



NCLR
40 YEARS
*A Stronger
America Together*

2008
NCLR Voter
Guide

The National Council of La Raza (NCLR) – the largest national Hispanic civil rights and advocacy organization in the United States – works to improve opportunities for Hispanic Americans. Through its network of nearly 300 affiliated community-based organizations (CBOs), NCLR reaches millions of Hispanics each year in 41 states, Puerto Rico, and the District of Columbia. To achieve its mission, NCLR conducts applied research, policy analysis, and advocacy, providing a Latino perspective in five key areas – assets/investments, civil rights/immigration, education, employment and economic status, and health. In addition, it provides capacity-building assistance to its Affiliates who work at the state and local level to advance opportunities for individuals and families.

Founded in 1968, NCLR is a private, nonprofit, nonpartisan, tax-exempt organization headquartered in Washington, DC. NCLR serves all Hispanic subgroups in all regions of the country and has operations in Atlanta, Chicago, Los Angeles, New York, Phoenix, Sacramento, San Antonio, and San Juan, Puerto Rico. For more information, please visit www.nclr.org.

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Foreword

Hispanics* are the largest ethnic minority in the country. As of July 1, 2006, the estimated Hispanic population in the U.S. was 44.3 million,** constituting 15% of the nation's total population. It is projected that by 2050 the Hispanic population will reach 102.6 million – or 24% of the total U.S. population.***

Currently, the nation is deeply engaged in a debate on immigration policy. Despite a national consensus that our immigration system is broken, the debate to create comprehensive immigration reform has been derailed by heated rhetoric and has become a referendum on what it means to be “American” and the role that Hispanic Americans will play in the future of this nation. As a result, not only is there no solution to fixing our broken immigration system, there has also been a significant rise in the incidence of hate crimes against Latinos. To address this, NCLR has spearheaded the “Wave of Hope” campaign and has developed a website (www.WeCanStopTheHate.org) which provides clear evidence that hate speech has permeated the immigration debate and influenced how Hispanic Americans are perceived and treated by their fellow Americans. NCLR believes strongly in the values of this nation. The regular use of hate speech in this debate is un-American and undermines the strength and integrity of this great country.

* The terms “Hispanic” and “Latino” are used interchangeably by the U.S. Census Bureau and throughout this document to refer to persons of Mexican, Puerto Rican, Cuban, Central and South American, Dominican, Spanish, and other Hispanic descent; they may be of any race.

** This estimate does not include the 3.9 million residents of Puerto Rico.

*** U.S. Census Bureau, “Facts for Features, Hispanic Heritage Month 2007: Sept. 15 - Oct. 15.” Available from <http://www.census.gov/Press-Release/www/2007/cb07ff-14.pdf>. Accessed September 5, 2007.

Despite very real concerns about the impact of the immigration debate on their daily lives, Latinos are generally optimistic about the long-term prospects for themselves and their children. The fact is that Latinos, like most Americans, simply want the opportunity to provide their children with a quality education, put food on their dinner table and a roof over their heads, receive health care when they are sick, and find meaningful employment which allows them to climb the economic ladder.

Like most people, they are genuinely interested in and concerned about the issues that they believe can provide hope for a better tomorrow – the promise of a middle-class life for their children and the next generation. A recent Pew Hispanic Center poll shows that nearly eight in ten Latinos say they are “very” (45%) or “somewhat” (33%) confident that in the future their children will have better jobs and more money than they have.* Such aspirations characterize the optimistic world view of the Hispanic American.

Unfortunately, during the first session of 110th Congress, the Congress and the Administration took only a few steps to address the needs of the Hispanic community. Congressional leaders and the White House have the opportunity to demonstrate that they are committed to the Hispanic community by working with members of both political parties to move an Hispanic legislative agenda forward and by ensuring that the priorities described in this voter guide are brought to the floor of the House and Senate, approved by Congress, and signed into law by the President. In addition, it is critical that candidates for the presidency and Congress begin to focus on describing policy priorities for building on the strengths of our nation and the Hispanic community in particular.

