

June 9, 2015

U.S. House of Representatives  
Washington, DC 20515

Dear Representative:

As Congress crafts legislation to fund the federal government's activities for fiscal year 2016, the National Hispanic Leadership Agenda (NHLA), a coalition of the nation's 39 leading Hispanic advocacy organizations, makes the following funding recommendations to ensure that the federal government can carry out the key functions of protecting civil rights, promoting good governance, and providing critical support to keep families working, in their homes, healthy, and with the promise of opportunity to achieve the American Dream.

With Latinos currently comprising one-sixth of the U.S. population and growing, America cannot succeed unless Latinos also succeed. The following recommendations therefore reflect the Latino population's priorities and those of the United States as a whole.

## **Labor, Health and Human Services, Education, and Related Agencies**

NHLA respectfully urges Congress to include the following funding priorities in the FY16 Labor-HHS-Education appropriations bill:

### *Department of Labor*

- \$277 million for the Wage and Hour Division, an increase of \$50 million. The Wage and Hour Division needs to improve its enforcement of employment laws, particularly for low-wage workers, to remedy abuses of workers and reduce the undermining of law-abiding employers.
- \$592,071,000 for the Occupational Safety and Health Administration (OSHA), an increase of \$40 million. OSHA needs to improve occupational safety standards (through research, analysis and rulemaking), enforcement, and outreach to Latino workers and to businesses, all of which will help reduce preventable deaths, injuries and illnesses.
- \$90 million for the Employment and Training Administration, an increase of \$8 million, which would provide it with adequate funding to operate the national training program for migrant and seasonal farmworkers and their employers.

American G.I. Forum  
ASPIRA Association  
Avance Inc.  
Casa de Esperanza  
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  
LatinoJustice PRLDEF  
League of United Latin American Citizens  
MANA, A National Latina Organization  
Mexican American Legal Defense and Educational Fund  
National Alliance of Latin American and Caribbean Communities  
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 Hispanic Caucus of State Legislators  
National Hispana Leadership Institute  
National Hispanic Council on Aging  
National Hispanic Environmental Council  
National Hispanic Foundation for the Arts  
National Hispanic Medical Association  
National Hispanic Media Coalition  
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

- \$450 million for the Employment and Training Administration providing the Senior Community Service Employment Program opportunities for older workers to reenter or continue participation in the workforce. Statistics show that this is now more imperative than ever as those over the age of 55 are remaining in the workforce and waiting longer to retire. A 2014 Gallup Poll showed that the average retirement age jumped from 50 to 62 in just a few years, while the Bureau of Labor Statistics (BLS) estimates that 32.2% of Americans age 65 to 69 are in the labor force, meaning they are working or looking for work, up 21.3% from a decade ago. SCSEP is the central focus of preparing older workers for unsubsidized employment through community service and work-based job training and is critical to meeting this need for low-income older workers.

*Department of Health and Human Services*

Centers for Medicare and Medicaid Services

- \$1,590 million for the Center for Medicare & Medicaid Innovation.
- \$808 million for the Health Insurance Marketplaces' Consumer Information and Outreach.

Centers for Disease Control and Prevention

- \$210 million for Immunization and Respiratory Disease.
- \$1,162 million for HIV/AIDS, Viral Hepatitis, STIs, and TB prevention.
- \$55 million for Emerging and Zoonotic Infectious Diseases.
- \$480 million for Chronic Disease Prevention and Health Promotion.
- \$68 million for Birth defects, Developmental Disabilities, Disability and Health.
- \$37 million for Environmental Health.
- \$64 million for Public Health Scientific Services.

Health Resources and Services Administration: Health Workforce Diversity

- \$85 million for Training for Diversity (Health Careers Opportunity Program, Centers of Excellence, Area Health Education Centers).
- \$810 million for National Health Service Corps.
- \$4,092 million for Health Centers.

Increase the Behavioral Health Workforce for Primary Care Settings (SAMHSA)

- \$21 million for SAMSHA-HRSA partnership.

Office of Minority Health (at all agencies)

- \$57 million for the Office of Minority Health, Office of the Secretary.

