

## **Anexo 1**

**Iniciativas de ley que sustentan la evaluación de la  
representación sustantiva  
de Lucille Roybal-Allard, basadas en The National Hispanic  
Leadership Agenda**

## **National Hispanic Leadership Agenda Congressional**

### **Key votes in the House of Representatives - 105<sup>th</sup> Congress (both sessions)**

#### **CIVIL RIGHTS & ENVIRONMENTAL JUSTICE**

1. Amendment to Promote Gender Pay Equity. H.R. 1853 - Vocational-Technical Education. Mink (D-HI) amendment to require states that currently fund programs for homemakers, single parents, and pregnant women, and programs that promote gender equity, to continue to fund the programs at the same level as in FY 1997. The amendment would also establish a gender pay equity coordinator, as required under current law. Amendment rejected 207-214 (RC# 286), July 22, 1997. (PRO-HISPANIC POSITION - Y)

2. Motion to Recommit to Promote Gender Pay Equity. H.R. 1853 - Vocational-Technical Education. Mink (D-HI) motion to recommit the bill to the Education and the Workforce Committee with instructions to require states to set aside 10% of vocational education funds for programs that promote gender equity and assist displaced homemakers, single parents, and single pregnant women. Motion rejected 207-220 (RC# 288), July 22, 1997. (PRO-HISPANIC POSITION - Y).

3. Amendment to Prevent English-Only Policy in Puerto Rico. H.R. 856 - Puerto Rico Self-Determination Act. Burton (R-IN) and Miller (D-CA) offered substitute language to Solomon amendment that would declare English as the official language of the United States. Supporters of “English-Only” and official English opposed Burton substitute, which would declare that if Puerto Rico chose statehood, then it would have to abide by existing language requirements for all other states. Amendment passed 238-182 (RC #29), March 4, 1998. (PRO-HISPANIC POSITION - Y)

4. Amendment to Eliminate the Disadvantaged Business Enterprise (DBE) program. H.R.2400 - Building Efficient Surface Transportation and Equity Act. Roukema (R-NJ) amendment to eliminate the DBE program within the Department of Transportation and deny equal access to federal contracting dollars to small and disadvantaged minority- and womenowned businesses. Amendment failed 194-225 (RC# 93), April 1, 1998. (PRO-HISPANIC POSITION - N)

5. Amendment to Eliminate Affirmative Action in Higher Education. H.R. 6 - Higher Education Act Reauthorization. Riggs (R-CA) amendment to prohibit affirmative action in admissions in public colleges and universities that participate in any Higher Education Act program. This Amendment would do what the U.C. Regent’s decision did in California —deny Latino students an equal opportunity to achieve a higher education. Amendment rejected 171-249 (RC# 133), May 6, 1998. (PRO-HISPANIC POSITION - N)

6. Amendment to Eliminate Affirmative Action in Science and Engineering Education. H.R. Higher Education Act Reauthorization. Campbell (R-CA) amendment to prohibit science and engineering improvement programs of the Higher Education Act to be targeted for minority students. This Amendment would limit opportunities for Latinos to succeed in these highly competitive programs. Amendment rejected 189-227 (RC# 134), May 6, 1998. (PRO-HISPANIC POSITION - N)

7. Bill to Allow Nuclear Waste Dump in Sierra Blanca. H.R. 629 - Texas Radioactive Waste Disposal Compact Conference Report. Barton (R-TX) bill to construct a nuclear waste dump near

Sierra Blanca, Texas, a poor, Mexican American community which is already the site of one of the largest sewage sludge projects in the country. The dump would violate the 1983 La Paz environmental agreement between the U.S. and Mexico. In August 1998, two Texas administrative law judges recommended that the dump license be denied because of severe geological problems and unanswered questions about environmental racism. This bill would pressure local conservation commission officials to approve the license. Bill passed 305-117 (RC# 344), July 29, 1998. (PRO-HISPANIC POSITION - N)

8. Amendment to Allow Funding for Census Sampling. H.R. 4276 - FY 1999 Commerce, Justice, State Appropriations. Mollohan (D-WV) amendment to remove bill language restricting funds from being used by the Census Bureau for statistical sampling. Sampling is the best, scientifically proven method available to ensure a more accurate Census for the year 2000, which has a disparate impact on Hispanic and other minority communities living in hard-to-reach rural and urban areas. Amendment failed 201-227 (RC# 388), August 5, 1998. (PRO-HISPANIC POSITION - Y)

## **EDUCATION**

9. Amendment to Restrict Funding for Standardized Education Testing. H.R. 2264 – FY 1998 Labor, HHS Appropriations. Goodling (R-PA) amendment to prohibit the use of any appropriated funds for the development of national reading tests for fourth graders and national math tests for eight graders. The use of standardized national tests for high-stakes purposes, without equitable distribution of resources, can have an adverse impact on Hispanic students. Amendment passed 295-125 (RC# 398), September 16, 1997. (PROHISPANIC POSITION - Y)

