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Wade J. Henderson

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Karen McGill Lawson

January 19, 2016

President Barack H. Obama
The White House
1600 Pennsylvania Ave. N.W.
Washington, DC 20500

Dear Mr. President,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to share with you our executive branch and legislative goals for the coming year. Our 15 task forces worked to identify and develop a comprehensive list of priority administrative and legislative initiatives that represent a path forward for our country in advancing social and economic justice — including initiatives to expand the economy, promote job growth and workplace fairness, encourage educational opportunity, ensure fairness in the criminal justice system, build strong families and communities, and promote civic involvement.

The Leadership Conference believes that these important executive and legislative priorities are well-positioned for action. While the list that follows does not reflect the complete agenda of all of our member organizations, it does highlight the issues that are at the top of the civil and human rights coalition's agenda. We believe that these goals can and should be met.

The Leadership Conference looks forward to continuing to work with you to further these important goals and will be scheduling meetings with the relevant departments and agencies to discuss our key civil and human rights priorities. If you have any questions, please feel free to contact Nancy Zirkin or Corrine Yu at 202-466-3311.

Sincerely,

Wade Henderson
President & CEO

Nancy Zirkin
Executive Vice President

Cc: Vice President Joseph R. Biden

Department of Commerce
Secretary Penny Pritzker

Department of Education
Acting Secretary John King

Department of Health and Human Services
Secretary Sylvia Mathews Burwell

Department of Homeland Security
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Department of Housing and Urban Development
Secretary Julián Castro

Department of Justice
Attorney General Loretta E. Lynch

Department of Labor
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Department of State
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Department of Transportation
Secretary Anthony Foxx

Department of the Treasury
Secretary Jacob Lew

Bureau of the Census
Director John Thompson

Consumer Financial Protection Bureau
Director Richard Cordray

Equal Employment Opportunity Commission
Chair Jenny Yang

Federal Communications Commission
Chairman Thomas Wheeler

The White House
Chief of Staff Denis McDonough

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The Leadership Conference on Civil and Human Rights 2016 Priorities

Cross-Cutting Themes

Civil Rights Enforcement and Funding: Align funding for civil rights agencies with the identified needs of each agency, taking into consideration overall agency budget, civil rights statutory jurisdiction, complaint flow, complexity of case investigations and resolutions, needs and plans for proactive compliance reviews, staff training and capacity-building needs, and needs for robust data collection and analysis.

Civil Rights Laws: Institutionalize advances in rights and liberties. Defend against dilution or weakening of federal civil rights statutes, including unnecessary funding and staffing cuts. Defend against harmful efforts to thwart the President's executive actions on immigration or the ability of agencies to enforce civil rights provisions.

Racial Justice: Support and advocate for legislative and policy changes that address the ongoing and pervasive disparate and unequal treatment of minorities that exists in public education and throughout the criminal justice system. Promote deeper neighborhood engagement and training for law enforcement officials and community members to address bias and ensure equal procedural justice.

Access to Justice: Support congressional action to overturn *Alexander v. Sandoval*'s holding that there is no private right of action to enforce disparate impact regulations promulgated under Title VI of the Civil Rights Act of 1964. Increase funding for the Legal Services Corporation and lift restrictions on legal services for low-income communities.

Economic Security and Opportunity: Support and advocate for legislative policy changes and promulgate regulatory policy changes that promote fair wages, full enforcement of our nation's wage and hour laws, and new advances to recognize the changing needs of a 21st century workforce, particularly as they impact women and communities of color.

