



**UNIDOS US**  
STRONGER COMMUNITIES. STRONGER AMERICA.

# Stronger Communities, Stronger America:

A Latino Policy Agenda for  
the 116th Congress



UnidosUS, previously known as NCLR (National Council of La Raza), is the nation's largest Hispanic civil rights and advocacy organization. Through its unique combination of expert research, advocacy, programs, and an Affiliate Network of nearly 300 community-based organizations across the United States and Puerto Rico, UnidosUS simultaneously challenges the social, economic, and political barriers that affect Latinos at the national and local levels.

For more than 50 years, UnidosUS has united communities and different groups seeking common ground through collaboration, and that share a desire to make our country stronger.

The UnidosUS Policy and Advocacy component is a leading think tank focusing on issues relevant to the Latino community. Through research, policy analysis, advocacy efforts, civic engagement, and campaigns, it defines a rigorous policy agenda that includes stances on immigration, education, health, employment and the economy, and housing. The component aligns federal work with state-level advocacy and provides support and expertise to state and local leaders in implementing Latino-focused policy.

For more information on UnidosUS, visit [www.unidosus.org](http://www.unidosus.org) or follow us on [Facebook](#) and [Twitter](#).

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Printed in the United States of America.

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## ACKNOWLEDGEMENTS

UnidosUS's (formerly the National Council of La Raza) public policy agenda is the culmination of a collaborative effort by staff within the Policy and Advocacy department. Samantha Vargas Poppe, former Director, Policy Analysis Center and Stephanie Román, Senior Analyst co-authored this publication. Eric Rodriguez, Vice President, Policy and Advocacy; Clarissa Martínez de Castro, Deputy Vice President, Policy and Advocacy, Albert Jacquez, Senior Director, Legislative and Political Affairs, provided substantive oversight, guidance, and review. Issue area experts provided technical insight and expertise (see Appendix II).

Stephanie Presch, Content Specialist and Kelly Isaac, Design and Brand Manager, edited and designed the publication. The content of this paper is the sole responsibility of UnidosUS and may not reflect the views of UnidosUS's funders or any other individual or organization that assisted in its preparation.

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## INTRODUCTION

### Political Landscape

Over the first two years of the Trump administration, workers and families in communities across the nation have endured the impact of the president's divisive words, inequitable policies, and vindictive executive actions. The vast majority of hardworking Americans gained little to nothing from the president's signature legislation—the Tax Cuts and Jobs Act (TCJA)—but found themselves footing the bill for roughly \$1.9 trillion in tax cuts to the richest Americans and largest corporations and battling efforts to strip affordable health care away from millions. The American public also repeatedly witnessed the brutality of the administration's approach toward immigrants, most poignantly through the forced separation of families at the border.

The nation's 58.8 million Latinos,\* eight out of 10 of whom are U.S. citizens, have been a political target in President Trump's Make America Great Again storyline, which rests on fueling American division. The administration has used immigration as a proxy to stir anxiety about demographic change, and particularly to attack Latinos' place in our society. As a result, it is no surprise that half of Latinos say their situation in the United States has worsened over the past year, up from 32% in the weeks after Donald Trump's 2016 presidential victory.<sup>1</sup> This marks the highest level of unease for Latinos since the Great Recession.<sup>2</sup> In addition to the toxic rhetoric and attacks, Latinos like other working Americans, feel the effects of their financially fragile situation. While Latinos have historically been optimistic about the economy and their place in it, the current share of Latinos describing their economic situation as “excellent” or “good” dropped by 10 percentage points between 2015 and 2018.<sup>3</sup> Latinos also worry about their children's prospects: the share of Latinos who say their children will be better off financially than they are declined dramatically from 72% to 54% between 2015 and 2018.

\* 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. UnidosUS (formerly the National Council of La Raza) is the largest Latino advocacy organization in the United States. Any reference to the National Council of La Raza or NCLR in this document refers to analysis conducted by UnidosUS prior to its name change on July 10, 2017.

### 116th Congress by the Numbers:

A record turnout of Latino voters in key states contributed to this Congress being the most diverse in the nation's history, with a record number of Black, Latino, women, Muslim, and LGBT Americans representing an increasingly diverse U.S. population in Washington.

- 20 new members under the age of 40
- Four new members who identify as LGBTQ
- 23 new non-White members
- 42 new women legislators
- 22 former veterans or CIA members



But the Latino community is not standing idly by. In addition to increased activism and advocacy, voters including millions of Latinos, spoke out in the 2018 midterm elections and made their voices heard at the ballot box, rejecting the politics of division that have been the signature of the Trump administration. More than 80% of voters in battleground districts expressed the importance of voting to reject fear-based politics and focus on solving real problems. Nearly 90% of Latino voters agreed with that sentiment.<sup>4</sup> In 2018 Latinos voted in levels previously unseen in a midterm election, playing a determinant role in races that contributed to flipping control of the U.S. House of Representatives, which can now serve as a check on the administration's actions.

The 2018 midterm elections represented the highest turnout for a midterm since 1966 with 114 million votes cast, compared to just 83 million cast in in 2014. Early estimates put the Latino share of midterm voters at 11%, nearly reaching their total share (12.9%) of the eligible voter population.<sup>5</sup> Latinos are flexing their political muscle, voting in support of issues that benefit a majority of Americans, like health care access, job creation, and sound immigration policies—all while sending a message that politicians that attack, alienate, or neglect them will not fare well with the Latino electorate. The election confirmed that Latinos are undeniably visible and vocal participants in our nation's democracy; Latinos expect to see their interests and concerns reflected in the work of their representatives and political leaders as well as fully included in the national policy agenda.

The record number of Latino, Black, Muslim, and LGBT Americans in Congress clearly signal that America is tired of candidates aiming to divide our country. Unity and collaboration are at the heart of what voters want for America, not fear and division. Successful candidates embraced an optimistic message, a progressive agenda aimed at providing opportunity to more Americans, and energized voters who had been ignored in previous elections. The most diverse Congress in history shows a path forward for Latinos and all Americans and shows that candidates matter, issues matter, and meaningful outreach is nonnegotiable. The American people are watching and expect members of the 116th Congress and presidential candidates going into the 2020 elections to take note and deliver policies in this spirit.

## Policy Priorities

UnidosUS urged the 115th Congress to reject President Trump's platform of division and instead work to advance policies that continue important progress achieved in health care, education, and economic empowerment for families. Still the nation witnessed repeated attempts in Congress to undermine rather than help families make ends meet. In the end, although a tax reform with lopsided benefits to the top and to corporations was enacted, many deeply harmful legislative proposals were blocked or rejected by the Congress; in large part due to exuberant activism and civic engagement.

With a new Congress and greater balance of power among political parties, UnidosUS urges the 116th Congress to reset and return to advancing a legislative agenda that prioritizes the needs of workers and families. While smart policies and the hard work of Latinos have led to years of positive, albeit slow, progress, the shadow of long-standing inequities remain:

- **Latino poverty is at an all-time low but remains significantly higher than that of other racial and ethnic groups.** Latino poverty reached pre-recession levels in 2015, and continued to drop in 2017, hitting a 10-year low at 18.3%.<sup>6</sup> Despite this improvement, just over one-in-six Latinos still lives in poverty compared to just under one out of 10 Whites.<sup>7</sup> At the same time, Latinos have one of the highest labor force participation rates (66.6%) of any racial or ethnic group.<sup>8</sup>
- **Hispanic students are attending college in record numbers, but degree completion lags.** A record number of Latinos are enrolling in postsecondary programs: between 2000 and 2016, Hispanic enrollment in postsecondary programs increased 134%—from 1.4 million to 3.4 million students.<sup>9</sup> In 2016, Latinos comprised nearly 19% of total undergraduate enrollment, up from 6% in 1990.<sup>10</sup> However, Latino students are not graduating at the same rates as their peers. In 2016, slightly more than half (54%) of all Latino students completed their bachelor's degrees within six years, which is less than the completion rate in the same period for Whites (63%).<sup>11</sup>
- **The Affordable Care Act (ACA) has reduced the number of uninsured Latinos, but millions remain uninsured.** Under the law, about 4.2 million Latinos have gained health insurance.<sup>12</sup> However, Latinos remain the most uninsured population in the United States, with about 16.1% of all Latinos lacking health coverage, compared to 8.5% of non-Hispanic Whites.<sup>13</sup>

These gains are the result of years of effort and, in many cases, progress was lifted up with support and policy ideas that were derived from both political parties and experts from across the ideological spectrum.

The 2020 election season, nationally and within states, has already begun for many political leaders, including the president. While no one can predict how events will unfold between today and November 2020, it is a certainty that the Latino vote will be more influential and potent in the next election than ever before. Latino voters will want to know where candidates stand on the major issues of the day and whether those leaders collaborated in or confronted the systematic alienation of the Latino community that we have witness in the last two years. The congressional and state legislative sessions this year and next afford leaders an opportunity to establish a record that helps them to answer these questions in a meaningful way.

This publication serves as a resource for leaders seeking ways to champion the interests of the Latino community. The report provides an overview of UnidosUS's policy priorities; for more detailed analyses of these complex issues, please visit [www.unidosus.org](http://www.unidosus.org), consult other UnidosUS publications, or contact our staff of experts (see Appendix II). The following sections, presented in alphabetical order, examine major topics that are relevant to Latinos, including specific concerns and examples of proposed legislation that embody the progress that UnidosUS supports.

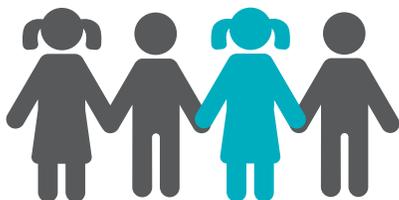
#### FACT NO. 1



There are **58.8 million Latinos in the United States**, meaning about one out of every five Americans now identifies as Latino.

Source: U.S. Census Bureau, "Selected Population Profile in the United States 2017 American Community Survey 1-Year Estimates" (Washington, DC: U.S. Census Bureau, 2018), [https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_17\\_1YR\\_S0201&prodType=table](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_1YR_S0201&prodType=table).

#### FACT NO. 2



**One-in-four American children** under the age of 18 is Latino.

Source: Annie E. Casey Foundation Kids Count Data Center, "Child Population by Race" (Baltimore, MD: Annie E. Casey Foundation, 2018), <https://datacenter.kidscount.org/data/tables/103-child-population-by-race#detailed/1/any/false/871,870,573,869,36,868,867,133,38,35/68,69,67,12,70,66,71,72/423,424>.

#### FACT NO. 3



**One-third of the Latinos** in the United States are under 18 years of age, and the vast majority (95%) are U.S. citizens.

Source: UnidosUS, "Toward a More Equitable Future: The Trends and Challenges Facing American's Latino Children" (Washington, DC: UnidosUS, 2016), [http://publications.unidosus.org/bitstream/handle/123456789/1627/towardamoreequitablefuture\\_92916.pdf?sequence=4&isAllowed=y](http://publications.unidosus.org/bitstream/handle/123456789/1627/towardamoreequitablefuture_92916.pdf?sequence=4&isAllowed=y).



## CIVIL RIGHTS AND CRIMINAL JUSTICE

Fairness and equality are core American ideals but these guiding values have been applied only to certain races and classes for the greater part of our history. Our nation's lawmakers codified these values into law more than 50 years ago with the enactment of the Civil Rights Act of 1964, the Voting Rights Act of 1965 (VRA), the Fair Housing Act of 1968, the Elementary and Secondary Education Act (ESEA) of 1965, and the Higher Education Act (HEA) of 1965, among others which followed in later years. Together, these laws have helped provide basic rights against discrimination and inched society closer to the ideals of fairness and equality. For example, the VRA aimed to overcome legal barriers in state and local laws that prohibited people of color from voting. Congress further expanded the VRA in 1975 to improve the ability of eligible Latinos with limited English proficiency (LEP) to vote.<sup>14</sup> Prior to the enactment of language protections, just over one third of Hispanics were registered to vote.<sup>15</sup> By 2016, the number of Hispanics registered to vote had risen to almost 57.3%.<sup>16</sup> In recent years, progress has also been made by Congress enacting laws to combat hate crimes, and reduce the overall number of incarcerated people. In addition, states have passed measures to expand the franchise for returning citizens (people with a felony conviction).

