

NCLR



2009 **NCLR AGENDA:**
A Public Policy Briefing Book



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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.

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INTRODUCTION

There are now more than 45 million Latinos* in the U.S.—representing 15% of the nation’s population—and nearly 22 million Latinos are in the labor force.** As the Pew Hispanic Center reported recently, Latinos have accounted for more than half of all U.S. population growth since 2000. Moreover, based on current trends, projections show that by 2050 the Hispanic population will grow to more than 138 million—or more than 30% of the total population—and to make up one in three U.S. workers.¹ As these figures demonstrate, Latinos will continue to have a formative influence on the U.S. population for decades to come.

On the heels of the 2008 elections, the nation finds itself with a new Congress, a new president, and an energized and hopeful public. Big challenges lie ahead: the U.S. and global economies are in turmoil, stock markets are down, millions of workers are jobless with more facing the possibility of unemployment, and families are anxious and concerned about the future. Like all Americans, the nation’s Latino population has been struck by these political and economic winds, feeling a significant impact from the economic downturn. And perhaps propelled by those challenges, Latinos emerged from the 2008 elections as a powerful force, exhibiting record-setting political participation.

A central question heading into 2008 was whether the Latino vote would make a difference in the presidential election. The answer was a resounding “yes.” Latinos also put to rest speculation as to whether or not they would support an African American candidate—in the end, then-Senator Barack Obama garnered 66% of the Latino vote compared with Democratic presidential candidate John Kerry’s 59% in 2004. Latinos indeed played a powerful and perhaps decisive role in President Obama’s victory, not only in the much talked-about states of Colorado, Florida, Nevada, and New Mexico, but also in Indiana, North Carolina, and Virginia—battleground states where the

Latino vote was not expected to matter. Overall, more than ten million Latino voters cast their ballots in November—an increase of at least 32% over 2004. The turnout in 2008 was fueled in part by greater organizing and investment in Latino communities to achieve the greater than 25% increase in Latino voter registrations over 2004. Similarly, particular issues appear to have played an important role in driving Latinos to the polls, with a notably galvanizing effect coming from the vitriol and antagonism generated by the immigration debate. The result is that Latinos went the polls in record numbers and established themselves as an influential voting bloc.

At the same time, 2008 was a year when many Latinos, similar to other Americans, found themselves in dire economic and financial circumstances. Many benefited greatly from their hard work during the boom years in the U.S. when jobs were plenty, money could be saved, and decent, affordable homes could be bought. But over the last two years the housing market imploded, credit markets dried up, household debt rose, and the economy steadily shed jobs. It is not surprising that Latinos now find themselves facing near double-digit unemployment, one in five homeowners faces the possibility of foreclosure, and one out of three remains without a source of health care coverage.

Moreover, although the majority of Latinos are native-born U.S. citizens, rising levels of worker exploitation and the intolerance fueled by anti-immigrant rhetoric have created an antagonistic atmosphere that undermines Latinos’ ability and opportunity to prosper and reap the fruit of their own labor.

That said, Latino optimism and engagement also mean that never before has there been as great an opportunity for positive change as 2009 presents for the Latino community, as evidenced by several hopeful signs:

* 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.

** These data do not include the 3.9 million residents of Puerto Rico, nor do they reflect the 3% undercount for Latinos reported by the U.S. Census Bureau for the last decennial Census (U.S. Census Bureau 2003, 2004).



- **Increasingly influential Latino leadership.** With the incoming Congress and new presidential administration, there are more Latinos now in key political and policy positions than in the past. Moreover, a greater level of engagement in the political process and the prominence of the Latino vote in the 2008 elections were instrumental factors in creating opportunities for Latino leaders from throughout the nation to emerge. At the same time, it is more widely recognized that it is essential to include Hispanic voices and perspectives in deliberations that are pivotal in influencing and shaping public policy.
- **Consistent support for practical solutions to immigration system challenges.** Surveys and polls of American voters continue to show support for solutions that will restore the rule of law to our immigration system—with part and parcel of this approach being to bring undocumented immigrants out of the shadows and set them on a path toward citizenship. The last three election cycles have demonstrated that voters are in a more practical and constructive place on this issue than Congress, dealing numerous losses to candidates who chose to scapegoat immigrants or proposed impractical and punitive solutions to the immigration question. While more needs to be done to dispel the misinformation spread by anti-immigrant groups, there is considerable evidence that the public atmosphere is hospitable to policy changes that welcome and integrate immigrants into American society.
- **Energized community.** The level and intensity of community and civic engagement as well as organizing within the Latino community have gained significant ground compared to recent decades. Greater access to technology, such as the Internet, has expanded the ability to share information widely and coordinate among groups and organizations, enhancing the ability and opportunity for Latinos to participate in the political and policymaking process and make their voices heard. Greater civic participation and advocacy among Latinos can help to ensure the achievement of policy changes that improve the lives of the broader Hispanic community.

With 2009 before us, several critical issues have emerged:

- **Economic stimulus and mortgage lending legislation.** The Pew Hispanic Center reports that nearly two in five Latinos say they are concerned that they will go into foreclosure, with three-quarters of Latino workers reporting difficulty finding work. The experience of Latinos during economic recessions suggests that a sizeable and well-designed economic stimulus package is essential to ensuring that they can recover the hard-earned economic gains they lost in 2007 and 2008. In addition, a comprehensive national response to the foreclosure crisis is needed to stem the tide of wealth being lost within the Latino community.
- **Health care reform.** One in three (32.1%) Latinos went without health insurance in 2007. Health care issues draw significant attention from Latino voters and are a major priority for 2009.
- **Comprehensive immigration reform.** The broken immigration system fosters illegality and creates an environment ripe for predatory practices. In addition to keeping families apart, making workers vulnerable to exploitation, and blocking those willing and eligible to naturalize from doing so, failed immigration policies also have a profound impact on civil rights—fueling racial profiling, housing and employment discrimination, and hate crimes against Latino and sister communities. Reform is an imperative as a matter of immigration policy as well as in the interest of protecting civil rights.

These and other public policy issues highlighted in this policy agenda are critical to the well-being of the Latino community. As 2009 unfolds, there remain some dangers as well as questions:

- Will policymakers choose political or short-term wins at the expense of long-term policy goals and benefits?
- In an environment of high demands and pressures, will economic and other measures put in place by Congress and the new administration truly address the needs of vulnerable populations?



- It is clear that Latinos are a crucial factor in the future standing of the nation. Will lawmakers continue to ignore polling data and election results and reflexively label any measure that helps Latinos or immigrants as too controversial to champion or vote on?

NCLR is optimistic that much can be accomplished on behalf of Latinos and immigrants in 2009, and we look forward to working with policymakers and their staff to achieve meaningful outcomes.

This publication is not meant to provide a detailed, comprehensive analysis of complex policy issues, but rather an overview of the salient topics; further detail about the issues and NCLR's analyses of them are available on our website (www.nclr.org) and in other publications. Major topics 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. In addition, the reference materials included serve as a resource and are helpful to advancing NCLR's position on the issues. NCLR materials are listed in "Selected References."



CIVIL RIGHTS

Hispanics, like all Americans, are entitled to fair and equal treatment by other individuals, private employers, and federal and state governments. As the immigration debate has unfolded in Congress and taken hold more visibly in a number of states and localities, more Latinos—immigrants and citizens alike—have experienced discrimination. Existing civil rights protections must be enforced and new protections established so that Hispanics can take advantage of the economic and educational opportunities our nation provides. Many civil rights issues deserve immediate attention. Below we outline policies which the Obama administration, the U.S. House of Representatives, and the U.S. Senate should act on in the 111th Congress.

English as the Official Language of the United States

“Official English” legislation may require that government forms, documents, signage, and other communications be in English only. Such proposals are often based on myths and misinformation about immigrants, particularly Latino immigrants. However, the fact is that 92% of Latinos believe that teaching English to the children of immigrants is very important. And even though immigrants are eager to learn English, they face long waiting lists for adult English-as-a-Second Language (ESL) classes. In New York City, for example, English courses are so oversubscribed that in 2008 only 41,347 adults—out of an estimated one million adult English language learners—had the opportunity to enroll.

In addition, the U.S. government already conducts business almost exclusively in English. Studies by the federal government’s General Accountability Office have consistently shown that the U.S. government prints an overwhelming majority of its documents in English only. In fact, it prints only about 200—or less than 1%—of government documents in a language other than English.

While not helping a single limited-English-proficient (LEP) person learn English, “Official English” legislation would place the health and safety of all Americans at risk. By restricting communication with LEP individuals, such proposals could weaken the delivery of public health and safety messages that are intended to protect all Americans. For example, these proposals could make it more difficult for local first responders and agencies, such as the Federal Emergency Management Agency (FEMA) and the Centers for Disease Control and Prevention (CDC), to respond to a pandemic

flu, another natural disaster similar to Hurricane Katrina, or another terrorist attack.

NCLR believes that “Official English” proposals are a bad solution to a problem that does not exist and urges Congress to reject them. NCLR supports proposals intended to help LEP individuals learn English and immigrants to effectively and quickly integrate into American society. In addition, NCLR supports proposals which provide states and localities funding to encourage immigrant integration.

