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2015 RATIFIED POLICY RESOLUTIONS

FOR

AGRICULTURE
POLICY COMMITTEE (AGR)

NATIONAL BLACK CAUCUS OF STATE LEGISLATORS

NBCSL OFFICIAL DOCUMENT
Resolution Number: AGR-15-41

EXPANDING ACCESS TO FRESH FRUITS AND VEGETABLES VIA HEALTHY FOOD FINANCING INITIATIVES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that underserved and low-income communities in distressed urban, suburban, and rural geographic areas often have limited access to supermarkets or large grocery stores;

WHEREAS, individuals and families living in food deserts often rely on corner stores for their food—stores that do not typically carry the nutritious food they need;

WHEREAS, NBCSL advocated for the elimination of food deserts in rural and urban areas in Resolution AGR-14-09 “ADVOCATING THE ELIMINATION OF FOOD DESERTS”;

WHEREAS, childhood obesity is afflicting African-American populations at a rate that is disproportionately higher than the rest of the country;

WHEREAS, the National Association for the Advancement of Colored People and the National Urban League have both expressed the need to provide African-American communities better access to healthy, affordable foods in order to improve their health outcomes;

WHEREAS, federal, state, and city governments are enacting legislation and policies to attract healthy food retail and improve the quality of available food in underserved and low-income communities;

WHEREAS, healthy food financing initiatives attract investment in underserved communities by providing critical loan and grant financing;

WHEREAS, these resources help healthy food retailers overcome barriers to entry into underserved and low-income communities, and support renovation and expansion of existing stores; and

WHEREAS, these programs improve community health and revitalize neighborhoods by creating jobs and serving as anchors to other commercial development, increasing retail activity, increasing employment rates, and raising property values in surrounding neighborhoods.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes the importance of access to supermarkets and grocery stores and the need to eliminate food deserts in our communities;

BE IT FURTHER RESOLVED, that NBCSL applauds the work of the Obama Administration, particularly the U.S. Department of Agriculture and the U.S. Department of Education that have worked to implement the Healthy, Hunger-Free Kids Act of 2010 and to bring healthy foods to underserved areas;
BE IT FURTHER RESOLVED, that NBCSL applauds Congress for its passage of the Agriculture Act of 2014 (the Farm Bill), which particularly supports the Healthy Food Financing Initiative and allocates funding for fresh food in underserved areas;

BE IT FURTHER RESOLVED, that NBCSL urges Congress to fully fund the Healthy Food Financing Initiative;

BE IT FURTHER RESOLVED, that NBCSL urges the development and implementation of state- and community-based programs to support healthy food financing initiatives, in order to bring healthy food retailers to underserved communities across America; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Senator David Haley (KS) and Senator Connie Johnson (OK)
Committee of Jurisdiction: Agriculture Policy Committee
Certified by Committee Chair: Representative Helen Miller (IA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
38th ANNUAL LEGISLATIVE CONFERENCE

2015 RATIFIED POLICY RESOLUTIONS

FOR

BUSINESS, FINANCIAL SERVICES, AND INSURANCE
POLICY COMMITTEE (BFI)

NBCSL OFFICIAL DOCUMENT
BFI-15-14

IMPROVING AND EXPANDING MINORITY ACCESS TO SUSTAINABLE FINANCIAL SOLUTIONS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has always been committed to financial empowerment and recognizes the enormous difficulties that individuals, families, and communities have in accessing mainstream financial institutions;

WHEREAS, financial institutions offer services that can help and protect minority customers, allowing them to save, build wealth, and borrow, under safe and affordable terms, which are subject to federal, state, and local regulations;

WHEREAS, state departments and their regulatory institutions are a vital part of expanding and improving access to financial institutions within their states, through a wide variety of programs and partnerships;

WHEREAS, Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, known as “Dodd Frank,” explicitly provides for the improvement of access to mainstream financial institutions;

WHEREAS, Title XII of Dodd-Frank authorizes
• the establishment of a multi-year program of grants and agreements designed to expand access to mainstream financial institutions;
• the establishment of multiyear demonstration programs to provide low-cost small loans to consumers as alternatives to payday loans; and
• grants to community development financial institutions to enable these institutions to establish reserve funds to operate small dollar loan programs; and

WHEREAS, such programs, which could potentially be of great help to unbanked and underbanked families, have yet to be implemented by the U. S. Department of the Treasury.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) encourages the Secretary of the Treasury to implement programs as outlined under Title XII of Dodd Frank, improving access to mainstream financial services;

BE IT FURTHER RESOLVED, that NBCSL encourages Congress to fully fund these programs at the Department of Treasury, and further provides the necessary resources to Department of Treasury and Consumer Financial Protection Bureau so that they can, in turn, provide the necessary resources and support to their state counterparts; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and United States Senate, and to the Secretary of the Treasury and other federal and state government officials as appropriate.
MAKING PROVISIONS FOR SAFER LENDING PRACTICES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has proven commitment toward ensuring that consumers, and particularly minorities, are provided with safe and affordable financial options that do not lead to a cycle of debt;

WHEREAS, some payday loans are marketed as a quick, easy way to tide borrowers over until the next payday;

WHEREAS, in reality some regulated and unregulated payday loans are issued through predatory lending practices with triple digit interest rates;

WHEREAS, repeated loan roll-overs can cause interest to exceed a 500 percent Annual Percentage Rate;

WHEREAS, according to the Center for Responsible Lending, the typical borrower remains in payday debt for 212 days per year, and the average two-week loan has an Annual Percentage Rate (APR) that ranges from 391-52 percent;

WHEREAS, according to the Consumer Financial Protection Bureau, 12 million Americans are engaged in repeat borrowing every year;

WHEREAS, the Consumer Financial Protection Bureau also reported one out of five new payday loans ultimately cost the borrower more than the amount borrowed, and for 22 percent of new loans, borrowers renew their loans six times or more and will have paid more in fees than the original loan amount in the end; and

WHEREAS, according to research conducted by the Pew Charitable Trusts, African Americans are 105 percent more likely than other races or ethnicities to use a payday loan.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports legislation to better regulate predatory payday lending practices;

BE IT FURTHER RESOLVED, that NBCSL supports regulations to ensure no payday lender shall make a consumer short-term loan without first determining and documenting that the borrower has a reasonable ability to repay the loan, by verifying the borrower's current and anticipated income and expenses, and the borrower's credit history;

BE IT FURTHER RESOLVED, that NBCSL supports payday lending regulation which prevents payments for the proposed consumer short-term loan transaction from exceeding a debt-to-income ratio that places the borrower in harm’s way;
BE IT FURTHER RESOLVED, that NBCSL supports regulations to ensure a payday lender may not make a consumer short-term loan to a borrower that will cause a borrower to have, as of the date of the loan and within the immediately preceding months or year:

- an excessive number of short-term loans, provided that the limit does not apply if the borrower attests that the borrower cannot obtain a loan through any other legitimate means;
- that the failure to secure a consumer short-term loan will cause the borrower to be late on or unable to make a scheduled student loan payment, a scheduled mortgage or residential rent payment, or a child support payment; or
- that all loans and their respective interest rates meet all federal and state standards;

BE IT FURTHER RESOLVED, a payday lender should independently verify the total number of consumer short-term loans taken by the borrower and the number of days the borrower has been indebted through consumer short-term loans within the immediately preceding months or year, and verification should include:

- examination of the consumer short-term lender's own records; and
- utilization of a private consumer reporting service, such as a privately operated, real-time, electronically accessible service the state determines to be capable of providing a consumer short-term lender with adequate verification;

BE IT FURTHER RESOLVED, a payday lender shall have a duty to promptly report each consumer short-term loan transaction to the private consumer credit reporting service;

BE IT FURTHER RESOLVED, a consumer short-term lender may not engage in any device or subterfuge to evade the requirements, including but not limited to: (1) making, offering, or arranging a consumer short-term loan on terms that otherwise would be prohibited; (2) making loans disguised as personal property sales and leaseback transactions; or (3) disguising loan proceeds as cash rebates; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Senator Jeffrey Hayden (MN)
Committee of Jurisdiction: Business, Financial Services, and Insurance Policy Committee
Certified by Committee Chair: Representative Eric Johnson (TX)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
38th ANNUAL LEGISLATIVE CONFERENCE

2015 RATIFIED POLICY RESOLUTIONS

FOR

EDUCATION
POLICY COMMITTEE (EDU)

NBCSL OFFICIAL DOCUMENT
MEASURING STUDENT LEARNING TO INCREASE ACCOUNTABILITY

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a long history of promoting public policy that seeks to close the education achievement gap and improve education for all Americans;

WHEREAS, NBCSL passed resolution EDU-11-27, “COMMON CORE CURRICULUM STATE STANDARDS,” which ensures children receive a high-quality education that prepares them for success in college and in a globally competitive economy;

WHEREAS, NBCSL recognizes that assessments can provide an accurate measure of student progress;

WHEREAS, NBCSL recognizes the role of meaningful assessments in student learning, and how they aid parents and teachers in determining whether students are getting the education they need and deserve;

WHEREAS, legislators have a significant role in key components related to common core state standards, such as assessment, which can help determine whether students are making academic gains;

WHEREAS, according to President Barack Obama’s Blueprint for Reform, assessments better inform classroom instruction to respond to academic needs and measure how schools, principals, and teachers are educating students;

WHEREAS, NBCSL recognizes that accountability can illuminate what is working and what needs improvement in order for teachers and students to receive the necessary support to be successful; and

WHEREAS, NBCSL recognizes that academic tests provide crucial data, which reveal where struggling students need help in order to receive support to learn at their grade level.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) encourages its membership and other state policymakers to increase their awareness of the implications that assessments and accountability have for their respective state and ensure collaboration with their state boards of education and state-level departments;

BE IT FURTHER RESOLVED, that NBCSL further urges members to educate themselves on any potential racial or socioeconomic bias that may be present in the test and work within their respective state and community to address such issues to ensure that tests render the most accurate results; and
BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Alan Williams (FL)
Committee of Jurisdiction: Education Policy Committee
Certified by Committee Chair: Representative Gilda Cobb-Hunter (SC)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
EDU-15-22

PROMOTING OPPORTUNITIES FOR DISADVANTAGED STUDENTS BY IMPROVING STEM EDUCATION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a long history of promoting public policy that seeks to increase educational opportunities, improve educational outcomes, and close the education achievement gap;

WHEREAS, NBCSL has passed resolutions, such as EDU-11-27, “COMMON CORE CURRICULUM STATE STANDARDS,” which ensures that regardless of where they live, children should receive a high-quality education that prepares them for success in college and in a globally competitive economy;

WHEREAS, NBCSL passed resolution such as EDU-12-02, “SUPPORTING INNOVATIONS IN MATHEMATICS EDUCATION AND TEACHER EFFECTIVENESS,” all of which aim to strengthen elementary school education in mathematics;

WHEREAS, NBCSL has called for an end to economic redlining in resolution TST-09-07, “PROMOTING EXPANSION METHODS OF COMMUNICATION TECHNOLOGIES THAT ADDRESS THE UNIQUE NEEDS OF UNDERSERVED COMMUNITIES,” the practice of excluding low-income, minority, and underserved communities from broadband infrastructure build-out;

WHEREAS, NBCSL recognizes the critical need to improve achievement levels of all children, especially those who are disadvantaged and historically underserved;

WHEREAS, numerous companies support the academic achievement of disadvantaged students and help to bridge the digital divide, such as Comcast’s Internet Essentials Program;

WHEREAS, some companies have made progress in employing a diverse workforce but women and minorities remain grossly underrepresented;

WHEREAS, NBCSL acknowledges that our increasingly competitive global economy requires a growing number of highly educated and skilled workers;

WHEREAS, NBCSL recognizes there is a growing opportunity to leverage the STEM economy;

WHEREAS, according to the U.S. Department of Commerce, over the past 10 years, growth in STEM was three times as fast as growth in non-STEM jobs;

WHEREAS, NBCSL recognizes that increasing opportunities for minority students in STEM fields is an important step towards realizing economic prosperity and equality for students across the board;
WHEREAS, NBCSL recognizes that minorities continue to earn a shrinking share of STEM degrees, and African Americans and Latinos remain among the most underrepresented, which limits their economic prosperity, professional growth, and deprives our nation of the full benefit of their talents;

WHEREAS, according to the National Science Foundation, about half of Americans said their local public school did not place enough emphasis on teaching science and math;

WHEREAS, according to the U.S. Department of Education’s latest Civil Rights Data Collection, information compiled from all 97,000 of the nation’s public schools, Black students (57 percent), Latino students (67 percent), and English Language Learners (65 percent) have less access than their White, English-speaking peers (71 percent) to the kinds of rigorous math and science courses needed for college and many careers;

WHEREAS, according to U.S. Department of Education only 68 percent of Black students attend a high school that actually offers calculus, and 81 percent of White high school students have the option of taking calculus;

WHEREAS, NBCSL urges the development of programs to encourage women, minorities, and economically disadvantaged students to pursue careers in science, technology, engineering, and math (STEM) throughout the nation; and

WHEREAS, NBCSL supports strategies for transforming K-12 STEM education.