National Institutes of Health and Agency for Healthcare Research and Quality: Disparities health services research

- \$282 million for the National Institute on Minority Health and Health Disparities.
- \$112 million for Health Services Research, Data and Dissemination.

#### Family Planning and Sexual Health

- \$327 million for the Title X family planning program. Title X, the nation's only federally supported family planning program, plays a vital role in the healthcare safety net- providing preventive health and family planning services – including contraception, cancer screenings, and domestic violence counseling – to more than 4.5 million low-income men and women at nearly 4,200 centers nationwide. Beyond that, Title X is the only source of care for nearly half of the patients it serves including many Latina/os and immigrant women and families. Given recent cuts, and the dismantling of the reproductive healthcare safety net in certain states, strong Title X funded is needed to keep up with the demand for these high-quality services.
- Related to federal adolescent sexual health and education programs, sufficient investments are needed to eliminate the incidence of and disparities in unintended pregnancies, HIV and other sexually transmitted infections, and intimate partner violence. As such, we call for:
  - \$50 million in discretionary budget authority for the Division of Adolescent Health (DASH), and
  - \$130 million for Teen Pregnancy Prevention Initiative (TPPI).
- Additionally, we call for the elimination of funding to programs that promote abstinence-only-until-marriage (AOUM), which has been demonstrated to be incomplete and ineffective. Latino/as suffer from disproportionately high rates of unintended teen pregnancy, and therefore deserve comprehensive, accurate information. As such, we request \$0 for the Competitive “Abstinence Education” Grant Program and the Title V AOUM program.

#### *Department of Education*

- \$773.4 million for Title III Language Acquisition Grants. This funding level would take into account the considerable growth in the number of English Language Learners being served in our nation's public schools. Language Acquisition Grants help children with limited English proficiency attain the skills needed to meet the same academic standards as other students. This is critically important to ensuring that today's youth are equipped to succeed in tomorrow's job market and contribute to the economic vitality of the nation.
- \$117 million for Hispanic-Serving Institution (HSI) undergraduate programs, Title V Part A in the Higher Education Act.
- \$15 million for HSI graduate programs, Title V Parts B in the Higher Education Act. Despite increases in post-secondary enrollment (currently about 17% in four-year institutions), in 2012 only 9.8% of bachelor's degrees and 7.7% of master's degrees were awarded to Latinos. Yet, by about 2020, over 65% of jobs will require some form of higher education. In recent years, the number of HSIs has increased from 172 to 409. They enroll over half of the Latino post-secondary population,

yet remain chronically under-funded. These institutions are vital in ensuring that students have access to the high-quality education they need for success later in life.

- \$30 million for the Hawkins Centers of Excellence program to increase the number of effective minority educators by expanding and reforming teacher education programs at Minority-Serving Institutions.
- \$75 million for the new College Success Grants for Minority Serving Institutions to assist in developing sustainable strategies to reduce costs and improve student outcomes.
- \$100 million for First in the World (FITW) MSI projects to improve college persistence and completion (FIPSE)

## **Homeland Security**

NHLA respectfully urges Congress to include the following funding priorities in the FY16 Homeland Security appropriations bill:

### *U.S. Citizenship and Immigration Services*

- Direct \$10,000,000 in discretionary funding for USCIS's immigrant integration and citizenship grants program, and \$8,000,000 in discretionary funding for the operation of the Office of Citizenship and the hiring of an Executive Director to carry out the recommendations of the White House Task Force on New Americans.
- Adopt report language expressing the importance of maintaining naturalization fees at an affordable level; and language that authorizes USCIS to solicit and accept private donations to underwrite citizenship promotion and education.
- Provide discretionary funding for the costs of processing applications for humanitarian protection, which are currently surcharged to applicants for naturalization and other immigration benefits.
- Direct USCIS to retain SAVE agency user fees.
- Direct the Comptroller General to conduct an assessment of the effectiveness and accuracy of the SAVE system.
- Direct additional discretionary funding for E-Verify's Monitoring and Compliance Unit to specifically address employer noncompliance with the program's rules and misuse of the program to violate labor law.
- Direct USCIS to create a proposed formal review process for E-Verify final non-confirmations.

