating fate of our planet and our families. Latinos recognize this challenge and are more willing to get involved politically with environmental issues than any other group.⁹⁰ The majority of U.S. Latinos live in areas that have experienced devastating impacts of extreme weather events, such as Hurricanes Irma and Maria in Puerto Rico, longer and stronger wildfires in California, flooding from sea level rise in Florida, and historic drought and heatwaves in Texas, all of which have had deadly impacts on these communities. Changes in climate and extreme weather are hitting our communities hard and magnifying the existing vulnerabilities that many Latinos already face, such as environmental degradation and the poisoning of our land, air, water, and food, leading to disproportionate exposure to toxins, pollutants, and environmental hazards at home and in the workplace. Addressing the climate crisis

and other environmental issues will require a transformation and significant investment in the U.S. workforce and economies at the national, state, and local levels.

Race and poverty are some of the strongest predictors of environmental degradation in communities such as lack of access to clean water and sanitation⁹¹ and violations of air quality standards.⁹² Close to 2 million Latinos live within a half-mile of an oil and gas facility, close enough to have concerns about the health impacts of pollution.⁹³ Asthma has a disproportionate impact on Latino families living in communities with poor air quality. For example, Latino children are twice as likely to die of asthma than non-Latino Whites. Poor air quality results in 750,000 summertime asthma attacks in children and 500,000 missed school days. Among Latinx adults, this pollution results in 2,000 asthma-related emergency room visits, 600 hospital admissions, and 1.5 million reduced activity days.⁹⁴

ENVIRONMENT AND GENDER

The World Health Organization found that natural disasters such as droughts, floods, and storms kill more women than men, and tend to kill women at a younger age. The gender-gap effects on life expectancy tend to be greater in more severe disasters, and in places where the socioeconomic status of women is particularly low.⁹⁵ We know that in the U.S., Latinas are vulnerable because they face social, economic, and political barriers

that further limit their coping capacity. As NHLA member organizations' research has shown, Latinas are the most vulnerable of all groups at the workplace, and the situation is even worse for undocumented Latinas. Thus, in the policymaking response to environmental challenges, it is important to include gender-sensitive strategies.

CLIMATE CRISIS EMERGENCY

In 2018, the United Nations Intergovernmental Panel on Climate Change (IPCC) 1.5°C Special Report concluded that if the global temperature rises by 1.5°C, humans will face unprecedented climate-related risks and weather events. It warns that action must be taken to lower global net human-caused emissions of carbon dioxide (CO₂) by about 45 percent from 2010 levels by 2030, reaching net-zero carbon emissions by 2050.⁹⁶

Climate change is increasing the frequency and intensity of extreme weather events, including hurricanes, wildfires, droughts, floods, and extreme heat days. Communities of color are on the frontlines of the environmental and public health impacts of climate change. We must ensure that climate solutions address these inequities and provide justice for these communities.

Climate-related migration across the world is increasing as a result of food insecurity caused by environmental changes and climate-induced disruptions, including weather-related disasters, drought, famine, and rising sea levels. According to the UN International Organization for Migration, by 2050, there may be as many as 200 million climate-displaced persons.⁹⁷ Climate-forced migrants and other environmental migrants⁹⁸ face additional risks during their journey and after they arrive at their destination. Many migrants are exposed to trauma, violence, and unhealthy conditions in their country of origin, along their migration journey, and in their new country of residence. Environmental migrants often lack formal protections under U.S. or international law. While the effects of climate change can aggravate societal tensions that lead to persecution, many climate-displaced persons do not yet meet the definition of a refugee under international or domestic law.



POLICY RECOMMENDATIONS

COMPREHENSIVE CLIMATE ACTION

- Implement comprehensive climate policies and legislation to reduce Carbon Emission to meet recommendations of the United Nations Intergovernmental Panel on Climate Change (IPCC) 1.5°C Special Report to combat the climate crisis to ensure a safe, healthy, and prosperous future.
- Ensure comprehensive climate policies and legislation maximizes co-benefits, such as green jobs and reduced air pollution.
- Recommit United States participation and leadership in international efforts to address climate change such as the COP 21 Paris Climate Agreement and ratify such participation by Congress.

BUILDING CLIMATE PREPARED & RESILIENT COMMUNITIES

- Engage Latinos meaningfully through multiple public hearings in impacted communities and public comment periods of an average of 60 days that are accessible in multiple languages, on the implementation of environmental laws including those meant to address disproportionate impacts on communities of color and low-income communities.
- Expand research identifying preventative measures that address impacts (e.g. health, economic, safety, etc) that climate change will have on vulnerable populations, including elderly, children, members of the LGBTQIA+ community, women, people experiencing homelessness, and workers.
- Expand research on transitioning and building ethical and transparent governments that are climate prepared, climate-resilient, and advance equity and justice for vulnerable communities.

- Support and develop policies and programs that provide financial investments to create climate-resilient communities (e.g. infrastructure replacement and hardening, water resource management plans, clean energy technology, and workforce training).

DISASTER RELIEF AND PUERTO RICO

- Appropriate disaster relief and other federal funds and release them in a timely and legal manner without additional restrictions and barriers to access, which are not required of other post-disaster entities.
- Align all federal, local, and private investments and plans to support the achievement of the government's 100 percent renewable portfolio standard by 2050.
- Enable all affected persons to access emergency services, food, and shelter following natural disasters, regardless of immigration status.
- Ensure mitigation dollars and planning are undertaken with the full input of affected communities; displacement and disruption of historic communities should be the last alternative.
- Bolster Puerto Rico's agriculture sector and promote resilient and sustainable local food production, and access to safe, potable water.
- Prohibit waivers of any civil, human, or environmental rights in the name of speed or greed. Rebuilding and recovery in Puerto Rico should not be an excuse for exploitation or displacement.
- Prioritize mitigation before displacement in the recovery and rebuilding process. All communities should receive equitable and just access to resources and treatment, regardless of income, property value, location, or other qualifiers.

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CLIMATE-RELATED MIGRATION

- Immediately establish a safe and hygienic process for climate-related migrants to enter the country and process their immigration status, in consideration of the COVID-19 pandemic.
- Support the U.S. as an active leader in international discussions to support and find solutions for the Global Climate Change Resilience Strategy that would include global protections for climate-forced and other environmental pressured migration.
- Direct the U.S. State Department and the U.S. Agency for International Development to create and implement a new humanitarian program for international migrants who have been displaced by environmental disasters or climate change.
- Collect and maintain data on displacement caused by climate change and release an annual report with an analysis of the data.
- Support robust funding of the U.S. contribution to the Green Climate Fund (GCF), a fund designed to address the critical needs of developing nations, including Latin America, to foster resilience to the effects of climate change and to support low-carbon development.

ENVIRONMENTAL JUSTICE

To ensure the health and well-being of Latino communities across the nation we must understand the current environmental inequities experienced by these communities, the impacts on their health, and promote policies that elevate and center environmental justice (EJ) for communities.

POLICY RECOMMENDATIONS

- Halt waivers of environmental pollution laws that have been allowed since the onset of the COVID-19 pandemic in the U.S.
- Require federal agencies to assess the impact of a proposed action on human health, environmental hazards, and access to outdoor spaces and recreational activities and produce a “community impacts report” on its findings for any action that could harm an EJ community.
- Strengthen and support the enforcement of existing public health and environmental laws, including: the Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation, and Liability Act (Superfund); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Coal Ash Regulations; National Environmental Policy Act (NEPA); Methane Pollution Reduction Standards; Mercury and Air Toxic Standards (MATS); and the Resources Conservation and Recovery Act (RCRA).
- Support the update of the Toxic Substances Control Act (TSCA), a dysfunctional, 40-year-old chemical safety law that has failed to stop toxic chemicals from regularly being used in common household products.
- Enact the Environmental Justice for All Act to codify the National Environmental Justice Advisory Council and the directives of Presidential Executive Order 12898 on environmental justice and to strengthen and

enforce environmental and civil rights laws, such as Title VI of the Civil Rights Act.

- Require federal agencies to consider the cumulative impacts (or pollutant levels) in permitting decisions under environmental laws such as the Clean Air and Clean Water Acts.
- Require federal agencies to develop, implement, and report activities in a manner that does not have a discriminatory impact on environmental justice communities.
- Establish an environmental justice ombudsman role within the Environmental Protection Agency (EPA) to receive, review, and process complaints and allegations relating to environmental justice programs or actions of the EPA.
- Increase funding and strengthen authorizing language for environmental justice grant programs that support research, education outreach, development, and implementation of projects to address environmental and public health issues in EJ communities.

CLEAN ENERGY

To meet the carbon emissions reduction necessary to address the climate crisis, we must reduce our nation's and communities' dependency on fossil fuels, non-renewable and finite resources, including natural gas, that are the main drivers of climate change. We must ensure a just transition to a clean energy economy and way of life for the sustainability of our planet and future generations.