THEREFORE BE IT RESOLVED, the National Black Caucus of State Legislators (NBCSL) supports President Barack Obama’s STEM initiatives and investments in the Next-Generation Learning Technologies that complements the Administration’s Connect Educators program, which ensures that students receive the full benefit of broadband connectivity in school districts across the country;

BE IT FURTHER RESOLVED, NBCSL urges companies to implement concrete actions to increase the diversity of the workforce and retain diversity in their current workforce;

BE IT FURTHER RESOLVED, that NBCSL reiterates its call to end economic redlining and encourages federal, state, and local officials to ensure that broadband build-out is equitably distributed to all communities regardless of race or income level; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSOR: Representative Alan Williams (FL)
Committee of Jurisdiction: Education Policy Committee
Certified by Committee Chair: Representative Gilda Cobb-Hunter (SC)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
PROMOTING UNIVERSAL EARLY CHILDHOOD EDUCATION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) maintains that federal, state, and local policymakers must prioritize improved educational outcomes in our communities;

WHEREAS, successful educational outcomes, whether the goal is to be career ready or college bound, should be attained regardless of socioeconomic status;

WHEREAS, investments in high-quality early childhood education are shown to have immediate and lasting impacts on educational outcomes;

WHEREAS, evidence-based, best practices for early childhood learning exist that give federal, state, and local policymakers tools to ensure that investments in early learning opportunities result in positive impacts in our communities and in the lives of learners;

WHEREAS, the national Early Childhood Longitudinal Study—Kindergarten Cohort showed that students who attended a pre-k program scored higher on reading and math tests than children receiving parental care;

WHEREAS, according to the Urban Institute, African American children who attend pre-school have 53 percent improvement in word/letter recognition over an African American child who does not attend pre-school, and a 21 percent improvement in spelling;

WHEREAS, higher education and private enterprise are actively engaged in working with policymakers to promote and advance early childhood education; and

WHEREAS, state legislatures are poised to lead in early childhood innovation through increased investment in early learning infrastructure and the training of professional early learning educators.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) encourages its members and all federal, state, and local policymakers to work together and to achieve improved access to high quality early learning opportunities;

BE IT FURTHER RESOLVED, that NBCSL applauds and supports President Barack Obama’s call for high-quality preschool available to every child in America, and further urges all states to work toward this goal;

BE IT FURTHER RESOLVED, that NBCSL deeply appreciates and commends the efforts of professional educators who are essential to providing early learning opportunities to America’s youngest learners; and
BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Senator Tanya D. Cook (NE)
Committee of Jurisdiction: Education Policy Committee
Certified by Committee Chair: Representative Gilda Cobb-Hunter (SC)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
RECOGNIZING THE VITAL ROLE OF OUR WATER INFRASTRUCTURE, WATER-ENERGY NEXUS, AND NEED FOR ENERGY EFFICIENCY

WHEREAS, water is a fundamental component of modern society, supporting a range of essential activities for consumers and businesses;

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a long history of working on behalf of minority and low-income constituents to ensure equal access to high-quality and affordable drinking water and other basic water services;

WHEREAS, public and private water and wastewater systems in the United States are pervasive, delivering clean water for drinking and removing and treating wastewater from homes using a complex infrastructure of plants, pumps, and pipes;

WHEREAS, water is also a vital component of major sectors like energy, which uses 580 billion cubic meters of freshwater every year;

WHEREAS, by many estimates, including those of the American Society of Civil Engineers, much of the U.S. water infrastructure is outdated and in dire need of repairs, requiring over $1 trillion in investment over the next decade to modernize infrastructure that, in many places, is over a century old;

WHEREAS, treating and delivering water for these many uses requires a significant amount of energy to fuel pumps, treatment plants, monitoring systems, and other automated components of water and wastewater systems;

WHEREAS, the U.S. water sector accounts for about five percent of all U.S. energy consumption, a share that could grow as a result of increased inefficiencies in outdated water systems (e.g., inefficient pumps and greater energy demand to pressurize increasingly leaky systems);

WHEREAS, the close relationship between the water and energy sectors has been described as the “water energy nexus,” a term that underscores the many interdependencies of these two sectors;

WHEREAS, the Environmental Protection Agency (EPA) is currently considering new rules to cut carbon emissions from existing sources throughout the country;

WHEREAS, a major provision of the EPA’s proposed rules would afford states, latitude to design programs, either on their own or in partnership with other states, to meet federally-mandated targets for cutting statewide emissions;
WHEREAS, there is broad recognition, including by the U.S. Department of Energy, of the ability to leverage the water-energy nexus in bolstering energy and water efficiency throughout the United States;

WHEREAS, state legislatures and regulatory bodies, possess the tools needed to implement policies, programs, and incentives to protect the environment and encourage energy efficiency; and

WHEREAS, there is significant evidence to suggest that exploring these opportunities could yield more modern and more energy efficient water infrastructure, more reliable service, stable rates for consumers, and lower carbon emissions for states and the country as a whole.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes the importance of our water infrastructure and the many opportunities it affords to states and the federal government in their collective efforts to combat climate variability;

BE IT FURTHER RESOLVED, that NBCSL calls on the EPA to provide states with flexibility to support energy efficiency measures and reductions that allow states to use innovative and customized approaches to meet or exceed the EPA’s goals;

BE IT FURTHER RESOLVED, that NBCSL respectfully urges state regulators and other relevant state-level policymakers to educate themselves on the constraints facing the nation’s water infrastructure and need to modernize it to ensure successful modernization and increased efficiency;

BE IT FURTHER RESOLVED, that NBCSL urges Congress and the Administration to fully fund both the EPA’s Clean Water State Revolving Fund and the Drinking Water State Revolving Fund, as they are crucial tools toward assisting communities to modernize their water infrastructure; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Representative Mia Jones (FL) and Representative Billy Mitchell (GA)
Committee of Jurisdiction: Energy, Transportation, and Environment Policy Committee
Certified by Committee Chair: Representative Billy Mitchell (GA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ETE-15-28

SUPPORTING A DIVERSE ELECTRICITY GENERATION PORTFOLIO

WHEREAS, fuel and technology diversity historically have been key strengths of the electricity generation sector serving the United States, helping to ensure price stability, system reliability, technical innovation, effective resource planning and integration, environmental protection, job creation, and strong economic growth;

WHEREAS, the National Black Caucus of State Legislators’ (NBCSL) stated energy policy has emphasized the importance of pursuing energy conservation as a valuable part of the nation’s energy portfolio as it promotes energy independence (ETE-11-02 and ETE-09-23), mitigating climate change (ETE-10-07 and ETE-10-09), and supporting job creation in the “green” economy (LMV-08-11);

WHEREAS, advances have been made in recent years that help to make traditional fossil fuels cleaner, and the use of renewable forms of energy have expanded;

WHEREAS, according to the American Wind Energy Association, wind energy capacity has more than doubled since 2008;

WHEREAS, according to the Solar Energy Industries Association, newly installed solar panels produced 109 percent more electricity nationwide in 2011 than in 2010, as the price of these panels plummeted by more than 50 percent;

WHEREAS, implementing an effective diverse energy policy and directing new energy infrastructure investment requires properly internalizing the value of fuel diversity; and

WHEREAS, market flaws distort wholesale power prices downward resulting in uneconomic retirement and replacement of existing cost-effective generation resources.

THEREFORE BE IT RESOLVED, that the members of the National Black Caucus of State Legislators (NBCSL) recognize the importance and value of fuel and technology diversity in the U.S. electricity generation portfolio and urge federal, state, and local officials to work with the electric sector to encourage portfolio diversity, while also attempting to reduce any negative environmental impacts that the industry may cause;

BE IT FURTHER RESOLVED, that NBCSL applauds the actions taken by President Barack Obama and his Administration to increase diversification of the U.S. energy portfolio and encourage the development of renewable sources of energy; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSORS: Representative Calvin Smyre (GA) and Representative Billy Mitchell (GA)
Committee of Jurisdiction: Energy, Transportation, and Environment Policy Committee
Certified by Committee Chair: Representative Billy Mitchell (GA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
HHS-15-08

IMPROVING ACCESS TO COLORECTAL CANCER SCREENING

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has ratified policy resolutions aimed at addressing health and cancer treatment disparities in HHS-14-28, “ELIMINATING HEALTH DISPARITIES” and HHS-10-13, “ELIMINATE CANCER TREATMENT INEQUITIES,” and reducing cancer incidence and mortality in HHS-08-08, “CERVICAL CANCER PREVENTION”;

WHEREAS, the American Cancer Society reports that colorectal cancer is the third most commonly diagnosed cancer in both African American men and women;

WHEREAS, African Americans have the highest colorectal cancer incidence and mortality rates of all racial groups in the United States;

WHEREAS, an estimated 18,000 cases of colorectal cancer were diagnosed among African Americans in 2013, and nearly 7,000 African Americans died from the disease that year;

WHEREAS, African American adults 50 years of age and older are less likely to have had a recent screening test for colorectal cancer (56 percent) than Whites (62 percent);

WHEREAS, African Americans are more likely to be diagnosed with colorectal cancer at a more advanced stage than Whites;

WHEREAS, twenty-four percent of colorectal cancers in African Americans are diagnosed at a distant metastasis stage, compared to 19 percent in Whites;

WHEREAS, African Americans have lower 5-year relative survival rates within each stage at diagnosis (57 percent overall) compared to Whites (65 percent overall);

WHEREAS, this difference in survival rates is mostly attributed to less access to and receipt of high-quality early detection and treatment;

WHEREAS, colorectal cancer can be prevented through the early identification and removal of precancerous polyps, detectable only through colorectal cancer screening;

WHEREAS, it is critical that barriers to colorectal screening be eliminated to address these disparities;

WHEREAS, “80% by 2018” is a national initiative in which over one hundred organizations, including state, federal, and local government entities, have committed to eliminating colorectal cancer as a major public health problem;
WHEREAS, these organizations are working toward the shared goal of reaching 80 percent of adults aged 50 and older screened for colorectal cancer by 2018, with a particular emphasis on reaching underserved individuals and communities;

WHEREAS, the goal will only be achieved through joint efforts to empower communities, patients, providers, community health centers, and health systems to provide accessible, coordinated, quality colorectal cancer screening and follow-up care; and

WHEREAS, it is critical that our efforts engage the patient and empower them to complete needed care from screening through treatment and long-term follow-up.

THEREFORE IT BE RESOLVED, the National Black Caucus of State Legislators (NBCSL) recognizes the critical importance of timely and appropriate colorectal cancer screening, including improved access to all recommended colorectal cancer screening tests and procedures such as colonoscopy and high quality and high sensitivity stool blood testing options;

BE IT FURTHER RESOLVED, that NBCSL support activities that will increase education and outreach to all populations about screening, but especially those who are most impacted by colorectal cancer disparities;

BE IT FURTHER RESOLVED, that NBCSL support “80% by 2018,” by promoting the initiative and encouraging its members to support state and local efforts to identify and eliminate barriers to colorectal cancer screening;

BE IT FURTHER RESOLVED, that NBCSL supports state policy proposals with the following aims:

- improve access to colorectal cancer screening and treatment by appropriating additional state funds for existing screening and treatment programs;
- establish statewide screening and treatment programs where ones do not exist;
- increase community awareness of colorectal cancer and the importance of getting screened, as well as improve access to screenings, through partnerships with hospitals, community health centers, and other organizations in the health care community;
- broaden access to health care coverage and health insurance programs, such as Medicaid expansion; and
- reduce cost and access barriers to screening and treatment services;

BE IT FURTHER RESOLVED, that NBCSL urges the United States Congress to increase funding for the Centers for Disease Control and Prevention Colorectal Cancer Control Program (CRCCP) to expand the program to all 50 states and territories;

BE IT FURTHER RESOLVED, that NBCSL urges the United States Congress to pass legislation that would Amend title XVIII (Medicare) of the Social Security Act to waive coinsurance for colorectal cancer screening tests and cover 100% of the cost under Medicare part B;
BE IT FURTHER RESOLVED, that in order to prevent more cancer and save lives, NBCSL and its members commit to eliminating colorectal cancer disparities by reducing barriers to colon cancer screening and treatment services, especially for underserved, high-risk populations; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Senator Donne Trotter (IL)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
HHS-15-13

FACILITATING PATHWAYS TO ECONOMIC SELF-SUFFICIENCY FOR FAMILIES

WHEREAS, individuals and families who receive government assistance should not face stigma and shame, but should have the opportunity to provide for themselves and their families;