10. Amendment to Increase Public School Improvement Bonds. H.R. 2646 - Education Savings Accounts. Rangel (D-NY) substitute amendment to increase the cap on the amount of funding that public schools may use to issue interest-free bonds for school construction and curriculum development and teacher training from \$400 million to \$4 billion in fiscal 1998 and 1999. Amendment rejected 199-224 (RC# 523), October 23, 1997. (PROHISPANIC POSITION - Y)

11. Bill to Eliminate Bilingual Education Programs. H. R. 3892 - “English Language Fluency Act.” Riggs (R-CA) bill would transform the current bilingual education program into an English language acquisition program, ignoring language-minority student achievement in other core subjects, such as math, science, and history. In addition, it would set a two-year limit for public school limited-English-proficient children to learn English, after which they will be placed in English-only classrooms. H.R. 3892 would also void current compliance agreements between the Office of Civil Rights of the U.S. Department of Education Page ix National Hispanic Leadership Agenda Congressional Scorecard 105th Congress and local education agencies that have failed to provide language-minority students with appropriate educational services. Bill passed 221-189 (RC# 424), September 10, 1998. (PRO-HISPANIC POSITION - N)

12. Bill to Block Grant Education Funding. H.R. 3248 - “Dollars to the Classroom Act.” Pitts (R-PA) bill to collapse into a single block grant 31 federal programs designed to help raise achievement levels of and improve the quality and equity of programming for low-income and limited-English-proficient (LEP) students. The bill would repeal programs such as Goals 2000, Eisenhower Professional Development, Technology Challenge Fund, 21<sup>st</sup> Century Community Learning Centers, Comprehensive Regional Assistance Centers, and Education for Homeless Children. The bill would

strip accountability requirements put in place to ensure quality and equity of programming tied to receipt of federal funding. Bill passed 212-198 (RC# 452), September 18, 1998. (PRO-HISPANIC POSITION - N) FEDERAL BUDGET

13. Bill to Reduce Discretionary Spending. H. Con. Res. 284 - FY 1999 Budget Resolution. Kasich (R-OH) resolution, with support of House leadership, called for major reductions in domestic discretionary funds, including housing assistance programs. The resolution did not include restoration of Food Stamp benefits for legal immigrants, or increases in education, civil rights enforcement, or child care programs requested by the Administration. It provided for \$101 billion in tax cuts, primarily for upper-income Americans. Although budget resolutions are not binding, they represent a “framework” or “road map” for appropriations committees, and therefore are highly influential in shaping ultimate Congressional action. Resolution passed 216-204 (RC# 210), June 5, 1998. (PRO-HISPANIC POSITION - N)

### **IMMIGRATION**

14. Motion to Instruct Against Adjustment of Status for Legal Immigrants. H. R. 2267 – FY 1998 Commerce, Justice, State Appropriations. Rohrabacher (R-CA) motion to instruct House conferees to delete Senate language to permanently extend section 245(i) of the Immigration and Nationality Act which permits would-be immigrants who are present in the United States to remain in the country while adjusting to permanent legal status. Motion rejected 153-268 (RC# 541), October 29, 1997. (PRO-HISPANIC POSITION - N)

15. Amendment to Allow Military on the U.S.-Mexico Border. H.R. 3616 - Defense Authorization Act. Traficant (D-OH) amendment to allow Attorney General, secretary of the Treasury and the secretary of Defense to assign up to 10,000 military personnel to assist the Immigration and Naturalization Service and the Customs Service in border control activities. Similar to RC# 224 (269Y-119N) in 1997, except that the incident which killed Esequiel Hernandez had occurred since that vote, and called into question the wisdom of assigning military troops to the U.S. border. Amendment passed 288-132 (RC# 180), May 21, 1998. (PRO-HISPANIC POSITION - N)

### **INCOME SECURITY & FAMILY SUPPORT**

16. Bill to Reform Public Housing Programs. H.R. 2 - Housing Opportunity and Responsibility Act. Lazio (R-NY) bill would repeal U.S. Housing Act of 1937, deregulate public housing and rental assistance programs for low-income households, and weaken low-in Page x National Hispanic Leadership Agenda Congressional Scorecard 105th Congress come targeting requirements. Proposal would decrease the participation rates of low-income Hispanics. In 1995, HUD found 27 percent of Hispanics were below the poverty level and have the worst-case housing needs of any category of recipients. Bill passed 293- 132 (RC# 127), May 14, 1997. (PRO-HISPANIC POSITION - N)