NCLR is working to ensure that political leaders understand the importance of the emerging Latino electorate. For example, NCLR is working with community partners, including the National Association of Latino Elected Officials (NALEO) and Univision, to make sure that Latino voices are heard at the ballot box and has launched *ya es hora, ¡Ve y Vota!* (It's Time, Go Vote!), a non-partisan national voter mobilization effort targeting U.S. Hispanics. The campaign has launched a website (www.veyvota.org) in an effort to significantly increase Latino voter registration and turnout in the 2008 elections. In addition, NCLR recently announced a new partnership with

* Pew Hispanic Center, “2007 National Survey of Latinos: As Illegal Immigration Issue Heats Up, Hispanics Feel a Chill.” Available from <http://pewhispanic.org/reports/report.php?ReportID=84>. Accessed February 21, 2008.

Democracia U.S.A., a national nonpartisan Hispanic civic engagement program that was responsible for registering 104,000 new Hispanic voters in 2006. The two groups view their relationship as a major step toward increasing the participation of Hispanic Americans in the political process. The goal of this work is to have the largest Hispanic turnout in history on Election Day. While Latinos understand that engaging in political debate is healthy and constitutes an important level of civic participation, in order to control our destiny we must exercise our rights and work to have an active political voice in American politics.

Just as important, NCLR will continue to work with its nearly 300 community-based Affiliates to respond to the needs and concerns of the Hispanic community and to identify the major policy areas that constitute an American public policy agenda. This voter guide identifies six major issues that will serve as the framework for NCLR's policy agenda for 2008 and the upcoming elections.

- Criminal Justice
- Education
- Employment and Economic Opportunity
- Health Care
- Homeownership, Savings, and Opportunities to Build Wealth
- Immigration

While the issues outlined in the following pages can speak directly to public officials and policymakers, they also provide a yardstick by which the Latino community can measure the effectiveness of their congressional representatives and senators. This voter guide is not meant to provide a detailed, comprehensive analysis of complex policy issues; further detail about the issues and NCLR's analyses of them are available on our website (www.nclr.org) and in our publications. Major topics included in the guide are presented in alphabetical order, followed by specific concerns that NCLR has identified as important to Latinos. These may or may not be addressed by current legislation. Pending legislation or major reauthorizations are included when applicable.

Janet Murguía
President and CEO

Acknowledgments

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Criminal Justice

By Angela Arboleda and
Cassandra Villanueva

There has been little national attention paid to the experiences of Latinos in the criminal justice system even though recent NCLR research shows that Latinos, along with other people of color, receive more severe treatment at all stages of the criminal justice system, beginning with police stops and ending with longer periods of incarceration. Moreover, while one in 20 people in the U.S. will be imprisoned at some point during his or her lifetime, one in ten Hispanics – and one in six Latino men – will be imprisoned. NCLR views criminal justice in a civil rights context and seeks to reduce the disproportionate representation of Latinos in the justice system and promote alternatives to incarceration, such as substance abuse and mental health treatment, and access to reentry services.

Key Issues for Latinos

- **Juvenile Justice and Youth Violence.** The current political climate favors more severe treatment of all youth offenders, including harsher punishment across the board. These policies, coupled with increased funding for federal law enforcement agencies, have contributed to a disproportionate representation of Latino youth in the criminal justice system. Compared to non-Hispanic White youth, Latino youth are more likely to be arrested, detained, waived to criminal court, and incarcerated for longer periods.
- **Prisoner Reentry.** Every year approximately 650,000 adults and 100,000 youth are released from state and federal prisons and detention facilities and returned to the community; more than 1,600 people each day are reentering society. Of those, almost one-third are Latino. One-third of all corrections departments provide no funds to prisoners upon release. While 70% to 85% of state prisoners need substance abuse treatment, only 13% receive it

while incarcerated. In addition to substance abuse problems, many of those leaving jail and prison have other chronic health issues, no housing, and little education or job training, and generally lack resources to allow them to reintegrate successfully into society. Thus, it is no surprise that 67% of those who were formerly incarcerated are expected to be rearrested for a felony or serious misdemeanor within three years of release.

A Pro-Hispanic Candidate or Incumbent:

- **Supports** a comprehensive approach to addressing the root causes of youth violence, including prevention, treatment, intervention, and effective alternatives to incarceration.
- **Supports** legislation authorizing culturally competent prisoner reentry programs designed to help states and localities ensure the successful reintegration of formerly incarcerated individuals.