CENSUS

Administrative priorities

- Propose and advocate for sufficient funding to support thorough research, testing, and planning for the **2020 Census**, to ensure that operational and technological innovations designed to contain overall census costs are robust and do not diminish efforts to address the persistent disproportionate undercount of populations of color and other historically harder-to-count population groups, such as immigrants, young children, and rural and low income households, as well as prison gerrymandering reform and other design and operational issues that affect a fair and accurate census.
- Propose and advocate for sufficient funding to carry out an effective communications plan, beginning with award of a communications contract in 2016 that includes engaging subcontractors who have expertise in reaching hard-to-count population groups, as well as interested stakeholders.
- Maintain and strengthen the **Partnership Program**, in preparation for the 2020 Census, for several purposes. First, the program will help keep national, state, and local stakeholders fully informed about design changes for the 2020 Census, as well as ongoing efforts to preserve a robust American Community Survey (ACS) and other important demographic and socio-economic surveys. In addition, maintaining and strengthening the network of stakeholders in the program will help ensure their robust and effective participation in outreach efforts for the 2020 enumeration and other surveys.
- Pursue consensus-building efforts related to the use of **administrative records** (and third-party data) that include a broad range of stakeholders — especially in the civil rights community. Administrative records should only be used if their application does not create disparate results for traditionally hard-to-count communities, and does not diminish the quality or accuracy of data on populations of color and other historically harder-to-count population groups, such as immigrants, young children, and rural and low-income households. The Bureau should also examine closely the extent to which administrative records contain accurate, detailed race and ethnicity information and how that information is obtained. The evaluation should also encompass a more thorough examination of the quality of these records with respect to traditionally undercounted communities.
- Ensure continuity in leadership at the Census Bureau by either (1) renominating the current director, if he desires a second term, before his current term expires on December 31, 2016; or (2) vetting candidates, nominating a new director, and working with Congress to achieve confirmation before the current director's term expires and a vacancy occurs.
- Ensure an accurate **ACS** by actively supporting continued mandatory response and full annual funding to maintain adequate sample size, and by implementing steps to ensure reliable, comprehensive measurement of smaller and special populations.
- Pursue consensus-building efforts related to the **collection of data on race, ethnicity, and national origin** that include a broad range of stakeholders — especially in the civil rights community — to ensure that the 2020 Census, the ACS, and other Census Bureau surveys collect and produce the most accurate, detailed, and useful information about the nation's diverse population. Those efforts should include building on the 2015 National Content Test results that are most likely to improve the quality, accuracy, and specificity of race, ethnicity, and national origin data. Furthermore, the Office of Management and Budget should take steps to facilitate meaningful and timely stakeholder engagement in the process of updating and revising the OMB Standards for the Classification of Federal Data on Race and Ethnicity and related guidance.

OMB also should prepare to issue timely guidance on data comparability and “bridging” data collected in the 2020 Census with data collected in previous censuses.

Legislative priorities

- Provide **sufficient funding** to support thorough testing and planning for the 2020 Census to ensure that operational and technological innovations designed to contain overall census costs are robust and do not diminish efforts to address the persistent disproportionate undercount of populations of color and other historically harder-to-count population groups, such as immigrants, young children, and rural and low-income households, as well as prison gerrymandering and other design and policy issues that affect a fair and accurate census.
- Ensure an accurate **American Community Survey** by actively supporting continued mandatory response and full annual funding to ensure adequate sample size, and by implementing steps to ensure reliable, comprehensive measurement of smaller and special populations.
- Ensure that the 2020 Census fully includes all segments of the population, with a goal of eliminating the differential undercount of people of color, young children, rural communities, and low-income households.

CRIMINAL JUSTICE

Administrative priorities

- The administration should take executive action to **ban the box** on job applications for federal contractors and job applications for federal agencies, including codification of the EEOC's guidance on the use of arrest and conviction records in employment decisions and delaying the criminal history inquiry to the conditional offer stage of hiring.
- The Department of Health and Human Services should finalize the proposed rule on the Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs issued by the Office of Child Support Enforcement to promote economic security for families and help to reduce the barriers to reentry for formerly incarcerated individuals who are noncustodial parents.
- The Department of Justice (DOJ) should develop regulations on the implementation of the 2014 Deaths in Custody Reporting Act to ensure the most accurate and comprehensive information possible and ensure compliance.
- The administration should continue and expand actions to **end profiling** by all law enforcement, including addressing existing loopholes that remain in the DOJ's revised guidance in the areas of national security and border integrity. Federal agencies should vigorously implement the new DOJ guidance's provisions on data collection, training, and accountability.
- The Interagency Law Enforcement Equipment Working Group should continue working with the civil rights community to implement its demilitarization recommendations.
- DOJ should continue to be proactive in launching pattern and practice investigations of police departments who have engaged in misconduct. DOJ should also continue to pursue criminal civil rights charges against individual officers who deprive individuals of their constitutional rights while acting in their official capacity (Section 242 prosecutions).