Despite some progress, there remain too many examples where fairness and equality does not exist for many people of color. One clear example is the American criminal justice system, which continues to disproportionately target and incarcerate people of color. In 2017, the U.S. criminal justice system detained nearly 2.3 million individuals, the most of any developed country.<sup>17</sup> The mass incarceration of Latinos and other communities of color is largely due to the reliance on mandatory minimum sentences to punish non-violent crimes as well as uneven policing practices. This continued practice has had a devastating effect on the Latino community; in 2016 Latinos represented 16% of the adult population but accounted for 23% of inmates in prison.<sup>18</sup>

Continued discrimination and moves by the Trump administration to blatantly infringe on civil rights and to reduce monitoring and enforcement of civil rights laws will prevent full civic participation and continue to marginalize vulnerable communities. Recent and increasing threats to voting rights, continued housing and employment discrimination, and racial profiling by law enforcement stand to worsen long-standing inequities. Furthermore, recent executive branch policies like the Muslim Ban and disturbing societal trends—including increased instances of divisive rhetoric and a spike in reports of hate crimes<sup>19</sup>—threaten to erode hard-fought gains to expand civil rights protections for all people.

### Hate Crimes Against Latinos on the Rise

The rise in hate crimes against Latinos since the 2016 presidential campaign demonstrate that anti-immigrant and anti-Latino rhetoric has serious implications for the safety of Latinos across the country. Hateful rhetoric is dangerous to Latino communities, especially when hate speech becomes action, as it too easily has in California and other states, and most recently visible in Charlottesville, Virginia. Hate crimes against Latinos in California increased by 50% between 2016 and 2018.<sup>20</sup> For immigrants the spike in hate crimes are worse: hate crimes with a non-citizen bias in California have increased by 300% since 2015.<sup>21</sup> The Center for the Study of Hate and Extremism at California State University, San Bernardino, found that 34 anti-Latino hate crimes were reported in America's largest cities in the first two weeks after the 2016 election, a 176% increase over the year-to-date daily average.<sup>22</sup>



### Protecting Voting Rights

More than 50 years ago, strong protections for all Americans were established in the Voting Rights Act of 1965. The bill eliminated poll taxes and literacy tests and subsequent reauthorizations established protections for LEP voters to gain access to in-language ballots—that provision alone, Section 203, currently covers 16 million Latinos needing language assistance. However, other protections included in the act were effectively eliminated when the U.S. Supreme Court struck down part of it in 2013. The Court's decision in *Shelby County v. Holder* ruled that the formula used to determine which jurisdictions were subject to federal review of voting rule changes—because of a history of voter discrimination—was outdated and therefore unconstitutional. Despite the Court's recommendation that Congress update the coverage formula, Congress has failed to act, threatening the voting rights of countless Americans.

This change is particularly important to Latinos. Prior to the *Shelby* decision, seven million Latino voters lived in areas subject to federal review of voting policies.<sup>23</sup> In 2018, at least 70 bills to restrict access to registration and voting were introduced in 24 states.<sup>24</sup> As such, there is an urgent need for federal policy to simultaneously address threats to voting accessibility and protect against discriminatory voting rules.

*UnidosUS supports legislation to amend and update the Voting Rights Act, enacting a new formula to determine federal review of voting rights violations. Provisions worth consideration include “known practices coverage,” which would subject laws most closely linked to voter discrimination to review, even if those laws were passed or implemented in a jurisdiction not already subject to the review process.<sup>25</sup> Reauthorization should also address language access issues for LEP voters and methods to make voter registration easier for all.*

*UnidosUS supports efforts to improve access to the ballot box, including through automatic same-day voter registration. Currently, California, Colorado, Rhode Island, Vermont, Alaska, Georgia, Nevada (passed in 2018),<sup>26</sup> Oregon, and the District of Columbia automatically register eligible citizens to vote upon interacting with certain government agencies unless they opt out.<sup>27</sup>*

*UnidosUS opposes state and local efforts to disenfranchise voters through restrictive exact match voting laws, such as strict identification requirements, voter registration “verification,” and the elimination or minimization of early and by-mail voting.*

### **Purging the Voter Rolls**

In June 2018, the Supreme Court in *Husted v. Randolph* empowered states seeking to purge infrequent voters from the voter rolls. Through this court case, the state of Ohio’s actions to remove registered voters from the voter rolls after two years of inactivity have opened the doors for other states to implement similar voter purges. Another tool used by states to remove voters from voting lists is the Interstate Voter Registration Crosscheck Program (IVRCP). States use the IVRCP to identify possible instances of double voting by cross-referencing whether a voter is registered in two or more states. Research on the effectiveness of this program shows a high rate of false positives, often mistakenly identifying voters who are not registered in two states.<sup>28</sup> Thirty states, including Ohio, currently use IVRCP to identify possible instances of double registration.

In Georgia, voter registrations are canceled or placed in pending status and slated for removal due to discrepancies in voter registration forms—including minor mistakes such as an out-of-place space, hyphen, or apostrophe. These voters are not informed that their registrations have been placed in “pending” status. Many voters only find out that their registration has not been processed when they attempt to vote on Election Day. Latino voters are more than six times more likely to be affected than Whites by these policies.<sup>29</sup>



### **Fighting Discrimination**

Discrimination based on race, ethnicity, nativity, gender, sexual orientation, or gender identity limits socioeconomic opportunity, individual freedom, and harms the social

fabric of American society. In 2017, one-in-three (33%) Latinos stated that they've been personally discriminated against when it comes to applying for jobs, being paid equally or considered for promotions, and when trying to rent a room or apartment or buy a home.<sup>30</sup> Nearly three out of 10 Latinos stated that they had personally experienced discrimination in interacting with the police and 20% reported experiencing discrimination when trying to vote or participate in politics, while more than three-in-four Latinos believe there is pervasive discrimination against Latinos today.<sup>31</sup> The federal government has long recognized a need to protect minority groups from discrimination.

However, while there are laws shielding individuals from discrimination based on race, ethnicity, gender, and religion, no such federal protection exists for those who identify as lesbian, gay, bisexual, or transgender (LGBT). Only 23 states and the District of Columbia have laws that prohibit employment or housing discrimination based on sexual orientation and gender identity.<sup>32</sup> Some state legislatures are moving in the opposite direction and are introducing bills that specifically target LGBT people for discrimination in all facets of their life. In 2017, more than 129 such pieces of legislation were introduced in 30 states.<sup>33</sup> More than 1.4 million Latinos identify as LGBT, including one-in-five Latino millennials.<sup>34</sup> According to NPR and Robert Wood Johnson Foundation polling, LGBT Latinos are more than twice as likely (46%) as non-LGBT Latinos to experience threats or harassment because they are Latino, especially in areas of equal pay and promotion (43% LGBT v. 25% non-LGBT).<sup>35</sup>

Transgender people, and especially transgender people of color, face more violent and acute forms of discrimination. At least one-in-five transgender individuals surveyed reported experiencing mistreatment at work, which can have a profound effect on their economic security. For Latinos who identify as LGBT, the cumulative effects of discrimination are profound: transgender Hispanics have an unemployment rate of 21% (nearly four times the national rate), and 43% of transgender Latinos live in poverty. Transgender Latina women also experience higher rates of hate-based violence. In Los Angeles County, violent hate crimes targeting transgender Latinas accounted for 20 of the 31 crimes motivated by gender identity.

*UnidosUS supports legislation and regulatory action to expand safeguards against discriminatory practices across all sectors of society, including in the workplace, in schools, and during interactions with law enforcement. This includes preserving and ensuring funding for federal offices that enforce civil rights laws and opposing efforts to rollback crucial anti-discrimination regulations or programs.*

*For example, UnidosUS opposes any attempts to reduce or eliminate funding for the implementation of HUD's Affirmatively Furthering Fair Housing rule, which aims to fight housing discrimination. UnidosUS opposes attempts by states to permit discrimination based on sexual orientation or gender identity.*

## Trump Administration Rollbacks on Civil Rights

The Trump administration moved swiftly to weaken civil rights enforcement across several areas, threatening the rights of millions of people, including children and immigrants. President Trump set the tone for his administration's actions by signing Executive Order 13769, commonly known as the Muslim Ban, and continued his attack on the civil and human rights of immigrants through the administration's "zero tolerance" immigration policy. The administration's zero tolerance immigration policy has led to the forced separation and detainment of hundreds of parents from their children at the U.S.-Mexico border.

The Leadership Conference, a civil rights advocacy group, identified at least 95 instances in which the Trump administration has taken a stance contrary to long-standing views on civil rights.<sup>36</sup> While many of these actions have been challenged and have not yet taken effect, the message is clear: civil rights for protected classes are not a priority for this administration. For example:

- **DOJ:** The U.S. Department of Justice's Civil Rights Division has traditionally used the Constitution and federal law to offer protections to people of color, LGBT community members, immigrants, and others in areas from voting to policing. However, under former Secretary Sessions, the Department shifted its focus instead to expanding protections for local government, police, and people of faith—those claiming that civil rights enforcement has affected their rights. Former Secretary Sessions also limited the government's role to remedy police abuses at the local level by rolling back the use of consent decrees which are used to create plans for addressing law enforcement violations with local governments.
- **Education:** Secretary DeVos acted to limit the investigation of civil rights complaints at public schools and universities. The Secretary also rescinded Obama-era guidance providing rights to transgender students and making clear that the Department would not investigate claims related to protections previously granted under Title IX. These, among other concerns, have led the U.S. Commission on Civil Rights to begin a two-year review to investigate Secretary DeVos's "repeated refusal in congressional testimony and other public statements to commit that the Department would enforce federal civil rights laws." The education of detained migrant children is another area where Secretary DeVos's Education Department has failed to take substantial action to protect students' rights. Under the 1982 Plyler v. Doe Supreme Court ruling, states cannot deny children a free public education due to their immigration status. Despite the law, detained children across the country are receiving limited instruction time with few educational resources.

### Trump Administration Rollbacks on Civil Rights (Continued)

- **Health:** In January 2018, the U.S. Department of Health and Human Services announced a proposed rule that would, in effect, allow health care providers to discriminate against patients. The proposal would also establish a new office—the Conscience and Religious Freedom Division—within the department’s Office of Civil Rights to address related claims.
- **Census 2020:** The Decennial Census is Constitutionally required, and an accurate population count is important to the nation. Census data are used to apportion congressional seats and informs political redistricting at all levels. Census data is also critical to monitoring and enforcing civil and voting rights statutes and Census data guide the allocation of over \$800 billion in federal resources to states and localities. In March 2018, the Secretary of Commerce agreed to a Department of Justice request and subsequently submitted a revised Census questionnaire to Congress with a new, untested, citizenship question included. If adopted, this new question threatens to undermine the accuracy of the Decennial count and specifically to lead to an undercount of immigrants and their children. The Courts have intervened and the Supreme Court is expected to rule on this during 2019. While the Courts may stop the Administration from changing the questionnaire, other efforts to create roadblocks or underfund the Census could have more success and lead to a weakening of civil rights enforcement; a outcome we must work to prevent.



### FACT NO. 4



**More than half (54.2%)** of the nation’s Latinos live in California, Texas, and Florida.

Source: U.S. Census Bureau, “Selected Population Profile in the United States 2017 American Community Survey 1-Year Estimates” (Washington, DC: U.S. Census Bureau, 2018), [https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_17\\_1YR\\_S0201&prodType=table](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_1YR_S0201&prodType=table).

## Ending Racial Profiling

Racial profiling is a long-standing national problem that occurs when law enforcement target people of color for detentions, interrogations, and searches without evidence of criminal activity, based on perceived race, ethnicity, national origin, or religion. While the U.S. Supreme Court has held that racial profiling violates the equal protection clause of the Constitution—racial profiling remains a pervasive problem for all communities of color.