### *Immigration and Customs Enforcement*

- End funding for family detention facilities. Detention of mothers and children is harmful to their physical and mental well-being, and extremely costly.

- Reject efforts to require ICE to maintain a specific number of daily detention beds, and reject efforts to require ICE to maintain a specific number of detention beds explicitly dedicated to families. Allocate funding for no more than the number of adult detention beds than the agency states it needs, and allow flexibility to transfer funds allocated for detention beds to alternatives to detention (ATDs).
- Support increased funding for ATDs, direct that these programs are used *in place of*, rather than in addition to, existing detention space, and direct additional funds to support community-based alternatives programs.
- Direct the Secretary to ensure that all detention facilities operate under the most recent detention standards and DHS policies and provide adequate funding to DHS to implement this directive through appropriate inspections and oversight. Support a budget increase of \$6.6 million for implementation and compliance with the Prison Rape Elimination Act (PREA).
- Support a budget increase for the DHS Office for Civil Rights and Civil Liberties (CRCL) and DHS Office of Inspector General (OIG) to strengthen oversight of immigration detention and enforcement operations.
- Reject efforts to coerce state and local law enforcement participation in immigration enforcement efforts and ensure adequate funding for proper oversight and accountability for federal partnerships with state and local enforcement.

### *Customs and Border Protection*

Funding for the border-security missions of U.S. Customs and Border Protection (CBP) should improve border security through a more efficient use of funds, strengthened oversight, and renewed commitment to agency integrity, ethics and fiscal accountability.

- Require data collection and reporting on the use of checkpoints and roving patrol stops by CBP.
- Require reporting on the use of drones by CBP, including all loans of CBP drones to other federal, state, and local law enforcement agencies.
- Require CBP officers and agents to use body-worn cameras to record interactions with the public, within a framework of robust privacy protections.
- Strengthen oversight of CBP's short-term custody facilities and processes through improved data collection and reporting and the implementation of enforceable standards governing conditions.
- Require CBP to have child welfare professionals at stations to oversee the care, custody and screening of children in CBP custody. This should include the care and custody of unaccompanied children as well as children apprehended with their parents.
- Improve coordination of detainee transfers between CBP and other agencies, and improve transparency so detainees can be easily located and their belongings returned.
- Require DHS to implement an effective, universal complaint system that is easily accessible to the public, including those in short-term CBP custody.

- Require DHS to carry out deportations in a secure, safe, and orderly manner, and to report on measures taken to ensure an end to dangerous deportations.
- Fund an additional 50 rescue beacons to reduce migrant deaths, as well as a study of what other measures can improve search and rescue.
- Require reports from the DHS Inspector General on oversight and management of integrity and ethics programs.
- Assess infrastructure and staffing at Ports of Entry (POE) to ensure wise use of limited resources.
- Require CBP to become fully compliant with the Prison Rape Elimination Act (PREA), including staff training and infrastructure.

### **Agriculture, Rural Development, Food and Drug Administration, and Related Agencies**

NHLA respectfully urges Congress to include the following funding priorities in the FY16 Agriculture appropriations bill:

- \$83.692 billion for the Supplemental Nutrition Assistance Program (SNAP). SNAP provides one of the most important lifelines that families, and particularly Latino families, rely on to provide basic nutrition for their children. One out of every six Americans currently uses SNAP, with Latinos accounting for about 17 percent of participants.
- \$6.623 billion for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).
- \$40 million for the Title VII Hispanic-Serving Institutions Grants Program.
- \$80 million for the Hispanic-Serving Agricultural Colleges and Universities Endowment Fund.
- \$20 million for the Hispanic-Serving Agricultural Colleges and Universities Equity Grants Program.
- \$40 million for the Hispanic-Serving Agricultural Colleges and Universities Institutional Capacity-Building Grant Program.
- \$40 million for the Hispanic-Serving Agricultural Colleges and Universities Fundamental and Applied Research Grants.
- \$40 million for the Hispanic-Serving Agricultural Colleges and Universities Extension Grants.
- \$40 million for the HSI Agricultural Land National Resources Leadership Program in Forestry.
- \$10 million for the grants for training Hispanic Agricultural workers.