17. Amendment to Extend SSI Payments for Elderly and Disabled Legal Immigrants. H.R. 1469 - Supplemental Fiscal 1997 Appropriations. Diaz-Balart (R-FL) amendment to postpone the scheduled termination of Supplemental Security Income (SSI) payments to legal immigrants until the end of fiscal 1997. Under the 1996 welfare system overhaul (PL 104- 193) such payments to legal immigrants would end on August 22, 1997. Amendment passed 345-74 (RC# 133), May 15, 1997. (PRO-HISPANIC POSITION - Y)

18. Rule to Prohibit Restoration of Food Stamps for Legal Immigrants. H.RES. 446 – Agricultural Research Bill. Solomon (R-NY) rule for debate of the Conference Report would have prohibited the provisions in S. 1150 that restore \$818 million in funding for food stamps for legal permanent residents who entered the United States before enactment of welfare reform (8/22/96) and who are either elderly, disabled, or under age 18; and certain other immigrants, refugees, and asylees. Resolution failed 120-289 (RC# 188), May 22, 1998. (PRO-HISPANIC POSITION - N)

### **VOTING RIGHTS**

19. Bill to Create Voter Verification System. H.R. 1428 - Voter Eligibility Verification Act. Horn (R-CA) bill to establish a pilot program in the five largest states, under which state and local officials could require Social Security numbers from voting applicants. It also directs the Justice Department, in consultation with the Social Security Administration and the Immigration and Naturalization Service, to set up a system whereby local officials could seek verification of the citizenship of those attempting to vote. A two-thirds majority of those present and voting (273 in this case) is required for passage under suspension of the rules. Motion rejected 210-200 (RC# 17), February 12, 1998. (PRO-HISPANIC POSITION- N)

20. Amendment to Prohibit Campaign Contributions by Legal Immigrants. H.R. 2183 - Campaign Finance Reform. Fossella (R-NY) amendment to the Shays/Meehan substitute to ban legal permanent residents (LPRs) from making campaign contributions and/or expenditures in federal, state, and local elections. It attacks the First Amendment rights of legal immigrants, and it encourages political discrimination against ethnic minorities, especially new Americans — those U.S. citizens who speak with an accent or “look foreign.” Amendment passed 282-126 (RC# 276), July 14, 1998. (PRO-HISPANIC POSITION -N)

21. Amendment to Repeal “Motor-Voter” Law. H.R. 2183 - Campaign Finance Reform. Goodlatte (R-VA) amendment to the Shays/Meehan substitute to repeal mail-in voter registration, require proof of citizenship and full Social Security numbers when registering to vote, and require photo ID at the polls. This amendment would undo Motor-Voter legislation, threaten individual privacy rights, and increase the likelihood of voting rights violations against Hispanic Americans. Amendment failed 165-260 (RC# 358), July 30, 1998. PRO-HISPANIC POSITION - N)

22. Amendment to Require Photo ID at Polling Booths. H.R. 2183 - Campaign Finance Reform. Wicker (R-MS) amendment to the Shays/Meehan substitute to allow states to require photo ID at the polls without Voting Rights Act protections against discrimination. The amendment would have affected states with high minority populations and a history of violating their voting rights. It would have had a disparate impact on the Latino community. Amendment failed 192-231 (RC# 359), July 30, 1998. (PRO-HISPANIC POSITION- N)

23. Amendment to Create Voter Verification System. H.R. 2183 - Campaign Finance Reform. Peterson (R-PA) amendment to the Shays/Meehan substitute to amend the Social Security Act and the Immigration and Naturalization Act to establish a voter verification program through a federal pilot program. It would have threatened the privacy and voting rights of ethnic minorities, and would have had a chilling effect on voter participation. Similar language to previously-defeated H.R. 1428 (see vote 19). Amendment failed 165- 260 (RC# 366), July 30, 1998. (PRO-HISPANIC POSITION - N)

24. Amendment to Prohibit Bilingual Voting Assistance. H.R. 2183 - Campaign Finance Reform. Barr (R-GA) amendment to the Shays/Meehan substitute to repeal the language assistance provisions of the Voting Rights Act of 1964 as amended in 1994. It would prohibit the use of bilingual ballots and bilingual assistance, and deny equal access to the vote for language-minority citizens. Amendment failed 142-267 (RC# 367), July 31, 1998. (PRO-HISPANIC POSITION - N)

### **Key votes in the House of Representatives - 106th Congress, First Session**

#### **EDUCATION**

1. Bill to Provide More Flexibility in Federal Education Programs. H.R. 800 – Education Flexibility Partnership Act of 1999 (“Ed Flex”). Castle (R-DE) bill allows states to waive requirements under certain federal education programs. Many of these requirements were included in laws, such as Title I of the Elementary and Secondary Education Act and the Emergency Immigrant Education Program, to improve educational outcomes for disadvantaged children and hold states accountable for using federal funds for this purpose. Critics charge that H.R. 800 allows states to ignore requirements intended to hold schools accountable for helping these students, including those with limited-English proficiency, meet rigorous academic standards. Billed passed 330-90 (RC# 41), March 11, 1999. (PRO-NHLA POSITION: No)