Many Latinos live in communities that have historically experienced racial profiling and discrimination.<sup>37</sup> The Latino community must also contend with the unique aspect of immigration, where current practice permits racial profiling for immigration enforcement by federal agencies. Policies allowing or requiring that local and state police forces act in conjunction with Immigration and Customs Enforcement (ICE) further exacerbate this problem. A 2018 poll conducted by LatinoJustice PRLDEF found that 84% of Latinos believe that racial profiling by the police based on race or ethnicity should not be permitted.<sup>38</sup> Escalated efforts and raids by federal and local law enforcement to target immigrants—most of whom are not criminals—have focused on Latino communities.<sup>39</sup> According to a 2017 poll from NPR and the Robert Wood Johnson Foundation, 27% of Latinos said they or a family member have been unfairly stopped or treated by the police because they are Latino.<sup>40</sup>

*UnidosUS supports comprehensively ending the racial profiling of Latinos, including by federal agencies like U.S. Customs and Border Protection and the Transportation Security Administration, as well as advocating for legislative reform to dismantle pervasive practices by local, state, and federal law enforcement agencies that threaten the civil rights and safety of the Hispanic community.*

## Reforming the Criminal Justice System

Recent trends show overall incarceration levels are falling: in 2016 the state and federal incarcerated population fell to the lowest level since 1993,<sup>41</sup> and the number of Hispanics in prison fell by 1,900 since 2009.<sup>42</sup> Despite this bright spot, Latinos continue to experience disproportionate minority contact (DMC), which occurs when the proportion of individuals of color involved in the criminal justice system is greater than the proportion of individuals of color in the community. The most recent data shows that 32.2% of the federal prison population<sup>43</sup> and 26.3%<sup>44</sup> of the state incarcerated population is Hispanic, even though Latinos only represent 18% of the total U.S. population.<sup>45</sup>

The U.S. criminal justice system's overreliance on incarceration as an enforcement tool over culturally competent prevention and recidivism reducing policies and programs for non-violent offenders has deep impacts on communities across the country. Indeed, the lack of investment in prevention coupled with lengthy prison sentences for drug offenses has a disparate impact on the Latino community. For example, in 2017, 41% of all offenders convicted of a federal offense carrying a mandatory

minimum were Hispanic.<sup>46</sup> Republican and Democratic elected officials have expressed support for sentencing reform and 77% of Americans favor eliminating mandatory minimum prison sentences allowing for judicial discretion.<sup>47</sup> Lengthy sentences that disproportionately affect racial and ethnic minorities undermine community stability and separate families without achieving greater community safety or reducing crime.

Public policy must also address high instances of recidivism: 49.1% of Hispanic offenders in federal prison were re-arrested within eight years of release; 75.3% of Hispanics released from state detention were re-arrested within five years of release.<sup>48</sup> Training programs and educational opportunities can enhance the skills necessary for an individual's employment upon release, and efforts to allow criminal records to be sealed or expunged for future employment prospects will help those who have served their time reintegrate into society. More than 80% of American voters support allowing federal prisoners to earn additional time off their sentence by participating in programs that are proven to reduce recidivism, including drug treatment and job training.<sup>49</sup>

*UnidosUS supports federal- and state-level sentencing reform legislation that reduces mandatory minimum and disparate drug sentences, and discontinues the inefficient use of federal, state, and local resources on the incarceration of low-level offenders. UnidosUS also supports legislation and policies, like "Ban the Box," to enhance programs and services for ex-offenders that encourage successful reintegration and reduce repeat offenses, and efforts to delay questioning about criminal history from employment, housing, and college applications until later in the process.*

### Spotlight on State Policy:

#### Florida's Amendment IV

Floridians for a Fair Democracy gathered more than 1.1 million petitions to place a voter re-enfranchisement initiative on the 2018 ballot.<sup>50</sup> The measure was approved by 64% of Florida voters, restoring voting rights to 1.6 million eligible returning citizens including 180,000 Latinos. Researchers have used voting trends in other states to determine how many returning citizens are likely to vote in future elections. In Iowa, Maine, and Rhode Island, 15% of recently re-enfranchised voters voted in the 2012 presidential election compared to 58% of the general population.<sup>51</sup> Another study suggests that 35% of re-enfranchised voters would like to vote given the restoration of their voting rights.<sup>52</sup>



## Legislation

In addition to the broad policy recommendations in this section, UnidosUS supports the following legislative actions:

- *Voting Rights Advancement Act*, which seeks to remedy the portions of the Voting Rights Act of 1965 that were declared unconstitutional in *Shelby County v. Holder*.
- *Equality Act*, which provides consistent and explicit non-discrimination protections for LGBT people across employment, housing, credit, education, public spaces and services, federally funded programs, and jury service.
- *REDEEM Act*, which automatically expunges and seals criminal records for nonviolent crimes committed by youth and assists with reintegration.
- *Better Drive Act*, which repeals federal law reducing highway funding for states that do not automatically suspend driver's licenses of those convicted of a drug offense, thereby allowing non-violent drug offenders to maintain their ability to drive and help prevent further involvement with the criminal justice system.
- *LGBT Data Inclusion Act*, requires Federal population surveys to collect voluntary, self-disclosed information on sexual orientation in certain surveys, and to establish data standards.
- *H.R.1—For The People Act*, expands voting rights, reforms campaign finance, and strengthens governmental ethics laws. Voting rights expansions include creating a national automatic voter registration system, same-day voting registration, and making colleges and universities voter registration agencies, among others.

### FACT NO. 5



Behind California, Texas, and Florida, seven other states have **Latino populations of more than one million** (Arizona, Colorado, Georgia, Illinois, New Jersey, New Mexico, and New York).

Source: U.S. Census Bureau, "Hispanic Heritage Month 2018" (Washington, DC: U.S. Census Bureau, 2018), <https://www.census.gov/content/dam/Census/library/visualizations/2018/comm/hispanic-fff-2018.pdf>.



## ECONOMIC SECURITY

One out of every three Latino voters cited the economy as their key concern in an election eve poll before the 2018 midterms.<sup>53</sup> Latinos' contributions bolster the U.S. economy, yet returns on their hard work have been slow to appear and are even disappearing. Recent economic gains are clear. The economy grew by 3.5% in the third quarter of 2018.<sup>54</sup> And there has been an average monthly gain of 211,000 jobs over the last year, continuing a 104-month trend of strong job growth.<sup>55 56</sup> As the largest minority group in the United States, Latinos have also experienced gains—strong job growth, a drop in poverty, and since 2012, Hispanic homebuyers accounted for 59% of the total net increase in homeownership in the United States.<sup>57</sup> However, continuation of recent economic gains is not automatic and recent policy decisions, including the TCJA, favor the wealthiest Americans and large corporations over workers. Despite the important economic gains Latinos have made, key economic indicators demonstrate that long-standing economic inequities persist:

- The labor force participation rate among Latino workers remains the highest out of any racial or ethnic group. Yet the Latino unemployment rate remained at 4.4%—higher than the overall unemployment rate of 3.7% in October 2018.<sup>58</sup>
- Median income for Latino households improved in 2017 to \$46,486, a record high. However, this still falls significantly below the median household income for all American households of \$59,039 in 2017.<sup>59</sup>
- More than a million fewer Latinos lived in poverty in 2017 compared to 2016. However, more than 10 million Latinos continue to live in poverty and the rate of poverty in the Latino community (18.3%) is almost twice the rate for their White counterparts (10.7%).<sup>60</sup>

While Hispanics have celebrated some incremental gains in economic security, the wealth gap between Latinos and other Americans remains stark and growing. In 2016,

the average Latino family had just \$1 for every \$5 the average White family held in wealth and between 2013 and 2016 the gap grew by 14%.<sup>61</sup> Together, these challenges highlight the need for a targeted economic policy agenda that ensures more workers see a return on their investment in our national economy. It is time that the hard work of all Americans, including Latinos, results in fair opportunities to build and maintain assets.

## **Increasing Job Quality and Income**

### *Enhancing Job Quality and Closing the Wage Gap*

Latinos have the highest workforce participation rates of any other racial or ethnic group. However, they are concentrated in lower-quality jobs with low wages, little benefits, and less security. Latinos are disproportionately concentrated in low-wage jobs, and 42% of working Latinos earn poverty-level wages. Consequently, Latinos' views on their economic well-being is eroding. The effects of a higher federal minimum wage would benefit more than 35 million workers in the United States, including more than 8.5 million Latinos who are earning less than \$15 an hour.<sup>62</sup>

Currently, it is challenging for Latinos to move from low-wage jobs into job opportunities that can lead to the middle class. Absent change, the workforce of the future may struggle to remain competitive in a global economy. This is problematic considering that the U.S. Census Bureau estimates that by 2060, the Latino population will number 119 million accounting for approximately 30% of the nation's population.<sup>63</sup> Conversations about updating our nation's infrastructure present an opportunity to create new, good-paying jobs that are a pathway to the middle class. For example, in 2016, 34% of workers in construction and extraction occupations—including construction laborers, brick masons, and highway maintenance workers—were Latino.<sup>64</sup> To achieve this, any infrastructure proposal must work toward shared economic prosperity, including a focus on neighborhoods that have been shortchanged for too long, and creating quality jobs that pay a living wage and provide a pathway to the middle class.

Other aspects of job quality, such as earned leave and predictable schedules, are critical for Latino workers' economic security. Almost 40% of all employees—nearly 40 million workers—do not have access to any earned family leave.<sup>65</sup> Latinos are the least likely to have access to paid sick days or paid parental leave of any racial or ethnic group, largely due to their overrepresentation in low-wage or hourly positions that do not offer earned leave.<sup>66</sup> Specifically, more than half of Latinos are unable to earn a single paid sick day and only 44% of Latinos have access to paid family leave.<sup>67</sup> Almost half of Latinos have unpredictable or non-standard schedules, which can impact the size of their paychecks from week-to-week or hinder their ability to secure child care, leaving them vulnerable to losing their jobs to care for their family.<sup>68</sup> As such, millions of working Latinos find their economic security in jeopardy when trying to balance work, health, and family needs.

**Findings from a 2017 survey of Latino voters** make clear that Latino voters feel left out of the TCJA and report few, if any, benefits<sup>71</sup>:

- Eight out of 10 Latino voters polled believe that the vast majority of tax cuts from the TCJA will go to the wealthy.
- About one out of five Latino voters report that they or someone in their household had their taxes lowered because of the new law.
- Nearly seven out of 10 Latino voters believe that the tax law will increase the national debt, which will result in large cuts in Medicare, Medicaid, Social Security, and education.



*UnidosUS advocates for programs and policies that provide quality jobs to all workers and provide a pathway to the middle class. To restore the value of the minimum wage, UnidosUS supports raising the federal minimum wage to \$15 per hour by 2020, followed by automatic increases to keep pace with the rising cost of living. UnidosUS supports legislation that expands paid family and sick leave for all workers, such as the FAMILY Act and the Healthy Families Act, and increases access to advanced scheduling for hourly workers.*

### **Spotlight on State Policy: Minimum Wage**

Policymakers in 32 states and the District of Columbia have set a minimum wage that is higher than the federal standard of \$7.25 per hour.<sup>69</sup> Ten states, the District of Columbia, and 33 counties and cities have adopted paid sick days for all workers.<sup>70</sup> UnidosUS urges all state governors and lawmakers to raise the state minimum wage to ensure that more workers can afford the basics while helping the economy grow and to enact policies to improve job quality, such as paid leave, for all workers.



## **Wealth-Building**

### *Designing a More Inclusive Tax Code*

Latinos, like many Americans, believe that the current tax system does not work for them. Latino workers contribute to the tax system through sales tax, payroll tax, and income taxes. Even after reforms in 2017, the tax system remains acutely burdensome to workers at the lower end of the income distribution—including many Hispanic workers.

Instead of helping those working hard and struggling to make ends meet, the TCJA provided a massive tax cut for the richest Americans and the largest corporations, while providing little help to working families—especially Latinos. In 2019, an estimated 89% of Latino taxpayers will get an average tax cut of \$316.06, compared to an average tax cut of \$55,190 for the richest 1% of Americans.<sup>72</sup>

As members of Congress consider amending the existing tax law in the future, there must be an intentional focus on supporting the middle class and working families. It is important to remember that the tax code has long been intended to be

an instrument to promote economic mobility and asset-building among low- and middle-income Americans. Taxes should reduce poverty, raise enough revenue to build a strong economy, and invest in our future by including incentives for homeownership, retirement security, and saving for higher education.