Education

By Erika Beltran, Miriam Calderón,
and Raul González

Education continues to be a top concern for the Latino community. Public opinion survey data show that nearly nine in ten (87%) Latinos consider education a critical component to expanding life opportunities for Hispanic children. This is important for our education system overall. Latinos are a large segment of the U.S. public school population. Between 1993 and 2003, the proportion of Hispanic students enrolled in public elementary and secondary schools increased from 12.7% to 19%, and nearly half (45%) of Latino students are English language learners (ELLs). In addition, more than one out of every five preschool-aged children in the U.S. is Latino. Unfortunately, too many Latino students do not graduate from high school with a diploma that prepares them for college or the workplace, and too few policymakers are addressing this important issue.

Key Issues for Latinos

- **The William F. Goodling Even Start Family Literacy Program.** First authorized in 1989, the Even Start Family Literacy Program integrates the best of early childhood, adult education, parenting education, and interactive literacy into a set of holistic services that address the literacy needs of the entire family. Nearly half (46%) of all Even Start families are Hispanic; however, funding cuts have left thousands of Hispanic children and families without access to these essential services. The program has been cut by approximately 70% since 2005, forcing many state and community programs to shut down and turn thousands of families away.
- **The No Child Left Behind Act (NCLB).** NCLB provides opportunities to narrow the achievement gap by holding schools accountable for improving academic achievement among all groups, including Latino and ELL students, and includes opportunities for greater parental and community involvement in schools. Unfortunately, implementation of NCLB has been uneven and has been undermined by inadequate funding.
- **The “DREAM Act.”** The lack of access to postsecondary academic opportunities and meaningful employment is causing many undocumented students to drop out of high school. Like their U.S.-born peers, these young people share the same dream of pursuing a higher education. Unfortunately, due to their immigration status, they are often barred from many of the opportunities that currently make a college education affordable – in-state tuition rates, state and federal grants and loans, private scholarships, and the ability to work legally to earn their way through college. The “Development, Relief, and Education for Alien Minors (DREAM) Act” would make postsecondary education more affordable for undocumented students and allow them to adjust their immigration status so that they can obtain meaningful employment.

A Pro-Hispanic Candidate or Incumbent:

- **Supports** the reauthorization and increased funding of the William F. Goodling Even Start Family Literacy Program.
- **Supports** fully funding NCLB, improving – not discarding – the assessment and accountability system in NCLB, and ensuring that more Latinos graduate from high school.
- **Supports** passage of the “DREAM Act.”

Employment and Economic Opportunity

By Luisa Grillo-Chope, Eric Rodriguez,
and Catherine Singley

The American workforce has changed to reflect the growing Latino population in the U.S. With the highest labor force participation rate in the nation, Hispanics now account for 13.7% of America's workers. Despite their strong presence in the workforce, Latinos continue to be concentrated in low-wage jobs that offer few benefits and little opportunity for upward career mobility. Many Hispanic workers face barriers to good-quality jobs, including low education levels, limited skills, and lack of work-based English proficiency. Improved training and preparation will give Latino workers more opportunities to connect with better jobs and fill important labor market demands.

Latino workers must also be able to move up the economic ladder. Access to economic opportunities largely reaches workers through the tax and retirement savings systems. Retirement savings vehicles, such as employer-sponsored pension plans and Individual Retirement Accounts (IRAs), are tools that help workers develop assets as well as retirement security. Recent tax cuts have been targeted to upper-income workers, and many Latino workers cannot access employer-sponsored retirement savings plans. Maintaining and improving access to these systems can enhance economic security for many Latino workers and their families.

Key Issues for Latinos

- **Reauthorization of the Workforce Investment Act (WIA).** WIA, the law that guides federal job training investments, has failed to adequately address the employment challenges of Latino workers. While one in five participants in WIA programs is Latino, low funding levels severely limit the reach of these programs. As a result, thousands of workers are left without the skills they need to break out of the low-wage labor market. Further, fewer than 10,000 limited-English-proficient (LEP) individuals receive training annually under WIA, even though programs that integrate language acquisition with job training have shown outstanding results. In addition, Workforce Investment Boards (WIBs) do not represent the interests of all segments of the local community, and Latino-serving community-based organizations (CBOs) have been effectively barred from accessing federal job training resources.