Executive Order 13166: Language Access

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” was signed by President Bill Clinton on August 11, 2000, and full implementation was supported by the Bush administration. The Executive Order is intended to improve access to government services for LEP individuals while at the same time reducing financial, legal, and paperwork burdens on government agencies and service providers. In order to facilitate compliance with the Executive Order, the U.S. Department of Justice (DOJ) provided guidance to federal agencies and federal funds recipients “to determine when language assistance might be required to ensure meaningful access, and in identifying cost-effective measures to address those identified language needs.” DOJ identified the following factors to help agencies and federal funds recipients make this determination: 1) the number or proportion of LEP persons in the eligible service population, 2) the frequency with which LEP individuals come into contact with the program, 3) the importance of the program or activity to the LEP person (including the consequences of lack of language services or inadequate interpretation/translation), and 4) the resources available to the recipient and the costs of providing language assistance. After considering these factors, if federal agencies and federal funds recipients determine that they should provide language assistance, then they must develop a plan to do so. DOJ guidance for implementation of the Executive Order states that its goal is “to achieve voluntary compliance.” In other words, the Executive Order is intended to provide a framework for federally conducted and supported programs to provide services to LEP persons.

NCLR believes that Executive Order 13166 is beneficial not only to service recipients but also to government agencies and



federal funds recipients by clearly identifying the circumstances under which they must provide language assistance. This makes programs more effective and reduces potential litigation. NCLR supports LEP guidance measures which adhere to the DOJ template guidance. NCLR urges Congress to reject efforts to weaken or discard Executive Order 13166.

Racial Profiling

Race, ethnicity, and national origin are too often used by law enforcement and private security personnel as determining factors in deciding whom to stop on the highways or to single out for searches or intrusive questioning in workplaces, airports, and schools. This discriminatory practice—known as racial profiling—is an endemic problem that weakens the social fabric of our nation. Racial profiling not only violates an individual’s civil rights, it also makes it more difficult to prevent or solve crimes because it undermines trust between the Latino community and the police.

NCLR research has found that Latinos are disproportionately targeted by law enforcement. While prominent at the local and state level, such targeting is equally prevalent at the federal level—where it is used by various federal law enforcement agencies, including immigration enforcement agencies.

NCLR believes that Congress should pass a comprehensive ban on racial profiling by local, state, and federal law enforcement agencies. To enforce this ban, Congress should require the collection of data on routine investigatory activities; establish procedures for receiving, investigating, and responding to claims of racial profiling; and require training of law enforcement agents.

Pending Legislation

- Adults Achieving the American Dream Act
- End Racial Profiling Act
- Families Learning and Understanding English Together Act
- Strengthening Communities Through Education and Integration Act

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CRIMINAL JUSTICE AND JUVENILE JUSTICE

Those Americans who come into contact with the justice system should be assured the basic right of a fair trial, those convicted of crimes should receive sentences proportionate to their acts, and those who complete their sentences and are ready to exit correctional facilities should have the chance to reintegrate into American society. The disproportionate number of Latinos experiencing discrimination and serving long and in some cases unjust sentences for primarily nonviolent offenses requires a comprehensive response. NCLR supports the policies outlined below which would ensure fair and equal treatment of Latinos who come into contact with the justice system.

Ex-Offender Reentry

Every year more than 650,000 adults and approximately 100,000 juveniles age 17 and younger are released from prisons, jails, and juvenile correctional facilities into the community. Approximately one-third of them are Latino. Studies from the U.S. Department of Justice show that more than two-thirds (67%) of released individuals will be rearrested for a felony or a serious misdemeanor within three years after release. Few of the 750,000 are prepared for their release or receive any supportive services beyond a bus ticket and a small amount of spending money; one-third of all correctional departments do not provide funds to prisoners upon release.

Furthermore, while 70-85% of state prisoners need substance abuse treatment, only 13% receive it while incarcerated. In addition to substance abuse disorders, many of those released from incarceration have chronic health issues, no housing, and little education or job training, and generally lack resources that facilitate reintegration into society. These barriers are further magnified if one does not speak English well; in most cases, Latinos have little or no access to the limited services available to formerly incarcerated people.

The unacceptably high rate of recidivism demonstrates that prisoner reentry strategies have failed, and policymakers at all levels—correctional personnel, governmental agencies, and service providers—must do more to identify solutions and remedies.

NCLR believes that comprehensive ex-offender legislation is critical to reducing the recidivism rate among Latinos, its accompanying costs, and its threat to public safety. Ending the cycle of crime can be achieved by providing assistance to states

and localities to develop and implement strategic plans that enable ex-offenders to successfully reenter their communities. Such efforts should include access to support services such as family reunification, job training, education, housing, and substance abuse and mental health services.

Juvenile Justice

Despite the fact that youth of color account for one-third of the U.S. youth population, they make up two-thirds of the youth population involved with the juvenile justice system, constituting Disproportionate Minority Contact (DMC). Research demonstrates that Latino youth are disproportionately represented in the juvenile justice system and receive harsher punishments than their peers, even those charged for the same type of offense. In fact, similar to the experience of Latinos in the adult criminal justice system, Latino youth in particular are targeted for severe punishment at the hands of the juvenile justice system and in every stage of the process, including police stops, arrest, detention, waiver to adult criminal court, and sentencing. Moreover, many Latino youth are unnecessarily imprisoned instead of being diverted into community-based programs. These problems are compounded by the lack of adequate data collection, making Latino youth virtually invisible in the justice system.

Under the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDPA), states that have a disproportionate number of minority youth at any stage of the juvenile justice process must employ juvenile delinquency prevention programs and systemic improvement efforts. The goal is to ensure the equal treatment of all youth. However, most states lack the data collection mechanisms to collect accurate data disaggregated by race and ethnicity, despite the JJDPA mandate to serve minority youth. As a direct result, Latinos are virtually invisible in the juvenile justice system and less likely to receive prevention, intervention, and aftercare services. According to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), in 2002 more than nine of every ten Hispanic juveniles were classified racially as White.² Data collection practices that continue to be inconsistent and incomplete are detrimental to the welfare of America because efforts to improve public safety and respond appropriately to juvenile delinquency are compromised when state officials are not able to completely assess the effectiveness of police practices and decision-making within the justice system.



NCLR urges Congress to reauthorize the Juvenile Justice and Delinquency Prevention Act of 1974 as a step in the right direction to address several root causes of Latino youth overrepresentation and disparate treatment in the justice system while ensuring safer, stronger communities. Reauthorizing JJDPA will also assist states in their efforts to address, reduce, and prevent DMC by employing appropriate system responses in policies, practices, and programs.

Juvenile Reentry

Each year, approximately 100,000 youth exit the juvenile justice system, and many with little or no support services to help them transition back into the community and reenter the educational system. Research shows that these youth are at a high risk of reoffending and returning to the system if adequate resources are not available or provided to help with the transition. Such resources and support systems are necessary if these young people are to attain the skills they need to lead a law-abiding life and refrain from further involvement with the juvenile justice system. Furthermore, research demonstrates that many youth in custody have severe mental health and substance abuse problems as well as low educational proficiency. Aftercare services that bridge the gap between confinement and life in the community should be a permanent component on the continuum of juvenile justice services.

NCLR believes that comprehensive legislation is needed to establish support systems necessary for youth reentering the community after secure placement. Such support systems include access to family reunification, job skills training, educational reintegration, and substance abuse and mental health services.

Sentencing Reform

Latinos are no more likely than other major racial/ethnic groups to commit drug crimes or use drugs, yet there has been an alarming increase in the number of Latinos serving sentences for nonviolent drug use. Latinos, like other minority groups, are disproportionately represented in the criminal justice system. Law enforcement biases and harsh sentencing guidelines have a disparate impact on Latinos (and other minorities) and are partly to blame for this troubling trend. For example, under current sentencing guidelines, a conviction for possessing five grams of

crack cocaine triggers a five-year mandatory minimum sentence, while it takes the possession of 500 grams of powder cocaine to trigger the same sentence. And while possession of 50 grams of crack cocaine triggers a ten-year mandatory minimum sentence, the law requires possession of 5,000 grams of powder cocaine to trigger the same sentence. The 100:1 powder/crack sentencing disparity shows a blatant discrimination toward minority communities, which are disproportionately represented among crack cocaine offenders, compared to powder cocaine offenders.

NCLR urges Congress to enact just crack/powder sentencing reform that would equalize the ratio as much as possible—preferably 1:1—by raising the crack threshold, and not by lowering the powder threshold. NCLR also advocates for widely available alternative methods of punishment for nonviolent drug offenders, such as substance abuse treatment.

Youth Gangs

Despite the decline in crime perpetrated by youth, a string of media reports about Latino gang activity has generated calls for legislation focusing on punitive sentencing and enforcement, rather than on addressing the root causes of the problem. According to the Justice Policy Institute, the most recent FBI Uniform Crime Report—which breaks down the age of people arrested—demonstrates that from 1998 to 2007 the number of youth (under age 18) arrested for all offenses fell 20.4%, including a 14.1% drop in arrests for violent offenses and a 32.9% drop in arrests for property offenses. Further, youth homicide arrests fell 23.4% in this same period. Gang crime remains a serious issue in the Latino community, but punitive measures designed only to punish and not to reform youth violent behavior exacerbate the problem. Studies show that the best programs for combating youth crime are community-level treatment and prevention programs that involve the family, community-based service providers, and law enforcement.

NCLR calls for a comprehensive approach that gets at the root causes of youth violence, which includes prevention, treatment, intervention, suppression, and effective alternatives to incarceration. Furthermore, an effective strategy to eradicate youth violence must involve community members, youth, law enforcement, schools, and community-based service providers. Finally, effective programming must be both culturally and linguistically competent in order to reach limited-English-proficient youth.