Legislative priorities

- Support **sentencing reform** legislation that addresses front-end drivers of mass-incarceration, racial disparities in incarceration, overcrowding in the federal Bureau of Prisons, and over-criminalization.
- Support legislation that eliminates discriminatory profiling in all of its forms, similar to the **End Racial Profiling Act**; mandates racial bias training for all law enforcement agencies receiving federal funds; addresses the problem of police misconduct and brutality; de-militarizes the police; and ensures due process of law and protection of personal property rights by reforming civil asset forfeiture laws, which disproportionately impact people of color, similar to the **FAIR Act**.
- Support legislation that removes barriers to reentry and addresses collateral consequences for formerly incarcerated individuals in the areas of education, employment, voting, housing, and public assistance, such as the **Fair Chance Act**, the **REAL Act**, the **REDEEM Act**, the **Democracy Restoration Act**, and the **Fairness and Accuracy in Criminal Background Checks Act**.
- Support the **Second Chance Reauthorization Act of 2015**, which provides funding assistance to state and local governments, and other key stakeholders working with reentering populations, and



provides appropriate funding for Second Chance and Reintegration of Ex-Offenders (RExO) programs at the fully authorized levels.

- Oppose legislation that undermines efforts to provide formerly incarcerated individuals with pathways to successfully reintegrate into their communities.
- Support the **Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015**. Support legislation like the **Youth Promise Act** to address the specific and unique needs of young people, and support evidence-based practices and alternatives to incarceration.

ECONOMIC SECURITY

Administrative priorities

- Issue a “**high-road contractor**” Executive Order that gives preference to contractors who, in addition to complying with the law, pay living wages, offer good health benefits and retirement plans, provide paid leave, “ban the box,” and observe fair scheduling practices.
- The Consumer Financial Protection Bureau (CFPB) should promulgate strong regulations in a timely manner to end abusive practices by **payday lenders**. Other federal regulatory and enforcement agencies—including the Federal Trade Commission and Department of Justice—should use their enforcement authority against payday lenders to address violations of law.
- Ensure that new **Social Security Disability Insurance** requirements preserve the dignity of people with disabilities and do not present an undue burden to those who are eligible for benefits. Provide oversight of the revised work activity demonstration to ensure that it helps those who are able be in the workforce, and does not result in a net reduction of benefits.
- Reject all proposals to undermine or weaken the CFPB by changing its structure or attacking its independent funding.

Legislative priorities

Budget

- Protect **programs for low-income and vulnerable people** and reject structural changes that would negatively impact beneficiaries, such as a block grant for SNAP, a per capita cap or block grant for Medicaid, or transforming Medicare into a voucher program.
- Enact **tax policies** that improve tax fairness and raise revenue by closing tax loopholes for corporations and the wealthy.
- Reject **budget process** changes that make it easier to enact tax cuts without offsets and oppose a balanced budget constitutional amendment.

Economic security and jobs

- Raise the **federal minimum wage** and eliminate the minimum wage for tipped workers, indexed for inflation.
- Invest in **job creation** that builds the economy and meets pressing needs, and ensure that underrepresented populations have access to these jobs.
- Protect and expand **income and work supports**, including Social Security, Supplemental Security Income, nutrition assistance, housing assistance, unemployment insurance, and child care.
- Protect consumers from **predatory lending** practices by enacting a 36 percent Annual Percentage Rate limit applicable to all borrowers and rejecting limits on the authority of the CFPB.
- Oppose all proposals to undermine or weaken the CFPB by changing its structure or attacking its independent funding.

EDUCATION

Administrative priorities

Enforcement

The Department of Education and the Department of Justice should take aggressive enforcement action to ensure recent guidance is properly integrated into the fabric of local and state education programs, including:

- Zero-tolerance policies and excessive and discriminatory student discipline practices and referrals to law enforcement. (Title VI, Section 504 and Title IX).
- School response to sexual harassment, sexual assault, and all forms of bullying and harassment. (Title VI, Title IX, and Section 504).
- Unlawful seclusion and restraint of students (Title VI, Section 504, and ADA).
- Equal access to educational resources (Title VI).