WHEREAS, those who want the opportunity to provide for their own families should be helped, not hindered, by government assistance;

WHEREAS, a study by the Center for American Progress found that Black women earn 69.5 percent of what their white, male counterparts earn;

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that public assistance can be a valuable tool in helping the working poor improve their financial outlook;

WHEREAS, public assistance programs can help recipients afford housing, child care, nutrition, utilities, and other basic necessities;

WHEREAS, with passage of the Personal Responsibility and Work Opportunity Act of 1996, the nation recognized the importance of job skill development and employment among the working poor;

WHEREAS, success at work may lead to a “cliff effect” wherein a well-earned promotion or extra work hours causes employees to lose public assistance eligibility, but still leaves them unable to afford the full costs of basic living expenses;

WHEREAS, this inability to accept promotions and pay raises is an unintended consequence that directly contradicts public assistance policies designed to promote skill growth and long-term employment among the working poor;

WHEREAS, public policy models exist that alleviate institutional barriers for working families and more effectively promote advancement to career level employment;

WHEREAS, the Bureau of Labor Statistics reports that an individual without a high school diploma earns 72.5 percent of what an individual with a high school diploma earns;

WHEREAS, the NBCSL recognizes the importance of a post-secondary degree in lifetime earning potential, and according to a Pew Research study, adults who receive a high school diploma have a lifetime earning potential that is approximately 54.2 percent of someone with a bachelor's degree; and

WHEREAS, NBCSL believes states must play a role in facilitating the attainment of secondary and post-secondary education.
THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports families in transitioning from “welfare to work”;

BE IT FURTHER RESOLVED, that NBCSL believes that employers should provide a living wage that allows their employees to meet the needs of their families without assistance from the government;

BE IT FURTHER RESOLVED, that NBCSL recognizes the importance of alleviating the cliff effect for families receiving public assistance;

BE IT FURTHER RESOLVED, that NBCSL urges states to address and minimize the impact of the cliff effect on their citizens;

BE IT FURTHER RESOLVED, that NBCSL supports opportunities for those who receive government assistance to obtain the highest degree of schooling possible, and further urges the Congress to fully fund the Pell Grant program;

BE IT FURTHER RESOLVED, that NBCSL believes obtaining a GED or post-secondary degree is a critical step toward self-sufficiency and taking classes toward such a pursuit should qualify as “welfare work requirements”;

BE IT FURTHER RESOLVED, that NBCSL believes that recipients of government assistance should be allowed up to four years to complete educational pursuits for the best chance at achieving self-sufficiency over the long term; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Senator Jeffrey Hayden (MN) and Senator Tanya D. Cook (NE)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
EXPANDING ACCESS TO ORAL HEALTH CARE

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes the importance of oral health to the overall health and well-being of children and adults;

WHEREAS, dental disease, which may affect the teeth, gums, or other tissues and parts of the mouth, is the most common chronic childhood disease in the United States and is five times more prevalent than asthma;

WHEREAS, the U.S. Surgeon General’s report, “Oral Health in America,” stated that although “major improvements have been seen nationally for most Americans, disparities exist in some population groups as classified by age, sex, income, race/ethnicity”;

WHEREAS, more than 14 million children enrolled in Medicaid did not receive any dental service in 2011;

WHEREAS, according to the Department of Health and Human Services about 108 million American adults and children do not have dental insurance, approximately one-third of the American population;

WHEREAS, in 2010, 2.1 million dental-related emergency room visits were estimated to have cost as much as $2.1 billion, according to the American Dental Association;

WHEREAS, the U.S. Department of Health and Human Services also found there are currently 4,900 dental health professional shortage areas, and at least 7,300 additional dentists would be required to meet the needs of the underserved in these dental shortage areas; and

WHEREAS, the National Dental Association has recommended considering workforce development as a determinant of access and increasing people of color and other underrepresented populations in oral health careers, including dental therapy.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes the need to expand oral health access issues in underserved communities;

BE IT FURTHER RESOLVED, that NBCSL urges state and local governments to consider emerging workforce models that meet or exceed quality and safety standards, including dental therapy, with scope of practice, supervision, and workforce regulations based on competence, education, training, and safety of services;

BE IT FURTHER RESOLVED, that NBCSL calls for state laws that allow allied dental personnel to work in a variety of settings under evidence-supported supervision levels, and practice to the full extent of their education and training;
BE IT FURTHER RESOLVED, that the NBCSL calls upon the United States Congress to provide full funding for the Alternative Oral Health Workforce Providers Demonstration Grant Program, which would provide grants to public universities, community colleges, public health departments, and other entities to train and implement additional workforce providers that have been authorized under state law; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Representative Gilda Cobb-Hunter (SC), Representative Joe Armstrong (TN), and Representative John King (SC)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
URGING REASONABLE OUT-OF-POCKET HEALTH CARE EXPENSES

WHEREAS, because disease, illness, and injury often occur unpredictably, health insurance is a means to protect individuals from unforeseen and high health care costs;

WHEREAS, services and treatments needed by people with illnesses are becoming less affordable even with insurance due to high and rising cost-sharing requirements that result in significant patient out-of-pocket costs (including deductibles, co-pays, and co-insurance);

WHEREAS, out-of-pocket costs for patients can exceed 30 percent of the cost of primary care, specialist visits, and some medications, while average deductibles have increased by 150 percent over the past five years;

WHEREAS, despite protections in the Patient Protection and Affordable Care Act (ACA), consumers are still exposed to significant cost-sharing;

WHEREAS, the ACA establishes a maximum annual limit on out-of-pocket spending; however, spending for individual services, treatments, and drugs is not capped, and at the point of sale or service, consumers can be faced with substantial out-of-pocket expenses in the form of deductibles, co-pays, and co-insurance;

WHEREAS, not all utilization applies towards the annual limit on out-of-pocket spending, out-of-network providers, services and drugs that are not covered, and non-essential health benefit services do not have to be counted towards the annual out-of-pocket maximum established by the ACA; and

WHEREAS, cost-sharing requirements for health care services and treatments should not be so large as to inappropriately restrict or interfere with medical care, potentially resulting in a negative impact on health outcomes.

THEREFORE BE IT RESOLVED, it is critical to promote, support, and encourage addressing excessive out-of-pocket costs for patients, and benefit design should support treatment decisions that are driven by clinical judgment and patient choice, not by costs, to promote long-term health;

BE IT FURTHER RESOLVED, that the amount of patient cost-sharing should be limited to what patients can reasonably afford and that additional legislative provisions should be examined to safeguard affordable patient access to health care services and treatments; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSORS: Senator Constance N. Johnson (OK) and Senator David Haley (KS)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
USING REAL WORLD DATA IN HEALTHCARE DECISION-MAKING

WHEREAS, the National Black Caucus of State Legislators (NBCSL) maintains a strong commitment to using evidence-based approaches in all policy-setting and, therefore, pursuing research and quality data collection in order to identify evidence-based solutions;

WHEREAS, Real World Data refers to any healthcare data collected outside of a clinical trial setting;

WHEREAS, stakeholders are expanding their collection and analysis of healthcare data to better define, measure, and pay for high quality care;

WHEREAS, states are in the beginning stages of developing health data networks that collect claims data and/or clinical data through the establishment of All-Payer Claims Databases (APCDs) and Health Information Exchanges (HIEs);

WHEREAS, patient privacy is paramount, and should be safeguarded and respected with any data collection;

WHEREAS, these data have been used to assess the effectiveness and safety of healthcare services and medicines, leading to the adoption of more effective medical practices; and

WHEREAS, analyses that use Real World Data are increasingly being used for both clinical and policy decision-making.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) encourages state legislators and other policymakers to examine allowing qualified researchers to have access to state level real-world datasets, like APCDs and HIEs, as this will enhance the delivery of care, including medical procedures, drug development processes, and the understanding of the safety and efficacy of pharmaceutical products outside the clinical trial setting;

BE IT FURTHER RESOLVED, that NBCSL believes that as access to such data is given, legislators and policymakers must also make certain the privacy and security of patient information is protected in order to preserve the confidentiality in the patient-physician relationship;

BE IT FURTHER RESOLVED, that NBCSL urges states to require researchers to abide by transparent and replicable research methods to ensure the collection of high quality and relevant health data that could be leveraged for research purposes; and
BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Senator Constance N. Johnson (OK) and Senator David Haley (KS)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
HHS-15-35

INCREASING DIVERSITY IN CLINICAL TRIAL PARTICIPATION

WHEREAS, developing new medicines and other treatment options is a complex process that involves clinical trials to explore whether a medical strategy, treatment, or device is safe and effective for humans;

WHEREAS, volunteer participation is necessary to evaluate potential therapies for safety and effectiveness in clinical studies;

WHEREAS, often the enrolled patient population is not representative of U.S. demographics or sub-populations impacted by the particular disease;

WHEREAS, groups such as African Americans and Hispanics are significantly underrepresented in clinical trials; with, African Americans representing 12 percent of the U.S. population but only 5 percent of clinical trial participants, and Hispanics comprising 16 percent of the population but only 1 percent of clinical trial participants, according to the Food and Drug Administration;

WHEREAS, despite a Congressional mandate that research financed by the National Institutes of Health include minorities, non-Whites comprise fewer than 5 percent of participants in NIH-supported studies;

WHEREAS, certain medical conditions have been known to affect particular demographic groups more than others, including type II diabetes for which African Americans and Hispanics are twice as likely to be diagnosed on average;

WHEREAS, according to the Centers for Disease Control and Prevention, sickle cell trait is common among African Americans and occurs in about 1 in 12, and sickle cell disease occurs in about 1 out of every 500 African-American births, compared to about 1 out of every 36,000 Hispanic-American births;

WHEREAS, race and ethnicity have also been demonstrated to affect the efficacy of and response to certain drugs, such as anti-hypertensive therapies in the treatment of hypertension in African Americans and anti-depressants in Hispanics; and

WHEREAS, many barriers exist that account for the low rate of participation among diverse communities, including patient fear of experimentation and lack of understanding or education with regard to the importance of clinical trials in creating new treatments and cures.
THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports ensuring that diverse populations of different racial and ethnic backgrounds are represented in clinical research, as this is an important issue that warrants the dedication of additional community resources to

- increase awareness on the importance of participating in clinical trials,
- provide support for patient participation, and
- promote effective partnerships with the community to achieve solutions; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Senator Donne Trotter (IL)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
CALLING ON ALL STATES TO COMBAT SARCOIDOSIS

WHEREAS, Sarcoidosis is a non-contagious systemic disease of unknown origin; it is commonly diagnosed with the detection of inflamed, microscopic growths called granulomas that grow and often affect the lungs, skin, eyes, and nervous system;

WHEREAS, Sarcoidosis can affect any organ of the body and more than one organ at any given time;

WHEREAS, the inflammation of vital organs may cause seizures, blindness, disfiguring lesions, and heart failure;

WHEREAS, famous people who have suffered from Sarcoidosis include NBC sportscaster Darrian Chapman, Hall of Fame athletes Bill Russell and Reggie White, and gospel singer Mahalia Jackson, among many other celebrities who have or have had Sarcoidosis;

WHEREAS, comedian and actor Bernie Mac passed away a result of Sarcoidosis in 2008, and in his memory, his wife Rhonda McCullough created the Bernie Foundation to bring more awareness to this poorly understood disease;

WHEREAS, many individuals stricken with Sarcoidosis eventually develop a serious disability or a potentially fatal condition;

WHEREAS, Sarcoidosis was once thought to be an uncommon condition but is now known to affect tens of thousands of people throughout the United States;

WHEREAS, African Americans disproportionately bear the burden of Sarcoidosis, since according to the American Lung Association, the age-adjusted incidence rate for African Americans is over three times that of Caucasians, at 35.5 versus 10.5 cases per 100,000 population;

WHEREAS, according to the American Lung Association, Sarcoidosis is also more likely to be spread throughout the body in African Americans, who show a higher frequency of ophthalmological (relating to the eyes), cutaneous (relating to the skin), hepatic (related to the liver), and lymphatic symptoms than Caucasians, contributing to a mortality rate due to Sarcoidosis for African Americans that is 17 times that of Caucasians;

WHEREAS, according to the Cleveland Clinic, African Americans are at 4 to 17 times greater risk for suffering from Sarcoidosis than Caucasians;

WHEREAS, many people with Sarcoidosis have no symptoms, making it difficult to measure how many people have the condition;
WHEREAS, Sarcoidosis is a disease that affects Americans nationwide and people around the world, yet its causes and potential treatments remain a mystery;

WHEREAS, skin-related symptoms of this chronic, multi-systemic disease were first recognized more than 100 years ago, but the effects of the disease on other organs were not observed until recently;