POLICY RECOMMENDATIONS

- Support legislation which would prohibit electricity shutoffs, mandate reconnections, and ensure electricity affordability protections for low-income households during the COVID-19 national emergency and beyond.
- Promote the use of renewable power generation and enabling technologies (e.g. battery storage), energy efficiency in buildings, and zero-emission engines across all sectors.
- Support comprehensive federal legislation, policies, and regulations that move the U.S. towards utilizing 100 percent clean energy, such as the Green New Deal and 100 percent Clean Economy Act by 2050.
- Support the establishment of a National Renewable Electricity Standard that requires retail electricity providers to increase their supply of renewable energy by a percentage of total retail sales each year.
- Prioritize policies, programs, and regulations that remove polluting energy facilities from communities of color and increase access to clean energy sources — such as solar, wind, geothermal — for all Americans, particularly frontline and low-income Black, Indigenous, Latino, Asian, and multiracial communities.
- Promote policies and programs that provide financial assistance for commercial and residential building energy efficiency retrofits, including the adoption of clean energy technologies (e.g. solar panels and battery storage) and retrofits that improve indoor air quality, prioritizing frontline and low-income Black, Indigenous, Latino, Asian and multiracial communities.

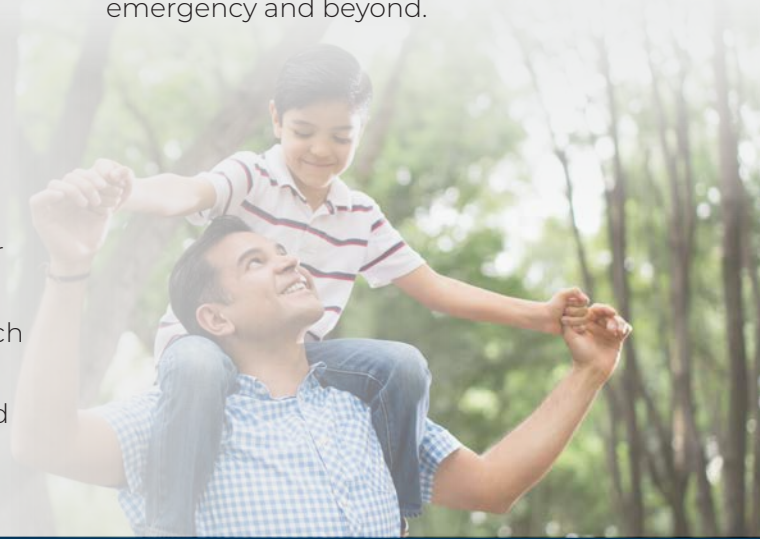
CLEAN WATER

In 2010, the United Nations General Assembly recognized the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realization of all human rights.⁹⁹ Yet, many Latino communities across this country are faced with devastating water quality conditions including unsafe drinking water contaminated with lead, coal ash and PFAS and other toxics, inadequate wastewater

treatment infrastructure, unregulated and contaminated, and unaffordable water service. To ensure that all Latino communities have access to clean water in their homes and safe clean rivers, streams, and lakes, we must strengthen laws and regulations protecting water, improve enforcement of those laws, and greatly increase federal investment in sustainable water infrastructure.

POLICY RECOMMENDATIONS

- Oppose efforts to weaken the Clean Water Act through legislation and deregulation of the Clean Water Rule of 2015.
- Support efforts to increase investment in water infrastructure, drinking water systems, wastewater systems, across the nation, prioritizing investment in frontline and low-income Black, Indigenous, Latino, Asian, and multiracial households and communities.
- Support efforts to create federal funding streams for repair and maintenance of aging decentralized wastewater systems, prioritizing vulnerable communities like Puerto Rico, Las Colonias,¹⁰⁰ rural African American communities, and the Navajo Nation.
- Support stronger implementation of water equity goals across EPA programs including programs focused on infrastructure upgrades for drinking water and wastewater utilities for low-income communities, such as removing cost-match requirements, adding grant payment programs, and forgiving loans to small and disadvantaged communities.
- Support the swift authorization and passage of federal funds for drinking water emergencies, such as communities facing lead contamination and support the use of federal grants by states for lead contamination abatement projects. Also support legislation increasing flexibility and accessibility of water-emergency related funding across federal agencies such as FEMA and EPA.
- Support legislation that would prohibit water shutoffs, mandate reconnections, and ensure water affordability protections for low-income households during the COVID-19 national emergency and beyond.



CONSERVATION

Communities benefit from the ecosystem services of well-balanced and protected natural landscapes. Latinx communities understand that it is critically important to protect our wildlife, public lands, and endangered species.

We must work to ensure that Latinx people see themselves represented in the histories and places protected, as well as have access to growing recreational and economic opportunities. Multiple barriers prevent Latinx communities from enjoying the benefits of

our public lands system. For example, Latinx people disproportionately live in areas that offer fewer park acres per person. Other barriers include access to transportation, cost of entry, cost of equipment, and unwelcoming social interactions.



POLICY RECOMMENDATIONS

WILDLIFE

- Support efforts to improve wildlife management and critical habitat across federal and state agencies, including defending and strengthening the Endangered Species Act and improving wildlife corridors.
- Protect public lands by:
 - opposing and halting efforts to advance oil and gas drilling in the Arctic National Wildlife Refuge and other sensitive areas; and
 - supporting efforts to reach net-zero emission of greenhouse gasses from public lands and waters and support the expansion of renewable energy infrastructure on public lands when possible.
- Ensure parks continue to exist for future generations by:
 - continuing to support full funding of the Land and Water Conservation Fund (LWCF);
 - supporting efforts to provide funding

- to the Department of Interior to address the various maintenance backlog needs across the agency departments including U.S. Fish & Wildlife Service, National Park Service, and others;
- opposing all efforts to undermine or repeal the Antiquities Act, which gives the President the ability to establish new national monuments or enlarge existing monuments; and
- supporting efforts to re-establish and expand the boundaries of Bears Ears National Monument and Grand-Staircase Escalante National Monument to their original boundaries when first established.

INCREASE AND PROTECT ACCESS TO NATURE

- Oppose efforts to privatize public lands and attempts to mandate development on our public lands that could harm traditional and growing uses by Latinos.
- Designate and protect public lands as

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national monuments in urban areas to increase access to public lands.

- Expand federal funding and programs to increase public transportation options to public lands for rural, urban and other under-represented communities, such as the Transit to Trails Act of 2019.
- Create a national outdoor equity fund, similar to that in the state of New Mexico, that would make available grants to assist local governments, organizations, and schools to increase access to outdoor experiences, environmental education, and more.

PROTECTING LATINO HISTORY, CULTURE, AND PLACE

- Support efforts to identify, designate, and protect more places that tell the historical contributions, cultural connections to land, and places of environmental significance to Latinos within the national public lands system as national monuments, historic sites, national parks, and other designations. This should include:
 - establishing a Cesar Chavez National Historic Park to protect and commemorate the historic contributions of Cesar Chavez and other leaders of the United Farm Workers Movement;
 - designating the Chicano Park National Historic Landmark as an affiliated site of the National Park Service; and

- designating the Gila and San Francisco Rivers and tributaries in New Mexico as the Gila Wild and Scenic River.
- Expand research on the historic contributions and places related to Latina & LGBTQ Latinx individuals and how to ensure their inclusion in existing parks or new designations.
- Protect the recreation economy by increasing opportunities for Latino small businesses and entrepreneurs to participate in the growing recreation economy.



OCEANS

Our oceans and coasts are our greatest shared resources, serving as important critical food sources, providing opportunities for social, economic, and cultural connections, as well as maintaining a rich ecosystem with incredible biodiversity. Coastal communities across the nation and U.S. territories depend heavily on marine-based economies, such as fisheries, tourism, and recreation.

POLICY RECOMMENDATIONS

- Protect Ocean Ecosystems and Wildlife by:
 - supporting federal agency policies and funding ensuring that frontline communities of color are prioritized for coastal resilience projects;
 - opposing efforts to undermine or roll back existing marine monuments, marine protected areas, and marine sanctuaries;
 - supporting efforts to protect 30 percent of the ocean by 2030 by establishing new marine monuments, protected areas, and sanctuaries; and
 - supporting federal programs that promote coastal access, recreation, and education for low-income and communities of color.
- Protect sustainable fisheries by:
 - supporting policies promoting sustainable fisheries management and involvement of coastal, low-income, and minority community members in fisheries training, construction, and management; and
 - supporting the modernization of the Magnuson-Stevens Fishery Conservation and Management Act to account for existing and future climate change impacts on fisheries and ocean health.
- Enact an offshore drill ban which should include a permanent moratorium of offshore drilling in the eastern Gulf of Mexico and a banning of offshore drilling along the Atlantic and Pacific coasts.
- Tackle the Plastic Pollution Crisis by:
 - supporting legislation heavily curbing plastic production, incentivizing responsible recycling and disposal of existing plastics products, creating enforcement framework for holding polluting companies accountable for excess plastic production; and
 - supporting legislation providing funding to local organizations working with frontline community members who have been harmed by pollution from nearby plastics refineries.