Pending Legislation

- Drug Sentencing Reform and Cocaine Kingpin Trafficking Act
- Justice Integrity Act
- Juvenile Justice and Delinquency Prevention Reauthorization Act
- Youth PROMISE Act

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EDUCATION

Education is an issue of primary importance to the Latino community. In fact, 87% of Latinos consider education critical to expanding life opportunities for their children.³ Moreover, Latinos demonstrate strong support for policies that can significantly improve the public education system. For example, while Latinos strongly believe that their children should learn English, nine in ten (92%) support bilingual education.⁴

The state of Latino education is also an absolute necessity for our nation. Hispanic students make up about 20% of U.S. public school enrollment and thus constitute a large portion of the country's future workforce.⁵ They also represent the fastest-growing segment of children in America's schools. Recent data show that these students accounted for more than half (60%) of the total growth in public school enrollment between 1990 and 2006.⁶ If the U.S. is to continue to have a well-educated, productive workforce, it is imperative that policymakers make strategic investments in education programs and support policies that improve Hispanic educational attainment.

A significant characteristic of Latino students is that a substantial portion (39%) are English language learners (ELLs), students for whom English is not the primary language spoken at home.⁷ Thus, Latino student achievement is linked to the academic success of ELLs. Despite the high numbers of ELL and Hispanic students enrolled in public schools, these children continue to face barriers to accessing quality education.

Low participation in high-quality early childhood education programs and less access to rigorous and linguistically appropriate instruction as well as well-trained teachers are among the most pressing challenges that Latino students face in our public education system. Together, these issues contribute to the alarmingly high and persistent dropout rate: nationally only 53% of Latinos graduate from high school compared to 75% of non-Hispanic Whites.⁸ To address these challenges, the new Congress must make Latino education reform a priority and focus on the following issues:

College Access for Immigrant Students

Every year, high schools throughout the country graduate a significant number of talented immigrant students, many of whom have grown up in the United States, attended the same elementary and secondary schools as native-born students, and excelled at the same academic requirements as their classmates.

Like their U.S.-born peers, these students share the dream of pursuing a higher education.

However, each year approximately 65,000 immigrant students with stellar academic achievement are denied the opportunity to pursue a postsecondary education due to their immigration status, unaffordable out-of-state tuition, and denial of access to federal financial aid. In effect, through no act of their own, they are denied the opportunity to share in the "American Dream," thwarting the aspirations of potential teachers, doctors, nurses, and engineers. It is imperative that college doors be opened to these hardworking, talented students by giving states the option of offering college in-state tuition rates and making it possible for such students to adjust their immigration status so that they can fully contribute to our economy and our nation.

NCLR supports both state and federal legislation enabling longtime U.S. resident immigrant children to attend their state public university or college at the in-state tuition rate. In addition, NCLR believes that federal legislation allowing certain immigrant students—those who have lived in the United States for a long period of time and have demonstrated good moral character—the opportunity to adjust their status to that of a permanent legal resident is critical to improving the pipeline from high school to college and meaningful employment for Latinos.

Early Care and Education

Today, Latino children account for one in five (21%) of all U.S. children under the age of five.⁹ Unfortunately, these children face many challenges that affect their readiness for their first day of school. For example, recent studies have shown that Latino children lag behind non-Hispanic Whites in early math and reading skills.¹⁰ Much of this can be attributed to low rates of participation in preschool education and less access to literacy-rich environments during the first three years of life. There is mounting evidence showing that early care and education programs, including family literacy programs, can be effective in narrowing school readiness gaps between Latino children and their peers. However, it is critical that Congress ensure that these programs are accessible to Latino children and designed to meet their unique needs.



NCLR supports the effective implementation of provisions in the “Improving Head Start for School Readiness Act” (P.L. 110-134) which address the quality of services for Latino and ELL children and families. Moreover, NCLR urges Congress to pass the “Providing Resources to Improve Dual-Language Education (PRIDE) Act,” which promotes the use of native-language instruction in the early grades. Finally, NCLR supports expanded access to effective early education programs for Latinos, such as the William F. Goodling Even Start Family Literacy Program, Head Start, and Early Head Start.

Education Funding

As noted above, Latinos are a large proportion of the U.S. student population. As such, the success of the public school system depends on its ability to address the academic achievement and educational attainment of Latinos. Prudent federal investments in programs identified collectively as the Hispanic Education Action Plan are vital to helping Latino students prepare for productive and fulfilling lives. These programs include Even Start, Head Start, Title III of the No Child Left Behind Act (NCLB), and Parent Assistance programs. Congress and the administration must ensure that sufficient funding is provided for these education programs, which are critical to Hispanic student achievement.

NCLR supports \$1 billion for Head Start for FY 2009 in order to guarantee expanded access to Early Head Start programs for infants and toddlers and \$100 million for the William F. Goodling Even Start Family Literacy Program for early education funding. NCLR also recommends a funding level of \$850 million for Language Acquisition State Grants under Title III of NCLB. We also recommend a funding level of \$100 million a year for Parent Assistance programs, including \$25 million for Local Family Information Centers (LFICs), community-based centers that provide parents of Title I students, including ELLs, with information about their children’s schools so that they can hold their local and state school officials accountable. Such funding would make it possible to establish LFICs in every state.

Hispanic High School Graduation Rates

Approximately 2.9 million Hispanics are enrolled in high schools, representing 17% of all secondary public school students.¹¹ Yet, few of these students graduate. In fact, 59%

of Latino ELLs age 16–19 drop out of high school.¹² NCLB can address these challenges. NCLB is intended to improve the academic achievement of all children, including ELLs, through high standards, assessments to measure student performance, and public school system accountability. High schools are held accountable for students’ graduation rates, in addition to their academic performance.

NCLR calls for NCLB to be reauthorized. Reauthorization must include improvements to the law such as requiring states to use appropriate testing instruments for assessing ELL students—including native-language assessments—and improved parental involvement. NCLR also supports providing for additional training for teachers working with ELLs. Further, NCLR urges Congress to include uniform and disaggregated graduation rates in NCLB reauthorization, as well as in the “Graduation Promise Act,” which provides resources to high schools to increase graduation rates.

Pending Legislation

- Development, Relief, and Education for Alien Minors (DREAM) Act
- Providing Resources to Improve Dual-Language Education (PRIDE) Act
- Reauthorization of the Child Care and Development Block Grant
- Reauthorization of the No Child Left Behind Act



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EMPLOYMENT AND ECONOMIC OPPORTUNITIES

As the fastest-growing segment of the labor force, Latinos are integral to the nation's economic prosperity. Latinos make up 14.1% (21.8 million) of the labor force and work in a wide range of occupations; 10.1 million Latino workers are U.S.-born, while 11.7 million are foreign-born. Further, between 2000 and 2007 alone, the U.S.-born Hispanic labor force grew by 34.2%, and the foreign-born Hispanic labor force grew by 53.7%. Moreover, Latinos are expected to account for one in three working Americans by the year 2050.¹³

As the Hispanic workforce continues to grow, their economic status has implications for the labor force as a whole. Latinos are less likely than their peers to hold financial assets and build wealth, which means that their labor market status heavily influences their economic standing. In 2007, two out of five (41.8%) Latino workers earned poverty-level wages, which translates to about \$10.20 per hour to sustain a family of four. By comparison, 21.9% of White workers and 34% of Black workers earned poverty-level wages.¹⁴ Not surprisingly, that same year more than one in five (21.5%) Latinos lived in poverty, compared to 12.5% of all U.S. residents, and nearly three in ten (28.6%) Latino children were poor.¹⁵

Given the current recession, Latinos are particularly vulnerable to job loss and long-term unemployment.¹⁶ As of January 2009, the Hispanic unemployment rate was 9.7%, with even higher unemployment among U.S.-born Latinos compared to those who are foreign-born. Most economists predict that the economic situation will get worse before it gets better. Thus, it is essential that the American Recovery and Reinvestment Act of 2009, signed into law on February 17, 2009, is implemented in a way that reaches workers with the fewest resources for weathering prolonged unemployment and workers facing multiple obstacles to upward mobility. A full economic recovery will only be possible if all workers, including Latinos, are armed with the skills they need to access newly created, good-quality jobs.

Economic Recovery

The current economic downturn has taken a heavy toll on Latino workers and their families. According to the Pew Hispanic Center, 2.2 million Latinos became unemployed between the third quarter of 2007 and the third quarter of 2008, with major losses in the construction industry.¹⁷ Latino

workers are also disproportionately represented among workers who shifted involuntarily from full-time to part-time work between June 2007 and June 2008.¹⁸ If this recession follows the course of the 2001 recession, it is likely that Hispanic workers will recover these losses at a significantly slower rate than their non-Hispanic White counterparts.¹⁹

Several components of the American Recovery and Reinvestment Act are designed to help working families maintain economic security during this recession. The law modernizes the unemployment insurance (UI) system by encouraging states to expand eligibility to part-time and low-wage workers, a significant portion of the Latino labor force. In addition, the law expands the Earned Income Tax Credit (EITC) for larger families and lowers the income threshold needed to qualify for the Child Tax Credit (CTC). However, these measures will do little to slow rising unemployment if workers cannot access new jobs. Given that Latinos continue to join the workforce—395,000 of the 735,000 new labor market entrants in 2008 were Latino²⁰—it is in the national interest that jobs are created in Latino communities and that Latino workers have the skills and training necessary to compete for these opportunities.

NCLR supports directing funds from the American Recovery and Reinvestment Act of 2009 toward adult education and training programs that serve limited-English-proficient (LEP) workers. NCLR also supports measures that enable community-based organizations to play an influential role in planning and implementing infrastructure projects at the local and state levels.

Energy

The impending debate on federal energy policy is certain to have enormous environmental and economic implications for Latino families and workers. Given the status of Latinos in the labor market and the emergence of new Hispanic communities in “nontraditional” locales, the stakes are high for Latino families. The rising costs of energy, the concentration of environmental hazards in low-income neighborhoods, and the reorientation of the labor market toward “green jobs” are areas of challenge and promise for Hispanics. Latinos are expected to account for one in three American workers by 2050; thus, the way in which our energy policies impact today's Hispanic community will shape the nation's future economic prosperity.