Policy and Regulation

- Ensure that **Every Student Succeeds Act** (ESSA) implementation is consistent with the longstanding purpose of ESEA to raise achievement for disadvantaged children and the civil rights principles for ESEA reauthorization.
- Make permanent, annual, and universal the Civil Rights Data Collection and ensure that each item is cross-tabulated by gender and by Asian American subgroups. Develop a plan to ensure that accurate and complete data is reported to OCR.
- Use the Secretary's competitive priorities to ensure equity and promote diversity.
- Protect students seeking postsecondary or career education from predatory lending and deceptive marketing practices. (Higher Education Act).
- Ensure quality educational opportunities for all students in juvenile justice facilities that will prepare them to transition back to school upon release from confinement in compliance with Title VI, Title IX, the IDEA, Section 504, the EEOA, and Title IV.
- Protect the rights of undocumented students (e.g., against state denial of college admission to undocumented students). (Title VI).
- Ensure protection against discrimination based on pregnancy or parental status.
- Protect against unlawful discrimination in the administration of single-sex programs and classrooms in elementary and secondary schools. (Title IX).
- Reaffirm and support the recommendations of the Equity and Excellence Commission. Ensure that all student assessments developed with federal funding or used in federally assisted programs—particularly those taken by students with disabilities and/or English learners—meet the requirements of ESEA, federal civil rights statutes, and professionally recognized standards for validity and reliability.

Transparency

Make the Department of Education's work public and available at the Department's website, including:

- All compliance, enforcement, and resolution documents of *all* offices, including but not limited to OCR and OESE;
- All OCR desegregation agreements (including those currently housed in storage facilities and regional offices), and related documents which should be preserved, accurately catalogued, scanned, and available to the public;
- All state plans (and amendments thereto) under formula programs, including ESEA and IDEA (e.g., waiver documents, reports to the Department, peer review reports and names of reviewers,

proposed amendments or modifications, and reports on site visits and other compliance monitoring);

- All applications for competitive grants, peer review reports, names of peer reviewers, scoring and ratings, and discretionary criteria applied (e.g., i-3, Race to the Top);
- Timely and accurate data collection and reporting and measures to ensure that all data can be cross-tabulated by *all* student subgroups (including gender and AAPI subgroups).

Legislative priorities

- **Postsecondary:** Any reauthorization of the **Higher Education Act** and the **Perkins Career and Technical Education Act** must increase the quality and access to postsecondary education and job training, including for non-traditional students such as those who are parenting or who attend school part-time while working. Reauthorizations of these critical laws should increase college affordability by expanding Pell grants and making federal student loans affordable, and support programs such as TRIO, GEAR UP, and HEP-CAMP and minority serving institutions to expand access to education.
- **School Climate and Civil Rights Protections:** Approve critical legislation to ensure students attend school in a safe, nurturing and welcoming environment, free of bullying, harassment and assault, discrimination, or harsh disciplinary practices. Pass a comprehensive **Safe Schools Improvement Act**, the **Student Nondiscrimination Act**, the **Ending Corporal Punishment Act**, and the **Keeping All Students Safe Act**. Provide sufficient funding to the Office for Civil Rights in the Department of Education and to the Civil Rights Division in the Department of Justice to enforce federal laws protecting students and employees from discrimination based on race, national origin, sex, disability, age, or religion.
- **Early Childhood:** Increase funding for early childhood programs, including child care, and pass the **Strong Start for America's Children Act**, which would increase access to quality critical early learning opportunities for all children regardless of race, color, or ZIP code.

EMPLOYMENT

Administrative priorities

The administration should issue and implement final rules that allow workers to secure the benefits and protections of the administration's important initiatives to promote higher wages and fairer workplaces. Notice and comment has been completed on a number of important executive actions but final rules have not yet been promulgated.

The Department of Labor (DOL) should issue, without delay, final regulations to:

- Fully implement the **Fair and Safe Workplaces Executive Order** (including final guidance and Federal Acquisition Regulatory Council rules); set updated overtime salary thresholds and indexing at levels specified in the proposed rule and ensure timely implementation in 2016; begin collecting and analyzing federal contractor employee compensation information through the data compensation collection tool to ensure that women and workers of all races and backgrounds are paid fairly;
- Adopt updated sex discrimination regulations to assure civil rights protections for women and LGBT workers;
- Expedite the NPRM process for the recently issued DOL ETA EEO apprenticeship regulations to ensure a timely and enforceable final rule.
- Implement the paid sick leave executive order with a 60-day comment period and no extensions to ensure the rule can be finalized, implemented, and enforced by January 1, 2017, as specified in the executive order.

The EEOC should take action to ensure that final rules, implementing Section 501 of the Rehabilitation Act, which requires federal agencies to engage in affirmative action to employ people with disabilities and avoid disability-based discrimination, are issued in time to be implemented by January 2017. The EEOC published an advance notice of proposed rulemaking in May 2014 but has not yet published proposed rules.

