



Leadership Conference on Civil Rights

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LCCR TRANSITION PROJECT

State of the Union Themes

- Cut poverty in half in ten years.
- Civil rights and human rights include health, quality education, and a fair workplace.
- Comprehensive Immigration Reform.
- Disproportionate impact of economic crisis on minority and other vulnerable communities.

Legislative Opportunities

First 100 Days

- **Economic Security:** Pass an Economic Recovery Package to assist low-income people and protect public services; provide additional state and local fiscal relief to preserve other vital services; and allow struggling homeowners to obtain relief in bankruptcy court to avert foreclosures.
- **Employment:** Pass *Lilly Ledbetter Fair Pay Act/Fair Pay Restoration Act* (H.R. 2831/S. 1843) to help ensure that individuals subjected to unlawful pay discrimination are able to effectively assert their rights under the federal anti-discrimination laws.
- **Hate Crimes:** Pass *Local Law Enforcement Hate Crime Prevention Act* (S. 1105/H.R. 1592) to give local law enforcement officials important tools to combat violent, bias-motivated crimes – and facilitate federal investigations and prosecutions when local authorities are unwilling or unable to achieve a just result.
- **Health Care:** Pass *SCHIP* (State Children's Health Insurance Program) (H.R. 1308/S. 764) without citizenship documentation requirements and with *ICHIA* (Immigrant Children's Health Improvement Act).

First Year

- **Criminal Justice:** Pass *Juvenile Justice and Delinquency Prevention Act (JJDP) Reauthorization* (S. 3155), with the Cardin amendment (to phase-out the valid court order (VCO) exception to protect status offenders from being locked up, where they are vulnerable to victimization and at risk of developing delinquent behaviors) and without the Kyl amendment (which would encourage prosecution of more juveniles in adult courts).
- **Education:** Reauthorize the *Elementary and Secondary Education Act* to preserve accountability, spur the development of higher standards and better assessments, and increase funding and support for students, schools, and teachers.



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- **Employment:** Pass *Employee Free Choice Act* (S. 1041/H.R. 800) to give all working people the freedom as a basic civil right to make their own choice about whether to form a union and bargain for better wages and benefits by removing current barriers to representation and collective bargaining.
- **Equal Opportunity:** Overturn the Small Business Administration's (SBA) Women Procurement Program regulation with new authorizing legislation.
- **Immigration:** Congress and the Administration should demonstrate a solid commitment to comprehensive immigration reform – starting, as a downpayment, with the swift enactment of bipartisan legislation such as the *DREAM Act* (H.R. 1275/S. 2205), *AgJOBS* (S. 340/H.R. 371), and the recapture of unused family and employment visas (H.R. 5882).
- **Language Access:** Authorize Medicare to amend the fee schedules to pay for the costs of providing language services to limited-English-proficient Medicare beneficiaries/enrollees (such as hiring interpreters or translating materials).
- **Voting Rights:** Achieve universal and permanent voter registration of all eligible Americans through enforcement of existing laws by the Department of Justice, and through legislation creating an affirmative duty for government to register eligible voters and establishing Election Day registration.
- **Voting Rights:** Pass the *DC Voting Rights Act* (H.R. 1905/S. 1257) to provide U.S. citizens who live in the District of Columbia with a meaningful vote in the House of Representatives.

Long Range

- Comprehensive Immigration Reform.
- Civil Rights Act of 2009.

Non-Legislative Opportunities

First 100 Days

- **Census:** Immediate review of plan for the 2010 Census to ensure success, particularly the nomination and confirmation of a new Census director and fully funding the Census Bureau.
- **Equal Opportunity:** Issue a proposed rule rescinding/overturning SBA women's procurement program.
- **Federal Data Collection:** Restore federal data collection programs by issuing an executive order requiring data collection on use of race in federal law enforcement and an executive order to revive accurate data collection program for all federal agencies on the use of race, ethnicity, national origin, primary language and religion, and by amending DOJ guidance on use of race in law enforcement.
- **Media/Telecom:** The federal government should fund and organize rapid response teams ready to act starting January 1, 2009 to assist the most vulnerable populations who may end up losing television service after the February 17, 2009 digital television transition.



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First Year

- **Civil Rights Commission:** Reform the U.S. Commission on Civil Rights by changing the appointment and confirmation process for commissioners, creating a civil rights unit of the GAO to monitor enforcement and compliance with federal civil rights law, broadening the Commission's mandate to include sexual orientation and gender identity, and expanding its name to include Human Rights.
- **Department of Justice:**
 - Review and reform the Civil Rights Division to ensure aggressive enforcement of federal civil rights laws, address personnel and staffing issues, and ensure appointment of leadership committed to civil rights enforcement.
 - Coordinate review of equal opportunity (affirmative action) programs with other agencies to evaluate status of existing programs, legal requirements, and timing of reauthorization (where applicable); and to build the factual records necessary to support the programs. This process should include commissioning research if necessary, recruiting experts, and organizing the relevant federal agencies to compile data on the efficacy of the programs.
- **Education:** Issue guidance to post-secondary institutions on implementing affirmative action post-*Grutter* and issue guidance for K-12 schools on ways to promote integration in the wake of recent desegregation cases.
- **Immigration:** Develop a thorough review process of immigration regulations and policies, with an emphasis on revising or repealing the many harsh and inhumane enforcement practices of the prior Administration – such as those governing access to safety net benefits, asylum, detention, and deportation proceedings.
- **Media/Telecom:** Adopt an aggressive and meaningful broadband deployment policy to provide an infrastructure that will enable all Americans to compete in the information economy and to ensure all children receive adequate education. So that the Administration has adequate knowledge on which to base communications policy decisions, it should require the National Telecommunications and Information Administration to reinstate its regular reports on internet use and deployment, and its reports on media ownership by women and people of color.