NCLR encourages Congress and the administration to explore ways to mitigate the economic burdens of new energy policies on low-income and minority communities and to consult stakeholders from these groups in the development and implementation of such policies. NCLR also supports funding for job training in “green jobs” in the American Recovery and Reinvestment Act and recommends that federally funded projects in this sector actively recruit low-income and minority workers for training and employment. Community-based organizations should play an active role in recruiting and training workers for green jobs.

Job Quality and Worker Protections

All workers deserve—and, in most cases, are legally guaranteed—decent wages, a safe workplace, and a voice on the job. All too often, however, low-wage workers, including Latinos and immigrants, are denied these rights by their employers with serious implications for workers. For example, in 2006, nearly 1,000 Latino workers died from work-related injuries.

Also, for a large portion of Latino workers, access to basic health care and a retirement plan is dwindling. Hispanic workers lost 23.1 percentage points of employer-sponsored health insurance (ESI) coverage between 1979 and 2006, compared to a 10.7 point drop for White and Black workers.²¹ In 2007, only 40.3% of all Hispanics (workers and their families) had ESI coverage, compared with approximately two-thirds (61.2%) of non-Hispanic Whites and almost half (49%) of non-Hispanic Blacks.²² In terms of retirement savings, 34.6% of Latino workers ages 21–64 had access to an employer-sponsored pension plan, compared to 60.6% of their White peers.²³ Coverage is especially low for foreign-born workers, which implies that targeted policy interventions are necessary. Improving job quality involves a range of administrative, legislative, and regulatory changes.

NCLR supports the equal enforcement of all of the nation’s laws. The U.S. Department of Labor (DOL) and the Bureau of Immigration and Customs Enforcement (ICE) must both take steps to ensure that tactics to enforce immigration laws do not undercut workers’ ability to report labor law violations.

Furthermore, NCLR supports policies that improve the ability of DOL and the Occupational Health and Safety Administration (OSHA) to reach high-risk workplaces and workers employed in nontraditional arrangements. This can be achieved by preserving

the anonymity of workers who submit complaints, making linguistically appropriate legal resources available to limited-English-proficient workers, and by actively tracking complaints from third parties, including community-based organizations (CBOs) such as worker centers and health clinics.

Finally, NCLR supports measures aimed at making health care and retirement plans more accessible to low-income workers. Equity should be central to any health care reform plan, so that employers who offer a plan to certain employees can extend the offer to all employees. NCLR is also in favor of providing small employers incentives to offer their employees health and retirement savings plans and access to free independent retirement savings financial counseling once a year.

Social Security Reform

Like most Americans, Latinos who have worked and paid payroll taxes are eligible for Social Security benefits when they retire. Social Security is an especially crucial source of retirement wealth for Latinos; without it, nearly two-thirds of Latinos age 65 and older would live in poverty. In fact, 51% of Latino beneficiaries rely on Social Security for 90% of their retirement income.²⁴ In addition to retirement benefits, Social Security also insures workers against disability; more than 500,000 Latinos benefit from the disability insurance program (SSDI).²⁵

Despite the significance of Social Security to the financial well-being of older Latinos, coverage is unusually low among Latinos. Only 76% of Latinos age 65 and older receive Social Security retirement benefits compared to 89% of the general population age 65 and older.²⁶ This coverage gap may be due in part to the underreporting of wages in certain low-wage labor industries where Latinos are disproportionately employed. Moreover, despite the receipt of Social Security benefits, 15.6% of Hispanics age 65 and older remain below the poverty line. In addition, the most recent data show that, in 2004, 26.7% of Latino Social Security beneficiaries were below 125% of the poverty line.

NCLR supports taking steps to preserve the Social Security system as well as making improvements to the system which increase access to and adequacy of social insurance coverage for Latino workers and families.



Taxes

Latino workers contribute to the tax system through sales tax, payroll tax, and income taxes. However, the tax system is acutely burdensome to workers at the bottom of the income distribution, including many Latino workers. For this reason, it is critical that federal income tax policies are progressive, to account for the impact of the tax burden on working poor families.

Tax credits that are refundable can help low-income workers keep more of their income that they need to pay for out-of-pocket medical costs, child care, and food. The Earned Income Tax Credit (EITC) is a refundable tax credit that has helped to reduce poverty in many communities. Yet, many low-income families do not apply for the credit. One survey found that of low-income parents, 27.1% of Hispanics had heard of the EITC, while 68% of non-Hispanic Blacks and 73.5% of non-Hispanic Whites had heard of it.²⁷ In addition, the Child Tax Credit (CTC) is a partially refundable tax credit that helps offset some of the costs of raising children. However, eligibility for the CTC is based on an income threshold that excludes millions of working families from receiving the credit because they are too poor.

Finally, the U.S. tax system is used to provide incentives for American families to save and build wealth, but its policies tend to reward disproportionately those who have the greatest wealth over low-income families struggling to save and build wealth. One encouraging step was the enactment of the Saver's Credit in 2001, which effectively provides a higher government match rate for lower income individuals who contribute to retirement plans, the opposite of traditional tax incentive structures. Still, the Saver's Credit provides no benefit for households with no income tax liability.

NCLR believes that critical tax credits for American families should be refundable to enable all workers, regardless of income, to offset tax burdens and improve their economic security. Specifically, NCLR supports expanding the EITC and the CTC, and making the Saver's Credit refundable. NCLR also opposes tax policy efforts that would make the tax system less fair for low-income families, such as repeal of the estate tax.

Transportation

Transportation policies are often overlooked, despite having a significant impact on Latino families and workers. One of the most important aspects of federal transportation policy is its potential for job creation. Latinos are employed in many of the fields and industries that may be positively affected by federal transportation spending. For example, according to the Bureau of Labor Statistics, in 2003 more than 23% of workers in construction and extraction occupations—including construction laborers, brick masons and highway maintenance workers—were Latino.²⁸

Federal transportation policy also benefits users of transportation services. For instance, Latinos account for 18% of public transit users, and in major urban areas Latinos and African Americans together make up 54% of public transportation users.²⁹ Affordable transportation options are urgently needed for the growing Latino community, which spends nearly one-fifth (18.6%) of scarce household income on transportation.³⁰ Roads, bridges, highways, buses, and trains help to connect workers and families to jobs, businesses, public services, schools, and doctors. Poorly made transportation decisions can create isolated communities, drive up the cost of commuting or housing for residents, and damage the environment in neighborhoods.

Federal transportation policy should adequately serve and equitably benefit Latinos. However, a number of structural barriers are in place, hindering the ability of transportation service providers and agencies to better serve Hispanic residents. As a result, Latinos do not evenly reap the benefits of federal transportation policies, and as users, workers, and residents they often find themselves on the losing end of state and local transportation decisions.

NCLR supports policies that enhance the ability of Latino workers to benefit from transportation and infrastructure-building projects. In addition, NCLR supports measures that enable Latino workers to build successful careers in good-quality transportation jobs. Moreover, NCLR encourages policies and initiatives that involve and engage Latino community leaders in local and state decision-making in both highway and public transit systems.



Workforce Development

Although more than half of Latino immigrants use English in some capacity on the job, limited English proficiency (LEP) is a major barrier to employment mobility for many.³¹ In 2006, 13.4% of native-born Hispanics and 73% of foreign-born Hispanics age 18 and older spoke English “less than very well.”³²

Latino immigrants have contributed significantly to the recent growth in the U.S. labor force and will be critical to the nation’s future prosperity. As such, Congress must recognize and value a bilingual workforce. Currently, however, LEP individuals are not adequately served by the federal workforce development system since ensuring their success requires additional resources to provide English lessons concurrent with skills training. At the community level, various programs have demonstrated that targeted initiatives can help LEP individuals gain the skills they need to elevate their economic status and advance their careers in high-growth sectors. Increased job training resources targeting LEP workers can help fill skilled workforce shortages in important sectors such as health care and green jobs.

NCLR recommends creating a grant program administered by the U.S. Department of Labor to award \$250 million in grants to community-based organizations to carry out integrated job training programs that combine English-language acquisition with occupation-specific learning and contextual training. This model has shown outstanding results for workers with limited English proficiency and has the potential to significantly reduce Hispanic unemployment.

NCLR also supports increased resources for sector-based initiatives. Sector-based programs have proven to be successful for LEP individuals when they include provisions for careful planning; strong partnerships between CBOs, community colleges and postsecondary institutions, and employers; a diverse portfolio of funding; and support services for students.

Pending Legislation

- Appropriations
- FY 2010 Budget
- Workforce Investment Act Reauthorization

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HEALTH

In 2007, 46 million Americans were uninsured for the entire year, and 89.6 million were uninsured at some point in the two-year period of 2006–2007. In addition, there is growing recognition that much of insured America is also dealing with inadequate coverage, putting them at risk for poor health outcomes and financial insecurity. Health care reform is a top issue among Latino voters, drawing significant interest in the 2008 election. In 2009, Congress will have multiple opportunities to address the health concerns and priorities of Latinos and other Americans.

Recent debates addressing health care in the U.S. have centered on enacting modest changes to existing structures within the health care system (e.g., fixes to physician payments). Although important, focusing on these relatively modest infrastructure changes makes it challenging to achieve significant health policy outcomes for Latinos. Latinos have experienced long-term barriers to public health coverage programs and employer-based health insurance which have been difficult to overcome. In addition, many of the health policy proposals advanced at either end of the political spectrum have not included solutions that address the unique needs of Latinos. For instance, proposals rarely look at disparate treatment of racial and ethnic minorities in health care settings or inferior quality of care that many of these communities receive. At the date of print, President Obama has touted a platform rich with ideas to reform the health care system, which includes policies to eliminate disparities and create new pathways to health coverage. However, it is vital that such policy change is thoughtful about the integration of all U.S. populations, improving access to health care in meaningful ways for both the underinsured and the uninsured.