In addition:

- DOL should use existing funds to make a final round of grants to states for state paid leave analysis in 2016, building on the \$500 million granted to four states in 2014 and \$1.55 million to eight jurisdictions in 2015.
- DOL should vigorously enforce newly implemented regulations, including FLSA protections for home care workers and non-retaliation against federal contract employees who share their compensation information with coworkers. In addition, DOL should develop and distribute technical assistance guidance for EEO investigators at construction sites, including hiring rules and agreements between contractors, subcontractors, and unions; and should vigorously enforce EEO requirements for apprenticeship programs.
- EEOC should withdraw and reissue recently proposed rules on workplace "wellness" programs under the ADA and GINA, which eviscerate core civil rights protections against discrimination. The EEOC should redraft the ADA rules to follow the approach taken in its 2010 GINA regulations, and leave its GINA regulations as is.

Legislative priorities

- Prioritize legislation that reflects the realities of the modern workforce with respect to work and family obligations. Legislative action is needed to assure workers access to paid sick days through the **Healthy Families Act**, affordable family and medical leave through the **Family and Medical Insurance Leave Act** and through state paid leave grants to states through DOL appropriations; protections for working women who need reasonable accommodations related to pregnancy, childbirth, and related medical conditions through the **Pregnant Workers Fairness Act**; and fair and predictable schedules through the **Schedules That Work Act**.
- Adopt legislation that strengthens workers' rights, including assuring women and all workers stronger protections against pay discrimination through the **Paycheck Fairness Act**; modernizing civil rights protections in employment as well as public accommodations, housing, access to credit, and other areas of life through the **Equality Act**; strengthening nondiscrimination protections for older workers through the **Protecting Older Workers Against Discrimination Act**; and strengthening workers' rights to bargain collectively through the **WAGE Act**.
- Ensure that workers get fair treatment in bringing claims and adjudicate their rights, including ensuring fairness in tax treatment of discrimination awards through the **Civil Justice Tax Fairness Act** and ensuring their claims are able to be fully litigated, and not subject to arbitration agreements in the areas of employment, consumer, antitrust, or civil rights disputes by passing the **Arbitration Fairness Act**, with a further goal of ending forced arbitration more broadly.
- Oppose efforts to limit or defund efforts to protect workers' rights including riders to defund DOL implementation of Executive Orders or reductions in DOL or EEOC program or enforcement budgets.

HATE CRIMES

Administrative priorities

Improve Federal Hate Crime Data Collection, Training, and Prevention Efforts

- Department of Justice (DOJ) officials – including U.S. Attorneys, FBI officials, and Community Relations Service professionals – should promote comprehensive participation in the Hate Crime Statistics Act reporting program, with special attention devoted to the 100 cities over 100,000 in population that either did not participate in the 2014 HCSA program at all or have erroneously reported zero (0) hate crimes. The administration should create incentives for participation in the FBI’s HCSA data collection program. And, at minimum, participation in the HCSA program should be included in the rating scoring criteria as applications for COPS and other funding are considered.
- DOJ and FBI officials should expand hate crime education and training. This training and reporting is especially important in light of the deeply disturbing number of homicides and violent crimes directed against transgender and gender non-conforming people.
- The administration should create a new website (www.stophatecrime.gov, for example), similar to <http://www.stopbullying.gov> that aggregates federal resources about effective hate crime laws, prevention policies, best police policies and procedures and community awareness-building practices, victim service resources, and law enforcement training initiatives, while ensuring that all online materials are fully accessible following all regulations of Section 508 of the Rehabilitation Act.

Legislative priorities

- Recognizing the limits of legal responses to hate violence, the administration and Congress should promote the enactment of comprehensive legislation focusing on inclusive anti-bias education; hate crime prevention; and bullying, cyberbullying, and harassment education, policies, and training initiatives.
- The President and Congress should support budget authority to fund, for the first time, grants authorized under Sec. 4704 of the **Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA)**, which are intended to promote federal coordination and support for bias-motivated criminal investigations and prosecutions by state, local, and tribal law enforcement officials.