2. Bill to Address Professional Development for Teachers. H.R. 1995 – Teacher Empowerment Act. McKeon (R-CA) bill would combine teacher professional development programs in the Elementary and Secondary Education Act and Goals 2000: Educate America Act. NHLA members argued that this legislation would not target professional development funds for school districts with the largest numbers or percentages of uncertified or inexperienced teachers. In addition, the bill would provide no direct funding to address the critical shortage of qualified bilingual education teachers, according to NHLA members. Bill passed 239-185 (RC# 320), July 20, 1999. (PRONHLA POSITION: No)

3. Bill to Renew Compensatory and Bilingual Education Programs. H.R. 2 – Students Results Act of 1999. Goodling (R-PA) bill reauthorizes Title I compensatory education and strengthens accountability provisions. The bill also would prohibit schools from providing compensatory education services to limited-English-proficient students until they receive consent from the parents of these children. In addition, the bill would restrict provision of services under the Bilingual Education Act solely to English language acquisition, ignoring other academic areas, such as math, science, and social studies, according to NHLA members. Bill passed 358-67 (RC# 526), October 21, 1999. (PRO-NHLA POSITION: No)

4. Bill to Block Grant Federal Education Funding. H.R. 2300 – Academic Achievement for All Act (“Straight A’s Act”). Goodling (R-PA) bill would block grant most federal education dollars to states. This legislation would eliminate targeting of education programs in exchange for performance agreements between states and the U.S. Department of Education that would include academic benchmarks for students. However, critics charge that these agreements would not be monitored or reviewed by the U.S. Department of Education during the period in which the performance agreement is in effect, which would jeopardize the education of disadvantaged students for whom compensatory programs were intended. Billed passed 213-208 (RC# 532), October 21, 1999. (PRO-NHLA POSITION: No)

## **FEDERAL BUDGET**

5. Bill to Reduce Discretionary Spending. H. Con. Res. 68 – Conference Report for concurrent FY 2000 Budget Resolution. Kasich (R-OH) resolution setting federal spending targets requiring large cuts in domestic discretionary programs. According to NHLA members, the Resolution largely cuts programs under Labor/HHS and HUD appropriations bills, including human needs programs that benefit the Hispanic community. Conference Report passed 220 – 208 (RC# 85), April 14, 1999. (PRO-NHLA POSITION: No)

6. Bill to Reduce Funding for Housing Assistance. H.R. 2684 – House version of FY 2000 Appropriations bill for Housing and Urban Development. Walsh (R-NY) bill reduces funding levels for housing assistance programs that, according to NHLA members, largely serve the low-income population. Bill passed 235 – 187 (RC# 403), September 9, 1999. (PRO-NHLA POSITION: No)

7. Bill to Reduce Funding for Labor Department and Health and Human Services Programs. H.R. 3064 – Rolled into Conference Report for District of Columbia FY 2000 Appropriations. Istook (R-OK) FY 2000 Appropriations bill for Labor-HHS would, according to NHLA members, require massive cuts in important education, job training, health and other programs. Conference Report passed 218 – 211 (RC# 549), October 28, 1999. (PRO-NHLA POSITION: No)

## **INCOME SECURITY & FAMILY SUPPORT**

8. Amendment to Strike Funding Rescissions used as Offsets for Providing Disaster Relief to Central America and Caribbean. H. Amdt. 35 to H.R. 1141. Obey (D-WI) amendment would have struck “offsets” – cuts in domestic spending – that were applied only to the Central America relief provisions of the bill (and not to the agricultural and Kosovo provisions). NHLA members argued that singling out the Central American provisions was discriminatory and that the cuts would be harmful to low-income households. Amendment rejected 201 - 228 (RC# 68), March 24, 1999. (PRO-NHLA POSITION: Yes)

9. Bill to Reduce Federal Taxes - Conference Report for H.R.2488. Archer (R-TX) bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, to provide incentives for education savings and health care, and for other purposes. According to NHLA members, the bill would have provided major tax reductions for the wealthy and virtually nothing for working class and low-income families. Conference Report passed 221-206 (RC# 379), August 5, 1999. (PRO-NHLA POSITION: No)

## **CIVIL RIGHTS**

10. Local Census Quality Check Act. H.R.472, Miller (R-FL) bill to require the Census Bureau to implement a post-census local review as part of each decennial census. According to NHLA members the Bill would have done nothing to address – and may have exacerbated – the undercount of Latinos. Bill passed 223 - 206 (RC# 89), April 14, 1999. (PRO-NHLA POSITION: No) 11. Amendment to Prohibit Campaign Contributions from Individuals Who Are Not Citizens or Nationals of the United States. H. Amdt. 453 to H.R.417, Campaign Finance Reform bill. Bereuter (R-NE) amendment would prevent legal permanent residents from contributing to political campaigns. According to NHLA members, the amendment would have a negative and

disproportionate impact on Latinos and could “chill” legitimate contributions from U.S. citizens. Amendment agreed to 242 - 181 (RC# 414), September 14, 1999. (PRO-NHLA POSITION: No)