Citizenship Documentation Requirements

Latinos are feeling the backlash of the immigration debate in this country. Anti-immigrant groups, as well as some members of Congress, have sought to marginalize immigrants and their families rather than effectively providing solutions to fix the broken immigration system. They have promoted policies that restrict access to health care, food assistance programs, and other safety-net services by creating burdensome documentation requirements for lawfully residing immigrants and citizens. Policies requiring proof of citizenship have harmful effects on families and strain the administrative budgets of these programs. Moreover, even though these policies are advanced

under the guise of impacting already ineligible undocumented immigrants, U.S. citizens are among the most affected, barring them from access to services if they are unable to provide a birth certificate or other required documentation.

NCLR strongly opposes citizenship documentation requirements for federal assistance programs. These measures are deterrents to many eligible would-be recipients who may not fully comprehend the requirements. Safety-net services are especially critical in times of economic instability, and creating fear among immigrant communities can keep them from seeking assistance. There should be a full repeal of and opposition to citizenship documentation requirements and other verification processes that create more barriers to the health care system for individuals in need of health care.

Community-Based Health Care Initiatives

Numerous barriers prevent Latinos from receiving the health care services they need to foster well-being for their families. For instance, many are unaware that they have the opportunity to apply for important health care services and programs because of a lack of culturally and linguistically appropriate information accessible to Latino communities. Others are deterred from seeking the full range of services available because of poor experiences with health care providers or communication barriers. These gaps in information not only discourage Latinos and their families from enrolling in public health programs for which they are eligible, but they can also lead to serious and potentially life-threatening health consequences in health care settings, including misdiagnoses, poor medical care, and inappropriate medications and/or hospitalizations. Yet many community-based organizations and health centers have helped to alleviate the inadequacies of the health care system by creating programs that provide critical information to their communities.

NCLR fully supports the use of culturally competent health care workers to facilitate participation in health programs and services, and overcome barriers that hinder Latinos from receiving critical services. The “Community Health Workers Act,” expected to be reintroduced in 2009, supports the work of community health workers, also known as promotores de salud, lay health educators, or outreach workers. The Act will not only strengthen the work they do and expand their resources, but will



also broaden their reach throughout their communities. This legislation would provide grants to CBOs—often the “lifeblood” of Latino communities—for health education, promotion, prevention, and outreach in minority communities that are currently underserved and underinsured. Furthermore, Congress has already passed and should take every opportunity to fully fund and expand pilot programs that assist Latinos and other limited-English-proficient individuals to find more reliable and less costly sources of care than emergency rooms. Moreover, the Patient Navigator Outreach and Chronic Disease Prevention Act allows health care providers to hire community-based workers who navigate patients through the health care system and should be supported through full implementation and evaluation as authorized by Congress.

Data Collection and Longitudinal Health Research

The only completed federal study addressing the health status of the Latino population on a national scale is the Hispanic Health and Nutrition Examination Survey (HHANES), conducted more than 25 years ago (1982–84). New studies and comprehensive data collection are necessary to accurately reflect the current health needs of the rapidly growing and changing Latino population. A number of agencies have begun activities to conduct a new longitudinal study of Latinos, but they will need additional support for successful completion of this project.

NCLR urges the new administration and Congress to take steps to increase funding for and enhance the efforts of the National Heart, Lung, and Blood Institute and six other institutes, centers, and offices of the National Institutes of Health’s (NIH) Hispanic Community Health Study/Study of Latinos (HCHS/SOL), a longitudinal, epidemiologic study designed to analyze the trends in health among U.S. Latinos. Congress should also continue its support of the Agency for Healthcare Research and Quality’s collection of health disparities and take steps to ensure data collection of race, ethnicity, and primary language through all federal agencies and programs.

Health Care Reform

Latinos experience barriers of access to health coverage—a prime connector to receiving care—and generally have poorer-quality experiences in the health care system compared to

other groups. Approximately one-third (32.1%) of Latinos were uninsured in 2007, with numbers ballooning from approximately 11.8 million in 2000 to 14.8 million in 2007, creating a significant obstacle to health care. In addition, studies of racial and ethnic disparities demonstrate that Latinos are at risk of receiving inadequate health care. For instance, in 2005, only 54.1% of Latinos experiencing an injury or illness had timely access to health care, compared to 65.1% of Whites. Uninsured Latinos received timely care for an illness or injury in only 27% of cases.

The status quo is not working for Latino families. The continued erosion of employer-sponsored coverage provides powerful evidence that policy solutions must go beyond the current mechanisms through which Latinos and other Americans traditionally access health care. Latinos also experience restricted access to employer-based health coverage and public coverage programs such as Medicaid and the Children’s Health Insurance Program (CHIP). Statutory restrictions on immigrants severely limit access for otherwise qualified Latinos and their families.

Health care reform should ensure that Americans have access to affordable, quality health care and give those living in the U.S. the opportunity and the ability to keep their families healthy. Some of the core objectives of health care reform that should be incorporated into any proposal include the following:

- Any health care reform plan must aspire to be entirely inclusive of the nation’s residents. Reforms that leave substantial portions of the U.S. population out of the health care system will be less efficacious and ultimately have negative effects on the long-term sustainability of our health care system.
- Equity should be a fundamental measure of a successful and effective health care reform plan. Reform proposals must seek to create new opportunities for more individuals to obtain affordable health care while not creating or reinforcing barriers for any one group to obtain health care services.
- The cost of health care should not be a deterrent for anyone in receiving the services they need. If a person is sick, injured, or taking on the responsibility of preventing future ailments, they should be able to find affordable health care and treatment in the community in which they live or work.



- Health care reform should address underlying issues within the health care system which have contributed to the limited access to and poor quality of care that many racial and ethnic minorities currently experience.
- All persons should be treated with dignity and respect when receiving health care, their civil rights should be protected, and they should have guaranteed access to needed health care services.

NCLR urges Congress and the President to take steps to reform the nation's health care system in ways that meet the above objectives.

Health Disparities

While the country has made improvements to overall quality in the health care system, troubling inequities remain. For nearly a decade, the U.S. Department of Health and Human Services has released the *National Health Care Disparities Report*, which has shown that racial and ethnic minorities experience inferior health care, even at levels of similar socioeconomic status as non-Hispanic Whites. The report notes that higher instances of substandard treatment, inadequate communication—especially for LEP patients—cultural bias, and lack of preventive outreach contribute to uneven health care experiences between minorities and non-Hispanic Whites.

NCLR endorses a comprehensive approach to the elimination of health care disparities. Tri-Caucus legislation formerly known as the "Health Equity and Accountability Act" addresses broad concerns over disparities in health care for minority individuals. This bill creates several points of access to the health care system for poor Latinos and immigrants, encourages the provision of culturally and linguistically appropriate health care, including promotion of a diverse workforce and access to language services, and calls for comprehensive data collection and research to assess the effectiveness of health care in the U.S. for Latinos and other minorities. NCLR urges that all legislation addressing health disparities incorporate these same standards, while working to achieve affordable and quality access to health care.

Language Access in Health Settings

For many Latinos, lack of language assistance and culturally competent information is a major barrier to health care. A report from the Kaiser Commission on Medicaid and the Uninsured revealed that nearly one-half (46%) of Spanish-speaking parents are unable to enroll their children in Medicaid because enrollment forms and information are not translated. Another half (50%) said that their belief that application materials would not be available in their language discourages them from even attempting to enroll. Language barriers may help to explain why Latino children who live in Spanish-speaking families are more likely to be uninsured compared to Latino children who live in English-speaking families (26% compared to 16%, respectively). Language barriers not only discourage Latinos and their families from enrolling in public health programs for which they are eligible, but can also lead to serious and potentially life-threatening health consequences in the health care setting, including misdiagnoses, poor medical care, and inappropriate medications and/or hospitalizations.

NCLR believes that Executive Order 13166 constitutes a significant step toward improving current language access problems; providing an enhanced federal match for LEP services is critical to implementing language access services in settings where both medical personnel and patients are currently struggling with a lack of communication. To ensure that LEP patients have meaningful access to health care, however, NCLR supports the provision of an enhanced 90% federal matching rate to states through Medicaid and CHIP for the provision of language services, including oral interpretation, translation of written materials, and other language services for LEP individuals. In addition, NCLR supports policies that enhance health care providers' ability to carry out linguistically appropriate health services and ensure that LEP patients can obtain high-quality care. Specifically, NCLR supports the expansion of pilot programs enacted under the Patient Navigator Outreach and Chronic Disease Prevention Act. This legislation seeks to connect LEP individuals entering the emergency care system with community-based liaisons who assist them throughout various aspects of the health care system.



Legal Immigrant Barriers to Health Care and Services

Legal immigrants have been arbitrarily barred from most federal benefits programs for at least their first five years of legal residency in this country due to policy that was implemented more than a decade ago. Even once they become “eligible,” immigrant access to public health programs is further hindered by a number of complicated legal barriers, such as sponsor deeming and liability. Early in 2009, the Children’s Health Insurance Program Reauthorization Act was signed into law. The legislation restored the option for a state to cover legal immigrant children and pregnant women under Medicaid and CHIP. There continues to be a five-year waiting period for other legal immigrant adults.

NCLR supports the full restoration of eligibility for health care coverage under Medicaid and CHIP to legal immigrants. As taxpayers and workers, immigrants help support these and other public programs and should be subject to the same eligibility rules as U.S. citizens. Congress should eliminate complex eligibility rules and streamline enrollment processes to facilitate better access to these programs.