- **Upward Career Mobility.** There is a need to design strategies that map career pathways to move Latinos out of entry-level, low-wage jobs. Critical workforce shortages in several sectors, including health care, transportation, retail, and “green jobs,” are evidence of the growing “skills gap” and the lack of access to integrated training options for workers who lack these specific skills. Industries with a high concentration of Latino workers require programs that address the challenges that Latinos face in moving up the economic ladder. Industry and corporate leaders and employers must be engaged to ensure that business practices and policies strengthen the ability of hardworking Latinos to succeed. The behaviors and policies of firms and employers can impact access to safe, quality jobs with benefits for Latinos. Investing in Hispanic workers can improve productivity and employee retention in key areas of the labor market.
- **Taxes.** The U.S. tax system reaches more Hispanic households than any other government system. But changes in tax policy often fail to consider that Hispanic families tend to have low incomes and are more likely to be affected by payroll taxes than by taxes on federal income, business expenses, or stock dividends; therefore, tax cuts which focus on providing benefits to those affected by the latter miss the bulk of Latino families with children. Two tax credits in particular are critically important to Latinos: more than one-third of Hispanic households benefit from the Earned Income Tax Credit (EITC) and the child tax credit (CTC). For the 2007 tax year, the EITC refund alone can be as high as \$4,716 per household.
- **Retirement Savings.** The more that people plan and save for retirement, the more likely they are to maintain the quality of life they had before retiring, and the less likely they are to be poor or to have to continue working when they become seniors. Pensions are a significant source of income during retirement. Unfortunately, while 30% of Hispanic workers have jobs in private firms that sponsor a pension plan, less than one-fourth (22%) of Hispanic workers participate in an employer-provided retirement plan, compared to nearly half (45.3%) of comparable White and 35.3% of comparable Black workers. Pensions are important investment vehicles and, therefore, increased participation is essential to ensuring long-term financial security for Latino workers.

A Pro-Hispanic Candidate or Incumbent:

- **Supports** reauthorization of the Workforce Investment Act with improvements in services to immigrant and LEP workers and better access to federal job training resources for Latino-serving community-based organizations.
- **Supports** strategies to increase the presence of Latino workers in sectors where they are traditionally underrepresented, and in those industries projected to experience high growth.

- **Opposes** tax cuts for wealthy taxpayers and efforts to cut legal immigrants from the tax system, and **supports** expanding tax credits, preferably those that are refundable, as a more effective way of reaching working poor Hispanic families who do not owe much in federal tax but are deeply impacted by taxes and need assistance to offset the tax burden on their families.
- **Supports** measures that provide incentives to certain low-income workers to invest retirement savings contributions into an IRA or an employer-sponsored pension plan, make the Saver's Tax Credit refundable, and provide opportunities to enhance retirement savings for low-income workers.

Health Care

By Jennifer Ng'andu
and Kara Ryan

Almost every candidate or incumbent promises solutions that provide health care for all Americans, but it is unclear whether or not such commitments will improve the health of Latinos. Despite a strong presence in the workforce, the Hispanic community faces the highest uninsurance rate in the U.S. Racial and ethnic disparities in access to quality health care are growing worse at a time when many expect great difficulty in the future in acquiring the financial resources needed to care for their families. A broad range of policy changes need to be pursued to ensure that Latinos and all Americans have complete access to health care at an affordable cost.

Key Issues for Latinos

- **Ensuring that Latinos Have a Healthy Future.** Latino children – the fastest-growing group of children – represent 38.8% of the approximately nine million uninsured children in the U.S. It is essential that children and expectant mothers have critical preventive and prenatal care services to allow children the best opportunity for healthy development. Many Latinos are prevented from using the health care system due to government-imposed immigrant restrictions to federal health insurance programs, such as Medicaid and the State Children's Health Insurance Program (SCHIP). Immediate action is needed to restore health care coverage for legal immigrant children and pregnant women so they can access services critical to healthy development.