CLEAN ENERGY TRANSITION

A just transition to a clean energy economy depends on ensuring that the 1.5 million people in the fossil fuel workforce have an opportunity to access training and new jobs in the burgeoning clean energy economy,

which already employs 3.26 million people in the U.S.¹⁰¹ Three states with the highest Latino populations are already leading on clean energy job creation: California, Texas, and Florida.

POLICY RECOMMENDATIONS

- Support federal investment in worker training programs to provide workers in fossil fuel related industries with training to enter new fields — whether in clean energy or other areas where their skills may be transferable.
- Support federal investment in programs at institutions of secondary education, higher education, and trade to prepare the incoming workforce with the skills and education to be successful in transitional and emerging job opportunities.
- Fund free childcare facilities at institutions of secondary education, higher education, and trade to enable Latino parents to more easily access education and training.
- Invest heavily in HSIs, and promote programs like Green Entrepreneurship, Clean Energy Technology, and workforce transition programs, particularly in STEM careers where Latinos are largely underrepresented.
- Require employers to provide paid family and parental leave regardless of gender, equal pay by race and gender, and healthcare benefits.
- Expand community-supported free high-speed internet access in low-income communities to support online learning during the COVID-19 pandemic and after.

FARMWORKER PROTECTION

Latinos account for 83 percent of agricultural field occupations that expose workers to health hazards, bad air quality, and economic impacts of extreme weather. The changing climate and environmental conditions across the nation are an ever-growing threat to the agricultural industry causing severe damage to crops and workers. Climate change is leading to longer periods of droughts, more intense wildfires and more extreme heat days, exposing farmworkers to public health risks. Wildfire smoke remains in the air for an extended time, carrying toxic chemicals and causing dangerous air quality conditions harmful to those without proper respiratory protection. In efforts to quickly get crops off fields during or after a wildfire, farmworkers are often expected to put their health at risk by continuing to work outside in smoky conditions.

Additionally, heat-related illnesses, given rising temperatures, are becoming increasingly prevalent and dangerous amongst Latino workers in jobs that require physical labor outside during excessive heat, such as agricultural

work, construction work, and landscaping. Many workers may not want to ask for or take a break if they start to exhibit symptoms of heat illness. Workers may also fear discrimination or retaliation from their employer for speaking up against unsafe work conditions. Without protection from excessive heat exposure, workers are susceptible to severe health issues and even death.

The Trump administration proposed to cut farmworker pay at the onset of the COVID-19 pandemic to help the agriculture industry. This is the opposite of what farmworkers - and the country - need at this dire moment. Farmworkers are essential employees during the COVID-19 pandemic, and our food system is relying on farmworker health and safety to be prioritized during this time. More than half of all farmworkers lack health insurance,¹⁰² and many migrant farmworkers lack access to consistent care from the same provider as a result of frequent relocation. Protecting farmworker pay and access to healthcare are critical to the safety and stability of our country.

POLICY RECOMMENDATIONS

- Enact the Farmworker Smoke Protection Act of 2019, directing OSHA to develop and publish an official standard to protect employees affected by exposure to wildfire smoke.
- Enact the Asuncion Valdivia Heat Illness and Fatality Prevention Act of 2019 (named for a farmworker who tragically died from heatstroke), which would require OSHA to issue a federal standard for heat stress protections with meaningful participation of covered employees and tailored to the specific hazards of the workplace.
- Protect farmworker pay, provide free healthcare for all farmworkers, and increase funding to rural health clinics.
- Develop COVID-19 prevention protocols and guidance for farms and farmworkers.
- Provide the Department of Labor with increased funding for occupational safety enforcement in agriculture and end the denial of funding for enforcement on smaller farms.

PESTICIDES

Farmworkers, the majority of whom are Latino, have one of the highest rates of chemical exposures among U.S. workers. The EPA estimates that up to 3,000 farmworkers suffer acute pesticide poisoning every year through occupational exposures.¹⁰³ The numbers are likely much higher. Several factors contribute to the underestimation of the problem, including the inability and reluctance of injured workers to get medical

care, medical misdiagnosis, and the absence of a coordinated national pesticide incident reporting system. Agricultural workers and their families suffer serious short- and long-term health effects from pesticide exposure. Yet, despite the urgent need to protect farmworkers and their families from pesticide exposure, they are afforded fewer protections than workers exposed to chemicals in other industrial sectors.

POLICY RECOMMENDATIONS

- Ensure that the EPA fully implements and adequately enforces the recently revised Worker Protection Standard (WPS) to protect agricultural communities and the public from unreasonable harm from pesticides.
- Support stronger standards for workplace safety for farmworkers, including the banning of extremely toxic pesticides, such as chlorpyrifos, and stronger precautions against exposure.
- Support a federal policy mandating the reporting of pesticide use and illness incidents to inform regulations that support public health including pesticide use reform.

HEALTH

Hispanics represent nearly 60 million or 18 percent of the U.S. population and are the largest ethnic group in the nation. Hispanics, when compared to Whites, are poorer, younger, have larger families, more Spanish speakers, and mixed-families with undocumented non-citizen members. Hispanics report their households are food insecure at 18 percent as compared to 9 percent of Whites, Hispanic parents report their children live in an unsafe neighborhood at 10 percent as compared to 3 percent of Whites, and Hispanics have a less-than-high-school education at 26 percent as compared to 6 percent of Whites.

Due to low-incomes and living in communities with food deserts, Hispanic families face limited choices of healthy food and consume excess sugar, carbohydrates, and less nutritious fruits and vegetables. Thus, we have health disparities and the trend of increasing obesity and metabolic diseases, especially Type 2 diabetes with Hispanics having two times the rate of diabetes compared to Whites. Hispanic adults often face limited options for

employment and often work two jobs for basic living expenses and go without healthcare and behavioral healthcare. Toxic stress develops without knowledge about healthy living, leading to chronic diseases and symptoms that are often ignored until later stages of the disease, such as: hypertension, high cholesterol, cardiovascular disease, cancers, non-fatty liver disease, HIV, and depression.

Latinos are at a disproportionate risk of being uninsured, lacking access to care, and experiencing worse health outcomes compared to Whites and those at higher incomes. Even those who have private health insurance face disparities, including unaffordable healthcare services and less access to regular providers and preventive services in their neighborhoods. The costs of medical care have all been worse for Latinos as compared to Whites, including: regular providers, use of preventive services, and costs of medical care.¹⁰⁴

AFFORDABLE CARE ACT

The Affordable Care Act has increased health coverage and the health status of Hispanics, thanks to its elimination of pre-existing conditions, expansion of child coverage on parents' plan to 26 years of age, free preventive screenings, and many other provisions. From 2010 to 2015, Latinos under 65 who were uninsured decreased from 22 percent to 13 percent. "Blacks remained 1.5 times more likely to be uninsured than Whites from 2010 to 2018,

and the Hispanic uninsured rate remained over 2.5 times higher than the rate for Whites."¹⁰⁵ However, beginning in 2017, Congress and the Trump Administration reduced the federal government's role in setting standards and operations; for example, they reduced efforts to encourage people to enroll, including zeroing out the tax penalty for not having coverage. Another example of the Trump administration reducing the federal government's role in

setting standards has been by allowing states more flexibility to design the essential health benefits package and alternatives to the ACA under the 1332 waiver program.

Undocumented members of families experience an extra burden when it comes to decision-making about government assistance programs that other family members are eligible for such as WIC, SNAP, child and adult nutrition programs, disability, and Medicaid for maternal and infant care. Healthcare access must expand for these and other immigrants.



POLICY RECOMMENDATIONS

- Continue healthcare reform based on the ACA, which must include:
 - essential health benefits including free preventive service and new mental healthcare;
 - education and outreach programs during annual enrollment periods;
 - exchanges at state/federal levels to increase competition among health plans;
 - focus on primary care training of physicians; and
 - ensuring hospitals address racial and ethnic health equity with community assessments and programs to improve the health of their target population.
- Develop policies that improve the affordability of healthcare services, by:
 - supporting the individual mandate for health insurance;
 - supporting health insurance tax credits for individuals and small businesses;
 - supporting subsidies for high-risk patients for health plans;
 - supporting cost-saving reductions for health plans' low-income clients;
 - developing legislation that addresses surprise medical bills;
 - developing legislation that decreases the cost growth rate of common prescription drugs at the levels of the manufacturers, PBMs, and point of sale and supports generic drugs;
 - increasing education for healthy lifestyles, nutrition, physical activity, and other key disease prevention programs for the public;
 - increasing discussions on terminal illness and end of life care decisions; and
 - decreasing admissions to hospitals and increasing community and home care.
- Develop policies to increase healthcare coverage for immigrants.
- Utilize fully the U.S. Citizenship and Immigration Services' (USCIS) Systematic Alien Verification for Entitlements (SAVE) system in Healthcare.gov, to address instances where submission of additional proof of status is required.
- Ensure that lawfully present immigrants with incomes below the poverty line are correctly determined eligible for subsidies without requiring them to obtain a Medicaid denial separate from their Marketplace application.