Office of Civil Rights (OCR)

OCR has an important obligation to protect the civil rights of individuals in the health care system. Efforts must be taken to evaluate and ultimately enhance civil rights protections. However, little is known about the extent of OCR’s efforts and effectiveness to date, particularly with respect to Latinos, immigrants, and LEP individuals.

NCLR calls for an assessment of staffing and funding needs at OCR to ensure that the agency is effective. Additionally, NCLR believes that OCR should establish a reporting process that identifies its enforcement activities and leads to better clarity about the number of complaints filed and resolved, and actions taken through the agency. This information should be disaggregated by race, ethnicity, and nativity. OCR should also be given appropriate resources to develop easy-to-understand guidelines in multiple languages on the rights, responsibilities, and entitlements to care for individuals and to work with community organizations and advocacy groups to disseminate these guidelines and information.

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IMMIGRATION

Failure to reform the nation's immigration system has led to piecemeal state and local measures that are often detrimental to the well-being and safety of Hispanic communities. These measures, combined with the toxic nature of the immigration debate, are contributing to an environment of intolerance of immigrants, regardless of immigration status, and of Latinos, who are often and erroneously all assumed to be immigrants. Coinciding with the rise in vitriol in the immigration debate, the FBI has documented a nearly 40% increase in hate crimes targeting Latinos from 2003 to 2007, and the Southern Poverty Law Center (SPLC) attributes the 47% rise in hate groups between 2000 and 2007 almost completely to the manipulation of anti-immigrant rhetoric.

Federal leadership is required to address the inconsistencies of current policies and to ensure that our treatment of immigrants is aligned with America's best values and traditions. NCLR's immigration policy agenda supports a workable and humane immigration system that restores the rule of law and protects workers and families, measures that protect civil rights and due process and keep the nation safe, and integration strategies that help immigrants become fully participating and contributing Americans. At the core of this discussion should be the realization that the success of immigrants is intrinsically linked to the future success of the nation as a whole.

The face of America has always had immigrant features and is therefore constantly changing. The way we treat immigrants and approach their integration into U.S. society holds important implications for the future progress of the country. The stories of recent immigrants are very similar to those of their past counterparts, even as their places of origin have changed. Today Latin America, specifically Mexico, represents the greatest contributor of newcomers to the country.

Of the country's 45.5 million Latinos, about 39% are foreign-born, and an even larger share live in families with mixed immigration status, making immigration policy an important issue for this community. In addition to an overhaul of the nation's immigration system that deals effectively and humanely with undocumented immigrants, family reunification, worker protections, immigrant integration and future flows, Latinos are also interested in forward movement on this issue because of its impact on civil rights.

The harsh tone of the immigration debate galvanized Latino

voters in the 2008 election, who turned out in record numbers and supported candidates favoring comprehensive immigration reform over candidates who engaged in anti-immigrant rhetoric. And as both election results and polling demonstrate, the country as a whole is in a more pragmatic place on this issue than Congress seems to realize. In 2008, reform-minded candidates won 20 out of 22 battleground races against opponents supporting deportation-only or restrictionist approaches, and 66% of voters in swing districts support an approach that will result in undocumented immigrants becoming legal, tax-paying workers within the system.³³

Comprehensive Immigration Reform

The nation's immigration system is in urgent need of reform that restores dignity and the rule of law and rejects the status quo, which does neither. A true return to legality calls for a systemic overhaul that addresses problems exacerbated by more than two decades of neglect:

- A burgeoning undocumented population whose status makes it easy to prey upon and harder to integrate into American society
- Unscrupulous employers ready to exploit undocumented workers to the disadvantage of all workers and good employers
- Obstructed legal channels that keep families apart and legal workers out, and which foster a black market and smuggling rings
- Hard-line, high-cost enforcement strategies that do little to curb immigration but terrorize communities and decrease national security
- A costly and ineffective patchwork of state and local laws that do little to address these problems but which introduce greater chaos into an already broken system

Given the complex cause-and-effect nature of these problems, it is clear that this issue cannot be resolved in a piecemeal fashion. To be effective and achieve a solution that serves the national interest, reform must include:

- Restoring order by getting the 12 million undocumented people in our country to come forward, obtain legal status,



Disaster Policy and the Latino Community

Recent disasters, including Hurricanes Katrina and Rita, exposed the government's and the private sector's failure to reach vulnerable populations, such as Latinos, immigrants, and limited-English-proficient (LEP) communities. Latinos face distinct obstacles during a natural disaster, many of which can be ameliorated through effective federal disaster assistance and relief policy. Latino families' ability to prepare for an emergency and seek assistance is severely limited by language and cultural barriers. For example, Latinos have reported that when they sought aid at a shelter or attempted to apply for benefits, they could not understand the information presented to them and had to search and wait for an interpreter. While some government employees and private response volunteers are trained to provide culturally and linguistically competent assistance, there are an insufficient number to meet the needs of LEP communities. The low socioeconomic status of Latino families also impacts their ability to prepare for and recover from natural disasters. Finally, immigration enforcement during natural disasters has created an environment of fear that discourages some immigrants from evacuating or seeking assistance. Misinformation about who qualifies for post-disaster benefits and the potential loss of identity documentation as well as loss of immigration status (e.g., death of a sponsor or loss of an employer) set additional hurdles for Latino survivors of natural disasters.

Community-based organizations (CBOs) that work in the Latino community often become "accidental first-responders" during an emergency or natural disaster. When Latino community members are unable to obtain assistance through government and private relief agencies,

they turn to CBOs, which provide translation assistance and help individuals navigate the post-disaster benefits systems. CBOs have firsthand knowledge of how the community is impacted by large-scale emergencies and how best to serve the community. Unfortunately, CBOs are not equipped with the expertise or resources to fully participate in the emergency management system. Empowering them to prepare community members, operate shelters, work as volunteers during a disaster, and participate in local planning meetings will improve the emergency management system's ability to reach all populations.

NCLR urges Congress to enact changes that will ensure that the emergency management system reaches all communities. To that end, Congress should authorize FEMA to provide grants to CBOs to develop preparedness plans, receive training, develop case management, and serve as a rapid response agency when needed. Further, federal agencies should allow federal grantees to use funding for disaster response work. In addition, Congress should hold public and private agencies accountable for actions during disasters which have adverse consequences for vulnerable populations. Finally, the President should issue an Executive Order that directs federal emergency personnel and those receiving federal funds to provide disaster assistance and relief to all those in need regardless of citizenship status, limits documentation requirements, and suspends border enforcement during an emergency.

NCLR supports enacting immigration reform that restores the rule of law, reunites families, rewards work, and strengthens our commitment to basic fairness, opportunity for all, and equal treatment under the law.

learn English, and assume the rights and responsibilities of citizenship while creating smart enforcement policies that uphold national security and the Constitution

- Cracking down on unscrupulous employers and taking away their incentives for hiring undocumented workers
- Widening legal channels that reunite families and allow future needed workers to enter with the rights and protections that safeguard our workforce and which prevent the dramatic increase in deaths along the border
- Enacting proactive measures to advance the successful integration of new immigrants into our communities

Real reform must establish policies that address the needs of the country now and in the future. The current economic downturn

clearly is having an effect on the need for workers and thus on the main factor beckoning immigrants to come to this country—jobs and opportunity. It also provides a respite that allows us to develop a system that is both responsive to the ebb and flow of the workforce and economy and unclogs the channels for workers to come here legally, when and where they are needed, in a way that strengthens working conditions for all.

Recognizing that factors shaping immigration patterns are not purely domestic, the U.S. should look at foreign policy opportunities that alleviate push factors driving immigrants from their countries of origin. Such measures are not mutually exclusive. Rather, they are part and parcel of the solution that the American public demands—one that restores the rule of law, secures our borders, strengthens our economy, and upholds the value of equal opportunity, which is the cornerstone of our democracy.



Farmworkers

Perhaps one of the most compelling examples of how immigration laws are out of sync with the goal of improving conditions for all workers is found in the nation's agricultural guestworker program. Known as H-2A, this program has too often led to abuse and inhumane conditions and is slated to worsen due to regulations proposed by the Bush administration, which took effect on January 17, 2009. These regulations further undermine what is already a flawed program by lowering wage formulas, weakening labor protections, and eliminating governmental oversight of the program, while reducing employers' obligations to recruit U.S. workers. The H-2A program is in dire need of revision, but these changes are diametrically opposed to what is needed, ignore bipartisan proposals supported by labor and employers to stabilize the agricultural workforce (e.g., AgJOBS), and are detrimental to farmworkers, be they native or foreign-born.

NCLR supports measures that improve the working and living conditions of farmworkers and opposes the Bush administration's changes to the H-2A program. NCLR supports initiatives that provide needed foreign farmworkers with access to permanent immigration status, uphold labor rights and protections, and crack down on unscrupulous employers.

Immigration Enforcement Policies

Failure to enact comprehensive immigration reform has left us with a lopsided and ineffective federal system of enforcement that attacks the symptoms, but not the problem.

Over the past decade, the U.S. Border Patrol's annual budget has increased 332%, and the number of U.S. Border Patrol agents has increased 276% since FY 1993.³⁴ In the last year and a half, there has been a significant increase in interior immigration enforcement operations by the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE), conducting more raids in neighborhoods, individual homes, and worksites.

In its attempt to demonstrate active engagement, DHS has stepped up heavy-handed, high-visibility operations that have often:

- Undermined labor investigations and/or worker organizing efforts
- Netted punishment for far fewer unscrupulous employers
- Resulted in violations of due process of immigrants and citizens alike
- Left communities in chaos

Billions of dollars have been allocated over the last decade to such ill-conceived tactics, yet the undocumented population has continued to grow. While some may claim that these techniques have staunched unauthorized migration, the reality is that the most powerful factor in that equation has been a slowing economy. Restoring the rule of law to our immigration system requires system change and smart enforcement strategies that do not blur the line between innocent workers and those who mean us harm.