- **Equitable Health Care.** Even when Latinos can acquire affordable health coverage, there are disturbing trends that show that the health care that they are offered may not be sufficient. In 2005, Latinos fared worse in almost eight out of ten core measurements of health care access or quality when compared to non-Hispanic Whites. We must increase the availability of culturally and linguistically appropriate services and enforce critical civil rights protections that ensure that Latinos and other racial and ethnic minorities have access to good health care.
- **Health Information and Outreach.** For a variety of reasons, Latinos have less access to health information that would enable them to improve their health status or gain access to health coverage. Under one community-based program in Massachusetts, health workers were able to connect 96% of eligible Latino children with health care programs, far exceeding the enrollment outcomes under traditional programs. Investments in community-based programs can help Latinos achieve optimal health care, increase their access to insurance, and connect them with core health services.

A Pro-Hispanic Candidate or Incumbent:

- **Supports** immediate passage of the “Legal Immigrant Children’s Health Improvement Act” (ICHIA) (H.R. 1308, S. 764), which allows states the option to provide otherwise eligible legal immigrant children and pregnant women access to Medicaid and SCHIP.
- **Supports** an increase in resources for community-based programs and interventions that provide access to easily understandable health information to Latinos which would help increase the rate of those with health coverage, including full funding of programs under the Patient Navigator Act and passage of the “Community Health Workers Act” (H.R. 1968, S. 568).
- **Supports** the “Health Equality and Accountability Act” (H.R. 3014), which endorses a comprehensive approach to the elimination of health care disparities.

Homeownership, Savings, and Opportunities to Build Wealth

By Graciela Aponte, Janis Bowdler,
Eric Rodriguez, and Amanda Montez

In recent years, there has been greater emphasis on individual responsibility for achieving financial security, accumulating wealth, and owning homes and other assets. At the same time, a growing number of Hispanics is investing in the stock market. Hundreds of thousands of Latinos become new homeowners each year. Latinos also remit billions of dollars to Latin America, exert nearly \$1 trillion in consumer buying power, and pay billions to the federal government in income and payroll taxes each year. Despite this increase in assets, there is still a wealth gap between Latinos and other Americans, and much can be done to ensure that Latinos and their families gain access to economic security.

Key Issues for Latinos

- **Housing Counseling.** Community-based housing counseling agencies are often the first point of contact for Latino and immigrant families looking for a trustworthy source of information, help, and advice about homeownership. Homeownership counseling services have proven to be critical to first-time homebuyers, minorities, and immigrants, by providing independent analyses of their current financial situations, which helps consumers avoid common pitfalls and access local downpayment assistance. Research shows that homebuyer education and one-on-one counseling significantly mitigates the risk of 60-day delinquency.
- **Foreclosures.** Like all American families, Hispanics work hard to buy their first home and dream that it will provide financial security for them and their children. Unfortunately, too many Hispanic homeowners are targeted by agents that prey on vulnerable families, convincing them to refinance and then charging excessive and unnecessary fees. A dramatic rise in foreclosure rates is a result of these abusive lending practices. Foreclosures are eroding the hard-earned savings and wealth that many Latino families expected to gain through homeownership.

- **Banking and Financial Services.** The reauthorization of the Fair Credit Reporting Act (FCRA) provides an opportunity to examine how credit scoring affects the availability and affordability of financial products for minorities, immigrants, and non- or limited-English speakers. NCLR is currently working with the Federal Trade Commission to ensure effective implementation of FCRA on a variety of matters from issuance of free credit reports to the methodology of the minority study.
- **Financial Counseling.** Financial knowledge is vital in empowering individuals to make informed decisions about homebuying, saving for retirement, and/or filing taxes. Information and awareness is also essential for consumers to spot predatory lenders and steer clear of harmful debt. Much has been said about the need for financial education, but public policy has responded weakly to the challenge. Efforts to date have been largely symbolic and/or too modest to produce meaningful results.
- **Remittances.** In 2004 alone, the flow of remittances from the United States to Latin America reached a total of \$45 billion. Although many financial institutions are now offering low- or no-cost remittance transfer services, the cost of remittance transfers at many wire transfer companies often exceeds 20% of the total amount of the transaction, and this cost is often passed on to the consumer through hidden fees and variations in the exchange rate. Lowering the cost of remittance transfers by five percentage points could generate annual savings of \$1 billion for Latino households and their families abroad.