HEALTH CARE

Administrative priorities

- Issue robust final regulations and vigorously enforce **Section 1557 of the Affordable Care Act**.
- Fully implement Section 4302 of the Affordable Care Act (Public Health Service Act sec. 3101) regarding data collection in all federally conducted or supported programs and activities, including data especially relevant to identifying and reducing health disparities, namely race, ethnicity, sex, primary language, disability status, sexual orientation, gender identity, and income.
- Implement through administrative action, where possible, provisions of the Health Equity and Accountability Act to address health care disparities due to race, ethnicity, national origin, language, sex, age, sexual orientation, gender identity, and disability.
- Rescind the Dear State Medicaid Director Letter of August 30, 2012 (addressing Individuals with Deferred Action for Childhood Arrivals) and amend the Pre-existing Condition Insurance Program Interim Final Rules (77 Fed. Reg. 52614) to ensure access to health insurance and health programs for individuals granted deferred action through the Deferred Action for Childhood Arrivals process.
- Implement robust regulations on Qualified Health Plans quality rating and quality improvement initiatives, particularly those that address health care disparities and compliance with patients' informed medical decisions.
- Ensure and protect women's timely access to trusted, quality women's health providers so they can access comprehensive health services.
- Ensure that public and private health care delivery system reform initiatives and Alternative Payment Models make the health care system more responsive to the people and patients it serves and improve care coordination, information access, and communication among patients, families, and providers.

Legislative priorities

- Ensure Medicaid is not converted into a block grant or funding is otherwise restricted as part of the budget reconciliation or other legislative processes.
- Maintain the health programs, benefits, and funding that everyone needs to achieve and sustain maximum health, including those enacted in the Affordable Care Act.
- Ensure and protect women's timely access to trusted, quality women's health providers so they can access comprehensive health services.
- Pass the **Health Equity and Accountability Act**.
- Pass the **Health Equity & Access under the Law (HEAL) for Immigrant Women & Families Act**.

HOUSING

Administrative priorities

- Finalize the Department of Housing and Urban Development's (HUD's) Affirmatively Furthering Fair Housing Assessment Tool and guidance for all covered entities and begin implementation immediately.
- Include the Low Income Housing Tax Credit (LIHTC) in the list of programs covered by the Department of Treasury's proposed Title VI rule. Treasury should incorporate explicit fair housing and civil rights requirements in the program, including fair housing site selection standards, affirmative marketing, enforcement of the ban on Section 8 discrimination, and strong disability discrimination protections. Treasury should cooperate with HUD to ensure that the does not continue to perpetuate segregation.
- Oppose any spending legislation that prohibits the use of federal funds to provide grants for private enforcement under the Fair Housing Initiatives Program. Also oppose any appropriations legislation that prohibits federal agencies from using appropriated funds to enforce HUD's Discriminatory Effects Standard ("Disparate Impact") or Affirmatively Furthering Fair Housing ("AFFH") regulations.
- Finalize HUD's new rule concerning discriminatory harassment in housing.
- Reallocate at least 300 HUD staff to HUD's Office of Fair Housing and Equal Opportunity to better conduct investigations of fair housing complaints and review jurisdictions' compliance with HUD's Affirmatively Furthering Fair Housing regulation.
- Continue to bring substantial enforcement actions using the disparate impact and disparate treatment methods of proof in fair housing and fair lending cases and against jurisdictions in violation of the Fair Housing Act for failing to affirmatively further fair housing.

Legislative priorities

- Oppose any amendments or riders to FY2017 appropriations and other future legislation that prohibits the use of federal funds to provide grants for private enforcement under the Fair Housing Initiatives Program. It must also oppose any appropriations legislation that prohibits federal agencies from using appropriated funds to enforce HUD's Discriminatory Effects Standard ("Disparate Impact") or Affirmatively Furthering Fair Housing ("AFFH") regulations.
- Fund FHIP at \$52 million dollars and allow HUD the discretion to flexibly allocate appropriated funds in its grant making as it sees fit.
- Oppose **the Local Zoning and Property Rights Protection Act of 2015, and the Local Zoning Decisions Protection Act of 2015**. Both bills would withdraw HUD's AFFH rule and burden HUD with unnecessary administrative procedures that distract from enforcement of the Fair Housing Act.
- Support the **Eleanor Smith Inclusive Home Design Act of 2015**, which requires that newly constructed, federally assisted single-family houses and town houses include at least one level that complies with the Standards for Type C (Visitable) Units of the American National Standards Institute (ANSI) Standards for Accessible and Usable Buildings and Facilities (1005-ICC ANSI A117.1-2009) and any future revisions. This legislation would help ensure that federal financial assistance for single-family homes expands the nation's limited accessible housing.