An Urban Institute report commissioned by NCLR found that for every two people detained in an immigration enforcement operation, one child is left behind; two-thirds of these children are U.S. citizens and a similar share is under age ten. Even if the country were willing to condone a mass deportation strategy, which polls show is not the case, such tactics netted 276,912 undocumented immigrants in 2007. At that rate, it would take 43 years to hound the current undocumented population of 12 million undocumented immigrants.³⁵ And in the wake of these raids, the separation of families, attacks on due process rights, deaths in detention, and the unlawful detention of legal permanent residents and citizens along with undocumented immigrants would intensify.

The immigration debate has also spurred proposals to mandate that employers check the employment eligibility of their workers through a national employment eligibility verification system (EEVS). However, it is essential to recognize that a national EEVS can subject lawful workers to unjust denials of the right to work if it is not accompanied by thorough standards that ensure data accuracy and provide essential worker protections. Safeguards must also be in place to ensure that employers do not use the system unfairly or illegally. Any system of worker verification, however, can only be successful in the context of



broader reforms to immigration, including legalizing the one in 20 workers in the U.S. economy who currently lacks legal status.

Forward movement requires a thorough examination of DHS practices and policies and other immigration-related policies to provide a cost-benefit analysis in terms of the effectiveness, security, resource efficiency, and ethics of DHS operations. In difficult economic times, uncounted billions in taxpayer dollars cannot continue to be spent on initiatives that do not solve the problem and trample our own laws. Due process and humane policies must be restored at every stage of the immigration system. Families and vulnerable populations, such as children, should receive special consideration. Congress should reexamine the effect of local enforcement of immigration laws on public safety and local communities, both within the U.S. and at our borders.

NCLR believes that the United States can and should enforce its immigration laws. As with any set of laws, the nation should enforce them wisely and well. This requires an examination of the costs and benefits of particular enforcement strategies to ensure that the priorities and tactics we choose do not undercut other important laws, values, and goals.

Naturalization

Naturalization is the critical last step that new Americans take in order to participate fully in the civic life of the United States and become fully engaged partners in our nation's success. As such, it is important that the naturalization process is accessible and efficient, without unnecessary backlogs and waiting periods. In addition, it is obvious that increased availability of English classes and civics education would greatly assist immigrants in achieving this step, as waiting lists abound for such programs. Enlisting the support and participation of community-based organizations in these efforts would maximize outreach and outcomes.

Rising application costs also are effectively pricing future Americans out of taking the final steps toward citizenship. Between 1990 and 2007, the application fee has increased by 750%, from \$90 to \$675. In comparison, the median household income in the U.S., after accounting for inflation, rose less than 10% during that same period. In anticipation of the latest fee increase in July 2007, and motivated by the toxic nature of the immigration debate, immigrants have applied to become citizens in incredibly high numbers. According to the U.S. Citizenship and Immigration Services (USCIS), by the end of

2007 the number of applications filed was the highest annual number in a decade at 1.4 million applications, and the third-highest in our nation's history. Unfortunately, an enormous backlog has extended the processing period for applications. As of May 2008, approximately 850,000 immigrants were waiting for their naturalization applications to be processed. Countless applicants, all of whom had previously been found eligible for lawful permanent resident status, found themselves stuck in backlogs and prevented from fully participating in the democratic process. Many missed the opportunity of voting in November 2008 because of these bureaucratic delays.

NCLR supports proposals that eliminate the naturalization backlog and measures to remove undue bureaucratic barriers to naturalization. Steps to encourage the integration of immigrants are essential to building upon their social and economic contributions.

State and Local Policies

Congressional failure to overhaul the nation's immigration system in 2006 and again in 2007 has given way to a chaotic patchwork of state and local measures which often wreak havoc on local communities while failing to address the systemic problem, since state and local governments lack jurisdiction over immigration policy. NCLR has been working with national and local partners to respond to harmful legislation and ordinances and address the implications of local enforcement measures and the impact they have on immigrant and Latino communities. Some of these issues include:

- **Driver's Licenses.** Many states have continued in their efforts to increase the requirements and costs of attaining a driver's license. This not only makes it more difficult for anyone to attain and renew their license, but also greatly jeopardizes highway safety.
- **English-only.** Attempts to make English the "official language" in states and localities (where English is *already* the official language, as in the rest of the country) provide no strategies to achieve effective immigrant integration and have created confusion and rights violations. At worst, these measures have the potential to jeopardize the health, safety, and well-being not only of ELLs, but also of whole communities, by impeding access to information and emergency response.



- **Local Law Enforcement and 287(g) Memoranda of Understanding.** 287(g) MOUs call on local police to enforce complex immigration laws, often without training and creating added strain on already limited crime-fighting resources in local communities. Ironically, these agreements have a detrimental effect on community policing strategies and national security, making immigrant communities reluctant to report crimes and rendering them easy prey, and often lead to discriminatory practices and community confusion.
- **Restricting Access to Benefits.** Many states have increased documentation requirements to access public benefits, despite little proof to show that immigrants are accessing these benefits. Ironically, such regulations hinder eligible persons from accessing benefits, particularly disabled and elderly citizens who rely on their benefits to survive from day to day.
- **Worksite Enforcement and E-verify.** Mirroring the federal immigration debate, some state and local legislatures have implemented worksite enforcement and E-verify measures, having no jurisdiction to enact needed improvements in the program. The results are policies that often lack necessary worker protections and that punish the employee with little or no consequence to the employer or change in working conditions.

NCLR believes that the federal government should offer support to state and local communities to achieve successful immigrant integration, and supports actions that foster safe and strong communities.

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WEALTH-BUILDING

The ownership of assets is critical to creating long-term economic sustainability among low- and moderate-income families. Latinos, like most Americans, rely on financial products and tools to accumulate assets. However, many roadblocks are built into our financial system which make it difficult for Hispanic families to access fair and affordable credit. For example, many Latinos and immigrants have unique financial profiles that make them an “unattractive” customer to banks. Approximately 22% of Latinos, compared to only 4% of Whites, have a “thin” credit file or no credit history, which usually results in a “0” credit score.³⁶ Latino consumers are also more likely than their peers to earn some cash income, have multiple sources of income, or lack a relationship with a bank. As a result, many Latino families are channeled to more expensive credit cards, car loans, and home loans, regardless of their actual risk or creditworthiness, while others turn to fringe financial products such as payday and car title loans. Access to safe and affordable credit can help Latino families build wealth and financial security, enabling them to move permanently into the American middle class.

Auto Ownership and Financing

For many Americans, auto ownership can mean the difference between gainful employment and destitution. Places of viable employment are often distant from low-income neighborhoods and can be difficult to access through public transportation. Owning a reliable car opens the path to better jobs that can help low-income families progress into a more stable financial position. Making a large purchase such as a vehicle or home can be complicated even in the best of circumstances. Unfortunately, some families face additional obstacles. Numerous studies indicate that, while making this big purchase, low-income Latino families can fall prey to predatory practices such as inflated “markups”—hidden kickbacks to dealers for securing higher interest rates. According to a study by the Consumer Federation of America, hidden markups result in discriminatory treatment of Blacks and Latinos, costing them \$1 billion annually. A separate study found that 57.9% of Hispanic customers who financed their car through one auto company in particular were charged an unwarranted markup, compared to 40.2% of White customers. On average, a markup on loans for Latino customers was \$715; White consumers paid an average of \$464.³⁷

Since many low-income and Latino families have weak or no credit, they may be aware of only a limited number of options available to them. They unknowingly accept bad offers that could leave their family with a lemon—or worse, exponential and unnecessary personal debt.

NCLR supports community-based, low-income car ownership programs that help low-income families purchase reliable cars fairly and without inflated interest rates or hidden markups. For example, community-based financial counselors offer objective advice, helping low-income families make informed purchases and avoid transactions that could cause lasting damage to their credit. Without proper knowledge and a system of checks and balances protecting against deceptive auto market practices, some families may never escape the poverty cycle.

Credit Cards

Credit cards are often an individual’s first entry into the U.S. credit market. Productive use of a credit card with favorable terms can help families build credit and prepare for large asset purchases such as a car or home. However, a card with high rates and fees can have a devastating impact on a family’s budget and a lasting impact on its credit history and financial potential. As described above, nearly a quarter of Latinos do not have enough credit information available to generate a credit score, and more than one-third do not maintain traditional banking or savings accounts. Because creditors generally rely on automated data mining, the fact that Latinos and immigrants are less likely to have robust credit files leaves them at a disadvantage. As a result, many mainstream banks do not solicit Latino communities with their best-priced credit cards. This leaves Latinos vulnerable to predatory lenders. Predatory credit practices trap families in debt and jeopardize markets. Affordable and safe credit sources are vital to building a credit history and greater long-term financial security.

NCLR recommends that Congress improve regulatory oversight and consumer protections, mandate transparent contract terms, create a system for more accurate credit reporting standards, and support community-based financial counseling. NCLR supports the Credit Cardholder’s Bill of Rights (H.R. 5244), which would end the most egregious predatory credit abuses, as well as the Senate companion bill, the Credit Card Accountability, Responsibility, and Disclosure (CARD) Act. These bills would



codify a regulatory rule proposed by the Federal Reserve Board released in early 2008, thereby preventing the law from being weakened in the future.