## **Key votes in the House of Representatives - 106th Congress, Second Session**

### **IMMIGRATION & CIVIL RIGHTS**

1. Commerce - Justice - State Appropriations, H.R. 4690 - Sponsored by Representative Har Rogers (R-KY), the bill did not include increases for key NHLA priorities, including naturalization and service activities of the INS, improved enforcement of civil rights laws, or investigation of law enforcement abuse in the Department of Justice, and the Legal Services Corporation. Bill passed 214 - 195, 1 Present (Roll no. 326), June 26, 2000. (NHLA Position: No)

2. Hate Crimes - Representative John Conyers (D-MI) sponsored a motion to instruct House conferees to the Defense Authorization bill to accede to the Senate-passed provisions containing the Hate Crimes Prevention Act, a key priority of many NHLA members(see Senate vote #7). Motion passed 232-192 (Roll no. 471), September 13, 2000. (NHLA Position: Yes)

3. Vieques, Restrictions on Economic Assistance, H.R. 3908 - Representative TillieFowler’s (R FL) amendment (H. Amdt. 626) would place restrictions on \$40 million of economic assistance intended for Vieques, Puerto Rico. According to NHLA members, this amendment would break the agreement made between the President, the Governor of Puerto Rico, and the Secretary of Defense regarding future use of the Vieques training range. It would require the resumption of live fire training in Vieques and the removal of civil disobedience protestors from the range before economic assistance is allocated to the municipality of Vieques. Amendment failed 183- 232 (Roll no. 88), March 29, 2000. (NHLA Position: No)

4. Vieques, Transfer to Puerto Rico, H.R. 4205 - Representative Ike Skelton’s (D-MO) amendment to the Department of Defense Authorization bill would allow the Navy to transfer the western part of Vieques back to Puerto Rico in accordance with the President’s negotiated position with the government of Puerto Rico and the 2 National Hispanic Leadership Agenda Congressional Scorecard 106th Congress, Second Session Department of Defense. The agreement is not contingent upon the resumption of live-fire training on the island. Amendment passed 218-201 (Roll no. 202), May 18, 2000. (NHLA Position: Yes)

5. District of Columbia/Commerce - Justice - State Appropriations, Conference Report H.R. 4942 - Sponsored by Representative Ernest J. Istook (R-OK), the bill failed to include provisions of the Latino and Immigrant Fairness Act (LIFA, see Senate vote #8 for more detail). NHLA members conditioned their support for the bill on inclusion of the LIFA legislation (S. 2912). Conference Report passed 206-198, 29 not voting (Roll no. 562), October 26, 2000. (NHLA Position: No)

### **EDUCATION AND ECONOMIC OPPORTUNITY**

6. New Markets/American Community Renewal Act, H.R. 4923 - This compromise legislation resulted from the merger of President Clinton’s “New Markets” proposal and “The American Community Renewal Act,” sponsored by several key members of the Congressional leadership. The bill provides a series of tax incentives and other provisions designed to encourage and target

increased private investments in disadvantaged inner city and rural areas. Bill passed 394 - 27 (Roll no. 430), July 25, 2000. (NHLA Position: Yes)

7. Phone Surcharge, H.R. 3916 - Repeals a tax surcharge on telephone bills first imposed during the Spanish American War. The “telephone tax” is regressive in that it disproportionately affects lower-income consumers. Bill passed 420-2 (Roll no. 233), May 25, 2000. (NHLA Position: Yes)

8. Funding for Education (Labor-HHS Appropriations) - Although the bill included many laudable provisions, including increased funding for Hispanic Serving Institutions of Higher Education (HSIs), it failed to include full funding for numerous NHLA priorities, including the Hispanic Education Action Plan (HEAP), Migrant Education, School Construction, Class Size Initiative, English language courses for community-based organizations, and increased labor law enforcement on behalf of low-wage workers and many others. Bill passed 217-214 (Roll no. 273), June 14, 2000. (NHLA Position: No)

9. Funding for Low-Income Housing (HUD-VA Appropriations) - Sponsored by Rep. James Walsh (R-NY), the bill cuts and level-funds several major housing and community development programs in the Department of Housing and Urban Development (HUD) that serve low-income families. In addition, according to NHLA members, the bill failed to provide increased funding for fair housing programs to enforce anti-discrimination laws, or for housing counseling programs to assist low-income, first-time homebuyers to navigate the mortgage process. Bill passed 256-169 (Roll no. 309), June 25, 2000. (NHLA Position: No) 3 National Hispanic Leadership Agenda Congressional Scorecard 106th Congress, Second Session

