

# **National Hispanic Leadership Agenda**

December 3, 2015

The Honorable Mitch McConnell, Majority Leader  
The Honorable Harry Reid, Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Paul Ryan, Speaker  
The Honorable Nancy Pelosi, Democratic Leader  
U.S. House of Representatives  
Washington, DC 20515

## **Re: NHLA Recommendations on Tax Extenders and Opposition to Anti-Immigrant Provisions**

Dear Speaker Ryan and Leaders McConnell, Reid, and Pelosi:

We write on behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of 40 leading national Latino nonpartisan civil rights and advocacy organizations, with our recommendations and concerns regarding the tax extenders package currently under negotiation in Congress.

### **Refundable Tax Credits for Working Families**

NHLA has repeatedly called for strengthening tax credits that reward work and keep millions of adults and children out of poverty. We believe it is entirely appropriate that any legislation extending tax benefits to corporations should also extend tax benefits to working families.

In particular, we strongly support making permanent the 2009 expansions of the refundable portions of the Earned Income Tax Credit (EITC) and Child Tax Credit (CTC). The EITC and CTC are both proven anti-poverty measures that Congress established to help working families, including many Latino families. According to research, children in families that benefit from the EITC and CTC exhibit improved academic and health outcomes, as well as improved future job and income prospects, than low-income children in families that did not receive either tax benefit.

If the EITC and CTC are scaled back as scheduled in 2017, over 16 million people, including eight million children, would be pushed into poverty or fall deeper into poverty. Specifically, the EITC rollback would affect two million Latino working families, and the CTC rollback would impact three million Latino working families with six million children.

### **Anti-Immigrant Provisions**

NHLA strongly opposes the inclusion of any provisions in tax extender legislation that would discriminate against individuals based on their immigration status or that seek to disproportionately and negatively impact immigrants and mixed-status households. Inclusion of such provisions may lead NHLA to consider opposing the legislation and including votes on it in future NHLA scorecards evaluating the support of Members of Congress for the Latino community.

## **MEMBER ORGANIZATIONS**

Alianza Americas  
American G.I. Forum  
ASPIRA Association  
Avance Inc.  
Casa de Esperanza: National Latin@ Network  
Congressional Hispanic Caucus Institute  
Cuban American National Council  
Farmworker Justice  
Hispanic Association of Colleges & Universities  
Hispanic Federation  
Hispanic National Bar Association  
Inter-University Program for Latino Research  
Labor Council for Latin American Advancement  
Latino Justice PRLDEF  
League of United Latin American Citizens  
MANA, A National Latina Organization  
Mexican American Legal Defense and Educational Fund  
National Association of Hispanic Federal Executives  
National Association of Hispanic Publications  
NALEO Educational Fund  
National Association of Latino Independent Producers  
National Conference of Puerto Rican Women, Inc.  
National Council of La Raza  
National Hispana Leadership Institute  
National Hispanic Caucus of State Legislators  
National Hispanic Council on Aging  
National Hispanic Environmental Council  
National Hispanic Foundation for the Arts  
National Hispanic Media Coalition  
National Hispanic Medical Association  
National Institute for Latino Policy  
National Latina Institute for Reproductive Health  
National Puerto Rican Coalition  
Presente.org  
SER Jobs for Progress National  
Southwest Voter Registration Education Project  
United States Hispanic Chamber of Commerce  
United States Hispanic Leadership Institute  
United States-Mexico Chamber of Commerce  
U.S.- Mexico Foundation

We strongly oppose any provisions that would prohibit taxpayers using an Individual Tax Identification Number (ITIN) from receiving the CTC, and any provisions that create unnecessary hurdles to obtaining an ITIN. The refundable portion of the CTC is legally available for qualified taxpayers who use an ITIN when filing tax returns. ITINs are commonly used by individuals who are not eligible to obtain a Social Security number, including lawfully present individuals, such as certain survivors of domestic violence, Cuban and Haitian entrants, and spouses and children of individuals with employment visas.

Disqualifying families filing their taxes with ITINs from receiving the CTC would disproportionately harm Latinos; an estimated 85 percent of working families who would be affected by this proposal are Hispanic. In fact, 4.4 million Latino children in mixed-status families could lose access to the CTC. Congress originally passed the CTC to ensure that U.S. citizen children, no matter the legal status of their parents, would never face the specter of poverty and hunger. Undoing that promise would condemn millions of Latino U.S. citizen children to poverty. This unjustified disparate impact on Latino families is inconsistent with the federal government's 50-year old policy of non-discrimination in federally-assisted programs at the state and local level. Disqualifying ITIN-users from receiving the CTC would therefore undercut the Civil Rights Act of 1964 and weaken our national commitment to its principles.

NHLA also strongly opposes any provision that would disqualify future recipients of Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) from being able to claim the EITC or CTC. These immigrants have long-standing ties to their communities and have demonstrated a commitment to contributing to this nation. Once implementation of this program moves forward, prospectively barring these taxpayers from claiming credits otherwise available to working families is unfair, would have a disproportionately negative economic impact on Latinos, and is similarly inconsistent with the federal government's policy of non-discrimination in federally-assisted programs.

For additional information, please do not hesitate to contact NHLA through Albert Jacquez of NCLR, at (202) 785-1670 or [ajacquez@nclr.org](mailto:ajacquez@nclr.org), or Andrea Senteno, of MALDEF, at [asenteno@maldef.org](mailto:asenteno@maldef.org) or 202-572-0467.

Sincerely,




**Eric Rodriguez**

Vice President, Office of Research, Advocacy,  
and Legislation, NCLR  
Co-Chair, NHLA Economic Empowerment and  
Labor Committee



**Bruce Goldstein**

Executive Director, Farmworker Justice  
Co-Chair, NHLA Economic Empowerment and  
Labor Committee



**Thomas A. Saenz**

President and General Counsel, MALDEF  
Co-Chair, NHLA Immigration Committee



**Jose Calderón**

President, Hispanic Federation  
Co-Chair, NHLA Immigration Committee