A Pro-Hispanic Candidate or Incumbent:

- **Supports** increasing the U.S. Department of Housing and Urban Development's (HUD) budget for housing counseling to \$500 million to support the expansion of community-based housing counseling agencies and to increase foreclosure prevention services.
- **Supports** the development of a strong federal law to reduce the prevalence of predatory lending in the mortgage industry.
- **Supports** tax and other incentives to help facilitate connecting low-income Latinos to high-quality financial advisors. This includes developing a community-based financial counseling network.
- **Supports** significant investments in building a community-based financial education and counseling infrastructure in which programs are customized, product-centered, results-oriented, and relevant for the Latino community.
- **Supports** reforming the remittance transfer market to ensure greater transparency, increase competition, provide an enforcement mechanism, and create incentives for financial institutions to enter the market.

Immigration

By Cecilia Muñoz

The current U.S. immigration system is broken and in desperate need of reform. The estimated 12 million undocumented immigrants in the U.S. are testimony to the fact that the current laws are out of tune with our economic and social realities. Under the existing system, people are dying at the border, families endure long separations, large numbers of immigrants live an underground existence in the shadows of society, and U.S. government resources are spent tracking people who would prefer to comply with the law rather than focusing on those who wish to do us harm. Because of these problems, the current immigration system hurts U.S. businesses, U.S. families, and U.S. security while it benefits unscrupulous employers, traffickers, and smugglers who profit from the broken system. The status quo is unacceptable, and the problem will continue to worsen unless comprehensive reforms are initiated immediately.

Key Issues for Latinos

- **Immigration Reform.** The failure of Congress to pass comprehensive immigration reform has left a vacuum which states and local governments are attempting to fill with a patchwork of policies that have little impact on immigration while causing great harm to communities. The impact of this dynamic is an increase in racial profiling, immigration raids that separate families, and an increase in hate crimes and hostility; all of these have serious negative implications for Latino communities throughout the country. Policymakers must reject deportation-focused strategies aimed at hounding undocumented immigrants; these policies are neither effective nor desirable. The best mechanism for reform would combine sensible enforcement with a policy to provide legal status for undocumented immigrants who can show that they are otherwise law-abiding.
- **State Anti-Immigrant Initiatives.** The federal government's failure to act has resulted in considerable frustration throughout the country. As a result, many states and localities face serious challenges in integrating new immigrants into their schools, churches, workplaces, and neighborhoods. Some states and localities have extended the welcome mat to their new residents by issuing driver's licenses to all drivers regardless of immigration status, allowing immigrant students to attend college at in-state tuition levels, and accepting foreign government-issued identification documents. Others have responded differently. For example, Arizona passed Proposition 200, a ballot initiative denying basic public services to undocumented immigrants and forcing bureaucrats to check immigration documents. Since

then, reports of new policies and laws intended to marginalize and criminalize immigrants have increased dramatically.

- **Farmworkers.** In February, the Bush Administration proposed changes to the H-2A temporary foreign agricultural worker program which would cut wages and weaken the modest labor protections and minimum housing standards provided by the program. These plans would harm farmworkers and would not address the real needs of the agricultural sector or this nation. The wage rates of farmworkers are very low, yet this proposal would choose a new wage formula that would further lower wage rates and allow manipulation of the wage rate that employers would actually pay. There is a critical housing shortage for farmworkers, and yet this regulatory change would allow many H-2A program employers to stop providing housing to guestworkers and instead would allow them to provide an ill-defined “voucher.” The proposal suggests that it is enhancing obligations of employers to recruit U.S. citizens and lawful permanent resident immigrants prior to receiving approval to hire guestworkers, but it goes out of its way to relieve employers of the need to engage in the most obvious forms of successful recruiting of job applicants.

A Pro-Hispanic Candidate or Incumbent:

- **Opposes** harmful deportation-focused immigration proposals, rejects the rhetoric and policies of hate groups and extremists who are influencing the debate, and **supports** immigration reform proposals that deal realistically with the presence of undocumented immigrants by providing them with a pathway to citizenship.
- **Supports** the “Agricultural Job Opportunities, Benefits, and Security Act” (AgJOBS) (S. 340, H.R. 371). “AgJOBS” would offer many currently undocumented farmworkers the opportunity to earn legal immigration status by meeting agricultural work requirements and would revise the H-2A agricultural temporary worker program in a balanced manner.