There are many opportunities to amend the new law and the existing code to better support American workers. For example, refundable tax credits—particularly the Earned Income Tax Credit (EITC) and Child Tax Credit (CTC)—have provided much-needed economic stability to millions of working families. These tax credits incentivize work, help to support children, and produce lifelong health and economic benefits, yet millions of low- and moderate-income workers are left out. For example, there are about 7.5 million childless workers, including about 1.7 million Latinos, who are currently taxed into or deeper into poverty and could greatly benefit from an expanded EITC.<sup>73</sup> Additionally, more than 1.3 million low-income Latinos and their children will receive no benefit from the non-refundable expanded CTC.<sup>74</sup>

There are also opportunities to reform the tax code to encourage asset-building among low- and moderate-income taxpayers. For example, the federal Saver's Credit could be improved by making the credit easier to claim and refundable which would give more people the opportunity to build significant retirement savings. This credit would supercharge the retirement savings of 57.7 million Americans who currently do not have access to an employer-sponsored retirement plan.<sup>75</sup>

*UnidosUS supports an effective tax code that helps reduce poverty, raise enough revenue to build a strong economy, and invests in our future by incentivizing saving for homeownership, retirement security, and higher education. UnidosUS supports policies and legislation that rewards hard work and savings through enhanced and expanded tax credits including the EITC, CTC, and the federal Saver's Credit.*

### **Spotlight on State Policy: State-Based Earned Income Tax Credit**

California is one of 29 states that have established a state-based Earned Income Tax Credit (EITC) that supplements the Federal EITC to support working families. In his proposed 2019-2020 budget California's newly elected Governor, Gavin Newsom, included a significant increase for California's Earned Income Tax Credit (CalEITC). The Governor's proposed budget would fund CalEITC at \$1 billion, more than doubling the existing credit. The renamed "Working Families Tax Credit" would raise the eligible household income threshold to \$30,000 (equivalent to the annual income for a worker earning the \$15 minimum wage) and includes an additional \$500 for families with children six years or younger. These changes are estimated to extend the credit to an additional 400,000 tax filers.<sup>76</sup> UnidosUS urges state lawmakers in states without an EITC to supplement this critical federal poverty-reducing program at the state level.



### *Improving Retirement Access and Enrollment*

Latinos have the lowest rate of access to a retirement savings option when compared to any other demographic group. When taking into account employer-based plans and other types of retirement savings accounts, such as individual retirement accounts (IRAs), only 53.7% of Latinos have access to a retirement savings account through an employer.<sup>77</sup> Yet, more than 69% of Latino working-age households do not own a retirement savings account of any kind, compared to 47% of White households.<sup>78</sup> The gap in plan access is due in large part to the fact that retirement plan sponsorship rates are lower for small businesses and in the agriculture, service, and construction industries—where Latinos workers are concentrated, and for part-time workers.<sup>79</sup> But, when offered and when eligible for a retirement savings plan, Latinos enroll in plans at higher rates than any other race or ethnic group.<sup>80</sup> There are opportunities to address the access, eligibility, and participation gaps that Latinos face in attempting to save for retirement by establishing a nationwide retirement savings system which would provide additional access to employer-sponsored retirement plans and increase eligibility by allowing for part-time workers and new employees to join employer-sponsored retirement plans.

Consequently, a significant share of working Latinos struggle to achieve the financial stability necessary to retire. In fact, many Latinos rely solely on Social Security in old age. In 2017, approximately 2.7 million Latinos were lifted out of poverty because of Social Security benefits.<sup>81</sup>

*UnidosUS advocates for improvements to address the access, eligibility and participation gaps Latinos experience in retirement plans to ensure economic security later in life. UnidosUS advocates for enhanced access to dependable and affordable retirement savings vehicles for all workers. UnidosUS supports expanding retirement eligibility for part-time workers and allowing workers to contribute immediately to a retirement plan when they obtain a new job. UnidosUS supports protecting the Social Security program structure and benefits, and sufficiently financing the program to ensure long-term solvency.*

#### **Spotlight on State Policy:**

UnidosUS supports California's state retirement initiative—CalSavers Retirement Program—signed into law in 2016. For the first time, this program allows workers without access to an employer-based retirement savings account to save for their future. CalSavers is estimated to reach about 7.5 million Californians, including 3.8 million Latinos, when it goes into effect this year. Twenty-one other states have implemented similar plans, or are looking at implementing similar plans, in the absence of a nationwide federal solution.



### *Increasing Access to Financial Services*

All households need financial tools and products that help them save, yet these tools and products are out of reach for many households of color—especially for Latinos. The Federal Deposit Insurance Corporation (FDIC) reports that while the rate of unbanked Latino households has continuously decreased, from 21% in 2009 to 17% in 2017—Latinos are unbanked at a rate six times that of Whites (3%).<sup>82</sup>

Without access to a financial institution and a checking and savings account, many low-income individuals are forced to operate outside mainstream markets, resorting to less regulated, more expensive, and often unsafe financial offerings. These “underbanked” individuals may own a checking or a savings account, but still utilize alternative financial services (AFS) such as money orders, check cashers, international remittances, payday loans, income tax refund anticipation loans, rent-to-own services, pawn shop loans, or auto title loans. The FDIC estimates that communities of color are most often underbanked and more likely to resort to AFS—28.9% of Latinos were underbanked and 8.2% of Latinos used an AFS in the past 12 months.<sup>83</sup>

Lack of access to traditional banking tools and services, including credit, leaves many individuals with significant and costly challenges in building emergency savings and paying bills or transferring money. One estimate is that the average annual cost of not having a debit card attached to a bank account is \$196.50, while the cost of not having a bank account to receive direct deposits is \$497.33.<sup>84</sup>

By increasing access to mainstream financial services and through responsibly designed small-dollar loan programs, many individuals and families of color will be able to conduct basic financial transactions, save for emergencies and long-term security needs, build their credit history, and access credit for the first time.

*UnidosUS supports increased access to mainstream financial services. UnidosUS supports efforts to increase access to responsibly designed small-dollar loan and credit for underserved consumers, especially through reinstatement and adequate funding of the CDFI fund.*

### *Protecting Consumers*

Ensuring every consumer has access to safe, affordable financial products and is protected from abusive lending practices is a civil rights issue. During the Great Recession, Latino families lost an entire generation of wealth.<sup>85</sup> The reckless behavior of financial institutions—including banks, credit card companies, and mortgage lenders—helped bring about a financial crisis that cost Americans millions of jobs, billions in taxpayer funded bailouts, and trillions in lost retirement savings. The lack of consumer protections allowed unscrupulous lenders to target communities of color with unfair and abusive financial products, including home mortgages, electronic fund transfers, auto loans, prepaid accounts, student loans, and payday loans.

In the seven years of existence before the departure of former Director Richard Cordray, the CFPB returned \$3.97 billion back to consumers through enforcement actions and an additional \$7.93 billion in other types of relief including lowering student loan balances or student loan debt relief. But, since the arrival of Mick Mulvaney, the Associated Press reports that the CFPB has taken zero enforcement actions. Without enforcement actions, consumers are left vulnerable to unfair and abusive practices that were left largely unchecked before the creation of the CFPB. As Latino families continue to struggle to rebuild wealth following the Great Recession, a renewed focus on strong consumer protections remains critically important. Americans—especially Latinos—are eager to see more consumer-focused gains such as those achieved between 2010 and 2017 by the CFPB.

*UnidosUS supports legislation and oversight of deregulatory efforts to strengthen the CFPB, as well as the continued enforcement of consumer protections by other agencies such as the Federal Trade Commission, to renew consumer protections for all Americans. UnidosUS opposes continued legislative or executive actions to impair the CFPB's ability to protect consumers.*

## Housing

### *Supporting Homeownership and Affordable Rental Housing*

Latino homeownership, the single greatest source of wealth in the Hispanic community, reached a high of 50% in 2006, but fell five percentage points by 2014 to 45%.<sup>86</sup> As the economy has continued to improve since 2014, so has the Latino homeownership rate, increasing to about 46.3% at the end of the third quarter in 2018.<sup>87</sup> Yet, Latinos continue to lag behind the national homeownership rate of 64.4%.<sup>88</sup>

This lagging homeownership rate is concerning because homeownership has been one of the only meaningful paths to financial stability and opportunity for Latinos. But in 2016, home equity accounted for approximately 39% of Latino's net wealth, a decline of 12 percentage points from 2007.<sup>89</sup> Two of the factors affecting Latino homeownership are rising housing costs and tight access to credit that have kept many qualified Latino homebuyers from purchasing a home. The same year, Hispanics were denied home loans at about twice the rate of White borrowers.<sup>90</sup> Many creditworthy Latino borrowers have non-traditional or thin credit files, which can make securing a safe and affordable mortgage difficult.

As the rate of homeownership has declined, more Americans are renting than at any other point in the last 50 years.<sup>91</sup> Additionally, a large and growing share of U.S. households cannot find rental housing that they can afford. For example, in 2015, approximately 38.9 million American families spent more than 30% of their income on housing, while 18.8 million households spent more than 50% of their income on housing.<sup>92</sup> These challenges are particularly acute for young households of color—especially Latinos. Roughly 55% of Latino households spend more than a third of their income on rent, compared to 47% of White households.<sup>93</sup>

Homeownership and affordable housing are essential elements of economic stability and accumulation of assets. Without affordable housing, many individuals are left without funds to purchase health insurance, accumulate savings for education, or take the pressure off of day-to-day finances.

*UnidosUS promotes programs to support homeownership and address affordable housing challenges because a safe home provides financial and social stability. UnidosUS supports establishing a dedicated fund for construction of affordable rental housing and increased investment in the Federal Housing Trust Fund. UnidosUS encourages reforms to the housing finance system to create affordable and sustainable credit to the broadest number of creditworthy borrowers and to uphold fair and non-discriminatory lending.*

## Legislation

In addition to the broad policy recommendations in this section, UnidosUS supports the following legislative actions:

- *The Family and Medical Insurance Leave (FAMILY) Act*, which would establish a national paid leave program that provides up to 12 weeks of paid leave for all workers.
- *Healthy Families Act*, which would provide employees the opportunity to earn a minimum of seven paid sick days (56 hours) per year to care for themselves or their families.
- *Encouraging Americans to Save Act*, would make the federal Saver's Credit refundable, would provide a matching contribution of \$500 for workers who save for retirement, and would increase the income limits for the credit.
- *First-Time Homebuyer Tax Credit of 2018*, would provide for a refundable tax credit for first-time homebuyers.
- *HOME Act of 2018*, would provide for a federal tax credit for renters who spend more than 30% of their income on housing.

### FACT NO. 6



Since 2012, **Hispanic homebuyers accounted for 59%** of the total net increase in homeownership in the U.S.

Source: Calderon, Marisa. "State of Hispanic Homeownership Report 2017." Hispanic Wealth Project. 2018. <http://hispanicwealthproject.org/shhr/2017-state-of-hispanic-homeownership-report.pdf> (accessed November 27, 2018).



**Latinos make up one-in-four students in our public school systems<sup>95</sup> and there are nearly five million English Learners (EL) enrolled in our schools. Of those five million ELs, nearly 77% are students whose home language is Spanish.<sup>96</sup>**



## EDUCATION

Following decades of efforts to improve the educational experience of Latino students, progress and achievement are on the rise. The steady increase of Latinos graduating from high school is an encouraging trend that underscores the hard work of Latino students combined with enacting effective policies. These trends are good news for the American public school system, which is now a majority-minority system.<sup>94</sup> However this fact adds renewed urgency to bridge the remaining equity gaps in education. Decades have passed since two pivotal court findings—*Brown v. Board of Education* in the U.S. Supreme Court and *Mendez v. Westminster* in the California Supreme Court—affirmed that a quality education is essential to pave the way toward equity. Unfortunately, past austerity measures and declining investments in education have compromised the ability of states to adequately and equitably support the needs of Latino students.

Latino students have made progress on a variety of education indicators in the past decade: the high school dropout rate for Hispanics is at a record low, the college enrollment rate gap

between Latinos and Whites is narrowing, and more Latinos are earning a bachelor's degree.<sup>97</sup> This progress is notable and a testament to the persistence and work of the Latino community and bipartisan support for policies—like No Child Left Behind and the Every Student Succeeds Act (ESSA)—to support more of our nation's students. While Latino students have made significant gains, there is still much work to be done to close achievement gaps and provide a high-quality education for all students. The need for this work is illustrated at every level of education:

- Although Latino children are the fastest growing segment of the child population, they have the lowest enrollment in early childhood education programs, with 49.5% of Latino three-to four-year-olds enrolled in programs compared to 55.5% of their White peers.<sup>98</sup>
- In 2017, national assessments revealed that 78% of Latino fourth graders read below proficient levels and 92% of fourth grade EL students fall below proficient.<sup>99,100</sup> Investments in education for Latino students are also lacking. For example, schools with 90% or more students of color spend a full \$733 less per student per year than schools with 90% or more White students.<sup>101</sup>
- These disparities continue through higher education where only 54% of Latino students complete a degree within six years, compared to 63% of their White peers.