MEDICARE AND MEDICAID

Under Medicare, seniors receive preventive services with no cost-sharing, annual wellness visits with personalized prevention plans and help with their prescription drug costs. States are encouraged to expand their Medicaid programs because it would increase access to affordable health coverage for low-income Americans and help individuals better manage their chronic conditions. Congress should equip Medicare for the economic and healthcare challenges facing elderly Hispanics and all seniors by enacting a catastrophic out-of-pocket limit; counting all hospital observation days toward meeting eligibility for skilled nursing facility benefits; covering vision, dental and hearing services; developing a paid caregiver workforce, and addressing underlying costs, particularly skyrocketing drug prices.

Medicaid is a critical source of healthcare coverage for Latinos living in the United States. Thirty-two percent of non-elderly Hispanics (over 17.3 million individuals) in the United States rely on Medicaid for coverage.¹⁰⁶ Additionally, nearly half of the 3.4 million Puerto Ricans living in the U.S. territory have insurance coverage through Medicaid.¹⁰⁷ Additionally, many LGBTQ Latinos rely on Medicaid for health coverage, especially among transgender individuals. In a

2014 nationwide survey of LGBTQ people with incomes less than 400 percent of the Federal Poverty Guidelines, 61 percent of all respondents had incomes in the Medicaid expansion range — including 67 percent of Latino respondents.¹⁰⁸ Medicaid expansion is instrumental in reducing the uninsured rates of Latinos. Since many of the states that have not expanded Medicaid have high Hispanic populations, the lack of Medicaid expansion is disproportionately impacting the Latino community. In Texas and Florida alone, more than one million otherwise eligible Latinos are shut out from life-saving coverage.¹⁰⁹



POLICY RECOMMENDATIONS

- Support efforts by insurers and providers to target the specific linguistic, cultural, and social and environmental needs of Hispanics to achieve greater equity in access to and utilization of care and to build on lessons learned from successful strategies in Medicaid, given the program's long-standing experience serving a diverse population.
- Oppose proposals to cut Medicare benefits, to repeal the Affordable Care Act, and to reduce federal funding of Medicaid, particularly since these actions would disproportionately impact communities of color, including Hispanic Americans.
- Support State policies to develop healthcare for all programs, including immigrants, that will serve as experiments and lessons learned for a future nationwide effort.
- Support Medicaid as an entitlement that guarantees a certain level of benefits.
- Reject attempts to make Medicaid into a block grant program, which would cap funding and result in decreased access to healthcare in vulnerable populations.¹¹⁰
- Support Health Equity and Access under the Law (HEAL) for Immigrant Women and Families Act which would restore eligibility for Medicaid and CHIP to eligible immigrants who are lawfully present and are subject to the current five-year waiting period.
- Implement and protect Medicaid expansion to those living at 138 percent of the federal poverty line without harmful and illegal provisions like work requirements.
- Maintain the integrity of the Medicaid program by opposing any block grants or per capita caps in Medicaid or altering the financial structure of Medicaid.
- Implement a permanent and comprehensive fix for Medicaid for Puerto Rico with increased funding that covers eligible individuals at 138 percent of the federal poverty level and coverage of all health services guaranteed by Medicaid.
- Support the new social determinants of health benefits for Medicare Advantage beneficiaries including transportation to healthcare related trips, meal delivery for chronic disease patients, and housing retrofitting for disabled or patients with asthma (air conditioning, pest control).



Medicaid

PREVENTION FOCUS OF HEALTHCARE

Latinas continue to face obstacles including cultural and linguistic differences, as well as restrictions based on age, economic status, immigration status, and geographic location which may prohibit many Latinas from obtaining comprehensive quality reproductive healthcare and making the best decisions for themselves. Specifically, Latino communities suffer from disproportionately high rates of preventable diseases and treatable conditions.

Despite the gains from the Affordable Care Act (ACA), Latinos remain the most uninsured racial and ethnic group.¹¹¹ Latinos are the most uninsured population in the United States and the ACA has been instrumental in reducing these high numbers. Policies to decrease health disparities for the whole Latino population are essential for individuals to access the care they need to lead healthy lives.

POLICY RECOMMENDATIONS

- Encourage the participation of children and their families in programs to increase healthy nutrition and physical activity.
- Ensure Hispanic youth receive the HPV vaccination.
- Ensure all Latinos have access to the full range of comprehensive reproductive healthcare.
- Promote child care and other policies that allow young parents and families to thrive, especially mothers.
- Enact policies and training to properly screen patients for domestic violence, dating violence, and sexual assault and to make appropriate referrals for services and support.
- Enact policies that provide LGBTQ Latinos coverage and access to care that is culturally relevant and protected from discrimination.
- Enact programs and benefits that address the needs of the aging population, including Hispanic elders.

SMOKING AND VAPING

Hispanic adults have a lower prevalence of cigarette smoking and other tobacco use compared to other racial and ethnic groups. However, prevalence varies among subgroups. Hispanic adults born in the United States are more likely to smoke than those who were foreign-born.¹¹² Nearly 10 percent of Hispanic adults in the United States are current smokers,

compared to 15.0 percent of Whites, 14.6 percent of African Americans, 22.6 percent of American Indian/Alaska Natives, and 7.1 percent of Asian Americans.¹¹³

In 2018, 7.2 percent of Hispanic high school students were current smokers. Current smoking rates for Hispanic high school students

are higher than the smoking rates of African American students (3.2 percent) but lower than the rates of White students (9.9 percent). In 2018, the overall current smoking rate for high school students was 8.1 percent. E-cigarettes are the most commonly used tobacco product among Hispanic high school students (14.8 percent), which is a lower rate than White students (26.8

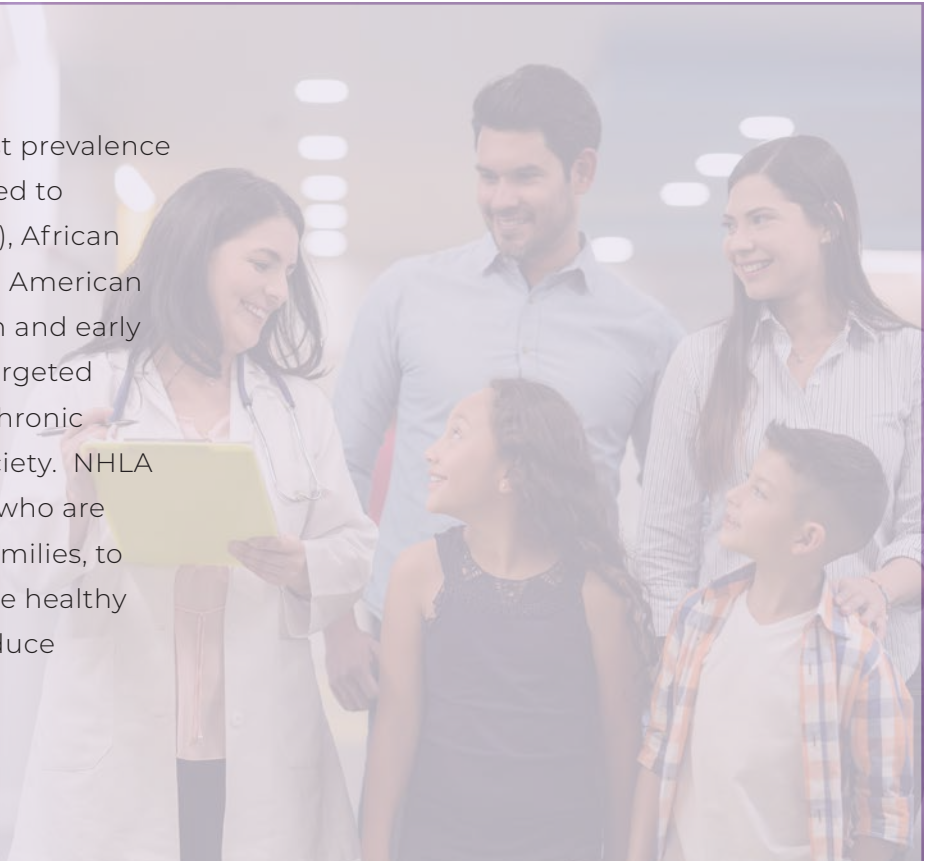
percent) but a higher rate than Black students (7.5 percent). Middle school Hispanic students have a higher rate of using e-cigarettes (6.6 percent) as compared to White (4.9 percent) and Black (3.0 percent) students. Overall, 21.7 percent of Hispanic high school students and 9.5 percent of Hispanic middle school students are current users of any tobacco product.¹¹⁴

POLICY RECOMMENDATIONS

- Develop and mandate programs about the harmful effects of smoking and vaping for schools and community organizations that target Hispanic students and their parents.
- Support the implementation and funding of programs focused on Hispanic middle and high school students.
- Use social media to reinforce interventions to keep the Hispanic population informed about the negative health consequences of vaping.
- Disseminate culturally responsible and bilingual messages that discuss the health effects of vaping.