10. Minimum Wage Increase - Amendment sponsored by Representative James Traficant (D-OH) would increase the minimum wage by \$1 over a two-year period. This increase, according to NHLA members, is needed to help assure that low-wage workers, who are disproportionately Latino, benefit equitably from the nation’s booming economy. Amendment passed 246 - 179 (Roll no. 43), March 9, 2000. (NHLA Position: Yes)

## **Key votes in the House of Representatives - 107th Congress, First and Second Session**

### **Fist Session**

#### **CIVIL RIGHTS**

1. Istook Amendment (H.AMDT. 378) amends H.R. 3061 (Labor-HHS- ED Appropriations) - Sponsored by Representative Ernest J. Istook, Jr. (R-OK). The amendment sought to prohibit the use of Labor-HHS-ED appropriations to implement, administer, or enforce Executive Order 13166. Executive Order 13166 calls upon agencies to prepare a plan to improve access to federal programs and activities for eligible limited-English-proficient (LEP) individuals and to issue guidance clarifying the rules for recipients of federal funds. The Supreme Court has held that failure to provide meaningful access to individuals who are limited-English-proficient constitutes national origin discrimination, prohibited by Title VI of the Civil Rights Act of 1964, which applies to recipients of federal financial assistance. The amendment failed 156-262, (Roll no. 380), October 11, 2001. (NHLA Position: NO)

2. Motion to Suspend the Rules and Pass, [offered by Representative Bill Thomas (RCA)], H.R. 3129, the Customs Border Security Act of 2001(Sponsored by Representative Phillip M. Crane (R-IL). The bill authorizes appropriations for the U.S. Customs Service and for other purposes. NHLA opposed the bill unless Section 141(a) was removed. The provision would grant immunity to Customs officials for searches they conduct if the search is conducted in “good faith,” a major concern in light of previous allegations that the agency conducted “racial profiling.” Section 141(a) essentially would allow Customs officials to conduct unconstitutional searches of passengers, and then not be held liable. Motion failed 256-168 (2/3 vote needed), (Roll no. 478), December 6, 2001. (NHLA Position: NO)

3. Motion to Recommit with Instructions, [offered by Representative Robert Menendez (D-NJ)], H.R. 3295, Help America Vote Act of 2001(Sponsored by Representative Robert Ney (R-OH)- The bill was intended to fix the election system. However, it did not go far enough to ensure that Latino voters have the right to cast a vote without facing discrimination, according to NHLA members. The motion to recommit would have allowed an amendment by Representative Menendez (D-NJ) to include a package of civil rights provisions that would have addressed key weaknesses of H.R. 3295, while ensuring that the rights of all voting Americans are equally protected. Motion failed 226-197, (Roll no. 488), December 12, 2001. (NHLA Position: YES)

## **Second Session**

4. The Customs Border Security Act of 2001, H.R. 3129 - Sponsored by Representative Phillip M. Crane (R-IL). The measure initially was considered in the first session of the 107th Congress under suspension of the rules but failed to secure the two-thirds vote needed for passage. Consequently, the bill was taken up in the second session under normal House rules. The bill authorizes appropriations for the U.S. Customs Services and for other purposes. NHLA opposed the bill unless Section 141(a) was removed. The section grants a higher level of immunity to Custom officers for searches conducted in “good faith,” a major concern in light of previous allegations that the agency routinely engaged in “racial profiling.” According to NHLA members, Section 141(a) undermines the civil rights of many individuals who would be left without recourse to remedy unconstitutional and discriminatory searches. Motion passed 327-101, (Roll No. 193), May 22, 2002. (NHLA Position: NO)

5. Agreeing to the Conference Report for the Help America Vote Act of 2001, H.R. 3295 - Sponsored by Representative Robert Ney (R-OH). The original bill was intended to reform the electoral system. However, according to NHLA members, the conference report contained several discriminatory provisions, including onerous photo identification requirements and weak enforcement provisions that would disenfranchise Latino voters particularly. Furthermore, NHLA members believe that this measure makes it especially easy to invalidate a voter’s registration if that person forgets to check off boxes declaring their citizenship status or if they fail to provide driver’s license numbers or the last four digits of their Social Security Number - a requirement which directly conflicts with National Voter Registration Act protections. Motion passed 357-48, (Roll No. 462), October 10, 2002. (NHLA Position: NO)

6. Sober Borders Act, H.R. 2155 - Sponsored by Representative Jeff Flake (RAZ). The bill would have made it a federal crime to operate a motor vehicle under the influence of drugs or alcohol at a land port of entry, even though it is already a state crime. While the bill may be

wellintentioned, NHLA members believed it has the potential to be improperly used to target persons on the basis of race, ethnicity, and national origin. Further, it would have extended new powers to the Immigration and Naturalization Service; not only would this have required them to conduct law enforcement activities unrelated to immigration but also would have lowered the standard by which those targeted could withhold consent to be searched. Without appropriate

safeguards to deter racial profiling, Latinos would be vulnerable to inappropriate stops and searches under this bill, according to NHLA members. Motion passed 296-94, (Roll No. 465), October 16, 2002. (NHLA Position: NO)