### **Interior, Environment and Related Agencies**

NHLA respectfully urges Congress to include the following funding priorities in the FY16 Interior-Environment appropriations bill:

- The Environmental Protection Agency budget should be increased to at least \$8.6 billion, in part to achieve a greater measure of environmental justice. Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The EPA's responsibilities include occupational safety standards and enforcement regarding agricultural workers' exposure to toxic pesticides, a cause of deaths, injuries and illnesses that is not being adequately addressed.

We recognize that the House Appropriations Committee has already made significant progress in advancing the FY16 appropriations bills below, and accordingly make the following recommendations for your consideration as these bills continue to be moved toward completion in conference, as part of an omnibus appropriations bill, or through other legislative processes.

### **Commerce, Justice, Science, and Related Agencies (CJS)**

Any final appropriations for CJS should be completed without the policy rider adopted on the House floor that would prohibit funds from being used with respect to the case of *Texas v. United States*, No. 15-40238 (5th Cir. May 26, 2015) (order denying appeal of preliminary injunction and motion for stay). This amendment would prevent the Administration from defending legal challenges to the Immigration Accountability Executive Actions announced in November 2014 to address some of the most immediate and damaging flaws in our immigration practices. In addition to effectively blocking the implementation of a sensible policy that helps families across the country, preventing a party to a legal dispute from the ability to mount an effective legal defense in court would pervert our system of justice and set a dangerous precedent.

We were also dismayed by the House's actions to cut the Census Bureau's requested budget by about a third and make responses to the American Community Survey voluntary. If adopted by Congress, these changes would decimate the ACS and imperil the ability of the Bureau to conduct an accurate 2020 Census that counts all members of our communities.

We therefore urge you to work towards a final FY16 CJS appropriations bill that allocates \$1.5 billion for the United States Census Bureau. This level of funding is necessary if the Bureau is to develop and test innovations that could save up to \$5 billion on the cost of conducting the decennial Census in 2020. This level will also ensure that the Census Bureau can effectively conduct the American Community Survey (ACS), the annual survey that produces data that are critically important to the business, non-profit and public sectors alike. The Census Bureau is requesting \$663 million for planning and testing which are essential to prepare for a full and accurate count of the nation's population in the 2020 decennial Census. Without the full amount of this funding, the Bureau will not be able to evaluate critical modernization efforts, such as the use of new technology to collect and process census responses, during the narrow timeframe it has before its 2018 readiness test. Funding will also support the assessment of new approaches to obtain greater participation in and more accurate responses to the decennial Census. These approaches include changes to the questions on Hispanic origin and race; language and telephone assistance infrastructures and materials; a communications campaign; outreach and promotion; testing of internet response options, innovations in address canvassing and a finalized questionnaire.

We were similarly dismayed by the FY16 CJS appropriations bill's drastic elimination of funding for programs under the Juvenile Justice and Delinquency Prevention Act (JJDP). The JJDP is vital to addressing the school-to-prison pipeline and plays an essential role in coordinating state and local efforts to address disproportionate minority contact with law enforcement. Without funding, community-based delinquency prevention, intervention and reintegration programs would be severely, if not completely, scaled back to the detriment of our youth and our communities. We urge you to restore funding for JJDP programs.

We applaud the House Appropriations Committee's bipartisan agreement to provide \$74 million for 55 new immigration judges, and other court improvements. This will enable the Department of Justice's Executive Office for Immigration Review (EOIR) to reduce its backlog and delays in adjudicating asylum and other cases in our immigration removal system. We urge you to maintain \$74 million for 55 new immigration judges in final FY16 appropriations legislation.