WHEREAS, Sarcoidosis was the chief diagnosis of the death of fluorescent light bulb workers in Salem, Massachusetts in the 1940s;

WHEREAS, Sarcoidosis was the first diagnosis for an overwhelming majority of rescue workers present at the World Trade Center on September 11, 2001;

WHEREAS, the goal will only be achieved through joint efforts to empower patients, providers, community health centers, and health systems, to provide accessible, coordinated, quality of life services;

WHEREAS, today, researchers are still trying to learn more about the causes, cures, and overall nature of Sarcoidosis;

WHEREAS, with treatment, many people recover from Sarcoidosis although it can take several years;

WHEREAS, the American Lung Association, the National Sarcoidosis Society, and the National Sarcoidosis Foundation have actively advocated for more research to better understand how environmental and occupational exposures may increase the risk of Sarcoidosis; and

WHEREAS, Congress has recognized the disease and designated the month of April as Sarcoidosis Awareness Month, a month with worldwide events to increase public awareness of the need to support individuals with Sarcoidosis, educate others on the environmental and occupational issues associated with Sarcoidosis, and educate medical and professionals who care for individuals with Sarcoidosis.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) fully supports April as Sarcoidosis Awareness Month and encourages the federal government, all states, and territories to show their support of the goals and ideals of National Sarcoidosis Awareness Month;

BE IT FURTHER RESOLVED, that NBCSL recognizes Sarcoidosis' prominent yet hidden role in America's workforce history and encourage further examination of the specific occupations in which Sarcoidosis is disproportionately represented;

BE IT FURTHER RESOLVED, that NBCSL supports activities that will increase education and outreach to all populations, especially to those who are most impacted by Sarcoidosis disparities;
BE IT FURTHER RESOLVED, that NBCSL supports state policy proposals that will help to correctly diagnose, prevent, and cure Sarcoidosis, including the following to:

- Establish state-wide Sarcoidosis educational awareness, diagnosis, services, and media campaign programs where ones do not exist;
- Increase community awareness of Sarcoidosis and the importance of getting diagnosed and improved access to services, through partnerships with hospitals, community health centers, and other organizations in the health care communities;
- Broaden access to health care coverage and insurance programs such as Medicare, and Medicaid expansion programs; and
- Reduce cost and access barriers to screening and treatment services;

BE IT FURTHER RESOLVED, that NBCSL urges Congress to disburse more research funding relative to Sarcoidosis and the importance of supporting individuals with the disease and raising its awareness;

BE IT FURTHER RESOLVED, that NBCSL urges the Congress to increase funding for the Centers for Disease Control and Prevention, with the express purpose of increasing their focus on Sarcoidosis; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Senator Donne Trotter (IL) and Representative Regina Barrow (LA)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
SUPPORTING CITIZENS’ INITIATIVES TO CHOOSE MEDICAID EXPANSION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has always been dedicated to improving the quality of health services for every constituent;

WHEREAS, the Patient Protection and Affordable Care Act (PPACA) commonly called the ACA, is a U.S. federal statute signed into law by President Barack Obama on March 23, 2010;

WHEREAS, the ACA sets forth monumental health policy reforms, as it reshapes the way virtually all Americans will receive and finance their health care;

WHEREAS, among the key features of the ACA are rights and protections for health care consumers, accountability measures for insurance companies, expanded eligibility for the Medicaid program; and a requirement that every American maintain a minimum level of health insurance coverage;

WHEREAS, in the wake of the Supreme Court’s ruling permitting states the ability to opt out of the Patient Protection and Affordable Care Act’s Medicaid expansion;

WHEREAS, more than half of the nation’s uninsured population lives in States that have chosen not to expand Medicaid;

WHEREAS, reducing health disparities and achieving health equity has been a paramount national health goal, and a major component of the rationale underlying Medicaid expansion when the ACA was crafted;

WHEREAS, access to health insurance is a fundamental determinant of health outcomes, and without it, reducing health disparities among African Americans would be impossible;

WHEREAS, the ACA provides benefits for households who become eligible due to the full implementation of the ACA being financed entirely with federals funds and the federal share of funding for benefits to increase coverage and improve the quality of services for all citizens;

WHEREAS, the federal government will bear 100 percent of the costs of newly eligible Medicaid recipients in the states for the first three years, and compared to the human and economic costs of non-participation in all of the ACA provisions, it is absolutely clear that full participation is in the best interest of every state; and

WHEREAS, as of October 2014, twenty states have not expanded Medicaid eligibility under the ACA to the detriment of both those who do not have health insurance and those who do.
THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports citizens’ petition initiatives in states that have not implemented all provisions of the Patient Protection and Affordable Care Act (ACA) to expand eligibility standards;

BE IT FURTHER RESOLVED, that NBCSL reiterates its support for states to expand Medicaid as set forth under the ACA, and if the legislature fails to act, NBCSL fully supports citizens petitioning the government for the expansion;

BE IT FURTHER RESOLVED, that NBCSL’s support is based on the ACA providing services that will improve both access to and quality of care for African Americans, Hispanics, Asian Americans, Native Americans, rural residents, women, children, and other historically excluded people this country;

BE IT FURTHER RESOLVED, NBCSL urges citizens to develop petition initiatives in states that have not fully implemented eligibility standards as provided from the healthcare exchange servicing their states in accordance with the ACA; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Representative Alan Williams (FL) and Representative Clem Smith (MO)
Committee of Jurisdiction: Health and Human Services Policy Committee
Certified by Committee Chair: Senator Willie Simmons (MS)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
38th ANNUAL LEGISLATIVE CONFERENCE

2015 RATIFIED POLICY RESOLUTIONS

FOR

HOUSING
POLICY COMMITTEE (HSE)

NBCSL OFFICIAL DOCUMENT
ENCOURAGING GREATER TRANSPARENCY FOR ENVIRONMENTALLY SAFER PURCHASING DECISIONS IN PUBLIC BUILDINGS

WHEREAS, according to the U.S. Environmental Protection Agency, the average American spends 90 percent of his or her time indoors;

WHEREAS, occupied public buildings, including museums, libraries, public schools and universities, health-care facilities, first-responder centers, office buildings and more, welcome millions of people each and every day;

WHEREAS, according to the Government Accountability Office, 15,000 U.S. schools circulate air of unsatisfactory quality;

WHEREAS, indoor air quality in public buildings is impacted by the products and materials governments purchase every day that are stored and used, including the permanent building elements from which the building is constructed and finished;

WHEREAS, more health and ingredient information for products and building materials is needed to support informed decision-making by government purchasers and designers of public structures, yet is often unavailable;

WHEREAS, an environmentally preferable purchasing policy requires governments and organizations to use products or services that have a lesser or reduced effect on human health and the environment in comparison to competing products or services that serve the same purpose;

WHEREAS, various organizations and industries have collaborated to develop tools—such as GreenScreen benchmark, Cradle to Cradle, Health Product Declarations, and others—that can be used to identify products that reduce potential adverse environmental or health impacts; and

WHEREAS, environmentally preferable purchasing policies direct agency departments and their subsidiaries to adhere to purchasing guidelines intended to mitigate any negative impacts of government purchasing on human and environment health.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) does hereby urge legislators, state agencies, and departments and their subsidiaries, to examine their environmentally preferable purchasing policies, especially for those products that will be installed, used, or stored in occupied buildings, to:

- Establish preferences for products and materials for which both ingredients and their health impacts are transparent and available; and
- Fully implement state policies with respect to selecting products with lesser environmental and health impacts, including the use of available tools to identify environmentally preferable products; and
BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Brenda Gilmore (TN)
Committee of Jurisdiction: Housing Policy Committee
Certified by Committee Chair: Representative Brenda Gilmore (TN)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
RECOGNIZING THE SOCIAL DETERMINANTS OF HEALTH AND URGING THE CREATION OF HEALTH-IN-ALL-POLICIES TASK FORCES IN THE STATES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that our constituents face a growing burden of largely preventable chronic illnesses, such as heart disease, stroke, obesity, and diabetes;

WHEREAS, Baltimore, MD through its Health in All Policies (HiAP) program, Healthy Baltimore 2015, was able to reduce the rate of premature death due to cardiovascular disease among Black people by 9.9 percent and decrease the number of new HIV infections by 25.4 percent;

WHEREAS, California’s Health in All Policies Task Force has set out to improve access to healthy food, affordable housing, green spaces, and active transportation and improve community safety through violence prevention;

WHEREAS, people in disadvantaged communities often have fewer resources for health, which is reflected in significantly higher burdens of chronic illness, worse health outcomes, and shorter life expectancies;

WHEREAS, the health and well-being of all people are critical elements to supporting healthy and prosperous states, including economic sustainability, increasing workforce participation and productivity, and slowing the ongoing rise in medical care expenditures;

WHEREAS, the physical, economic, and social environments in which people live, learn, work, and play influence the adoption of healthy lifestyles, by making it more or less difficult for individuals to choose behaviors that promote or diminish health and are widely referred to as “social determinants of health”;

WHEREAS, social determinants of health are significantly influenced by policies and practices developed from various legislatures, commissions, and councils; state agencies; and departments at all levels of government related to housing, transportation, education, air and water quality, zoning, parks, criminal justice, employment, recreation, health, and other policy areas;

WHEREAS, public health agencies alone cannot change these environments, but must work collaboratively with the many other governmental agencies, businesses, and community-based organizations, and the residents that are best positioned to create healthy communities;

WHEREAS, strategies to create healthy communities create co-benefits by simultaneously supporting state goals of improving air and water quality, protecting natural resources and agricultural lands, increasing the availability of affordable housing, improving infrastructure systems, planning sustainable communities, and addressing climate change; and
WHEREAS, the HiAP approach uses health as a linking factor in convening across sectors to address major societal issues, it focuses on co-benefits and win-win strategies, and harnesses the power agencies and departments bring through their areas of individual expertise.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) shall continue its engagement of members regarding the social determinants of health, and officially recognize that the health status of individuals and communities results in large part from numerous issues related to transportation, housing, economic development, education, income inequality, environment, etc. either beyond an individual’s personal health decisions or which actually constrain that individual’s decisions;

BE IT FURTHER RESOLVED, that NBCSL urges its members to educate stakeholders in their respective states and convene Health in All Policies Task Forces in their states;

BE IT FURTHER RESOLVED, that also applauds the work of National Hispanic Caucus of State Legislators, National Asian Pacific American Caucus State Legislators, and National Caucus of Native American State Legislators to improve the health of marginalized communities, particularly addressing social determinants of health, in a coordinated effort with NBCSL under the “Quad Caucus”; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Brenda Gilmore (TN)
Committee of Jurisdiction: Housing Policy Committee
Certified by Committee Chair: Representative Brenda Gilmore (TN)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ENSURING SAFE AND LEGAL FORECLOSURE PREVENTION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes the historic challenges that people of color have experienced in mortgage lending;

WHEREAS, the housing crash of 2008 has led to a reduction in available mortgage credit, exacerbating the challenges of aspiring minority homeowners;

WHEREAS, some municipalities have taken it upon themselves to partner with a commercial entity and use eminent domain laws to restructure mortgage obligations;

WHEREAS, eminent domain laws are typically used to allow the state to take private property for public use and are a vital tool for community development;

WHEREAS, there is currently no precedent of the U.S. Supreme Court that allows a government to seize private property and redistribute it to others for the general purpose of improving conditions, potentially leaving municipalities engaged in these eminent domain programs vulnerable to legal action;

WHEREAS, the Federal Housing Finance Administration (FHFA) has indicated it could order Fannie Mae and Freddie Mac to cease doing business in areas “employing eminent domain to restructure mortgage loan contracts”;

WHEREAS, the Obama administration has remained largely quiet on this issue, allowing courts to determine legality;

WHEREAS, municipalities having the ability to restructure loans to avoid foreclosures could provide an economic benefit to the community as well as the homeowner;

WHEREAS, restructuring such mortgages could have a positive impact on minority communities in particular, which have suffered most from foreclosures;

WHEREAS, persons of color still find mortgage credit more difficult to come by, and have disproportionately had to rely on FHA loans to achieve the American Dream of home ownership;

WHEREAS, eminent domain programs could increase lender risk and could have negative effect on loan availability for aspiring homeowners and on housing prices in neighborhoods.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) encourages policymakers at all levels to recognize the potential dangers to minority communities in using eminent domain laws to seize mortgages;
BE IT FURTHER RESOLVED, that NBCSL encourages policymakers at all levels to examine and take appropriate action, if necessary, based on the court’s decision of its legality, on the use of eminent domain laws for the restructuring of mortgages because of potentially disproportionate adverse effects on aspiring homebuyers in communities with high foreclosure rates;

BE IT FURTHER RESOLVED, if this use of eminent domain is determined to be legal, NBCSL urges municipalities to work with the Federal Housing Finance Administration and lenders to ensure mortgage options in the locality remain stable and obtainable for others in the community;

BE IT FURTHER RESOLVED, that NBCSL supports and commends government and lender programs that seek to prevent foreclosures; calls for continued support of those efforts and assurance that lenders will be equipped and staffed adequately to reach out to borrowers before situations turn critical, allowing for mediation where necessary, and promoting financial literacy that will help prevent aspiring homeowners from entering situations they cannot manage; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and United States Senate, the Federal Housing and Finance Administration (FHFA), and other federal and state government officials as appropriate.