CHILDREN'S HEALTH

Hispanic children have the highest prevalence of obesity at 25.8 percent compared to non-Hispanic Whites (14.1 percent), African Americans (22 percent), and Asian American (11 percent) children.¹¹⁵ Prevention and early intervention programs must be targeted to Hispanic families to avoid the chronic health effects of obesity in our society. NHLA encourages parents and siblings, who are role models for children in their families, to participate in programs to increase healthy nutrition, physical activity, and reduce sedentary lifestyles.



POLICY RECOMMENDATIONS

SCHOOLS

- Develop and mandate programs for public school teachers to instruct both Hispanic children and parents about the importance of physical activity, proper nutrition, and to consider health insurance options.
- Support implementing and maintaining funding for nutritious school lunches and after-school programs focused on Hispanic diets.

COMMUNITIES

- Develop education programs around healthy weight.
- Create culturally tailored interventions including health insurance enrollment at fiestas, health fairs, and churches.
- Increase Hispanic children’s access to breastfeeding, quality foods, and water or low-calorie and non-sugary beverages within limited budgets.

MEDIA

- Increase information in Hispanic media on obesity and strategies to decrease it.
- Utilize social media to reinforce interventions to keep communities informed.
- Disseminate culturally sensitive and bilingual messages at an appropriate level of literacy that discuss the health effects of obesity and promote awareness about health insurance.
- Ban multimedia advertising of unhealthy food and sugar-sweetened beverages specifically targeted to children.

HEALTH SYSTEMS

- Promote empowerment and Hispanic patient self-management through teaching, training, and partnering with patient-centered medical homes, especially to increase discussions and focus on bullying and wellness for children who are overweight.
- Reimburse providers for quality measures and medical home financing, targeted Hispanic family health education, counseling about consumption and chronic disease, and physical activity.
- Support the implementation of financial and food literacy resources to the Special Supplemental Nutrition Programs for Women, Infants, and Children, and the SNAP Program.



HPV AND HISPANIC YOUTH

Despite increases, coverage estimates for the human papillomavirus (HPV) vaccine remained low in 2014 and continue to lag behind rates for the Tdap and quadrivalent meningococcal conjugate vaccines. Although the number of adolescents up-to-date on HPV vaccinations increased by 5 percent between 2016 and 2017, 51 percent of adolescents have not completed the HPV vaccine series.¹¹⁶

A persistent gap in coverage between HPV vaccination and other vaccinations recommended for adolescents is a sign of missed opportunities to protect adolescents from cancers caused by HPV infections. Hispanic women have the highest rates of cervical cancer in the United States.¹¹⁷

Among a study of Latina mothers of South American and Caribbean descent living in the United States, only 55 percent had previously heard of the HPV vaccine and only 14 percent reported completing the multi-dose series of the vaccine.¹¹⁸ NHLA is concerned with this statistic because, for every 100,000 women living in the United States, about nine Hispanic women are diagnosed with cervical cancer, compared to only seven non-Hispanic women.¹¹⁹

POLICY RECOMMENDATIONS

- Develop and support programs for community health centers, clinics, and nonprofit organizations to instruct Hispanic women and parents about HPV and the importance of completing the multi-dose vaccine series.
- Increase information on the Hispanic media about HPV and the vaccine.
- Continue funding of immunization programs that cover uninsured and underinsured patients, such as Vaccines for Children (VFC) and Section 317 of the Public Health Service Act.

ENVIRONMENTAL HEALTH

Environmental health is very important to our communities because most Hispanics live in areas that have air pollution from carbon plants, automobile and truck exhaust, lead, mercury and other chemicals in water systems, pesticides, and household products. Climate change, water and sanitation, and air pollution negatively affect a variety of people across the United States, primarily minority groups. Black and Hispanic Americans bear a disproportionate burden from air

pollution caused by non-Hispanic White Americans; Hispanics experience 63 percent more air pollution than non-Hispanic White Americans.¹²⁰ There is a clear racial gap between who causes air pollution and who suffers the consequences from it.

Asthma, a chronic disease, is a prevalent health issue among the Hispanic community. With Hispanics experiencing higher rates of air pollution in comparison to non-Hispanic White

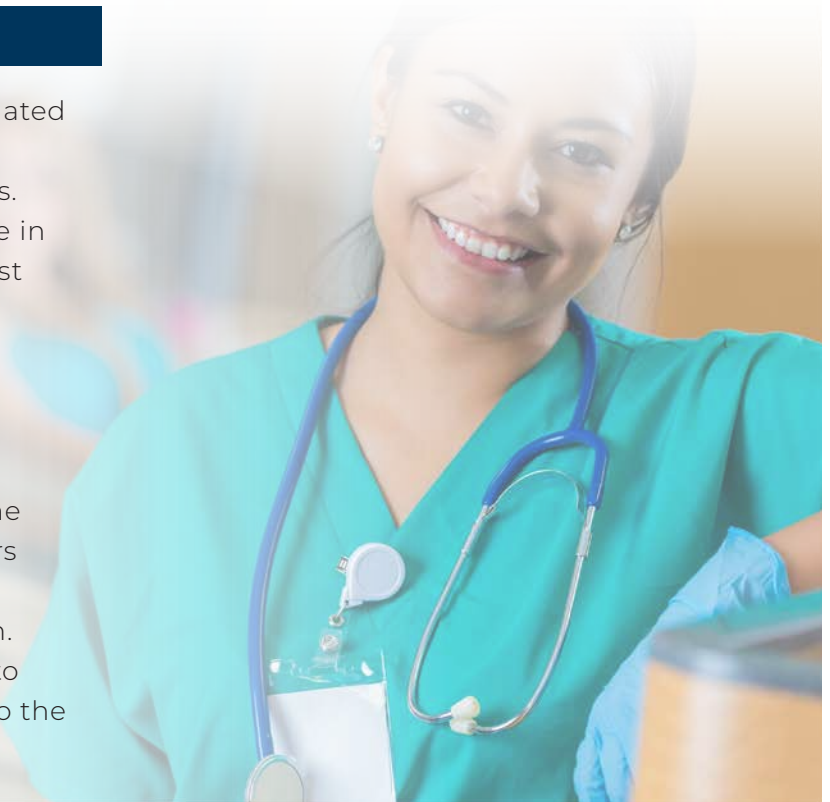
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Americans, it is no surprise that Hispanics are twice as likely as non-Hispanic White Americans to visit the emergency room due to asthma-related symptoms. Hispanic children

are also twice as likely to die from asthma compared to non-Hispanic Whites.¹²¹ This disparity must be addressed.

POLICY RECOMMENDATIONS

- Address the inequities in pollution-related health issues that primarily affect the Latino population in the United States.
- Fund research to study the difference in air pollution-related diseases amongst racial groups.
- Educate members of Hispanic communities affected by various environmental health issues about the general health effects related to specific diseases caused by each of the environmental health issues. Members of the Hispanic population should be informed in both English and Spanish.
- Require industries causing pollution to disclose the environmental impacts to the members of the community affected.



OPIOIDS

Non-medical use of prescription drugs has increased throughout the United States, with little attention regarding its prevalence among racial and ethnic groups. As the opioid epidemic is reaching a national public health emergency, the U.S. is now shifting its focus onto the usage of prescription narcotics by non-White groups.

First-generation U.S. Hispanic adults had a prevalence of prescription opioid misuse of 1.6 percent, compared to 4.1 percent for the second generation, and 6.8 percent for the third. This increase in generational use is

associated with increased English language proficiency and the length of time living in the United States.¹²² For non-Hispanics, each year lived in the U.S. is linked to an increase of 6 percent in prescription opioid misuse.¹²³

The use of in-home monitoring devices to alert caregivers and patients of low oxygen saturation can help prevent some of these needless deaths, as well as any respiratory conditions such as COVID-19. Advances in technology have made in-home monitoring devices like these accessible and much more affordable than a hospital stay for health insurance companies and patients.