## **EDUCATION**

### **First Session**

1. The No Child Left Behind Act, H.R. 1. - Sponsored by Representative John A. Boehner. This bill reauthorizes the Elementary and Secondary Education Act (ESEA). The ESEA is the cornerstone of federal support for education and includes key programs, including the Federal Bilingual Education Act, the Migrant Education Program, and Title I. According to NHLA members, the bill included numerous harmful provisions that would deny Hispanic children opportunities to achieve academic success, including: a discriminatory and burdensome requirement in Title I and Title III for Parental Consent for English Language Instruction; a three-year limit on the services limited-English-proficient (LEP) children could receive assistance in earning English and keeping up with academic subjects like math and reading; and

consolidation and /or elimination of numerous programs that provide resources for schools. The bill passed 384 to 45, (Roll no. 145), May 23, 2001. (NHLA Position: NO)

2. Tiberi Amendment, to add "Straight As" block grants, H. AMDT. 51(Sponsored by Representative Patrick J. Tiberi (R-OH). The amendment would authorize local school districts to consolidate non-Title I formula grant programs. This would allow 100 school districts in 50 states to enter into performance agreements with the Secretary which would permit school districts to be relieved of the targeting and other requirements of those programs. According to NHLA members, this would reduce the ability to hold schools accountable for using the money to improve academic achievement of at-risk students. The amendment passed 217 to 209, (Roll no. 132), May 22, 2001. (NHLA Position: NO)

3. Norwood Amendment, H.AMDT. 55 - Sponsored by Representative Charlie Norwood (R-GA). This amendment would allow schools to deny all education services to students with disabilities expelled for certain actions. Currently, schools must provide educational services to all students, including children with special needs. The Amendment passed 246-181, (Roll no.138), May 22, 2001. (NHL Position: NO)

4. Cox Amendment, H. AMDT. 69 - Sponsored by Representative Christopher Cox (RCA). This amendment sought to limit the aggregate increase in authorization of appropriations for fiscal year 2002 to 11.5 % over the amount appropriated for programs under this Act for fiscal year 2001. This would have limited increases for education funding at a time when schools need increased resources to provide needed services, according to NHLA members. Failed 101 to 326, (Roll no. 143), May 23, 2001. (NHLA Position: NO)

## **Second Session**

5. Congressional Budget Resolution, H. Con. Res. 353 ( Sponsored by Representative Jim Nussle (R-IA). The Budget Resolution sets forth the congressional budget for the government for FY 2003. Congress uses this measure as the roadmap for all federal spending. For education, the House budget resolution provides some program increases, but also assumes most programs are frozen and eliminates 40 programs. The budget resolution assumes that important programs, such as bilingual education, migrant education, the High School Equivalency Program, the College Assistance Migrant Program, and Local Family Information Centers, which serve predominately Latino children, will be levelfunded at FY 2002 levels. The budget measure also recommended cutting GEAR UP and Adult English-as-a-Second Language (ESL) Civics Programs and eliminating the Dropout Prevention Program. According to NHLA members, the budget resolution was especially inadequate in light of the growing numbers of Hispanic children and the urgent need to support efforts to reduce the high dropout rates among Latino students and provide the additional academic support needed to close the achievement gap between Latino students and their peers. Measure passed 221-209, (Roll No. 79), March 20, 2002. (NHLA Position: NO)

## **ECONOMIC MOBILITY AND HEALTH**

### **First Session**

1. Budget Resolution FY 2002 Appropriations, H. Con. Res. 83. The bill, sponsored by Representative Jim Nussle (R-IA), established the Congressional budget for the United States for fiscal year 2002, as well as fiscal years 2003-2011. The plan heavily favored tax cuts over program increases - 88% of its total cost went to tax cuts while 12% was left for increased program funding - leaving many programs and issues important to Latinos underfunded or in jeopardy, according to NHLA members. These include, among others, bilingual education, adult education and training, housing and community development initiatives, and minority health. Bill passed 221-207, (Roll no. 104), May 9, 2001. (NHLA Position: NO)

2. Economic Growth and Tax Relief Reconciliation Act, H.R. 1836 Conference Report - Sponsored by Representative Bill Thomas (R-CA). The bill was a \$1.35 trillion package that provided tax relief for individuals. Some provisions of the bill included a reduction in individual tax brackets, a phase-out of the estate tax, a one-time tax rebate for all taxpayers who met an income requirement, a partially refundable child tax credit, and an expansion of benefits under the Earned Income Tax Credit (EITC) for married couples who are both working. While the latter two provisions provided needed relief to many Hispanic working families, NHLA members believe the bill was unfairly skewed toward wealthier individuals while leaving out thousands of low-income Latino families. Bill passed 240-154, (Roll no.149), May 26, 2001. (NHLA Position: NO)