Fair Housing

According to the 2008 Fair Housing Trends Report, in excess of four million incidences of housing discrimination occur annually. Reports released in 2000 showed that discrimination against Latino renters rose over the previous ten years, and evidence suggests that this trend may have continued to worsen since 2000. Latinos are often provided different terms, conditions, or privileges for sale or rental of a home, as well as in the mortgage lending process where, in many cases, they are not provided with equal housing or loan information.

Despite the estimated high rates of discrimination, few Latinos actually report violations of the Fair Housing Act. In some cases, a family may not be aware that they have been discriminated against. However, for many others, rising anti-immigrant sentiments intimidate families from coming forward to report abuse, even when their immigration status is not in question. As a result, many Hispanic families accept poorer housing conditions, are less likely than others to complain or request repairs, and may be steered toward predatory home loans.

NCLR supports increasing resources to enforce the Fair Housing Act. Moreover, a significant portion of the increase should go toward building capacity among Hispanic and immigrant-serving CBOs. CBOs can deliver fair housing materials and conduct enforcement activities using linguistically and culturally competent methods.

Financial Counseling

In recent years, the goal of increasing the nation's collective financial literacy has gained prominence among policymakers. However, despite the efforts of many, Latinos and other low-income, low-wealth families lack access to quality financial information. An NCLR report found that most financial education programs consist of broad, generic information in the form of classroom-style lectures, workbooks, Internet-based seminars, and financial literacy outreach campaigns.³⁸ Although these efforts contribute to increasing awareness, there is no evidence to suggest that these methods are helping low-income Latino families accumulate assets and build wealth.

In contrast, an evaluation of the NCLR Homeownership Network, which provides one-on-one housing counseling to potential homebuyers, found that individualized advice provided by homeownership counselors was critical to clients' ability to purchase their first home.³⁹ This suggests that one-on-one counseling is a meaningful and effective tool for both building financial knowledge and improving wealth levels.

Unfortunately, most families who are low to middle income cannot afford good-quality financial planning. A community-based program that delivers free or low-cost financial planning services could prevent many families from becoming targets of fraud, push marketing schemes, and predatory lending.

NCLR recommends that Congress create a program modeled after the highly effective HUD Housing Counseling Program which will provide financial advice to the unbanked and those without a traditional credit history, rebuilding after a foreclosure or a bankruptcy, or saving for their retirement.

Homeownership and Foreclosures

Homeownership has long been touted as the primary means for low- and moderate-income families to build assets and provide for their children's education and their own retirement. This is especially true for Latino households, for whom the majority of their net worth comes from the equity in their home. However, Hispanic families are the frequent target of unscrupulous mortgage lenders. Research shows that, year after year, Latino families are nearly twice as likely as White families to receive high-cost home loans. In fact, high-income Latinos are more likely to receive such loans than low-income White families, and other research shows that credit score and other characteristics cannot fully account for the disparity. Rather than building wealth, predatory mortgage lending threatens to erode the gains promised by home equity.

By 2008, foreclosure rates reached historic levels. By one estimate, one in 12 loans made to Latinos in 2005 and 2006 will end in foreclosure.⁴⁰ Absent major intervention, indicators suggest that high foreclosure rates will continue well into 2011. In fact, the majority of Payment Option Adjustable Rate Mortgages (ARMs) are expected to reset in 2009 and 2010—a loan product that was heavily marketed and sold within the Latino community.



NCLR strongly supports efforts to bring balance in the housing market which will allow creditworthy borrowers to connect to safe and affordable home loans. Though foreclosures are on the rise, this is largely due to faulty underwriting and predatory lending. When matched with a fairly priced home loan, families will see their homes build equity and their neighborhoods stabilize. NCLR supports efforts to curb predatory mortgage lending, regulate mortgage brokers, and hold bad actors at every level accountable. In addition, NCLR supports programs that encourage the development of affordable housing, such as the HUD Housing Counseling Program, and that contribute to sustainable homeownership in Latino communities. Finally, NCLR also advocates for a comprehensive national response to the foreclosure crisis, including a meaningful rescue loan program and systemic loan modifications that will keep struggling families in their homes.

Pending Legislation

- The Credit Cardholder's Bill of Rights
- Credit Card Accountability, Responsibility, and Disclosure (CARD) Act
- Financial Education and Counseling Assistance Act
- Foreclosure Prevention and Sound Mortgage Servicing Act
- Systematic Foreclosure Prevention and Mortgage Modification Act

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Latino Population by State, 2000 and 2007

State	Latino Pop 2000	Percent	Latino Pop 2007	Percent	% Growth
Alabama	75,830	1.7	121,552	2.6	60.3
Alaska	25,852	4.1	39,061	5.7	51.1
Arizona	1,295,617	25.3	1,893,171	29.8	46.1
Arkansas	86,866	3.2	145,918	5.1	67.9
California	10,966,556	32.4	13,219,347	36.1	20.5
Colorado	735,601	17.7	967,536	19.9	31.5
Connecticut	320,323	9.4	411,349	11.7	28.4
Delaware	37,277	4.8	50,559	5.8	35.6
District of Columbia	44,953	7.9	48,941	8.3	8.8
Florida	2,682,715	16.8	3,751,186	20.5	39.8
Georgia	435,227	5.3	733,510	7.7	68.5
Hawaii	87,699	7.2	101,865	7.9	16.1
Idaho	101,690	7.9	148,133	9.9	45.7
Illinois	1,530,262	12.3	1,922,844	14.9	25.7
Indiana	214,536	3.5	301,599	4.7	40.6
Iowa	82,473	2.8	115,934	3.8	40.6
Kansas	188,252	7.0	246,966	8.9	31.2
Kentucky	59,939	1.5	87,175	2.1	45.4
Louisiana	107,738	2.4	135,077	3.1	25.4
Maine	9,360	0.7	14,322	1.1	53.0
Maryland	227,916	4.3	346,990	6.2	52.2
Massachusetts	428,729	6.8	519,190	8.0	21.1
Michigan	323,877	3.3	394,878	3.9	21.9
Minnesota	143,382	2.9	207,602	4.0	44.8
Mississippi	39,569	1.4	51,921	1.7	31.2

* Source for 2000 population: U.S. Census Bureau. Source for 2007 population: NCLR Calculation, 2007 American Community Survey.



State	Latino Pop 2000	Percent	Latino Pop 2007	Percent	% Growth
Missouri	118,592	2.1	169,739	2.9	17.8
Montana	18,081	2.0	23,624	2.5	30.7
Nebraska	94,425	5.5	133,666	7.5	41.6
Nevada	393,970	19.7	643,358	25.1	63.3
New Hampshire	20,489	1.7	32,707	2.5	59.6
New Jersey	1,117,191	13.3	1,379,047	15.8	23.4
New Mexico	765,386	42.1	872,626	44.3	14.0
New York	2,867,583	15.1	3,146,959	16.3	9.7
North Carolina	378,963	4.7	636,442	7.0	67.9
North Dakota	7,786	1.2	9,094	1.4	16.8
Ohio	217,123	1.9	282,603	2.5	30.2
Oklahoma	179,304	5.2	262,223	7.2	46.2
Oregon	275,314	8.0	391,561	10.4	42.2
Pennsylvania	394,088	3.2	564,880	4.5	43.3
Rhode Island	90,820	8.7	122,812	11.6	35.2
South Carolina	95,076	2.4	168,322	3.8	77.0
South Dakota	10,903	1.4	23,275	2.9	113.5
Tennessee	123,838	2.2	211,797	3.4	71.0
Texas	6,669,666	32.0	8,591,352	35.9	28.8
Utah	201,559	9.0	307,132	11.6	52.3
Vermont	5,504	0.9	6,254	1.0	13.6
Virginia	329,540	4.7	488,589	6.3	48.2
Washington	441,509	7.5	611,369	9.4	38.4
West Virginia	12,279	0.7	18,223	1.0	48.4
Wisconsin	192,921	3.6	267,563	4.8	38.7
Wyoming	31,669	6.4	36,753	7.0	16.0

* Source for 2000 population: U.S. Census Bureau. Source for 2007 population: NCLR Calculation, 2007 American Community Survey.



2008 Presidential Election: Latino Electorate by State

State	% Latino Electorate	# Latino Voters
Alabama	4	83,065
Alaska	6	18,906
Arizona	16	332,993
Arkansas	3	31,521
California	18	2,159,298
Colorado	13	290,800
Connecticut	8	127,962
Delaware	3	12,232
District of Columbia	5	11,261
Florida	14	1,131,667
Georgia	3	116,750
Hawaii	8	35,618
Idaho	6	38,172
Illinois	7	371,027
Indiana	4	108,366
Iowa	3	44,872
Kansas	4	47,420
Kentucky	2	36,042
Louisiana	4	77,143
Maine	1	7,176
Maryland	7	179,854
Massachusetts	6	179,722
Michigan	3	147,362
Minnesota	3	85,462
Mississippi	4	48,325

State	% Latino Electorate	# Latino Voters
Missouri	2	57,759
Montana	4	18,864
Nebraska	2	15,558
Nevada	15	141,580
New Hampshire	2	14,030
New Jersey	9	326,749
New Mexico	41	331,393
New York	6	416,384
North Carolina	3	126,992
North Dakota	2	6,192
Ohio	4	208,421
Oklahoma	3	43,861
Oregon	5	83,913
Pennsylvania	4	231,152
Rhode Island	7	32,335
South Carolina	3	56,896
South Dakota	3	11,217
Tennessee	2	51,615
Texas	20	1,597,782
Utah	5	42,863
Vermont	1	3,178
Virginia	5	184,221
Washington	7	185,270
West Virginia	3	20,871
Wisconsin	3	87,859
Wyoming	5	12,056

* NCLR Calculation. CNN Exit Poll Data, <http://www.cnn.com/ELECTION/2008/results/polls>, and 2007 American Community Survey.



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