POLICY RECOMMENDATIONS

- Eliminate racial inequity involving prescription medicine, including: physician bias, media portrayal of opioid abuse, and government regulation.
- Create and fund an outreach program to racial and ethnic minorities with mental illness and other diseases, as these groups tend to misuse opioids.
- Educate adolescents about the consequences of substance abuse, because opioid misuse often starts with children who further develop worsening habits leading to years of opioid addiction.
- Develop more campaigns and advertisements to alert the Hispanic population of the detrimental consequences of drug abuse, alternative pain treatments, and how to deal with situations such as peer pressure.
- Require healthcare coverage of in-home electronic monitoring for COVID-19 patients and those who have been prescribed opioids or who are being treated for a suspected opioid overdose.

WOMEN'S HEALTH

Policies should not politically interfere with a Latina's ability to make or exercise the deeply personal decisions related to reproductive health, dignity, and autonomy. Anti-immigrant policies have instilled fear among immigrant communities and have hindered the ability of individuals, including Latinas, to access reproductive healthcare safely and with dignity. Attempts to undermine the contraceptive coverage benefit in the Affordable Care Act create obstacles that Latinas must navigate to get the care and coverage they need. Additionally, attacks on the Title X program harm Latinas and LGBTQ Latinos who may have no other place to go for care. The final Title X rule, referred to often as the domestic gag rule, released by the Trump-Pence Administration threatens the ability of Title X providers to keep their doors open, and in turn, jeopardizes the ability of many Latinas to access contraception and life-saving care.

Latinas are diagnosed with cervical cancer, a disease that is almost entirely preventable, at higher rates than any other racial or ethnic group.¹²⁴ Latinas also experience

disproportionately high rates of unintended pregnancy.¹²⁵ Most Latina and Latino voters (86 percent) consider birth control part of preventive healthcare for women.¹²⁶ However, Latinas face several challenges in consistently accessing contraception that is affordable and available, including barriers such as cost, lack of transportation, and insufficient culturally and linguistically competent health systems and providers.

POLICY RECOMMENDATIONS

- Support access to a full range of comprehensive reproductive healthcare because the decision to become a parent or to terminate a pregnancy, without barriers related to cost or immigration status, will only be possible with access to a full range of comprehensive reproductive healthcare.
- Restore the Title X program through protective appropriations language or administrative repeal of the unethical and unlawful domestic gag rule. When providing a full range of evidence-based and medically informed care to patients, Title X-funded health centers are a lifeline for quality healthcare for Latinos living with low-incomes.
- Enact the Health Equity and Accountability Act, which seeks to eliminate health disparities for communities of color and subpopulations that face widened disparities due to primary language, sex, age, gender identity, sexual orientation, immigration status, disability, and other factors that are barriers to healthcare.
- Provide increased funding for the Teen Pregnancy Prevention Initiative (TPPI) and language that protects the integrity of the program and ensure it is administered according to Congressional intent.
- Provide increased funding for the Division of Adolescent and School Health (DASH).
- Remove all language in annual appropriations legislation that restricts coverage for, or the provision of, abortion care in public health insurance programs, including repeal of the Hyde Amendment, and all policies that restrict funding for abortion care and coverage.
- Support proactive legislation that aims to ensure reproductive health by working to remove barriers to abortion access and coverage.

YOUNG PARENTS

Young parents, like all parents, deserve respect for their decisions and the opportunity for their families to thrive. Unfortunately, expectant and parenting youth are often shamed and stigmatized while they try to make decisions that are best for themselves and their families. Cultural and political responses to young parenthood, particularly young motherhood within communities of color, criticize individual behaviors rather than provide solutions for the challenges that expectant and parenting youth experience. Young Latinos who decide to parent often face numerous issues including discrimination and

inequities in workplaces, educational settings, and healthcare access and services. Young Latina parents are more likely to be homeless or lack access to affordable childcare. In the workplace, expectant and parenting youth are over-represented in low-wage jobs where they may be more likely to experience pregnancy discrimination. Latinas make up 15 percent of women in the workforce but comprise 24 percent of women in the low-wage workforce.¹²⁷

While pregnancy and birth rates among youth have been declining for decades, Latina youth

continue to experience higher incidences of pregnancy and birth than their White peers. Latinas have the highest incidence of unintended pregnancy due to economic barriers and lack of health insurance, and limited access to birth control pills, condoms, emergency contraception, and comprehensive sex education. In 2017, Hispanic women and girls ages 15-19 had a higher birth rate (28.9 births per 1,000) than Black women and girls (27.6) and White women and girls (13.4).¹²⁸ Moreover, 1 in 4 of Latinos under the age of

18 live in poverty, compared to 1 in 6 of the overall U.S. population, creating a financial barrier that makes it difficult to obtain needed reproductive health services.¹²⁹



LGBTQ HEALTH

Lesbian, gay, bisexual, transgender, and queer (LGBTQ) Hispanics face many health inequities due to discriminatory practices by providers, insurers, and other systemic barriers. LGBTQ people are more likely to live in poverty. Poverty is a social determinant of health and leads to an increased risk of a variety of health issues, such as diabetes, cancer, mental health, and other chronic conditions. LGBTQ people living in poverty face barriers accessing healthcare, which includes stigma, discrimination, lack of money, harassment, and mistreatment.¹³⁰ Although the ability to purchase health insurance is available, one in five LGBTQ persons continues to be uninsured.¹³¹

About 267,000 undocumented LGBTQ people live in the United States who are unable to purchase private health insurance from the market or apply for Medicaid and CHIP.¹³² The LGBTQ youth are at a higher risk for substance abuse, sexually transmitted diseases, cardiovascular diseases, obesity, anxiety, depression, and suicide. However,

they receive poor quality of care due to stigma, lack of healthcare providers' awareness, and insensitivity to their needs. Few healthcare providers are trained in the health concerns of LGBTQ people. For the LGBTQ population, this means fewer providers who are linguistically and culturally competent regarding medical issues. Additionally, Hispanic gay, bisexual, and other men who have sex with men are heavily affected by HIV. HIV diagnoses among gay and bisexual Latino men from 2010-2016 increased by 18 percent while rates stabilized for many other populations.¹³³ In 2017, 20 percent of the 38,739 new HIV diagnoses were from the Hispanic community.¹³⁴



POLICY RECOMMENDATIONS

- Support policies that provide LGBTQ Latinos coverage and access to gender-affirming care that is culturally competent. Oppose policies that permit discriminatory healthcare policies affecting this community.
- Ensure that Ryan White Part D (Services for Women, Infants, Children, Youth & Their Families) is fully funded and remains a distinct part of Ryan White and includes coverage of obstetric and gynecological services, which is particularly critical for the immigrant community.
- Increase funding for data collection efforts and continue to collect adequate data to help close the disparities gap in LGBTQ populations, including communities of LGBTQ persons of color, LGBTQ immigrants, transgender Latinos, and other LGBTQ populations.
- Remove arbitrary transgender-specific exclusions from all health plans, including state Medicaid programs.
- Robustly enforce Section 1557 of the Affordable Care Act as it was intended. Ensure the enforcement and implementation of Section 1557 of the Affordable Care Act, the non-discrimination provision, once regulations are finalized.
- Support investments in the CDC to develop innovative interventions by and for LGBTQ Latino and immigrant communities.
- Set concrete public health goals and benchmarks to end the U.S. HIV/AIDS epidemic by 2030, by dramatically reducing new cases, optimizing health for all persons with HIV, and ending AIDS deaths.
- Support the CDC’s creation of new, additional targeted funding opportunities for community-based organizations (CBOs) that take into account the dramatic increase of new HIV cases among Latino gay and bisexual men.
- Upgrade HIV treatment and prevention services in Puerto Rico to the level achieved across the mainland, while ensuring representation and leadership from within Puerto Rico.
- Ensure that HHS funds HIV-related stigma reduction intervention, health literacy, and health systems navigation services, with particular efforts to prioritize Latinos and immigrants, and expand awareness of and access to PrEP.
- Reject proposed changes to the “public charge” definition that would inhibit immigrants from seeking healthcare, including preventative health services, for themselves and their families.



HEALTHCARE AND PUERTO RICO

Approximately 45 percent of Puerto Rico's residents receive Medicaid and about 25 percent are enrolled in Medicare or Medicare Advantage. Even though the poverty rate in Puerto Rico is over twice the rate in Mississippi, the nation's poorest state, Medicaid expenditures per enrollee in Puerto Rico are roughly one quarter less than in Mississippi. The lower benefits are due to a Federal spending cap, lower Federal matching rates, and different eligibility and benefit

standards. Despite paying the same amount in Medicare payroll taxes, these programs are reimbursed at 60 percent of the rate that identical programs are reimbursed in the mainland; this must stop. Puerto Ricans also experience a lack of equal treatment through the imposition of inequitable funding formulas for fundamental federal safety-net programs such as nutritional assistance, healthcare, and others.