SPONSOR: Representative Johnny Shaw (TN)
Committee of Jurisdiction: Housing Policy Committee
Certified by Committee Chair: Representative Brenda Gilmore (TN)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
HSE-15-23

PROMOTING INDOOR ENVIRONMENTS SAFE FROM MOLD

WHEREAS, according to the Institute of Medicine (IOM) there is sufficient evidence to link indoor exposure to mold with upper respiratory tract symptoms, cough, and wheeze in otherwise healthy people; with asthma symptoms in people with asthma; and with hypersensitivity pneumonitis in individuals susceptible to that immune-mediated condition;

WHEREAS, according to World Health Organization studies in several European countries, Canada, and the United States in 2004 indicated that at least 20% of buildings had one or more signs of dampness (Institute of Medicine, 2004);

WHEREAS, according to the Centers for Disease Control and Prevention, exposure to damp and moldy environments may cause a variety of health effects; and that indoor mold exposure can result in eye, skin, and nasal irritation; respiratory distress; allergic reactions; and chronic lung diseases;

WHEREAS, mold is any form of multicellular fungi that live on plant or animal matter and in indoor environments; and the types of mold include but are not limited to cladosporium, alternaria, aspergillus, trichoderma, memnoniella, mucor, and stachybotrys chartarum;

WHEREAS, certain forms of mold pose a severe and unacceptable risk to the environment and the health of people;

WHEREAS, indoor toxins, specifically toxic mold, represent an insufficiently understood health and environmental problem;

WHEREAS, numerous studies indicate there are likely health effects from mold spores, varying from cold-like symptoms to more serious symptoms, such as allergy and asthma outbreaks;

WHEREAS, mold toxins can have negative effects on humans when ingested, inhaled, or when they come in contact with the skin;

WHEREAS, these effects can have serious consequences for some population subgroups, especially infants, children, pregnant women, persons who are elderly, asthmatics, individuals with allergies, and individuals with compromised immune systems;

WHEREAS, healthcare professionals now acknowledge that molds can cause allergies, trigger asthma attacks, detrimentally affect the function of vital human organs, and increase susceptibility to colds and flu;

WHEREAS, even though not all molds are toxic, there are certain dangers molds present within buildings and structures; therefore, it is imperative that the toxicity of their presence be determined and a corresponding plan of action be implemented to address such hazards in buildings and structures;
WHEREAS, it is in the best interest of the public health, welfare, and safety to promote best practices concerning mitigation of toxic mold and the adverse health effects caused by this unique threat to public health; and

WHEREAS, when renting homes or workspaces, the lessor's principal obligations are to deliver the premises to the lessee, to maintain the premises in a suitable condition, and to protect the lessee's peaceful possession for the duration of the lease.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) calls on states to enact policies that require a lessor of any premises leased for residential purposes be certified that the premises is free of and/or sufficiently abated of toxic mold at the time of execution of the lease and to be responsible during the term of the lease for the timely repair, remediation, and removal of toxic mold on the premises;

BE IT FURTHER RESOLVED, that NBCSL urges Congress to examine legislation that would require a lessor of any premises leased for residential purposes to certify that the premises are free and/or sufficiently abated of toxic mold at the time of execution of the lease and to be responsible during the term of the lease for the timely repair, remediation, and removal of toxic mold on the premises; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Regina Ashford Barrow (LA)
Committee of Jurisdiction: Housing Policy Committee
Certified by Committee Chair: Representative Brenda Gilmore (TN)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
WHEREAS, according to the Bureau of Justice Statistics an estimated 809,800 prisoners of the 1,518,535 held in the nation’s prisons at mid-year 2007 were parents of children under age 18;

WHEREAS, a report by the Pew Charitable Trusts found that more than 7 million children in the United States have a parent in prison or jail, with over 2 million of those parents being fathers;

WHEREAS, the average sentence length for fathers was 6 to 7 years among state inmates and 8 to 9 years among federal inmates;

WHEREAS, in 2007, more than 4 in 10 fathers were Black, about 3 in 10 were White, and about 2 in 10 were Latino;

WHEREAS, studies have shown that children who have an incarcerated parent are seven times more likely to end up in prison themselves;

WHEREAS, one out of every three African-American males and one out of every six Latino males born today will end up in prison at some point in his lifetime, according to the Sentencing Project;

WHEREAS, even after controlling for income, youths in father-absent households had significantly higher odds of incarceration than those in mother-father families;

WHEREAS, youths who never had a father in the household experienced the highest incarceration odds;

WHEREAS, according to the Urban Institute, children with incarcerated parents experience the loss of a parent due to a traumatic event, and that trauma diverts a child’s energies from developmental tasks, which then causes emotional survival to begin and take over developmental tasks resulting in delayed development, regression, or other maladaptive coping strategies;

WHEREAS, a 2002 Department of Justice survey of 7,000 inmates revealed that 39 percent of jail inmates lived in mother-only households;

WHEREAS, approximately 46 percent of jail inmates in 2002 had a previously incarcerated family member;

WHEREAS, one-fifth of the inmates had experienced a father in prison or jail;

WHEREAS, numerous programs around the country work to link fathers and their children, and have received funding under Administration for Children and Families and the Department of Justice;
WHEREAS, programs like the Fathers and Children Together (FACT) Program help to reconnect incarcerated fathers back into the lives of their children;

WHEREAS, the goal of these programs is to educate incarcerated men on the responsibilities of fatherhood and to establish positive relationships with their children in an effort to cut off the "cradle-to-prison pipeline"; and

WHEREAS, the safety and well-being of the child is most important and should be given priority in any plan to reunify that child with his or her parents.

THEREFORE BE IT RESOLVED, that the National Caucus of Black State Legislators (NBCSL) supports legislation and initiatives geared toward strengthening family reunification programs for returning citizens as a critical component of breaking the cycle of trauma, violence, and crime, therefore enhancing public safety;

BE IT FURTHER RESOLVED, that NBCSL applauds the United States Department of Justice and the Administration on Children and Families for their work to help children connect meaningfully with their fathers and mothers in prison;

BE IT FURTHER RESOLVED, that NBCSL supports reauthorization of the Second Chance Act, and urges Congress to increase authorization amounts, provide increased flexibility, and fully fund programs under the Second Chance Act; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Ronald G. Waters (PA)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
LJE-15-09

SUPPORTING REHABILITATION OF OUR RETURNING CITIZENS AND RECORD EXPUNGEMENT

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has a long history of supporting meaningful reentry and rehabilitation opportunities for citizens returning from incarceration to their homes and communities;

WHEREAS, individuals should be allowed to move forward from their past offenses and successfully reintegrate into society given the right circumstances;

WHEREAS, sealing or limiting access to criminal records is an important step in giving people a second chance and helping reformed offenders to become productive members of society;

WHEREAS, the Society for Human Resources Management (SHRM) in 2010 found that 92 percent of employers use criminal background checks;

WHEREAS, individuals when evaluated on their skills and qualifications for a job or housing, not just their past, will have greater opportunity to become responsible and tax-paying community members;

WHEREAS, Americans will benefit by developing a workforce that is employed to its full potential, both now and into the future when the demand for trained and skilled employees increases; and

WHEREAS, the benefit that expungement of a criminal record will yield to an individual and society may greatly outweigh the detriment to the public and public safety in sealing the record.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports the rehabilitation of criminal offenders through the evaluation and implementation of expungement laws particularly with regard to non-violent offenses;

BE IT FURTHER RESOLVED, that NBCSL understands and believes that in some cases criminal records should not be expunged, particularly in the case of sexual and violent offenders still pose a significant risk to society;

BE IT FURTHER RESOLVED, that NBCSL supports legislation and programs that provide former offenders with access to healthcare, including mental health supports; housing; job training and employment assistance; and comprehensive services to facilitate a path toward productive, healthy citizenship; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSOR: Senator Bobby Joe Champion (MN)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
CREATING AND IMPLEMENTING AFRICAN AMERICAN COMMISSIONS TO REDUCE DISPARITIES

WHEREAS, the National Black Caucus of State Legislators (NBCSL) focuses heavily on economic vitality, improved education, reduction of health disparities, and the elimination of the arbitrary factors that limit and/or prohibit the positive progression of African American families and communities;

WHEREAS, NBCSL believes no segment of our society should suffer disparate impact resulting from lack of access to, or productive use of, the implements of government;

WHEREAS, NBCSL understands the importance of collaboration, the exchange of best practices, and the strength of partnership and solidarity;

WHEREAS, NBCSL has supported the creation, funding, and implementation of African American Commissions, by statute, in each state for the following purposes:

(1) assisting with the research and development of public policies that adequately address barriers and promote the well-being of African Americans;
(2) assisting state agencies in the development or retooling of programs and services that have not fully realized success within African American communities;
(3) monitoring and reporting on the alignment of community needs and governmental investment, and
(4) supporting the research needs and public policy initiatives of members of the NBCSL;

WHEREAS, President Barack Obama launched the My Brother’s Keeper initiative, by joining together with other public, private, and non-profit sector leaders to address persistent opportunity gaps faced by boys and young men of color and ensure all young people can reach their full potential;

WHEREAS, President Obama and his Administration, through My Brother’s Keeper, are identifying areas where the Administration can make adjustments to close opportunity gaps confronting young men of color; and

WHEREAS, in September 2014, President Obama issued the “My Brother’s Keeper Community Challenge” to cities, towns, counties and tribes across the country to become “MBK Communities,” for all members of our communities, and mayors in particular, as they often sit at the intersection of many of the vital forces and structural components needed to enact sustainable change through policy, programs, and partnerships.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) applauds and supports the efforts of President Obama and his Administration for creating the My Brother’s Keeper;
BE IT FURTHER RESOLVER, that NBCSL urges its members and other leaders to join the “My Brother’s Keeper Community Challenge”;

BE IT FURTHER RESOLVED, that NBCSL applauds and recognizes the efforts of the African American Affairs Commission of Connecticut, the Illinois African American Family Commission, the Iowa Commission on the Status of African Americans, the Kansas African American Affairs Commission, the Commission on African American Affairs of Pennsylvania, the Council on Black Minnesotans of Minnesota, the New Mexico Office of African American Affairs, the Oregon Commission on Black Affairs, and the Washington State Commission on African American Affairs;

BE IT FURTHER RESOLVED, that NBCSL members avail themselves of opportunities to educate others on the critical role of African American Commissions within government; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Senator Donne Trotter (IL)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ENSURING GENDER PAY EQUITY TO CUT POVERTY AMONG WORKING WOMEN BY HALF

WHEREAS, according to U.S. Census Bureau data, forty-five million people, or 14.5 percent of the U.S. population, were living in poverty as of 2013, with 27.2 percent of all African Americans, 23.2 percent of all Hispanics, 27.3 percent of American Indians and Alaska Natives, and 10.5 percent of all Asians living in poverty;

WHEREAS, 2012 Census figures show that 6.6 percent of the U.S. population lives in deep poverty, with an income 50 percent below the federal poverty line;

WHEREAS, one in three American women live in poverty or are on the brink of it, accounting for 42 million women in the United States;

WHEREAS, any unplanned expense, health emergency, or reduction in work hours or pay, can push many female-led households over the brink;

WHEREAS, forty-one percent of all women do not have an economically secure income, and sixty-two percent of African American women do not have an economically secure income;

WHEREAS, economic stability is calculated as making a minimum salary of $30,000 annually, or twice the amount of a full-time worker making minimum wage;

WHEREAS, thirty-two percent of households are supported by single mothers, with their income accounting for the sole source of financial support for the household, despite the fact that women account for nearly two-thirds of all minimum wage workers in the U.S.;

WHEREAS, according to a study by the National Committee on Pay Equity, White women make only 77 cents to the dollar, and African American women only make 64 cents to the dollar when compared to men doing the same work;

WHEREAS, over five million more women than men live below the poverty line, and two more million women than men live in deep poverty;

WHEREAS, almost sixty percent of working women would earn more if there were pay equity;

WHEREAS, a study by the Institute for Women’s Policy Research found that providing equal pay to women with similar education and hours of work as their male counterparts would cut poverty among working women by 50 percent, and, remarkably, this is true whether women are married, single mothers, or single women living on their own;
WHEREAS, according to the National Center for Children in Poverty, 16 million children in the United States 22 percent of all children live in families with incomes below the federal poverty level $23,550 a year for a family of four, and on average, families need an income of about twice that level to cover basic expenses;