With Latinos projected to represent a growing portion of the American workforce, policymakers must invest in strategies that achieve equity and effectively move all students through each stage of education. Only then will we see improved access and outcomes from early childhood education through postsecondary completion—a goal that will both achieve equity in education and prepare our community and our country for success.

### **Investing in Early Childhood Education**

Access to early childhood education is essential to the heightened educational success of Latino and EL students. Children with early access to these programs are more likely to have the behavioral, cognitive, and language skills development necessary for success both in school and in life.<sup>102</sup> In general, low-income Latino children who attended public school pre-K or center-based care enter kindergarten ready to learn.<sup>103</sup> However, access is compromised by financial, linguistic, and educational barriers within the Latino community.<sup>104</sup> Learning begins at birth, so it is imperative that sufficient resources are dedicated to all children no matter who they are or how much their parents earn. Furthermore, the evidence shows that children do not benefit by minimizing or eliminating their involvement with their home language; rather, becoming proficient in a home language is positively related to English acquisition and doing well in school, including reading in English. All students must have the opportunity to get a strong start to fully reach their potential and contribute to our nation.

*UnidosUS supports legislation that invests in early education to increase access to and improve the quality of early childhood education programs, helping children acquire the necessary developmental skills to succeed in school and beyond. UnidosUS also supports policies that emphasize the benefits of children's dual language development. In addition, UnidosUS believes that these programs should be fully funded to increase access and foster the social and academic development of children from low-income and rural communities.*

## **Strengthening K-12 Education**

### *Ensuring Accountability in Schools*

On December 10, 2015, the ESSA was signed into law as the most recent version of the federal government's most comprehensive K-12 law. ESSA includes a number of provisions meant to advance education equity that are particularly meaningful to the Latino community. Specifically, there are clear requirements that statewide accountability systems must count all students, must base school ratings on the progress of all groups of students, and must make significant investments in education when any group of students is consistently underperforming. ESSA aims to advance the goal of strong accountability systems by requiring the following:

1. States must set goals for improving student performance on state assessments and graduation rates for all students and each student subgroup, including Latinos and ELs.
2. States must assign ratings to schools based on how they perform against their goals and two other measures of their choice.
3. School ratings must be based on how schools are doing on each indicator for all students and for each subset of students, including by race or ethnicity and language ability.
4. Schools must be identified for support and improvement when needed and are required to take action on that improvement.

Strong accountability systems tie together the use of standards and assessments to direct potential actions when schools are not serving all students well. Nationally, only 21% of Latino fourth graders met proficiency in 2015 while 46% of their White peers tested proficient. However, student performance and achievement vary widely across states. In 2017, the fourth-grade reading scores between White and Latino students varied from the equivalent of about one grade level in Florida, to more than three grade levels in Maryland, to almost five grade levels in Washington, DC.<sup>105</sup> While ESSA provided states the flexibility to design their accountability systems and all state plans have been approved by the Department of Education, the federal government must ensure that states are making all students count and that states act when schools are underperforming.

*UnidosUS urges Congress and the Department of Education to work together to ensure states implement consistently with the intent of the law, including ensuring systems work for low-income kids through strong accountability guidance, appropriate identification of schools in need of improvement, and providing timely interventions for students who are falling behind.*

*UnidosUS calls for congressional oversight of ESSA implementation that holds both the Department of Education and individual states accountable for implementing ESSA in ways that close achievement gaps and serve all students well.*

### *Supporting ELs in Classrooms*

ESSA has many strengths with respect to better serving the nation's nearly five million ELs enrolled in K-12 public schools. The most meaningful change requires states to include English language proficiency in their accountability frameworks under Title I. The change not only elevates the profiles of ELs in the accountability systems, but also signals recognition of their increasing presence and growing importance to overall student achievement. Other significant changes include requiring states to have a uniform procedure for entering and exiting EL services. Even with these vital protections in place we must continue to advance policies that address the achievement gap for ELs. Nationally, 31% of EL students scored at basic or above in fourth grade reading, as compared with 72% of non-EL students. Similarly, 31% of EL students scored at basic or above in eighth grade math, as compared with 75% of non-EL students.<sup>106</sup> However, there is considerable state-level variation in EL achievement data, suggesting that progress can be made in closing the achievement gap.

*UnidosUS urges Congress and the Department of Education to continue to make resource investments in the education of ELs including increased Title III funding, policies that assist EL teachers with high quality training and professional development, and ensuring states properly implement state ESSA plans that make sure ELs are included in their accountability systems.*

*UnidosUS urges the Department of Education to maintain the Office of English Language Acquisition as a separate entity, and not subsume it into the Office of Elementary and Secondary Education.*

*UnidosUS urges the Department of Education to continue to protect the constitutional right of students to a public school education regardless of the citizenship or the immigration status of students and/or their parents.*

*UnidosUS urges Congress and the Department of Education to uphold the right of unaccompanied minors and children separated from their parents or guardians to attend school up to the age established under state law. Children in the custody of the federal government or the agencies authorized to care for them, should have access to education services.*

### *Funding for Successful ESSA Implementation*

The large majority of K-12 school funding comes from states, with the federal government only providing on average about 8% of primary and secondary education funding.<sup>107</sup> However, the federal government plays the vital role of filling in gaps for low-income students, students with disabilities, and ELs. Additionally, federal funding supports programs that expand access and affordability to early childhood education and postsecondary opportunities.

Promising steps have been taken to improve outcomes for Latino students. ESSA included crucial provisions for ELs and accountability measures to ensure all students are doing well. However, the amount of federal funding dedicated to ELs and immigrant students is very small when compared to other types of federal education spending.<sup>108</sup> Congress must support ESSA implementation by continuing to appropriate adequate funding for Title I and Title III, while also funding programs important to Latino students such as Head Start, TRIO, and GEAR UP. Congressional oversight is key to ensure the Department of Education meets its obligation to implement ESSA in a manner consistent with the law, so it lives up to the promise of improving opportunities for all students, including low-income students and ELs.

*UnidosUS supports efforts to increase funding for Title I and Title III and urges Congress to pass a budget that increases funding levels for programs at the Department of Education, and across the federal government, serving low-income students, ELs, and all historically underserved subgroups.*

#### FACT NO. 7



**Nearly four million** EL students are Spanish speakers; most ELs are U.S. Citizens.

Source: National Center for Education Statistics, "English Language Learners in Public Schools" (Washington, DC: NCES, 2018), [https://nces.ed.gov/programs/coe/indicator\\_cgf.asp](https://nces.ed.gov/programs/coe/indicator_cgf.asp), and National Public Radio, "English Language Learners: How Your State is Doing" (accessed November 2018), <https://www.npr.org/sections/ed/2017/02/23/512451228/5-million-english-language-learners-a-vast-pool-of-talent-at-risk>.

State-level decision makers play a critical role in education policy, including the implementation of federal laws, such as ESSA. UnidosUS currently works on state education policy in four priority states: **Arizona, California, Florida, and Texas**, which are home to about 7.5 million Latino students in K-12 public schools. While there are nuances for each state's policy, we aim to ensure the following priorities.

- **Strengthen Accountability Systems**—align state policy with federal civil rights laws that help ensure all students are supported from early childhood through college and career. This includes, for example, increasing the weight of subgroups in accountability formulas so that schools are getting more credit for making academic gains with historically underserved and vulnerable populations.
- **Improve Data Transparency for Families**—empower families and communities to easily find and understand information about their schools, including funding and teacher experience. This includes disaggregating subgroup performance on report cards and ensuring language accessibility to report cards and other information about school performance and program offerings; and engaging families in what format is most useful for receiving and acting upon information.
- **Advance Performance of ELs**—promote culturally responsive, evidence-based practices to support academic success; and create conditions to protect student well-being and safety. This includes repealing any English-only laws on the books in states and discontinuing mandated learning models where EL students are segregated from peers for a large portion of the learning day. UnidosUS recommends states allocate funding and adopt native language assessments to better understand student comprehension of academic content. Moreover, UnidosUS advocates for the expansion of high-quality dual language and bilingual programs, including adopting appropriate teacher certification requirements and funding to support such programs.



## Supporting Success in Higher Education

Latino students have a strong desire to advance their education and appear to value higher education more so than any other racial or ethnic group.<sup>109</sup> Current trends in higher education reflect this value and show that more Latinos than ever are seeking postsecondary degrees. For instance, over the past decade, the Hispanic college enrollment rate among 18–24-year-old high school graduates increased 10%.<sup>110</sup> The fact that more Latinos than ever are entering college programs is a positive trend that reflects the hard work of Latino students and improvements due to policies strengthening the K-12 experience for more students.

At the same time, other data show that disparities in degree completion remain prevalent for Latino students. Only slightly more than half (54%) of Latino students complete a degree within six years, compared to 63% of their White peers.<sup>111</sup> This is due, in part, to where the majority of Latino students are enrolled—two-year colleges—and lower completion rates for Latinos compared to their White peers.<sup>112</sup> Addressing these disparities is crucial for the country's economic security, as its growth will increasingly rely on a credentialed Latino workforce. By 2050, Latinos are projected to comprise 30% of the nation's workforce, double the share in 2010, and by 2020, 65% of all jobs will require some training beyond high school.<sup>113, 114</sup>

It is in the national interest to ensure Latino students have access to affordable, high-quality postsecondary programs through which they can obtain a degree or credential and enter the workforce career-ready.

*UnidosUS calls on Congress to reauthorize the Higher Education Act (HEA) to safeguard affordability, minimize debt burdens, and hold postsecondary systems accountable for the increased retention and graduation of Latino students.*

*UnidosUS supports the continued funding for programs that serve Latino students by providing pathways and support to postsecondary education such as TRIO, GEAR UP, HEP, and CAMP.*

*UnidosUS supports legislation to increase college affordability by strengthening the Pell Grant and streamlining the FAFSA.*

*UnidosUS supports increased consumer protections for student borrowers, ensuring student loan servicers are held to rigorous standards.*

*UnidosUS supports legislation focused on access, transition, and completion in higher education, with an emphasis on equity to ensure that students attain their postsecondary objectives.*

*UnidosUS supports legislation ensuring that higher education bills include strong provisions allowing undocumented students to access federal student aid, including incentivizing states to offer in-state tuition for eligible undocumented students.*

*UnidosUS supports legislation increasing accountability by creating collection and dissemination standards for student data disaggregated by race, ethnicity, native language, socioeconomic status, EL status, and program type.*

*Furthermore, Congress should leave in place and the Department of Education must enforce, strong regulations that ensure that predatory for-profit entities receiving funding under the HEA are held accountable for waste, fraud, and abuse that affects their students and American taxpayers.*

## Legislation

In addition to the broad policy recommendations in this section, UnidosUS supports the following legislative actions:

- *Strong Start for America's Children Act of 2015*, which would allot matching grants to states, and subsequently subgrants to local education agencies, to increase access to, improve the quality of, and assist with the implementation of high-quality early childhood education programs for children from low-income families.
- *Every Student Succeeds Act*, reauthorized the Elementary and Secondary Education Act of 1965 by requiring consistent, state-adopted standards for all students, accountability systems that strive to make sure all students count, and provided vital new safeguards for ELs.
- *Making Education Affordable and Accessible Act*, which would provide funding for colleges and universities to develop and expand dual and concurrent enrollment programs at local high schools.

### FACT NO. 8



**Hispanic enrollment in postsecondary programs increased 134%**—from 1.4 million to 3.4 million students between 2000 and 2016.

Source: UnidosUS calculation using U.S. Department of Education, Digest of Education Statistics, 2017, Table 306.20 <https://nces.ed.gov/pubs2016/2016014.pdf> (accessed June 2018).