HUMAN RIGHTS

Administrative priorities

- U.S. government officials should demonstrate international leadership in countering violent bigotry and use their bully pulpits to denounce all manifestation of hate crimes and LGBT bias and violence abroad.
- The United States, through the Department of State, Department of Justice, delegation to the Organization for Security and Cooperation in Europe (OSCE), and other multilateral organizations, should maintain comprehensive and inclusive Department of State monitoring and public reporting on anti-Semitic, racist and xenophobic, anti-Muslim, homophobic, transphobic, anti-Roma, disability-bias and other bias-motivated violence abroad.
- The administration should establish through Executive Order or Presidential Memorandum an Interagency Working Group on Domestic Implementation of Human Rights Obligations co-chaired by senior officials at the National Security Council and the Domestic Policy Council. The mandate of the Working Group would be to support the implementation of accepted UPR recommendations and to consider the implementation of treaty bodies' concluding observations and to engage in periodic consultation with civil society and tribal, state, and local governments.
- The administration should undertake a comprehensive review of the feasibility of establishing an independent national human rights institution consistent with the Paris Principles. This would include examining the mandate and capacity of the US Commission on Civil Rights as well as other agencies, such as the EEOC, which already perform some of the functions of a national human rights institution.
- Promote agency compliance with the UN Declaration on the Rights of Indigenous Peoples.
- Develop a U.S. Action Plan for the Decade of People of African Descent, which would include the appointment of a Coordinator or Focal Point in the State Department and a mechanism for gathering input from other agencies as well as consultation with civil society.
- Develop a follow up program to the 2015 UN General Assembly and 2014 OSCE Conference addressing anti-Semitism that includes a coalition-based approach to address not only anti-Semitism but also other forms of intolerance, hatred, and violence.

Legislative priorities

- The Senate should ratify **the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)**.
- The Senate should ratify the **Convention on the Rights of Persons with Disabilities (CRPD)**.

IMMIGRATION

Administrative priorities

The President is to be applauded for using his authority to make many improvements to immigration enforcement, including his “deferred action” policies for many immigrants. The administration can build on these reforms by making additional changes, including:

- Ending the use of “family detention” and Operation Streamline, and reform other detention and border enforcement policies to eliminate excessive and abusive practices;
- Preventing employers from using the threat of immigration enforcement to deprive workers of their rights;
- Ending the entanglement of state and local jurisdictions with federal immigration enforcement;
- Addressing the backlogs in our asylum system, and expanding the number of refugee admissions from Syria and other countries in crisis;
- Improving upon Deferred Action for Childhood Arrivals (DACA) and other discretionary relief programs by extending coverage under the Affordable Care Act, and by eliminating arbitrary bars to eligibility; and
- Reducing naturalization fees and other barriers to naturalization.

Legislative priorities

The executive actions taken by the President are no substitute for comprehensive immigration reform. Congress still needs to pass legislation creating a realistic path to citizenship, protecting the rights of immigrant and citizen workers alike (including **the POWER Act**), promoting family reunification, strengthening due process in detention and removal, and ending all profiling. It should also:

- Reject piecemeal enforcement proposals, including efforts to undermine community trust policies, which would harm both individuals and our nation as a whole;
- Prevent children of immigrants from being penalized through cuts to safety net programs;
- Pass legislation to expand health care for immigrants, which benefits entire communities; and
- Pass the **Freedom of Faith Act**, to permanently extend the religious worker visa program.

JUDICIAL NOMINATIONS

Administrative priorities

The administration should nominate a full slate of young, progressive, professionally, and demographically-diverse nominees to fill all judicial vacancies, with a particular emphasis on nominating more public interest attorneys, legal aid attorneys, public defenders, and academics. The administration should make confirmations of nominees, especially of circuit court nominees, a priority by pressing senators publicly and privately to urge Senate leadership to schedule confirmation votes and to support confirmations.

MEDIA/TELECOMMUNICATIONS

Administrative priorities

- Adopt rules that expand the **ownership diversity** of traditional and new media, including long-overdue rules to improve data collection on broadcast ownership by women and people of color. Counteract the likelihood that upcoming spectrum auctions will further consolidate spectrum out of the hands of underserved communities.
- Modernize the low-income telephone service support program (“**Lifeline**”) by expanding access for low-income individuals to broadband. Continue to work toward release of a lifeline modernization rule that ensures universality, excellence, choice and competition, innovation, and efficiency, transparency and accountability. Adopt Leadership Conference recommendations that encourage providers to offer the best services to consumers and to adopt a goal of significant participation in the program.
- Enforce and defend the FCC’s caps on local and long-distance prison phone rates and address in the future predatory rates for people with disabilities and video visitation.
- Support efforts of the President’s Broadband Opportunity Council and the ConnectHome initiative to expand broadband deployment, adoption, and affordability, and support the president’s focus on underserved communities.