WHEREAS, this same Institute for Women’s Policy Research study found that gender pay equality for women would generate $447.6 billion in additional income for the U.S. economy;

WHEREAS, half of all states pay women less than eighty percent of what their male counterparts make;

WHEREAS, even though progress has been made in gender pay equality through various state laws, there are still five states that have not adopted gender pay equality laws; and

WHEREAS, in 2014, the U.S. Senate unsuccessfully sought to reduce gender pay inequality by amending the Fair Labor Standards Act of 1938, also known as the Paycheck Fairness Act, which would have more narrowly defined legitimate reasons for pay disparities between women and men, and given more effective remedies for victims of gender based wage discrimination.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) urges the 114th United States Congress to take additional steps towards reducing gender pay inequality for all Americans, because when men and women are paid equally for equal work, the U.S. economy is improved, and the poverty rate for working women is cut in half;

BE IT FURTHER RESOLVED, that NBCSL urges Congress to reintroduce and pass legislation that will promote gender pay equality, thus helping to increase economic self-sufficiency among women; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Raumesh A. Akbari (TN)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
USING BODY-MOUNTED CAMERAS TO PROTECT PUBLIC SAFETY

WHEREAS, studies conducted in Boston and New York have shown that African Americans are disproportionately targeted by police in traffic stops, stop-and-frisks, and general police-civilian interactions;

WHEREAS, according to the New York Civil Liberties Union, New Yorkers have been subjected to police stops and street interrogations more than 4 million times since 2002 under the “stop and frisk” policy, and Black and Latino communities continue to be the overwhelming target of these tactics; furthermore, nearly 9 out of 10 stop-and-frisks of New Yorkers did not result in arrest, summons, or contraband;

WHEREAS, data released by the Illinois State Police has shown that Black drivers are between 1.8 and 3.2 times more likely than White drivers to be consent-searched, even though White drivers were over than 2.5 times more likely to have contraband found in their car;

WHEREAS, according to the American Civil Liberties Union, an African American is 3.7 times more likely to be arrested for possession of marijuana than a Caucasian;

WHEREAS, the total number of civilian deaths as a result of police interaction is not reliably reported into the federal database, studies show that from 2005 to 2012, an African American was killed nearly twice a week, every week by a White police officer;

WHEREAS, unconscious racial and gender biases must be addressed in order to eliminate disparities;

WHEREAS, the details of fatal interaction between civilians and law enforcement officers are often subject to dispute, at best, resulting in increased tension between communities and law enforcement;

WHEREAS, a lack of video and audio recordings of police-civilian interactions frequently leaves citizen complainants without the necessary evidence to meet the preponderance standard required in misconduct cases, or an even higher standard for criminal complaints;

WHEREAS, video evidence has superior value in the prosecution of police-involved homicides and excessive force cases;

WHEREAS, body and dash-mounted cameras (body cams) have also captured footage that has exonerated officers in incidents that initially appeared questionable;

WHEREAS, body cams could also gather valuable evidence in complex situations, such as domestic disturbances or in large crowds;
WHEREAS, the use of body cams by law enforcement officers has the potential to clear up many future disagreements over the justification of uses of force;

WHEREAS, body cams could also shed light on alleged civil rights abuses beyond uses of force;

WHEREAS, there is compelling research showing that body cams dramatically reduce both civilian complaints against officers and the use of force by officers;

WHEREAS, a growing number of jurisdictions have implemented body camera use or are conducting studies to determine the benefits of their use;

WHEREAS, a study of the Rialto Police Department, in Rialto, California, found that the department had an 88 percent decline in officer complaints and a 60 percent decline in uses of force after the deployment of body cams;

WHEREAS, the clearing up of disagreements, the prosecution of unlawful uses of force, the exoneration of wrongly-accused officers, and the reduction in uses of force mean that the widespread and proper adoption of body cams by law enforcement agencies has the potential to substantially improve relationships between communities and law enforcement agencies and officers;

WHEREAS, these potential benefits of body cameras are desperately needed in many communities represented by NBCSL members; and

WHEREAS, the National Black Caucus of State Legislators assembles annually to discuss public policy issues of import to African American and vulnerable communities, and to the nation as a whole.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) urges police departments to quickly adopt the use of body mounted cameras across the country;

BE IT FURTHER RESOLVED, that NBCSL supports cultural competency training for law enforcement agencies that includes implicit or unconscious bias in efforts to improve officer effectiveness, community engagement, and diversity initiatives to increase the number of minority applicants to law enforcement agencies;

BE IT FURTHER RESOLVED, that NBCSL supports fair and equitable policing policies that do not infringe upon individuals’ rights or target civilians without just cause;

BE IT FURTHER RESOLVED, that NBCSL members will enlist input from their constituents regarding legislative action in statehouses to ensure their action plan emanates from the will of the people, so that the constituents' voices speak through legislation that will guide their communities' authorities;
BE IT FURTHER RESOLVED, that NBCSL urges the U.S. Department of Justice to use its grant programs, such as Justice Assistance Grant (JAG) Program and Community-Oriented Policing Services (COPS), to encourage and incentivize police departments to purchase body cameras and provide additional training to overcome unconscious racial bias among their officers; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Eric Johnson (TX)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
CALLING ON THE WASHINGTON PROFESSIONAL FOOTBALL TEAM TO CHANGE ITS NAME

WHEREAS, sports should be a unifier—bringing people together from all races, creeds, and colors as witnessed by major competitions, such as the FIFA World Cup, the World Series, the NBA Finals, the Stanley Cup, the Super Bowl, the Olympic Games, and many more events;

WHEREAS, in the United States and around the world, sports are a universal language that unites people (from urban to suburban) and breaks down barriers whether they are ethnic, religious, economic, or social;

WHEREAS, rather than contributing to a spirit of unity, Washington’s National Football League (NFL) franchise causes strife with its racially divisive name “Redskins”;

WHEREAS, the football team currently known as the Washington Redskins was first established in 1932 as the Boston Braves, then changed its name to Boston Redskins in 1933, before finally moving to Washington in 1937;

WHEREAS, Merriam-Webster’s dictionary refers to the word as offensive, and is joined by numerous other reputable dictionaries;

WHEREAS, a number of tribes and tribal organizations have officially opposed the use of the “Redskins” epithet, including the Cherokee, Comanche, Oneida and Seminole tribes, as well as the National Congress of American Indians, the largest intertribal organization representing over 250 groups with a combined enrollment of 1.2 million people;

WHEREAS, the National Caucus of Native American State Legislators (NCNASL) passed a resolution earlier this year, calling for a “ban on the use of derogatory names and racist stereotypes as sports mascots and on state geographic sites,” and NCNASL stands firmly opposed to the “Redskins” as a team mascot; and

WHEREAS, the District of Columbia City Council has twice called on the Redskins to change its name, and recognized the name as “racist and derogatory”;

WHEREAS, in 2014, members of the Maryland Legislative Black Caucus introduced House Joint Resolution 5 in the Maryland Legislature, urging the owners of the Washington professional football franchise to change the name of its team to one that is not offensive to Native Americans or any other group;

WHEREAS, in 2014, the California Assembly passed Assembly Concurrent Resolution 168, calling on the Washington football team to change its name;
WHEREAS, several national organizations, including the National Association for the Advancement of Colored People (NAACP) and the Leadership Conference on Civil and Human Rights have passed resolutions officially denouncing the name of the Washington football team; and

WHEREAS, the U.S. Patent and Trademark Office cancelled the Washington Redskins’ trademark registration in 2014 because the team’s name and logo are disparaging to Native Americans.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes the unique power of sports to break down racial and ethnic barriers and play a vital role in uniting communities;

BE IT FURTHER RESOLVED, that NBCSL opposes the use of “Redskins” by Washington’s NFL franchise;

BE IT FURTHER RESOLVED, that NBCSL calls on the ownership to change the name, and the NFL to approve the change;

BE IT FURTHER RESOLVED, that NBCSL urges state legislatures, National Football League (NFL), the National Football League Players Association, NFL team owners, NFL players, and others to join in opposition of the “Redskins” nickname, and pressure the owner where possible to change the name;

BE IT FURTHER RESOLVED, that NBCSL supports and applauds the determination of the U.S. Patent and Trademark Office to cancel the team’s trademarks; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Delegate Talmadge Branch (MD), Representative Mike Shelton (OK), Representative Reginald Meeks (KY), Senator Anastasia Pittman (OK), Senator Donne Trotter (IL), and Delegate Michael Vaughn (MD)

Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ADVOCATING FOR SMART LAW ENFORCEMENT POLICIES IN CIVILIAN INTERACTIONS

WHEREAS, numerous incidents, and subsequent demonstrations across the country, sparked by the deaths of Eric Garner in New York, Michael Brown in Missouri, and Tamir Rice in Ohio, illustrate the frustration and tension that exists between police and the African American community;

WHEREAS, all Americans are constitutionally guaranteed equal protection under the law;

WHEREAS, the persistence of racial profiling, institutional racism, and police brutality violate the fundamentals of equal protection;

WHEREAS, the economic, judicial, and social disadvantages experienced by African Americans, in particular, are well documented;

WHEREAS, the militarization of law enforcement agencies instills a greater sense of fear among the very communities they are sworn to protect;

WHEREAS, the U.S. Department of Defense established the 1033 program, which provides surplus military equipment, such as mine-resistant ambush-protected (MRAP) vehicles, armored troop carriers, and grenade launchers to local police departments, preferentially for the purpose of counter-drug and counterterrorism efforts;

WHEREAS, state and local law enforcement agencies play an important role in combatting terrorism and drug trafficking threats;

WHEREAS, the U.S. Government Accountability Office (GAO) found that the 1033 program lacked proper oversight to prevent waste, fraud, and abuse within the program;

WHEREAS, the 1033 program has received recent attention due to military-grade weaponry being used against protestors lawfully assembling;

WHEREAS, President Barack Obama has called for a review of the 1033 program, including its methods and structure;

WHEREAS, the St. Petersburg Police Department in Florida recently began a program called “Park, Walk, and Talk” in which officers must log one hour per week walking a neighborhood and talking to people they encounter;

WHEREAS, the City of Oakland has successfully implemented a program called “Ceasefire” that engages members of the community, police, clergy, and community leaders in a partnership to end violence;
WHEREAS, Congress has introduced the National End Racial Profiling Act that aims to ban racial profiling at all levels of government, provides for data collection and monitoring, enhance training; and offer sanctions and remedies for violations of the law; and

WHEREAS, the U.S. Department of Justice recently released new profiling guidelines to reduce biased law enforcement practices, for use by federal law enforcement agencies, and state and local law enforcement agencies participating in federal law enforcement task forces.

THEREFORE BE IT RESOLVED, the National Black Caucus of State Legislators (NBCSL) applauds the work of the U.S. Department of Justice (DOJ) to expand the Federal Racial Profiling Guidance and further urges DOJ to continue to work with federal, state, and local enforcement to eliminate racial profiling in the United States;

BE IT FURTHER RESOLVED, NBCSL calls on states to establish protocols for independent, timely, quality, and thorough investigations for all cases involving police shootings, deaths in custody, and/or excessive uses of force to ensure that any potential criminal, civil, or administrative violations by law enforcement may be effectively determined;

BE IT FURTHER RESOLVED, that NBCSL encourages all states to work with stakeholders to develop culturally competent law enforcement practices;

BE IT FURTHER RESOLVED, NBCSL supports training for law enforcement personnel that encourages and prioritizes non-lethal public safety tactics, and methods to deescalate, rather than provoke, potentially volatile situations;

BE IT FURTHER RESOLVED, NBCSL calls on states and localities to develop and support community policing initiatives that respectfully engage the communities they serve;

BE IT FURTHER RESOLVED, NBCSL encourages DOJ, when appropriate, to conduct investigations into alleged civil rights abuses by law enforcement;

BE IT FURTHER RESOLVED, NBCSL calls on the U.S. Congress to pass the National End Racial Profiling Act; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice president of the United States, members of the United States Congress, and other federal and state government officials as appropriate.