## HEALTH AND WELL-BEING

Every person deserves a fair and just opportunity to live a healthy life. Health care access and proper nutrition go a long way to ensuring that people, especially children, can achieve or maintain lifelong health and wellness. For decades, federal health and nutrition programs have delivered results to millions of Americans. For example, the Affordable Care Act (ACA) has delivered unprecedented results by facilitating coverage for 20 million Americans, including four million Latino adults and 600,000 Latino children.<sup>115</sup> Meanwhile, in 2016 the Supplemental Nutrition Assistance Program (SNAP) increased food access for 10 million Latinos and lifted at least 1.2 million Latinos out of poverty.<sup>116</sup> Ensuring that these and other programs remain strong is critical to the health and economic well-being of our families, communities, and nation. Medicaid and the Children’s Health Insurance Program also remain critically important sources of coverage for Latinos, with nearly 18 million nonelderly Latinos enrolled in coverage through these programs, including more than half of Latino children.<sup>117</sup>

Despite historic gains in health insurance, 9.5 million Latinos remain uninsured, and millions more with coverage still struggle to afford necessary health care services.<sup>118</sup> In addition, recent efforts to undermine the ACA and Medicaid have hindered progress.<sup>119,120</sup> Because Latinos are more likely to be uninsured than other groups, they are also more likely to report being in “fair” or “poor” health status.<sup>121</sup>

- Latinos at every age continue to be uninsured at rates higher than their peers. At 16%, the Latino uninsured rate remains significantly higher than the national average of 9%.<sup>122</sup>
- The rate of uninsured Latino children remains significantly higher (7.5%) than the rate for all children (4.8%).<sup>123</sup>
- Latino children and youth are overweight or obese at a rate of 38.9%, compared to 28.5% for Whites.<sup>124</sup> Health consequences from being overweight or obese, like Type 2 diabetes, affect Hispanic youth at higher rates than their White counterparts.

Latinos continue to experience significant health inequities both in terms of access to quality health coverage and care, and instances of hunger and food insecurity. While the community has made gains over the past several years, there is much to be done to maintain and build on this progress.

### **Strengthening the ACA**

After years of attacks, the ACA remains the law of the land, the marketplace is generally stable, and more plans are being offered in states throughout the country.<sup>125</sup> However, legislation repealing the individual mandate and administrative efforts to promote non-ACA compliant plans and to slash Open Enrollment outreach resources will make it more difficult for our community to access quality, affordable health coverage moving forward.<sup>126</sup> Regulatory guidance are giving states new powers to implement the law without regard to the impact these changes will have on health equity, while making it more difficult for low-income Americans to access marketplace tax credits. Also at risk are resources for in-person assistance which are particularly important to Latinos due to a variety of factors, including low levels of health insurance literacy, confusion on eligibility guidelines, and the fear among individuals living in mixed-status households that information used to determine eligibility could be used for immigration enforcement purposes. Together, these threats will continue to erode the painstaking gains our community has made under the law.<sup>127</sup>

In addition to efforts to undermine the ACA marketplaces and enrollment, the Trump administration continues to pursue measures to weaken civil rights protections codified in the law.<sup>128</sup> For example, Section 1557 of the ACA protects people from discrimination based on race, color, national origin, sex, age, or disability. In addition, it includes critical language access provisions to ensure that people with limited English proficiency can get the care they need.<sup>129</sup> It is widely expected that the administration will reverse the Obama-era regulation or at least take steps to redefine discrimination “on the basis of sex” to eliminate protections based on gender identity and termination of pregnancy.

After numerous failed attempts, ACA repeal is no longer on the table. Latino voters, more than 60% of whom support improvements to the ACA, will be paying close attention to how policymakers address the existing law. Policymakers should seize the opportunity to advance measures to improve the law and build on the gains made under the ACA, to ensure that even more Americans, including Latinos, have access to quality, affordable health coverage and care.

*UnidosUS supports legislation to strengthen the ACA in ways that increase access to affordable, quality health coverage and care for all. UnidosUS urges the enforcement of critical civil rights protections under Section 1557 of the ACA, to ensure that every American, regardless of age, gender, race, ethnicity, or English proficiency is protected in our health care system.*

*UnidosUS supports efforts to increase access to Medicaid coverage via state take-up of Medicaid expansion under the ACA.*

### Spotlight on State Policy: Medicaid Expansion

The ACA provides states with the opportunity to expand Medicaid eligibility. As of this writing, policymakers and voters in 36 states and the District of Columbia have chosen Medicaid expansion.<sup>130</sup> More than two million more Americans currently fall in the “coverage gap,” not eligible under their state’s current Medicaid eligibility rules and not eligible for the health insurance subsidies provided in the ACA.<sup>131,132</sup> Overall, 520,000 Latinos are in the coverage gap, and four out of five Latinos in the coverage gap would be eligible for Medicaid under the ACA if policymakers in Texas and Florida expanded their state’s Medicaid programs.<sup>133</sup> UnidosUS urges all state governors and lawmakers to accept federal funds to expand Medicaid under the ACA.



## Keeping Public Coverage Programs for Vulnerable Children and Families Strong

### *Maintaining Medicaid Structure and Funding*

Medicaid and the Children’s Health Insurance Program (CHIP) are central sources of coverage for low-income families and their children in all 50 states.<sup>134</sup> Since 1965, the Medicaid program has been a critical source of health coverage for children, the elderly, and the disabled, and many other Americans who otherwise would not have access to coverage. Today, nearly 75 million Americans, including more than 18 million nonelderly Latinos, have health insurance coverage through Medicaid and CHIP.<sup>135</sup> Since its inception, Medicaid has been an essential part of our nation’s health care safety net, providing benefits for children that have positive long-term impacts on their lives and the communities in which they live.<sup>136</sup>

Despite its critical role in providing health insurance to millions of Americans, Medicaid, and the well-being of those the program serves, remains vulnerable. For example, via Section 1115 Waivers, the administration has approved state requests to impose work requirements, lockout periods, and other onerous provisions in their programs as a condition of Medicaid eligibility. Such actions would undermine the opportunity and ability of hardworking Americans, including Latinos, to obtain and maintain quality, affordable, and accessible health coverage and care.<sup>137</sup> In fact, recent reports have demonstrated the negative impact of some work requirements that are challenging—such as complying with certain reporting requirements— and resulting in employed adults having their coverage terminated.

Meanwhile, after a protracted process in the last Congress, policymakers reauthorized funding for the Children’s Health Insurance Program (CHIP) for 10 years, a major achievement for children and their families. Longer-term, predictable funding will give states better security in their planning and budgeting, as well as offering families the peace of mind that coverage will continue. Ensuring appropriate outreach and enrollment remains critical, especially for Latino children and their families as nearly one million Latino children are eligible for coverage under Medicaid or CHIP but remain uninsured.<sup>138</sup>

*UnidosUS opposes efforts to undermine the Medicaid program in ways that would make it more difficult for those who are eligible to enroll in Medicaid and maintain their coverage.*

*UnidosUS supports targeted, federal investments to support outreach and enrollment efforts related to Medicaid/CHIP. UnidosUS also supports the option for states to draw down federal dollars and remove the five-year waiting period for lawfully present immigrant children and pregnant women to access public insurance.*

## **Enhancing Health Care Quality and Access**

Achieving health equity is necessary not only to achieve a sustainable, cost-effective health care system, but also to uphold our nation's shared values of fairness, justice, and equal opportunity. Improving access to care, quality of care, and individual- and population-level outcomes is impossible unless we directly address the intersecting structural social and economic factors that influence health. Persistent inequities in health care services are still evident in the United States, especially as it pertains to a person's age, gender, sexual orientation, gender identity and expression, disability, language, immigration status, and socioeconomic status. A report by the Agency for Healthcare Research and Quality (AHRQ) shows that Latinos experience worse quality outcomes than non-Hispanic Whites across a variety of common health care quality measures, including for chronic disease control.<sup>139</sup> This report also showed that individuals with limited English proficiency, many of whom are Latino, experienced lower access to quality services because of language barriers. Efforts to address inequities have been limited by inadequate resources for funding, staffing, and accountability.

*UnidosUS urges policymakers to advance legislation that ensures that Latinos and other underserved communities receive culturally competent, linguistically appropriate, high-quality, and effective health care.*

## **Increasing Access to Healthy, Affordable Food**

Poor nutrition is a persistent issue across the nation and is associated with serious outcomes for children's health, educational attainment, and overall well-being. For Latino children, this is a particularly concerning problem, as one in four Latino children live in households struggling to put food on the table, compared to one in eight White, non-Hispanic children.<sup>140</sup> Federal nutrition assistance programs such as the SNAP and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) help reduce food insecurity, while improving the health of our communities.

- More than 40 million Americans, including 10 million low-income Latinos, use SNAP.<sup>141</sup> Just under half (41.8%) of all WIC participants are Latino.<sup>142</sup>
- Additionally, most children consume up to 50% of their daily calories at school but for many Latino children, school meals are their primary source of nutrition.<sup>143</sup> Latino kids make up one-third of all school children receiving free and reduced-

price lunch through the National School Lunch Program, underscoring the critical nature of this program for the well-being of Latino children<sup>144</sup>

*Given the crucial role that federal nutrition assistance programs play to ensure that our families have access to nutritious foods, UnidosUS supports legislation and administrative efforts that maintain and strengthen SNAP and WIC. This includes ensuring that no harmful cuts or changes are made to the programs that our families rely on. We look to legislation and regulations that protect these programs for as many people as possible, especially for Latino children living in immigrant and mixed-status families, who are already at an increased risk of nonparticipation.<sup>145</sup> Specifically, we urge lawmakers to make no changes to existing work requirements and categorical eligibility in SNAP. Additionally, UnidosUS urges Congress to ensure adequate funding in nutrition programs during the annual appropriations process.*

*UnidosUS also supports legislation to reauthorize child nutrition programs so that our children have access to healthy meals at school. Furthermore, UnidosUS calls on Congress to strengthen rules to address application barriers in school meal programs, bring affordable food options to communities, and support community-based nutrition efforts.*

## SNAP

One-in-five Latino households is food insecure, meaning they lack access to affordable and nutritious food.<sup>146</sup> SNAP plays a critical role in the lives of Latino households by helping families fill the gaps that prevent them from accessing healthy food. In 2017, SNAP alone lifted nearly one million Latinos out of poverty, including 595,371 children.<sup>147</sup> Latino voters know just how valuable SNAP is to their families and communities and in a recent poll, 70% of Latino voters showed strong support for SNAP. Latino voters also recognized the importance that healthy meals have on children's ability to enter the classroom ready to learn, with nearly 90% of Latino voters supporting child nutrition programs like school breakfast and lunch.<sup>148</sup>



## Ensuring Children Grow Up at a Healthy Weight

Several factors beyond the individual or family influence the nutrition and health of Latino children. A growing body of research shows that the food environment—the availability of nutritious foods at affordable prices in the local neighborhood—significantly affects individuals.<sup>149</sup> Other factors, such as unhealthy food marketing to children, can influence nutrition and health. And, recent studies show that unhealthy food and beverage marketing increasingly targets Latino and Black children, who are disproportionately at risk for becoming overweight or obese.<sup>150,151</sup> While gains have been made to decrease obesity rates over the past few years, progress has been uneven and obesity rates remain high in our community.

- The obesity rate for Latino adults now stands as the highest among all demographic groups (47%) compared to 37.9% of non-Hispanic Whites and 46.8% of non-Hispanic Blacks.<sup>152</sup>
- Latino childhood obesity rates remain higher (25.8%) than 14.1% of White children, and 22.0% of Black children.<sup>153</sup>
- Latino boys aged 2-19 represent the group with the highest prevalence of obesity among children at 28.0%.<sup>154</sup>

Consequently, it is important to understand how communities help shape decisions concerning healthy lifestyles and address these external factors to support healthy children.