NHLA also urges Congress to include the following funding priorities in any final FY16 CJS appropriations bill:

- \$50 million for EOIR to expand the pilot program for legal representation in the President's budget request. This would fund innovative approaches to providing legal representation, including the leveraging of pro bono efforts and augmenting the "Justice AmeriCorps" program. This would improve the level and quality of legal representation for vulnerable populations, including unaccompanied children, and to protect children from mistreatment, exploitation, and trafficking. This funding request is extremely modest given that legal representation for unaccompanied children *alone* is estimated to cost between \$150 and \$200 million based on fiscal year 2014 arrival numbers. Without representation, it is nearly impossible for unaccompanied children – who range in age from toddlers to teenagers – to navigate our complex immigration laws and adversarial Immigration proceedings.
- \$25 million to expand the legal orientation program (LOP) and legal orientation programs for custodians of unaccompanied children (LOPC) nationwide. These programs provide critical, comprehensive information about the immigration court process, promoting efficiency for the courts and fostering due process for noncitizens in removal proceedings, particularly those who do not have legal counsel. According to a 2012 Department of Justice (DOJ) report, LOP reduced the amount of time to complete immigration proceedings by an average of 12 days. Factoring in the savings – primarily to DHS through reduced length of time spent in detention – LOP has been shown to have a net savings of approximately \$18 million. LOP and LOPC also foster compliance with the immigration court process, as individuals better understand their obligations to appear. Recent studies have confirmed that counsel in immigration proceedings encourages appearance for hearings, and saves government money.
- \$486.9 million for the Legal Services Corporation, which funds local legal aid programs to serve the poor, and currently is not receiving adequate funding to meet the unmet legal needs of the poor. Slashing the LSC budget by 20% to \$300 million, as the House did, is the wrong direction to take. LSC grantees provide basic civil legal services to only 20% of those who are eligible; the proposed funding cut would result in 350,000 fewer people served due to the probable layoff of 1,000 staff and the closing of 85 offices nationwide. Depriving poor people of access to the justice system undermines our nation's fundamental values of fairness, freedom and democracy.



- \$373 million for the Equal Employment Opportunity Commission, which helps enforce our nation's commitment to non-discrimination in employment, should be funded to expand its services and improve its effectiveness in remedying and deterring employment discrimination, including sexual harassment.
- \$30 million for the Hispanic-Serving Institutions (HSIs) Undergraduate Program at the National Science Foundation. This program was authorized under the America COMPETES Act to increase the recruitment, retention and graduation rates of Hispanic students pursuing associate or baccalaureate degrees in science, mathematics, engineering or technology and to increase the quality of STEM education.
- \$250 million for the Minority-Serving Institution (MSI) Digital and Wireless Technology Opportunity Program in the U.S. Department of Commerce. This program aims to close the digital divide in postsecondary education by providing equipment, training and education, capacity building and technical assistance for MSIs.

### **Transportation, Housing and Urban Development, and Related Agencies (THUD)**

We are disappointed by the House Appropriations Committee's \$8 million cut to the National Foreclosure Mitigation Counseling (NFMC) Program while freezing funding for the HUD Housing Counseling Assistance Program at the FY15 level of \$47 million. The net effect is that there will be fewer resources for housing counseling agencies to provide clients (18 percent of which are Hispanic) with education on finding affordable housing options, navigating the home mortgage process, and avoid foreclosure. A 2013 study that looked at 75,000 mortgages found that borrowers who received pre-purchase counseling were one-third less likely to become seriously delinquent than similar borrowers who did not receive counseling.

We understand that NFMC was intended to be a short-term program that is being wound down, and therefore recommend that you revisit the total funding level for housing counseling by offsetting the reduction in NFMC funding with an increase of \$8 million for the HUD Housing Counseling Assistance Program, bringing its FY16 total to \$55 million.

NHLA also urges Congress to include \$15 million for the Hispanic-Serving Institutions Assisting Communities (HSIAC) program in any final FY16 THUD appropriations bill:

We appreciate your consideration of these priorities and stand ready to work with you toward funding our government at the levels needed to invest in our future. For additional information, please do not hesitate to contact Teresa Acuña, NHLA's Director of Policy and Leadership Programs at (202) 508-6919 or teresa@nationalhispanicleadership.org.

Sincerely,



Hector Sanchez  
Chair, NHLA  
Executive Director, Labor Council for Latin American Advancement