SPONSORS: Representative Karla May (MO) and Representative Clem Smith (MO)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Reginald Meeks (KY)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
38th ANNUAL LEGISLATIVE CONFERENCE

2015 RATIFIED POLICY RESOLUTIONS

FOR

LABOR, MILITARY, AND VETERANS’ AFFAIRS POLICY COMMITTEE (LMV)

NBCSL OFFICIAL DOCUMENT
LEADING A NATIONAL JOBS MOVEMENT TO UPLIFT FAMILIES AND COMMUNITIES

WHEREAS, prior to the economic downturn of the last decade the average unemployment rate was about 5 percent, reaching a low of 4.4 percent during 2007 and 2006, according to the United States Bureau of Labor Statistics;

WHEREAS, the height of the Great Recession saw double-digit unemployment rates, but since then, the unemployment rate has reversed course and currently sits at 5.9 percent;

WHEREAS, the labor movement has as a founding ideal: the assembling of a broad progressive coalition for social and economic justice;

WHEREAS, during the last decade, macroeconomic shifts have placed communities around the country at risk, threatening the economic security of all and accelerating deep divides and inequalities in our society;

WHEREAS, these circumstances demonstrate that the struggles of workers are inextricably interwoven with the struggles of communities;

WHEREAS, such vital issues for workers today include raising the minimum wage, paid sick days, family and medical leave, freedom to form a union, a living wage, collective bargaining rights, equal pay for equal work, outsourcing, fair wages for all workers, immigration reform, wage theft, and the misclassification of workers;

WHEREAS, unions must work hand in hand with community partners and allies to reverse these economic trends and to create opportunities for all while building a robust democratic and participatory society, strong and safe neighborhoods, and racial, ethnic, and gender equality;

WHEREAS, when a union and community jointly build, a lasting, powerful movement for social and economic justice and an enduring democracy, their collective voices will be heard and collective purposes achieved;

WHEREAS, the lockout of Bakery, Confectionery, Tobacco Workers, and Grain Millers International Union (BCTGM) Local 252G workers was the impetus for the formation of the Coalition for the Organizational Protection of People and Equal Rights (COPPER), whose mission is to “work collaboratively as an organization consisting of labor, religious, social, and civil organizations that demonstrate a belief in empowering and defending the well-being of all community members;

WHEREAS, COPPER comprises more than thirty representatives from labor, religious, civic, and social organizations and the coalition continues to grow as its fight for economic fairness and to remedy the imbalance of power within the Memphis community expands;
WHEREAS, COPPER’s example of an active coalition to build a jobs movement that results in full employment should guide the efforts of policymakers at the state and federal level;

WHEREAS, in 2013, U.S. Representative John Conyers, Jr. introduced the Humphrey-Hawkins Full Employment and Training Act, which if enacted, would direct the U.S. Secretary of Labor to establish a Full Employment National Trust Fund with two separate accounts for: (1) Employment Opportunity Grants to states, local governments, and Native American tribes for job-creating activities in communities whose economy is not at a level of full employment; and (2) Workforce Investment programs;

WHEREAS, the bill would also establish arbitration procedures for resolution of disputes for grant recipients and require the U.S. Secretary of Labor to post a whistleblower hotline on the U.S. Department of Labor's website for the public to report noncompliance with the Act's requirements;

WHEREAS, under the legislation, the Secretary of Labor would be directed to convene a national employment conference to bring together leaders of small, medium, and large businesses, labor, government, and other parties to discuss employment, with particular attention to structural unemployment and the plight of disadvantaged youth; and

WHEREAS, the bill amends the Workforce Investment Act of 1998 to revise member composition requirements for state and local workforce investment boards to include at least 25 percent of the chief executive officers of minority-serving, community-based organizations.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports the establishment of a Full Employment National Trust Fund with two separate accounts for: (1) Employment Opportunity Grants to states, local governments, and Native American tribes for job-creating activities in communities whose economy is not at a level of full employment; and (2) Workforce Investment programs;

BE IT FURTHER RESOLVED, that NBCSL calls on Congress to pass legislation to establish the National Full Employment Trust Fund and to create employment opportunities for the unemployed in the United States of America;

BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators supports the establishment of labor-community partnerships that convene labor, religious, social, and civic organizations to work collaboratively to empower and defend the well-being of all workers within a community; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSORS: Representative Barbara Cooper (TN) and Representative Raumesh Akbari (TN)
Committee of Jurisdiction: Labor, Military, and Veterans’ Affairs Policy Committee
Certified by Committee Chair: Representative Sharon Beasley-Teague (GA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ADVOCATING LONG-TERM RETIREMENT SECURITY FOR ALL AMERICANS

WHEREAS, for too long, America’s national retirement security discussion has been about everything but the interest of workers and retirees that, workers and retirees must do with less and bear more risk;

WHEREAS, more than half of households are at risk of being unable to maintain their standard of living in retirement, up from fewer than one in three in 1983;

WHEREAS, two-thirds of Social Security beneficiaries 65 and older rely on its modest benefits for half or more of their income, and the number of workers fortunate enough to have a traditional pension continues to drop with just 14 percent of private-sector workers having one today, compared to 45 percent in 1975;

WHEREAS, while the now-dominant individual retirement savings accounts are touted as superior substitutes for pensions, just three in five of those closest to, or just into, retirement have been able to save anything at all, and the typical balance is $100,000, which translates into just over $330 in monthly retirement income;

WHEREAS, retirement security for all begins with Social Security, as it provides a fundamental base of financial security and dignity for Americans in retirement, those unable to work due to a disability, and to young children when a working parent dies;

WHEREAS, the Strengthening Social Security Act, would improve the solvency of the Social Security Trust Funds and, at the same time, improve the benefit calculations and annual cost-of-living adjustments (COLA) for all Social Security programs;

WHEREAS, the Strengthening Social Security Act would provide benefit improvements and ensure Social Security solvency by raising and ultimately removing the cap on earnings subject to Social Security contributions, currently capped at $117,000, over a five-year period;

WHEREAS, in addition to improving Social Security Benefits defined-benefit pensions are the cornerstone of our retirement system outside of Social Security and should be preserved;

WHEREAS despite their record as sound, cost-effective vehicles for building and safeguarding retirement income security, traditional pensions continue to come under unwarranted political fire; and

WHEREAS, protecting what remains of the pension system will not be enough to achieve retirement security for all, because too few workers even have a pension or a retirement savings plan that will produce enough for decent retirement.
THEREFORE BE IT RESOLVED, the National Black Caucus of State Legislators (NBCSL) calls on lawmakers to increase Social Security benefit levels across the board;

BE IT FURTHER RESOLVED, that NBCSL urges the raising of Social Security’s cost-of-living (COLA) adjustments to reflect the larger share of seniors’ incomes that goes to health care and housing;

BE IT FURTHER RESOLVED, NBCSL will continue to fight against employers’ illegitimate use of bankruptcy law and use of restructuring to escape their benefit obligations to workers and retirees;

BE IT FURTHER RESOLVED, NBCSL supports legislation that would improve the solvency of Social Security Trust Funds and, at the same time, improve the benefit calculations and annual cost-of-living adjustments (COLA) for all Social Security programs, and urges Members of Congress to co-sponsor the legislation and secure its passage;

BE IT FURTHER RESOLVED, NBCSL will continue its work to ensure that pension plans are operated in the interest of workers and retirees with benefits focused on delivering retirement income that is secure and lasts throughout retirement, with provision for survivor benefits;

BE IT FURTHER RESOLVED, NBCSL will continue to support legislation to strengthen and preserve existing pension plans; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Representative Barbara Cooper (TN) and Representative Raumesh Akbari (TN) Committee of Jurisdiction: Labor, Military, and Veterans’ Affairs Policy Committee Certified by Committee Chair: Representative Sharon Beasley-Teague (GA) Ratified in Plenary Session: Ratification Date is December 12, 2014 Ratification is certified by: Representative Joe Armstrong (TN), President
SUPPORTING A SUSTAINABLE MINIMUM WAGE

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has an unwavering commitment to helping working families struggling to live on limited means;

WHEREAS, the federal minimum wage has not been raised since 2009;

WHEREAS, eighteen states, Guam, and the U.S. Virgin Islands have the same minimum wages as the federal standard of $7.25;

WHEREAS, in 2014 the minimum wage will lose 1.7 percent of its value and will continue to lose value every year because of inflation;

WHEREAS, over 27 million workers would see a direct or indirect raise in their wages if the minimum wage were raised, according to the Economic Policy Institute;

WHEREAS, President Barack Obama called for an increase to the minimum wage to $10.10 per hour in his 2014 State of the Union;

WHEREAS, a full-time worker earning the current minimum wage only makes $14,500 a year;

WHEREAS, 15 percent of the minimum-wage workforce are Black or African American despite comprising 11.5 percent of the overall workforce; and

WHEREAS, NBCSL recognizes raising the minimum wage will help all workers but especially African Americans.

THEREFORE BE IT RESOLVED, the National Black Caucus of State Legislators (NBCSL) supports the President's proposal to immediately raise the minimum wage to $10.10 per hour, and urges all state legislatures to adopt this level at a minimum as well as index the minimum wage inflation;

BE IT FURTHER RESOLVED, that NBCSL strongly urges Congress to take federal action and raise the minimum wage to $10.10 per hour and index the minimum wage to rise with inflation every year; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSOR: Senator Jeffrey Hayden (MN)
Committee of Jurisdiction: Labor, Military, and Veterans’ Affairs Policy Committee
Certified by Committee Chair: Representative Sharon Beasley-Teague (GA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ENSURING APPROPRIATE CREDIT CHECKS IN HIRING AND EMPLOYMENT DECISIONS

WHEREAS, the National Black Caucus of State Legislators’ (NBCSL) commitment to assisting citizens in obtaining meaningful employment is present in resolution BFI-14-26 “A RESOLUTION ON REDUCING CREDIT-BASED BARRIERS IN HIRING AND EMPLOYMENT”;

WHEREAS, NBCSL opposes any unlawful or discriminatory hiring practices that may negatively and unjustly impact a person’s ability to secure employment and opposes legislation that could be perceived as culturally biased;

WHEREAS, federal law allows employment credit checks under the Fair Credit Reporting Act (FCRA), which permits employers to request credit reports on job applicants and existing employees;

WHEREAS, credit reports were not designed as an employment screening tool, rather as a means for lenders to evaluate whether a borrower would be a good credit risk;

WHEREAS, those who would be most adversely impacted would be individuals in the low- and middle-income households with credit card debt, and households experiencing job loss, lack of health coverage, or medical debt;

WHEREAS, the potentially racially discriminatory impact of employment credit checks is the key reason that civil rights organizations, such as the NAACP, the National Council of La Raza, the Leadership Conference on Civil and Human Rights, and the Lawyers Committee for Civil Rights under Law oppose them;

WHEREAS, a new civil rights agenda must include consumer protection from arbitrary factors that limit one’s ability to prosper in a global economy;

WHEREAS, one of the factors many employers examine when determining whether to offer an applicant employment is the person’s credit information;

WHEREAS, from time to time, certain individuals fall on hard times resulting in the late payment or non-payment of financial obligations while still operating as a productive employee and citizen; and

WHEREAS, some employers use an applicant's or employee's credit report or credit history to deny employment to an applicant, discharge an employee, or determine compensation or the terms, conditions, or privileges of employment, but every state should prohibit an employer from these practices as long as the applicant or employee has demonstrated a solid and substantial work history since being employed.
THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports the adoption of legislation that directs employers to not use credit history/credit reports for the purposes of granting employment, employment promotions, and compensation increases that includes, but is not limited to the following reasonable exemptions:

(1) it is required by federal or state law to inquire into an applicant's or employee's credit report or credit history for the purpose of employment;
(2) it is a financial institution that accepts deposits insured by a federal agency, or is an affiliate or subsidiary of the financial institution; or
(3) it is an entity, or an affiliate of an entity, that is registered as an investment advisor with the United States Securities and Exchange Commission;

BE IT FURTHER RESOLVED, if an employer violates such legislation, then the applicant or employee may file a written complaint with the applicable state agency, and the agency must investigate any such complaint to determines if the employer willfully or negligently violated such legislation;

BE IT FURTHER RESOLVED, that if a violation has been found to occur, then the commissioner (or appropriate authority) must try to resolve the matter, and, if deemed necessary, may issue a civil penalty depending upon the severity of the offense;

BE IT FURTHER RESOLVED, after an employer receives an order to pay a civil penalty, the employer may request a hearing, subject to the present law requirements regarding human rights discrimination, and further if an employer fails to comply with an order to pay a civil penalty, then the state may bring an action to enforce the order to pay a civil penalty in the;

BE IT FURTHER RESOLVED, that an employer would not be prohibited from performing an employment-related background investigation which:
- includes use of a consumer report or investigative consumer report;
- is authorized under the federal Fair Credit Reporting Act; and
- does not involve investigation of credit information;

BE IT FURTHER RESOLVED, that an employer may request or use an applicant's or employee's credit report or credit history if
- the applicant has received an offer of employment and the credit report or credit history will be used for a purpose other than a prohibited purpose described above; or
- the employer has a bona fide purpose for requesting or using information in the credit report or credit history that is substantially job-related and disclosed in writing to the employee or applicant; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.
SPONSOR: Representative Karen Camper (TN)
Committee of Jurisdiction: Labor, Military, and Veterans’ Affairs Policy Committee
Certified by Committee Chair: Representative Sharon Beasley-Teague (GA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
COMMITTED TO EXPANDING EMPLOYMENT OPTIONS FOR RETURNING CITIZENS