*UnidosUS champions policies and interventions aimed at supporting healthy food environments to help improve the nutrition status and health of our children, including the environments where they live, learn, and play. UnidosUS calls on Congress to maintain the nutrition standards set out in the Healthy, Hunger-Free Kids Act of 2010, while ensuring that no child loses access to these vital programs. Similarly, we urge the U.S. Department of Agriculture (USDA) to continue the progress to improve school food with strong, evidence-based nutrition standards our children deserve.*

*UnidosUS also looks to policymakers to address and provide oversight on the digital marketing of unhealthy foods and beverages targeting low-income children and Black and Latino children. While voluntary, self-regulated industry policies are in place, albeit with little enforcement, this offers our lawmakers the opportunity to establish laws that protect the health and well-being of Latino children.*

## Legislation

In addition to the broad policy recommendations in this section, UnidosUS supports the following legislative actions:

- *Health Equity and Accountability Act (HEAA)*, which builds on the advancements of the ACA by providing federal resources, policies, and infrastructure to eliminate health disparities in all populations, regardless of race, ethnicity, immigration status, age, ability, sex, sexual orientation, gender identity, or English proficiency.

### FACT NO. 9



**More than 29 million Latinos are eligible to vote**, and nearly 800,000 Latinos turn 18 each year.

Source: Pew Research Center, "Key Facts About Latinos in the 2018 Midterm Elections" (Washington, DC: Pew Research Center, 2018), <http://www.pewresearch.org/fact-tank/2018/10/15/key-facts-about-latinos-in-the-2018-midterm-elections/>.



## IMMIGRATION

The vast majority of Americans want to see progress on modernizing our immigration system. Current immigration policies and programs continue to be an area of concern for a large part of the U.S. population, and particularly for Latinos, given the direct impact of dysfunctional policies on families, and resulting civil rights abuses regardless of immigration status. Concern nationwide reached a new high in the spring of 2018 when Americans witnessed the implementation of what was widely denounced as an immoral and inhumane de facto family separation policy. It resulted in nearly 3,000 children being forcibly separated from parents on the southern border.<sup>155</sup> Despite a court order requiring the reunification of these families, as of August 2018, more than 500 children had not been reunited with parents. The Trump administration's so-called "zero-tolerance" policy has rightfully caused national outrage and mobilized hundreds of thousands of Americans to protest across the nation.

Few people realize, however, that the border family separation crisis is only the small tip of a sizable iceberg. This administration has also unleashed the persecution of long-residing undocumented residents, and it has aggressively sought to increase the undocumented population by going after legal permanent residents, immigrants with protected status, and naturalized citizens. Millions of U.S. citizen children are at risk of being separated from their parents every day because of arbitrary policies put in place and enacted by the Trump administration. According to a recent estimate, upward of 5.7 million U.S. citizen children live with an undocumented resident (mostly parents), and about 475,000 U.S. citizen children could be impacted if their parents lose legal protections under the Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS) programs.

The vulnerability of these U.S. citizen children remains one of the reasons why, for America's Latino community, immigration is a galvanizing issue both from a public policy and civil rights perspective. While nearly eight in 10 Latinos in the country are U.S. citizens, more than half know someone who is undocumented.<sup>156</sup> Therefore, how we treat immigrants sends shockwaves through the Latino community because they have borne the brunt of increased enforcement: while less than two-thirds of the undocumented are Hispanic, nearly all those deported are Latino.<sup>157</sup> Our immigration policies have a deep impact on the social and economic fabric of communities nationwide, and on millions of American families. As such, our immigration policies must reflect American values and restore transparency, common sense, and humanity to our immigration system.

**A majority of Americans are in favor of immigration and an updated, modern system that works:**

- A 2018 Gallup poll found that 71% of Americans considered immigration a “good thing” for the United States.<sup>158</sup>
- In a 2017 poll, nearly two out of three voters supported a path to citizenship for undocumented immigrants.<sup>159</sup>
- A separate Gallup poll found that among Republicans, support for a path to citizenship (76%) was higher than support for a proposed border wall (62%).<sup>160</sup>



### **Modernizing the Immigration System**

The nation is long overdue for comprehensive immigration reforms that modernize our immigration system, while simultaneously adhering to critical American principles like justice, basic fairness, and family unity. Smart and effective immigration enforcement should be a part of any reform effort, but such policies must be built on a respect for due process to function properly. Similarly, managing flows of individuals attempting to enter the United States at the border without authorization need not be at odds with having an earned and accountable pathway for undocumented individuals who have lived in the United States for many years—including DACA and TPS holders who in many instances have lived in the United States legally for decades and are among the most vetted immigrants living in our country. UnidosUS also believes that our nation should debate the merits of policies that reform our legal immigration system to be responsive to the needs of our economy and do so in a way that preserves the family unity underpinnings of our system. We oppose recent efforts by the current administration to radically reimagine our legal immigration system through administrative policies meant to discriminate based on wealth and skin color.

Sensible immigration policies will boost our economy, benefit our workforce, and strengthen family unity. The Congressional Budget Office estimated that S. 744, the comprehensive reform bill that the Senate passed in 2013, would have increased the

United States' real Gross Domestic Product (GDP) by roughly \$700 billion in 10 years, and by about \$1.4 trillion over two decades.<sup>161</sup> This would have been due, in part, to a boost in job creation. A report by the conservative American Action Network found that the Senate bill would have added an average of 14,000 jobs per congressional district in the United States.<sup>162</sup> Similarly, by failing to provide long-term protections for current DACA recipients, the United States could lose more than \$460 billion in gross domestic product over the next decade.<sup>163</sup>

Additionally, a modern immigration system must support the successful integration of immigrants into American society. Today's immigrants are integrating into American society just like their predecessors did and are a vital part of the country's economic engine and vitality. According to a report from UnidosUS and the New American Economy:

- In 2015, Latino immigrants contributed \$97 billion in state, local, and federal taxes, not counting contributions in sales taxes and purchasing power.<sup>164</sup>
- Undocumented immigrants contribute \$15 billion to Social Security annually<sup>165</sup>—a contribution that has been credited with keeping the Social Security system solvent longer since they cannot draw this benefit.<sup>166</sup>

Successful integration includes making available and accessible programs that help immigrants learn English and civics and become full participants in their communities. It also requires a streamlined naturalization process that eliminates procedural barriers, provides support to navigate the process, and remains affordable and accessible to eligible immigrants. Attempts to restrict or bar eligible immigrants from programs to which they contribute taxes, including Social Security, the Earned Income Tax Credit, and the Child Tax Credit, not only create an unfair two-tiered tax system, but also are detrimental to the success and security of millions of families, including millions of U.S. citizen children.

*UnidosUS supports immigration reform policies that (1) **restore the rule of law** by creating a roadmap to legalization and earned citizenship for 11 million aspiring Americans, promote smart enforcement that improves safety, support legal immigration channels, and prevent discrimination, (2) **preserve the rule of law** by creating workable legal immigration channels that reunite families, strengthen our economy, and protect workers' rights, and (3) **strengthen the fabric of our society** by adopting proactive measures that advance the successful integration of new immigrants.*

## **Protect Family Unity and Achieve Permanent Protections for Longtime Residents**

Millions of American families are at risk of being torn apart by the Trump administration's progressively hostile immigration policies. These include indiscriminate ICE arrests, increased use of highly-visible worksite enforcement operations, terminations of DACA and TPS protections for more than one million

*documented* immigrants, and using the nation's legal immigration system to bar thousands of immigrants here legally from staying in the United States. Latino children (95% of whom are U.S. citizens) are bearing the brunt of the Trump administration's aggressive immigration policies.<sup>167</sup> Indeed, about six million U.S. citizen children live at risk of being separated from an undocumented parent today.

UnidosUS supports policies that protect longtime residents and community members, including the parents of millions of U.S. citizen children. Congress must indeed resolve the moral crisis that the Trump administration created when it ended DACA and TPS protections for millions of individuals, but it must also reform policies that prevent parents of U.S. citizen children from regularizing their immigration status. UnidosUS supports, among other initiatives, ending the three- and 10-year inadmissibility bars; providing certain longtime residents who are parents of U.S. citizen or lawful permanent resident (LPR) children with a means to petition for affirmative relief upon a showing of extreme hardship to themselves or a family member; and reforming our non-LPR cancellation of removal policies and procedures.

*UnidosUS supports updating the U.S. immigration system in a way that upholds family unity, a cornerstone of our nation's immigration system critical to the successful integration of immigrants into our society. Congress should also enact a permanent policy solution for DACA recipients and provide DREAMers the ability to become citizens of the only country they know, through legislation like the DREAM Act. Congress should also create a path for long-standing TPS recipients to obtain permanent residency and remain with their families.*

**91% of Latino voters** believe it is a good (very good/good) idea to pass the DREAM Act, which would allow young undocumented immigrants who came to this country as children the chance to live and work legally in the United States and eventually apply for permanent legal status and earn a path to citizenship.<sup>168</sup>



#### FACT NO. 10



By 2025, it is projected that **one-in-five of all undergraduate students** will be Latino.

Source: U.S. Department of Education, Digest of Education Statistics, 2015, Table 306.30 <https://nces.ed.gov/pubs2016/2016014.pdf> (accessed January 2017).

## Reject an “Enforcement Only” Approach and Increase Accountability

Failure by Congress to enact federal immigration reform has not meant inaction on immigration enforcement over the last two decades. Today, the United States already spends more than \$21 billion annually on immigration enforcement—well above all other federal law enforcement agencies combined, including Bureau of Alcohol, Tobacco, Firearms, and Explosives, Drug Enforcement Agency, Federal Bureau of Investigation, Federal Marshals Service, and the Secret Service.<sup>169</sup> Congress has approved enforcement personnel increases even when the Department of Homeland Security (DHS) has said it did not need or was unable to train new personnel at the pace Congress allocated. The U.S. Border Patrol, for example, has become one of the largest agencies in the government and the largest federal law enforcement agency, with a budget of \$4.4 billion dollars, a total of approximately 20,000 personnel, and owners of the largest-ever levels of technology and equipment in its history.<sup>170</sup> Its budget has increased more than fourfold between 2000 and 2018. That level of spending has generated management and oversight challenges, including numerous reports of misconduct, making congressional proposals to relax hiring standards even more concerning.<sup>171</sup>

Because of this unprecedented growth in recent years, UnidosUS believes that we are entering a phase in DHS spending where Congress must vigorously carry out its oversight duties to guard against fraud, waste, human rights violations, and abuse of taxpayer resources. It’s not just the quantity of money awarded in recent years, but also how it is being used against immigrant communities. Enforcement practices have also been mired in controversy under the current administration. Rather than pursuing smart enforcement measures that prioritize national security and community safety, all too often enforcement has been heavily focused on otherwise law-abiding undocumented immigrants. Commonsense must be restored to our nation’s immigration enforcement policies.

Those charged with upholding immigration laws ought to be reminded that they have a responsibility and the authority to exercise discretion on how those laws are enforced. Adherence to long-standing American values, such as compassion for innocent children, should shape enforcement priorities. As should the need to decide how the United States can best use its limited government resources. And maximizing the long-term benefits and minimizing harm to society at-large should always factor into any law enforcement strategy; proper handling of our immigration laws is no exception. When our government fails to consider these foundational American principles, the outcomes can be disastrous for the most vulnerable members of our society—our children.

*UnidosUS seeks improvements and interventions to increase the accountability of immigration agencies, to prevent enforcement overreach, rights violations, and arbitrary processes. That includes the provision of meaningful oversight of the immigration enforcement system, addressing widespread abuses of power, especially by ICE. UnidosUS calls on Congress to reject requests to fund the expansion of an*

*already bloated and aggressive enforcement and detention system, including personnel, detention beds, and a border wall.*

## Legislation

In addition to the broad policy recommendations in this section, UnidosUS supports advancing the following legislative actions:

- *Border Security, Economic Opportunity, and Immigration Modernization Act of 2013*, which should serve as the blueprint for comprehensive immigration reform. Improvements to this legislation should include a streamlined legalization process which provides a mechanism for undocumented immigrants who meet certain criteria to earn legal status and eventual citizenship in a realistic timeframe without provisions that make this path virtually unattainable, streamline legal immigration channels that reunite families, strengthen our economy, and protect workers' rights, in addition to smart enforcement measures that prioritize community safety and national security.
- *DREAM Act*, which would provide a pathway to conditional and permanent residency for minors that were raised in the United States, graduated from high school, and demonstrate good moral character.
- *American Promise Act of 2017*, which would provide a pathway to hundreds of thousands of TPS holders at risk of deportation as a result of the Trump administration ending protections.
- *American Families United Act*, which would help modernize our immigration system by eliminating barriers to family unity.