3. Economic Security and Recovery Act of 2001, H.R. 3090 - Sponsored by Representative Bill Thomas (R-CA). This bill was designed to stimulate a slowing economy via corporate tax cuts, including a permanent repeal of the corporate alternative minimum tax and a permanent reduction in capital gains taxes, as well as acceleration of individual tax rate reductions for

those in higher income brackets. According to NHLA members, the bill instituted a huge tax break for wealthy individuals and corporations with little assistance for working families. Bill passed 216-

214, (Roll no. 404), October 24, 2001. (NHLA Position: NO) 4. Norwood Amendment (H.AMDT. 303) amends H.R. 2563 (Patients' Bill of Rights) Sponsored by Representative Norwood, (R-GA). The amendment sought to guarantee patients' federal remedies to hold health plans accountable for wrongful denial or delay of medical care and caps non-economic damages at \$1.5 million and punitive damages at \$1.5 million. The amendment unnecessarily preempts laws that states have passed in regard to patient protections in HMOs, changes the external review process to prohibit the independent medical reviewer from modifying the HMO's decision, and limits patient rights to sue HMOs, according to NHLA members. The amendment passed 218-213, (Roll no. 329), August 2, 2001. (NHLA Position: NO)

4. Norwood Amendment, H.AMDT. 303, to the Patients' Bill of Rights, H.R. 2563 (Sponsored by Representative Charlie Norwood (R-GA)). The amendment sought to guarantee patients' federal remedies to hold health plans accountable for wrongful denial or delay of medical care and caps noneconomic damages at \$1.5 million and punitive damages at \$1.5 million. The amendment unnecessarily preempts laws that states have passed in regard to patient protections in HMOs, changes the external review process to prohibit the independent medical reviewer from modifying the HMO's decision, and limits patient rights to sue HMOs, according to NHLA members. Amendment passed 218-213, (Roll No. 329), August 2, 2001. (NHLA Position: NO)

## **Second Session**

5. The Personal Responsibility, Work, and Family Promotion Act, H.R. 4737 - Sponsored by Representative Deborah Pryce (R-OH). The bill reauthorizes the Temporary Assistance for Needy Families (TANF) block grant. TANF is the nation's primary cash assistance program for poor families and the TANF block grant also funds critical work support programs, such as child care, job training, and transportation, for low income working parents who do not receive cash assistance. According to NHLA members, the bill unfairly continued the ban on access to critical safety-net programs for particular categories of legal immigrants and included a significant disparity in funding levels between the states and the Commonwealth of Puerto Rico and the Territories. Furthermore, NHLA members believe that the bill dramatically increased work requirements for recipients of cash assistance without substantially increasing funding for child care and limited access to the education and training that many TANF recipients, particularly English language learners, need to obtain employment. Bill passed 229-197, (Roll No. 170), May 16, 2002. (NHLA Position: NO)

6. Motion to Instruct Conferees [offered by Joe Baca (D-CA)] for the Farm Security Act, H.R. 2646 - Sponsored by Larry Combest (R-TX). The bill provides for the continuation of agricultural programs through fiscal year 2007. The motion instructed conferees to enhance access to food stamps for immigrant children, legal immigrants with a strong work history, refugees, and the disabled. The 1996 welfare reform law denied thousands of low-income legal immigrants access to food stamps. As a result, food stamp participation rates among Hispanics dropped by 19% between 1994 and 1999. According to NHLA members, the incidence of hunger and food insecurity in Hispanic households was almost three times that of White non-

Hispanic households in 1999. The measure sought to restore food stamps to many legal immigrants. Motion passed 244-171, (Roll No. 106), April 23, 2002. (NHLA Position: YES)

## **TELECOMMUNICATIONS**

### **Second Session**

1. The Internet Freedom and Broadband Deployment Act, H.R. 1542 - Sponsored by Representative W. J. (Billy) Tauzin (R-LA) and Representative John Dingell (D-MI). H.R. 1542 establishes national policy that will set equitable rules and regulations for all broadband/high-speed Internet service providers. This, in turn, will create an economic and regulatory environment that will stimulate broadband deployment, according to NHLA members, because current telecommunications policies have not stimulated the deployment of high-speed Internet access. In 2000, less than 10.7% of all U.S. households and only 8.9% of Hispanics had high-speed access to the Internet. NHLA members believe that H.R. 1542 would help to reverse this trend by deploying broadband/high-speed service to many households in need of this technology. Bill passed 273-157, (Roll No. 45), February 27, 2002. (NHLA Position: YES)