POLICY RECOMMENDATIONS

- Eliminate federal funding healthcare disparities and make large-scale investments to revitalize the infrastructure and operations in hospitals and community health centers, and retain medical professionals on the island.
- Require Medicare programs in Puerto Rico to be reimbursed at the same rate as programs in the mainland United States.
- Ensure the people of Puerto Rico are treated like those in the mainland when it comes to funding formulas for the federal safety net, health, and nutrition programs.

ELDERLY HEALTH

With the aging of our population and the high costs of healthcare and support services, America must support the Medicare Program, including the trend toward patient-centered comprehensive coordinated care and value-based quality care delivery reform. In addition to the growth of the Medicare Advantage program and the Medicare Part D program, NHLA recognizes the importance of targeting aging care policies that focus on the Latino elderly. Elderly Latinos tend to have complex needs, many have multiple diseases, are on Medicare and Medicaid (dual eligible), or need language and culturally competent services. They are in low-income

households. Many live alone and with the chronic stress of poverty. They may also need special family community care-giving mental health services. Home healthcare programs and institutional programs (nursing homes, rehab facilities, and senior centers) need to be improved to include more comprehensive programs that can impact health disparities in cardiovascular disease, cancer, diabetes, Hepatitis C, asthma, Alzheimer's disease, and depression in Latino elderly. There is a great need for testing, screening, and education for these chronic diseases, along with increased follow-up, compliance with treatment, and affordable services.

POLICY RECOMMENDATIONS

- Ensure that programs and benefits address the needs of the growing diverse aging population, including making them accessible to older adults with low levels of English proficiency and cultural and formal education gaps.
- Increase awareness of the Centers for Disease Control and Prevention (CDC) Hepatitis C testing recommendation to educate Hispanic elderly and providers.
- Enforce CLAS (Culturally and Linguistically Appropriate Services) Standards. Personnel must go beyond being simply bilingual to being linguistically and culturally appropriate.
- Promote age sensitivity.
- Outreach and education strategies that seek out older Hispanic adults where they live and gather in a culturally, linguistically, and age-appropriate manner.
- Bridge the information gaps between social programs (including Social Security, Medicare, pension programs) and those approaching the age of eligibility by developing an early notification system, so diverse older adults will be more aware of the options available to them and learn how to navigate U.S. systems.
- Ensure senior accessibility to SNAP and other cultural and age-sensitive meal programs, or otherwise provide access to good-quality, nutritious food. No one, including older adults, should go hungry in the U.S.
- Ensure access to paid family leave, allowing families to have long-term care and services and provide programs that support family informal caregivers through education, and moral support.
- Establish a pipeline for Hispanic students to enter medical fields, with incentives to enter fields that serve the nation's older adults, so that healthcare facilities can provide healthcare in a culturally, linguistically, and age-appropriate manner.

RESPOND TO VIOLENCE AS A PUBLIC HEALTH ISSUE

Violence is a major public health issue that requires national leadership and consensus on programs, prevention education, research, and policies to reduce it. All forms of violence, including gun violence, domestic violence, sexual violence, and child abuse, among others, harm the physical and mental health of our community members.



GUN VIOLENCE

Gun violence is an issue that affects the Latino community, from individuals who face the ongoing threat of gun violence in their neighborhoods to Latino immigrants who have fled gun violence in their countries of origin. Hispanics are disproportionately impacted by firearms violence in the United States. Between 1999 and 2015, about 54,000 Hispanics were killed by guns, which includes 35,553 gun homicide victims and 15,593 gun suicides. Homicide is the second leading cause of death for Hispanics ages 15 to 24. More than two-thirds of Hispanic murder victims were killed with guns.¹³⁵ Most often police-related deaths have been highest in neighborhoods in low-income residencies and residents of color. Moreover, women in the United States are 21 times more likely to be murdered by a gun than women in other high-income countries.¹³⁶ More than half of all murders of America's women are committed with a gun and abused women are five times more likely to be killed if the abuser has access to a firearm.¹³⁷ More than two-thirds of spouse and ex-spouse homicide victims between 1980 and 2008 were killed with firearms.¹³⁸ In 2013, a gun was the most commonly used weapon in the murder of a woman by a man.¹³⁹ Additionally, gun violence exposure among youth causes

chronic stress. It also leads to anxiety and mental health issues among the poor and Latinos. Exposure to violence increases the likelihood that young people will engage in gun violence. These actions increase the risk of depression, alcohol abuse, suicidal behavior, and psychological problems.¹⁴⁰

There were more than 100 gun-violence victims at Pulse nightclub in Orlando on June 12, 2016, during the LGBTQ establishment's Latino-themed night. Of the 49 people murdered at Pulse, nearly half of the victims were Puerto Rican, while the other half were Cuban, Dominican, Ecuadorian, Mexican, Salvadoran, Venezuelan, and from other Latino communities. Almost all were members of the LGBTQ community. Some were undocumented. Over half were under 30, with the youngest victim being just 18 years old. On August 3, 2019, another a mass shooting occurred at a Walmart store in El Paso, Texas, killing 22 people and injuring 26 others; the Justice Department called the shooting an act of domestic terrorism and the alleged perpetrators were charged with hate crimes. These and other incidents have caused a particular fear of gun violence among Hispanics.

POLICY RECOMMENDATIONS

- Create policies and programs that identify and provide treatment for all people diagnosed with a mental illness.
- Increase the number of mental health service providers and services in the United States.
- Implement programs to improve prevention education and safety in schools, and increase community engagement programs to aid in reducing the potential risk factors of exposure to violence.
- Prohibit access to firearms to persons convicted of stalking or violent crime, those subjected to a restraining order, and those otherwise adjudicated to be a danger to themselves or others.
- Support universal background checks and ban assault weapons and bump stocks.
- Reduce the presence of guns, police, and police firearms in public schools.

DOMESTIC VIOLENCE AND SEXUAL ASSAULT

The Centers for Disease Control and Prevention (CDC) estimate that one in five women and one in seven men have experienced domestic violence from a partner.¹⁴¹ In the No MAS study, 56 percent of Latinas and Latinos reported knowing a victim of domestic violence.¹⁴² Domestic violence often includes economic or financial abuse and sexual or reproductive coercion and it can occur with other forms of abuse. One study of 2,000 Latinas found that 63.1 percent of women who identified being victimized in their lifetime (i.e., interpersonal victimization such as stalking, physical assaults, weapon assaults, physical assaults in childhood, threats, sexual assault, attempted sexual assault) reported having experienced more than one victimization, with an average of 2.56 incidents.¹⁴³ Domestic violence and sexual assault are associated with an array of short-term and long-term health consequences. Providing culturally relevant care is critical when working with victims of domestic violence. Women who are members of racial and ethnic minority groups are more likely to experience difficulties communicating with their doctors and often feel they are

treated disrespectfully in the healthcare setting, which may affect their approach to and utilization of health services. Providers also enter healthcare encounters with cultural experiences and perspectives that may differ from those of the victim. Because domestic violence often begins during adolescence, it is important to educate young people about the prevention of domestic violence, dating violence, and sexual assault.¹⁴⁴

POLICY RECOMMENDATIONS

- Train healthcare providers to understand, assess, and respond to the needs of victims of all forms of violence, including but not limited to domestic violence, dating violence, and sexual assault.
- Require healthcare systems to have language access plans and utilize skilled interpreters (not family members, caregivers or children) when helping non-English speaking survivors of all forms of violence, including but not limited to gun violence and domestic violence, and their families.
- Ensure healthcare providers increase their knowledge of personal bias and increase their understanding of multiple issues that victims of violence deal with simultaneously, such as language barriers, limited resources, homophobia, acculturation, and racism to provide

- accessible and tailored care.
- Ensure healthcare providers connect victims of all forms of violence, including but not limited to domestic violence, dating violence, and sexual assault, to services that help them access safety, support, and well-being for themselves and their children.
 - Reauthorize the Family Violence Prevention and Services Act (FVPSA) with key enhancements, including:
 - increased funding for victim services and improved services and support for children exposed to violence;
 - increased resources for culturally and linguistically specific community-based organizations to address barriers and ensure better access to services and support for survivors from racial and ethnic minority communities; and
 - increased resources to develop comprehensive and culturally appropriate prevention initiatives.
 - Reauthorize the Violence Against Women Act (VAWA) to improve our nation's response to domestic violence, dating violence, sexual assault, stalking, and trafficking with key enhancements, including:
 - increased funding for victim services;
 - improved access to resources for culturally specific organizations;
 - protection and expansion of the immigration remedies for immigrant survivors;
 - expanded provisions to keep firearms out of the hands of adjudicated abusers of domestic violence, dating violence or stalking; and
 - increased investments in prevention and community-based initiatives.