## PROVIDE PROPER OVERSIGHT OF A HARSH REGULATORY AGENDA

Protect the integrity of our immigration system by calling for hearings on precedent-breaking administrative policies on issues including immigrant admissions, family separation, detention, public charge, worksite raids, and racial profiling including the harassment of U.S. citizens.



## FACT NO. 11

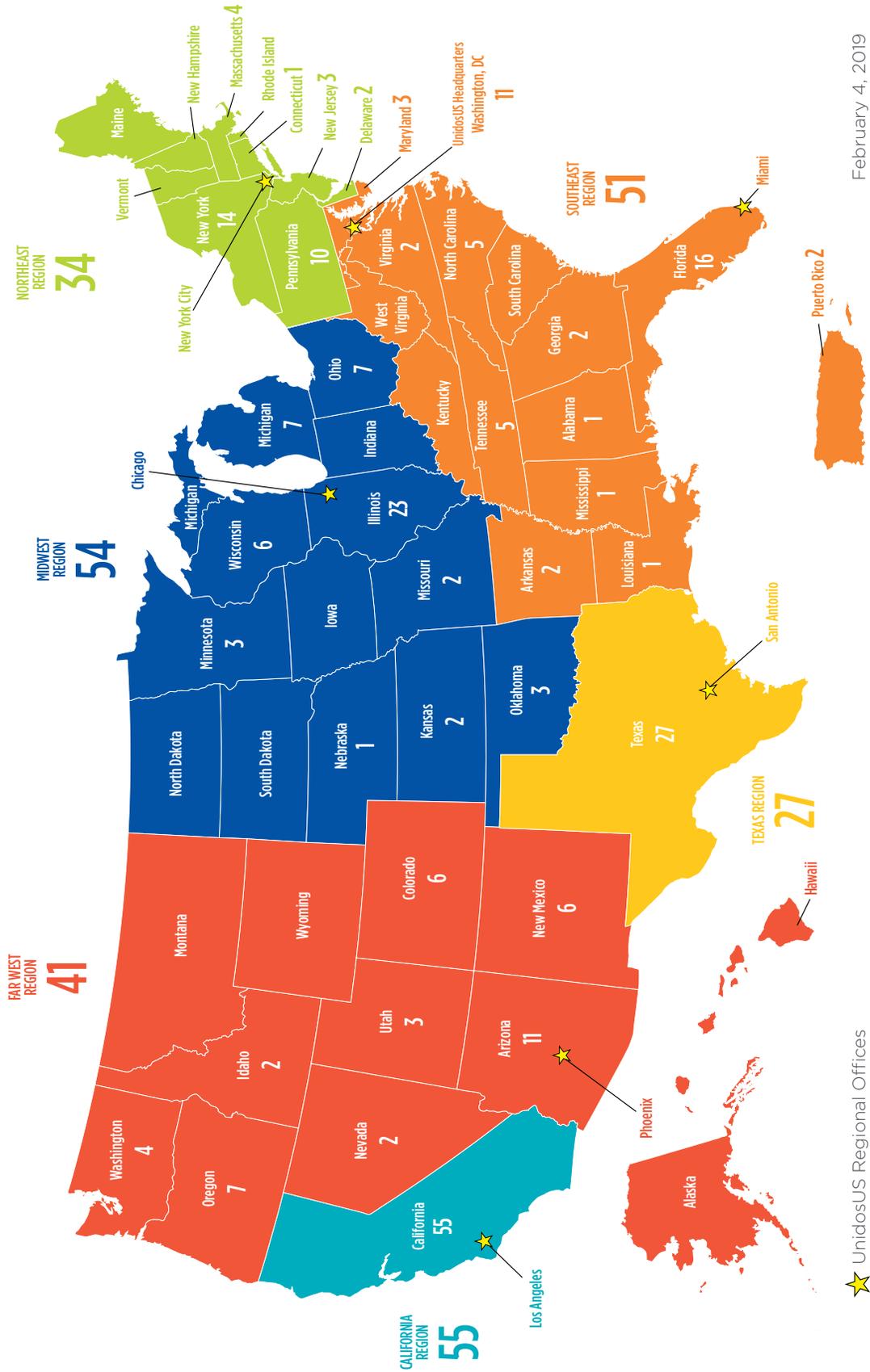


**Nearly eight in 10 Latinos in the country are U.S. citizens,** and more than half know someone who is undocumented.

Source: UnidosUS calculation using U.S. Census, "Sex by Age by Nativity and Citizenship Status, Hispanic or Latino," American Community Survey, 5-year Estimates, 2013-2017, <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (accessed November 2018) and Latino Decisions, "Latino Consortium/Latino Decisions CIR Poll Toplines" (Seattle, WA: Latino Decisions, 2013), [http://www.latinodecisions.com/files/1913/6357/1744/Latino\\_Consortium\\_Topolines\\_-\\_March\\_18\\_Release.pdf](http://www.latinodecisions.com/files/1913/6357/1744/Latino_Consortium_Topolines_-_March_18_Release.pdf).

# APPENDIX I: UNIDOS US AFFILIATE NETWORK, 2019

262 Total Affiliates



★ UnidosUS Regional Offices

February 4, 2019

## APPENDIX II: UNIDOS US ISSUE AREA EXPERTS

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## APPENDIX III: TABLES

Table 1. States Ranked by Size of Hispanic Population, 2007–2017

State	Hispanic Population, 2007	Hispanic Population, 2017	Change in Hispanic Population, 2007-2017	Hispanic Percentage of Population, 2007	Hispanic Percentage of Population, 2017
California	13,076,066	15,125,111	15.7%	36.1%	38.6%
Texas	8,436,048	10,594,175	25.6%	36.3%	38.3%
Florida	3,932,431	5,326,556	35.5%	21.8%	25.9%
New York	3,265,175	3,542,792	8.5%	17.1%	18.2%
Arizona	2,025,745	2,376,894	17.3%	32.3%	34.5%
Illinois	1,659,132	2,162,567	30.3%	13.1%	17.2%
New Jersey	1,395,478	1,571,581	12.6%	16.1%	17.8%
Colorado	931,054	1,030,076	10.6%	19.4%	18.7%
New Mexico	775,382	934,216	20.5%	39.9%	45.7%
Georgia	750,185	1,008,924	34.5%	8.0%	9.8%
North Carolina	615,432	1,051,133	70.8%	7.0%	10.4%
Nevada	588,191	788,357	34.0%	23.2%	26.8%
Washington	526,522	1,018,630	93.5%	8.3%	14.0%
Virginia	520,367	880,212	69.2%	6.9%	10.8%
Pennsylvania	487,398	856,451	75.7%	3.9%	6.8%
Massachusetts	424,890	839,628	97.6%	6.7%	12.4%
Maryland	419,897	630,794	50.2%	7.5%	10.6%
Connecticut	397,599	582,393	46.5%	11.5%	16.3%
Michigan	364,605	518,849	42.3%	3.7%	5.2%
Ohio	351,490	504,282	43.5%	3.1%	4.4%
Indiana	325,386	377,038	15.9%	5.1%	5.8%
Utah	317,749	445,991	40.4%	12.5%	14.5%
Oregon	312,530	586,691	87.7%	8.4%	14.2%
Wisconsin	271,706	481,287	77.1%	5.0%	8.3%
Minnesota	240,510	344,301	43.2%	4.7%	6.3%

State	Hispanic Population, 2007	Hispanic Population, 2017	Change in Hispanic Population, 2007-2017	Hispanic Percentage of Population, 2007	Hispanic Percentage of Population, 2017
Tennessee	232,780	395,540	69.9%	3.9%	5.9%
Kansas	210,548	389,345	84.9%	7.7%	13.6%
Oklahoma	183,652	453,055	146.7%	5.3%	11.6%
Arkansas	160,382	206,934	29.0%	5.8%	7.0%
Alabama	156,962	193,517	23.3%	3.5%	4.0%
South Carolina	153,676	230,374	49.9%	3.6%	4.7%
Missouri	151,105	245,247	62.3%	2.6%	4.2%
Nebraska	149,469	251,011	67.9%	8.5%	13.4%
Iowa	140,315	188,507	34.3%	4.8%	6.1%
Idaho	133,928	223,100	66.6%	9.1%	13.3%
Louisiana	126,015	238,907	89.6%	3.0%	5.2%
Rhode Island	109,937	169,833	54.5%	10.4%	16.1%
Hawaii	95,884	135,304	41.1%	7.6%	9.7%
Kentucky	86,255	215,759	150.1%	2.1%	4.9%
Delaware	61,788	108,183	75.1%	7.2%	11.4%
Mississippi	61,164	81,544	33.3%	2.1%	2.8%
District of Columbia	48,975	70,320	43.6%	8.6%	10.3%
Wyoming	38,874	53,950	38.8%	7.5%	9.4%
New Hampshire	38,506	34,950	-9.2%	2.9%	2.7%
Alaska	24,357	47,215	93.8%	3.7%	6.6%
Montana	21,621	31,628	46.3%	2.3%	3.1%
South Dakota	21,438	40,587	89.3%	2.8%	4.7%
North Dakota	14,136	26,442	87.1%	2.3%	3.5%
Maine	7,804	31,855	308.2%	0.6%	2.4%
West Virginia	7,769	21,988	183.0%	0.4%	1.2%
Vermont	3,820	5,985	56.7%	0.6%	1.0%
<b>United States</b>	<b>44,854,131</b>	<b>57,670,018</b>	<b>28.6%</b>	<b>15.1%</b>	<b>18.0%</b>

Source: UnidosUS calculations using U.S. Census Bureau, Current Population Survey public use files. Population Estimates 2008 and 2018.

**Table 2. States Ranked by Hispanic Percentage of Eligible Voters, 2018**

State		Hispanic Percentage of Eligible Voters, 2018	State		Hispanic Percentage of Eligible Voters, 2018
<b>1</b>	New Mexico	42.6%	<b>27</b>	Pennsylvania	5.1%
<b>2</b>	California	30.0%	<b>28</b>	Delaware	5.0%
<b>3</b>	Texas	29.8%	<b>29</b>	Georgia	4.7%
<b>4</b>	Arizona	23.4%	<b>30</b>	North Carolina	4.3%
<b>5</b>	Florida	19.8%	<b>31</b>	Wisconsin	4.1%
<b>6</b>	Nevada	19.0%	<b>32</b>	Indiana	4.0%
<b>7</b>	Colorado	15.7%	<b>33</b>	Arkansas	3.5%
<b>8</b>	New Jersey	14.8%	<b>34</b>	Iowa	3.4%
<b>9</b>	New York	14.6%	<b>35</b>	Michigan	3.3%
<b>10</b>	Connecticut	11.7%	<b>36</b>	Louisiana	3.1%
<b>11</b>	Illinois	11.2%	<b>37</b>	South Carolina	3.0%
<b>12</b>	Rhode Island	10.3%	<b>38</b>	Minnesota	2.9%
<b>13</b>	Hawaii	8.7%	<b>39</b>	Montana	2.7%
<b>14</b>	Massachusetts	8.7%	<b>40</b>	New Hampshire	2.7%
<b>15</b>	Utah	8.5%	<b>41</b>	Missouri	2.6%
<b>16</b>	Idaho	7.8%	<b>42</b>	North Dakota	2.6%
<b>17</b>	Oregon	7.7%	<b>43</b>	Ohio	2.6%
<b>18</b>	Washington	7.4%	<b>44</b>	Tennessee	2.3%
<b>19</b>	Kansas	7.1%	<b>45</b>	South Dakota	2.2%
<b>20</b>	Wyoming	7.1%	<b>46</b>	Alabama	1.9%
<b>21</b>	Alaska	6.0%	<b>47</b>	Kentucky	1.7%
<b>22</b>	District of Columbia	6.0%	<b>48</b>	Mississippi	1.6%
<b>23</b>	Oklahoma	5.8%	<b>49</b>	Vermont	1.5%
<b>24</b>	Nebraska	5.7%	<b>50</b>	Maine	1.2%
<b>25</b>	Virginia	5.4%	<b>51</b>	West Virginia	<1%
<b>26</b>	Maryland	5.3%			

Source: Pew Research Center, "Mapping the Latino Electorate 2018" (Washington, DC: Pew Research Center, 2018). Analysis of American FactFinder 2017 ACS 1-year estimates (tables B05003 and B05003I), <http://www.pewhispanic.org/interactives/mapping-the-latino-electorate/>.



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