Legislative priorities

- Enact an update to the **Electronic Communications Privacy Act**. Law enforcement searches of emails, cell phones, online content and location information should receive the same Fourth Amendment protections as letters and telephone calls. Reject any civil agency warrant-for-content carve-out that would swallow the new rule.
- As it considers any proposed changes to the **Communications Act**, Congress must respect and incorporate central civil rights values, including non-discrimination, access to affordable and quality information services for all, diversity in ownership, consumer protection, and the preservation of jobs.
- Reject efforts to weaken the **ConnectEd** or **Lifeline** programs, or to weaken FCC **media ownership limits**.
- Support passage of the **Broadband Adoption Act**.
- Oppose efforts to weaken the FCC’s **joint services agreement rule**, either through stand-alone legislation or appropriations riders.
- Maximize the benefits of **big data** while minimizing its risks to foster discrimination and diminish opportunity.

U.S. COMMISSION ON CIVIL RIGHTS

Administrative priorities

The administration should increase proposed funding for the U.S. Commission on Civil Rights to support additional staff that can undertake more investigations and hearings (particularly field hearings), reduce the backlog of reports, and develop new reports and other documents reflecting research and analysis of current and emerging civil rights issues.

Legislative priorities

Congress should increase appropriations for the U.S. Commission on Civil Rights to support additional staff that can undertake more investigations and hearings (particularly field hearings), reduce the backlog of reports, and develop new reports and other documents reflecting research and analysis of current and emerging civil rights issues.

VOTING RIGHTS

Administrative priorities

- The Department of Justice (DOJ) should aggressively enforce the Voting Rights Act (VRA), including the general anti-discrimination provisions of Section 2, the minority language and right to assistance provisions in Sections 4(e), 203, and 208, the bail-in provisions of Section 3(c), and the federal observer and election monitoring provisions of Sections 3(a), 4, and 8, in state and local jurisdictions, and vigorously defend the provisions of the VRA against constitutional challenge.
- The administration should ensure that the health insurance exchanges created pursuant to the Affordable Care Act offer voter registration services consistent with Section 7 of the National Voter Registration Act (NVRA).
- DOJ should vigorously enforce the voter registration provisions of the NVRA and the Help America Vote Act (HAVA), including those provisions that do not have a private right of action.
- Federal agencies that interact with the public should offer voter registration consistent with the NVRA's intent and express language.
- DOJ should require federal prosecutors to provide notice to defendants in federal criminal cases regarding the loss of their right to vote in the event of a conviction or as a result of a plea agreement to any disfranchising crime (*i.e.*, misdemeanor or felony).
- The Bureau of Prisons should take administrative steps immediately to provide information to incarcerated individuals regarding voting rights restoration upon release and return to their home state.
- DOJ should issue guidance concerning the application of the Americans with Disabilities Act (ADA) to voting that clarifies that the ADA forbids the use of voter capacity standards that subject people with disabilities to higher hurdles than others who seek to vote, and strengthens DOJ's existing guidance concerning accessibility of polling places and private, independent voting. DOJ should take appropriate action against those jurisdictions whose online voter registration systems are not in compliance with the ADA or the VRA.
- The Census Bureau should tabulate incarcerated people at their home addresses, starting with the 2020 Census, so as to end the redistricting distortions of prison-based gerrymandering.

Legislative priorities

- Enact the **Voting Rights Advancement Act** or comparable legislation to restore the protections of the VRA struck down or rendered inoperable by the Supreme Court's *Shelby County* ruling.
- Enact legislation that would modernize the voter registration system.
- Enact the **Democracy Restoration Act**, which would restore voting rights in federal elections to the 4.4 million Americans who have lost their voting rights following a criminal conviction, and who have been released from prison and are living in their communities.
- Oppose legislation that would create barriers to the right to vote, including, but not limited to, photo voter identification laws, laws requiring voters or voter registration applicants to provide documentary proof of citizenship, laws limiting early voting opportunities or proposing widespread precinct closures and/or consolidations, and laws purging qualified voters.