HEALTHCARE WORKFORCE

There is a crisis affecting Latinos in need of healthcare and behavioral health, as well as with the diversity in the healthcare professional workforce in the United States. While Latinos represent over 18 percent of the population, Latinos are severely underrepresented in all areas of the healthcare professions, including leadership, national boards and advisory committees, policymaking, or direct services. The barriers for Latinos in need of behavioral healthcare can be attributed to several factors, including disparities in the availability of, access to, and the provision of quality, culturally and linguistically competent behavioral health services. These barriers can be overcome by a larger, more diverse and multidisciplinary bilingual and bicultural workforce.¹⁴⁵ Due to the workforce shortage, policies, issues and potential

innovations pertaining specifically to Latinos go widely unnoticed and unaddressed. Research shows that treating behavioral health conditions as early as possible, holistically, close to a person's home and community, and in a culturally and linguistically appropriate manner leads to the best health outcomes.¹⁴⁶ Lack of cultural and linguistically competent behavioral health specialists and access to those providers is an impediment to care. Additional barriers include poor to no insurance coverage, lack of knowledge of available treatments, location of services, stigma surrounding mental illness, and other cultural barriers that hinder access, utilization and follow-through.¹⁴⁷ Providing health and behavioral healthcare to the Latino community at the "point of entry" in the system is the key to wellness.

POLICY RECOMMENDATIONS

- Expand the diversity focus of federal programs that have supported the growth in Hispanic health professionals, such as:
 - Health Careers Opportunity Program (HCOP), Centers of Excellence (COE), AHEC, and faculty development programs that have provided for the recruitment and retention of disadvantaged groups of students in health professional schools;
 - Including the eligibility of national minority health professional associations in diversity programs to expand recruitment, mentoring, faculty development, and increased workforce in underserved areas in medical practice and the safety net; and
 - The National Health Service Corps for scholarships and loan forgiveness for providers to work in underserved areas. Loan repayment for medical faculty and researchers on Hispanic health research. Teaching clinics should exist to increase training of medical residents in graduate medical education (GME) and with the Veterans Administration to learn about Hispanic communities and health issues. Inter-professional and integrated care programs need to increase the participation of Hispanic healthcare and behavioral healthcare professionals.
- Encourage public-private partnerships, especially for paid internships, to provide experience, and for mentoring and counseling programs from science or medical school staff and faculty, as well as from alumni and minority medical and health professional associations.
- Implement debt reduction strategies for pre-health and health professional students such as scholarships, three-year medical schools, and public service (nonprofit employers) and health equity research loan repayment programs for 10 years with federal loan payment at the end of that time.
- Direct STEM students to health professional career pathways, through STEM programs in the U.S. Department of Education, the National Science Foundation, EPA, and National Aeronautics and Space Administration (NASA).
- Increase support for students attending Hispanic-Serving Institutions who are interested in being trained for jobs in the healthcare industry through health career pathways with mentoring and paid internships and linkages to the national Hispanic health professional associations.
- Increase research grants for Hispanic health research through special National Institute on Minority and Health Disparities (NIMHD) research initiatives and activities in collaborations that link to the Hispanic community, Hispanic health professional associations, Hispanic researchers, and health research institutions and programs.
- Build a mentoring network of senior and junior faculty who learn to conduct prevention research, health services research, and population research about Hispanics to provide new knowledge for interventions that improve healthcare for our communities.
- Create leadership development programs for Hispanic physicians and other providers to be prepared for trustee boards and executive positions throughout corporate and nonprofit healthcare organizations, as well as in the federal and state governments.

GRADUATE MEDICAL EDUCATION (GME)

Through graduate medical education (GME), medical school graduates can continue to pursue their advanced training through residency programs. GME mobilizes medical and surgical residents to become more globally aware of healthcare disparities and to become culturally competent healthcare leaders. The three-to-nine-year residency programs prepare and train residents in their specialization by focusing on patient care and needs. By 2025, the United States will experience an estimated shortage of 90,000 physicians.¹⁴⁸ The U.S. federal government provides large sums of funding toward postgraduate physician training. In 2015, \$16.3 billion from federal agencies and state Medicaid was spent to fund residency training.¹⁴⁹ GME payments are created through direct graduate medical education payments (DGME) and indirect medical education payments (IME).¹⁵⁰ As a result of these payment methods, the number of residents a hospital receives payment for is capped. This funding enables residents to continue practicing hands-on patient care.

Residents provide quality long-term based care, find cures through clinical training at teaching hospitals, and are innovators in the future of medicine.¹⁵¹ Since 2010, the Latino physician rate per 100,000 Latinos has declined to 105 – a 22 percent reduction among Latinos – whereas the rate of non-Hispanic White physicians has risen to 315.¹⁵² The Latino physician shortage has been due to U.S. medical schools admitting and graduating minimal numbers of Latino medical students which is due to the small numbers of college students who are prepared to apply to medical schools. Latino resident physicians are highly underrepresented in the healthcare workforce, whereas the Latino population is estimated to reach 111.2 million by 2060.¹⁵³ GME affects the Latino medical school graduate population and must be continuously funded to support the education and training of future healthcare physicians. Residency programs play a major role in the practice, knowledge, and skills required to be a physician.

POLICY RECOMMENDATIONS

- Expand federal funding for physician residency training. Ensure federal funds are allocated properly to advance the educational mission of the teaching and training of residents and fellows.
- Recruit and admit minority students to residency programs.
- Establish partnerships with organizations to promote the Hispanic population growth in medicine and healthcare fields through pipeline programs. Increase residencies and access to licensure for International Medical Graduates (IMG) and Deferred Action for Child Arrivals (DACA) students.
- Ensure residency students undergo training that addresses healthcare disparities and cultural competence among minority populations, in collaboration with minority health professional associations.
- Expand primary care GME positions in the U.S. to expand care in our communities.

COVID-19

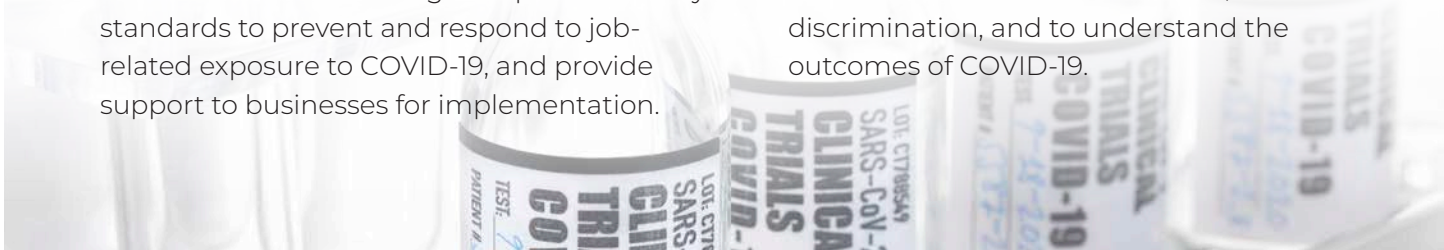
The novel coronavirus disease (COVID-19) is thought to be a virus that is transmitted through aerosol droplets from person to person. In order to protect oneself from transmission, one should wash their hands and use sanitizer with 60% alcohol regularly, avoid touching their face, stand 6 feet apart from other persons and stay away from others who do not live in their household. Also, one must watch for symptoms such as fever, fatigue, cough, and shortness of breath. The greatest risk for severe illness from COVID-19 is among those aged 85 or older. There are also other factors that can increase your risk for severe illness, such as having underlying medical

conditions. Cloth face coverings are especially important when it is difficult to stay at least 6 feet apart from others or when people are indoors, to help protect each other.

According to the CDC, Latinos have had the highest levels of cases across the nation, at least 2 times that of non-Hispanic Whites, due to a number of challenges: working in the service industry, being essential workers, working as farmworkers or in the food industry, and living in overcrowded housing. Latinos also face poverty, limited access to education, lack of nutritious food, healthcare insurance and services, and lack of transportation.

POLICY RECOMMENDATIONS

- Ensure COVID-19 treatment, testing, and vaccines are affordable for all people within the United States.
- Develop the infrastructure within the public health system to support education, testing and treatment to Latinos with partnerships with national and regional organizations, including medical education with public health skills, public health departments with physician linkages to increase the efficient protocols for decreasing COVID-19 transmission among the Latino communities.
- Create a Hispanic healthcare initiative that includes developing medical education, research, community outreach, education, and financing testing, treatment, and vaccines.
- Create and enforce strong occupational safety standards to prevent and respond to job-related exposure to COVID-19, and provide support to businesses for implementation.
- Expand economic security measures for families, including those with undocumented immigrant family members, including paid family and sick leave, unemployment compensation, healthcare access, cash assistance, child care programs, educational opportunities, nutrition programs, and premium pay for workers in essential sectors.
- Reform immigration policy to expedite citizenship, end the Trump Administration's public charge rules, and reform detention centers.
- Research to develop targeted community-based and healthcare intervention, to develop mitigation services on differences of healthcare services utilization and health outcomes, to understand the social determinants of health and racial/ethnic discrimination, and to understand the outcomes of COVID-19.



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