WHEREAS, Ohio and Tennessee have passed legislation that allows individuals to petition the court for a certificate of employability that, if granted would provide protections for potential employers and help ex-offenders to obtain meaningful employment;

WHEREAS, under a certificate of employability, a court of law would be authorized to grant a certificate of employability based upon the petitioner's establishing all of the following:

• the person has a substantial need for the relief requested in order to live a law-abiding life;
• the person has sustained good character; and
• granting the petition would not pose an unreasonable risk to the safety of the public or any individual;

WHEREAS, a certificate of employment has the ability to not only provide legal protection for the employer to hire a former felon, but also provides peace of mind in the form of certification from the state that this person has been rehabilitated;

WHEREAS, a certificate of this nature removes legal liability and provides peace of mind to the employer, because of the thorough examination given to the recipient, and because the state provides protection from negligent hiring liability for the employer;

WHEREAS, should a court deny the petition, the court could place conditions upon a petitioner concerning the filing of second or subsequent petitions;

WHEREAS, the petitioner of a certificate of employability would be required to pay the costs of the application;

WHEREAS, provisions should be made to provide for appeals by unsuccessful petitioners and for revocations of certificates if the holder is convicted of or pleads guilty to a felony after the certificate was issued;

WHEREAS, advance notice should be given to the office of the prosecuting attorney that rendered a petitioner infamous prior to issuing a certificate, so that the prosecutor may oppose the petition, and a district attorney general who receives any such notice will be required to notify the petitioner's victims;

WHEREAS, under such a law, licensing authorities should be authorized to revise existing rules or adopt new rules that deny issuance of a license to a certificate holder based on either the time that has elapsed since the offense or the nature of the offense having a direct bearing on the holder's fitness or ability to perform the duties or responsibilities of a licensee;
WHEREAS, under such a law, any proceeding on a claim against an employer for negligent hiring, a certificate of employability issued to a person will provide immunity for the employer with respect to the claim if the employer knew of the certificate at the time of the alleged negligence;

WHEREAS, an employer could still be liable for negligent hiring of a certificate holder if the plaintiff proves that the employer willfully retained a certificate holder as an employee despite having actual knowledge that the certificate holder demonstrated danger or was convicted of a felony after being hired; and

WHEREAS, exemptions should be enacted so that a certification of employability would not be valid for presentation to licensing authorities issuing licenses for occupations within the general categories of mental illness, serious emotional disturbance, developmental disabilities, law enforcement, corrections, education, healing arts, insurance, and social services.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports authorizing a legal process that would allow individuals to overcome barriers to gainful employment and become productive citizens;

BE IT FURTHER RESOLVED, that NBCSL supports the adoption of a certificate of employability programs in states to provide a pathway toward restoration of employment opportunities, although NBCSL believes that the most desirable result for a non-violent offenders is expungement of criminal records where deemed appropriate; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Karen Camper (TN)
Committee of Jurisdiction: Labor, Military, and Veterans’ Affairs Policy Committee
Certified by Committee Chair: Representative Sharon Beasley-Teague (GA)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
38th ANNUAL LEGISLATIVE CONFERENCE

2015 RATIFIED POLICY RESOLUTIONS

FOR

TELECOMMUNICATIONS, SCIENCE, AND TECHNOLOGY POLICY COMMITTEE (TST)

NBCSL OFFICIAL DOCUMENT
TST-15-11

SUPPORTING DIVERSIFICATION OF EMPLOYMENT IN THE TECHNOLOGY INDUSTRY

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that technology jobs are key to the prosperity of the United States workforce;

WHEREAS, according to the U.S. Department of Commerce jobs in science, technology, engineering and mathematics (STEM) are growing at almost twice the rate of non-STEM jobs (17 percent to 9.8 percent);

WHEREAS, African Americans must have access to these jobs in order to gain the full benefits of the future economy;

WHEREAS, large technology companies are a primary source of STEM jobs;

WHEREAS, opportunities to learn and access STEM-related skills must be equal;

WHEREAS, large technology companies have become dominant players in the United States economy, and are continuing to grow;

WHEREAS, the jobs that large technology companies provide are among the most lucrative in the country in terms of both pay and benefits;

WHEREAS, the leaders of these companies will increasingly define the future of the United States economy and consumers nationwide;

WHEREAS, according to a 2011 report from the Bureau of Labor Statistics, African Americans are under-represented in STEM occupations, accounting for about 8 percent or less of jobs in computer and mathematical occupations (6.9 percent), life, physical, and social science occupations (7.4 percent), and architecture and engineering occupations (5.2 percent);

WHEREAS, the Council of Graduate Schools’ reports from 2007 to 2012 show impressive strides toward diversity: among U.S. citizens, there was a 1.4 percent average annual increase in total enrollment of Asian/Pacific Islanders in computer and information sciences, a 12.3 percent increase in Latino enrollment, and an average annual increase of 18.8 percent in enrollment for African Americans;

WHEREAS, these proportions are even lower in the critical tech and leadership sections of these companies;

WHEREAS, African Americans make up 13.2 percent of the American population and 6.6 percent of the population of California, where many large tech companies are located;
WHEREAS, the low percentage of African Americans in non-tech positions speaks to a larger problem than tech-qualified applicants;

WHEREAS, the lack of African Americans employed by these companies hurts both African-Americans, by failing to extend critical opportunities to a marginalized population, and the companies themselves, by failing to incorporate the perspectives of African Americans in a way that would boost company products and profit;

WHEREAS, it is in the best interest of both groups to maximize partnerships to further cooperative success;

WHEREAS, it is within the means of these technology companies to extend outreach and partnerships within the African-American community to develop a more diversified workforce; and

WHEREAS, Intel launched its Blueprint for Extraordinary Performance leadership development program, in 2009, that targets mid-level African American and Latino employees who meet monthly to receive leadership development training and guidance, and to practice what they learn, so Intel can retain and develop employees of color.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) calls on technology companies to broaden their efforts to promote workplace diversity, recognizing that it is the best way to form mutually beneficial partnerships that broadens the voice African Americans have in this crucial sector of the economy;

BE IT FURTHER RESOLVED, that NBCSL encourages its members to find ways to foster discussions ultimately connecting local communities with social media and tech companies to develop more direct pipelines for the hiring of women and people of color;

BE IT FURTHER RESOLVED, that NBCSL applauds the steps taken by Historically Black Colleges and Universities (HBCUs) to increase STEM education at the their institutions;

BE IT FURTHER RESOLVED, that NBCSL members support collaborating with HBCUs and Minority-Serving Institutions and their computer science and engineering programs to both highlight and strengthen their capabilities to produce competitive students;

BE IT FURTHER RESOLVED, that NBCSL members advocate to bolster STEM programs in local public school systems which would lead to increased interest in such fields;

BE IT FURTHER RESOLVED, that NBCSL applauds the steps already taken by the U.S. Department of Education to aid people of color and other underrepresented populations in pursuing careers in STEM fields, and urges the Department to expand its targeting of these underrepresented populations; and
BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSORS: Representative Gilda Cobb-Hunter (SC), Representative John King (SC), Representative Joe Armstrong (TN), Representative Alan Williams (FL), Representative Laura V. Hall (AL), Representative Carl Anderson (SC), Senator Floyd McKissick, (NC) and Senator Geraldine Thompson (FL)
Committee of Jurisdiction: Telecommunications, Science, and Technology Policy Committee
Certified by Committee Chair: Delegate Michael Vaughn (MD)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
TST-15-12

REDUCING UNNECESSARY BARRIERS IN TELEHEALTH REIMBURSEMENT

WHEREAS, health innovations such as telehealth, or healthcare coupled with telecommunications technology, are beneficial to all communities, and particularly communities of color;

WHEREAS, telehealth can serve as a powerful tool in eliminating health disparities and increase access to much needed, and in some instances, scarce health care providers;

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has supported telehealth as an innovation to medicine and society and encouraged its members to collaborate with the health care community, non-profit organizations, and the private sector to create and/or support telehealth legislation in resolution TST-13-03 “SUPPORTING TELEHEALTH AS AN INNOVATION TO MEDICINE AND SOCIETY”;

WHEREAS, while the option of telehealth is available for patients and healthcare providers, restrictions coupled with a lack of reimbursement requirements for telehealth-provided services creates a major hindrance to widespread telehealth adoption because (1) healthcare providers are unsure of how they will be compensated for providing services enhanced by telehealth, and (2) many patients are unable to pay for full healthcare expenses out-of-pocket;

WHEREAS, to date 46 state Medicaid programs cover and reimburse for some type of telehealth provided service; however, telehealth policies in each state vary according to service coverage, distance requirements, eligible patient populations and health care providers, and authorized technologies; and

WHEREAS, only two states have adopted telehealth parity laws that require state employee health insurance plans to reimburse for telehealth-provided services comparable to that of in-person services.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes that barriers to telehealth reimbursement exist and should be closely examined by state legislators and their state regulatory bodies to eliminate unnecessary barriers where possible while protecting patient safety, quality, and privacy;

BE IT FURTHER RESOLVED, that NBCSL recognizes telehealth and the role it can provide in numerous circumstances, but also recognizes the need to protect patient privacy and the need for in-person examinations when appropriate;

BE IT FURTHER RESOLVED, that NBCSL encourages its members and state legislatures to explore reimbursement requirements for telehealth-provided services for all Medicaid and state employee health plans; and
BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate including the Federal Communications Commission, the Center of Medicare and Medicaid Innovation, and the Medicare-Medicaid Coordination Office.

SPONSOR: Representative Mia Jones (FL)
Committee of Jurisdiction: Telecommunications, Science, and Technology Policy Committee
Certified by Committee Chair: Delegate Michael Vaughn (MD)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
ENCOURAGING MINORITY OWNERSHIP IN COMMERCIAL WIRELESS SPECTRUM

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes the economic opportunity created by ownership of commercial wireless spectrum;

WHEREAS, more than 80 percent of African Americans and other minorities are avid users of wireless service and devices;

WHEREAS, the U.S. Department of Commerce’s Minority Business Development Agency (MBDA) has found that minority-owned businesses significantly contribute to U.S. innovation and the economy;

WHEREAS, Congress required the Federal Communications Commission (FCC) to promote the participation of small, minority, and women-owned businesses (MWBEs), and rural telephone companies in wireless spectrum auctions through the Designated Entity (DE) program, which incentivizes diverse ownership of commercial wireless spectrum;

WHEREAS, a recent white paper published by the Minority Media and Telecommunications Council (MMTC), “Digital Déjà vu: A Road Map for Promoting Minority Ownership in the Wireless Industry,” showed that as a result of judicial, legislative, and regulatory actions, the DE program has dwindled to ineffectiveness, particularly in encouraging new entry and MWBE participation in the wireless industry;

WHEREAS, key rule changes to the DE program the FCC enacted in 2006 were later vacated by a federal court of appeals for “serious” violations of the notice and comment obligations under the Administrative Procedure Act;

WHEREAS, the FCC’s 2006 rule changes increased barriers to DE participation in spectrum auctions by limiting the ability of DEs to create flexible business plans and gain access to capital;

WHEREAS, when the playing field is level, DEs and MWBEs have successfully proven their ability to raise capital and significantly contribute to the wireless spectrum; and

WHEREAS, the FCC is currently planning two new, large wireless spectrum auctions AWS-3 and the DTV incentive auction which, combined, are expected to generate more than $28 billion in revenue over the next 10 years.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) supports and applauds the Federal Communications Commission’s (FCC) efforts to reinvigorate the FCC’s Designated Entities program;

BE IT FURTHER RESOLVED, that NBCSL supports prompt FCC action to foster meaningful participation of Designated Entities, especially those that are minority-owned, in time for the remaining auctions AWS-3 and the DTV incentive auction;
BE IT FURTHER RESOLVED, that NBCSL supports the elimination of the Attributable Relationship Material (AMR) Rule, the last of the 2006 DE rules that hampers effective participation of new entrants and small incumbents;

BE IT FURTHER RESOLVED, that NBCSL supports increasing small business bidding credits and incorporating diversity and inclusion into the FCC’s analysis of mergers and acquisitions, and secondary market spectrum transactions to facilitate new DE entry in an industry with well-financed, entrenched incumbents; and

BE IT FINALLY RESOLVED, that copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and United States Senate, the Secretary of the U.S. Department of Commerce, the Director of the Minority Business Development Agency, the Chairman and Commissioners of the Federal Communications Commission, and other federal and state government officials as appropriate.

SPONSOR: Senator Catherine E. Pugh (MD)
Committee of Jurisdiction: Telecommunications, Science, and Technology Policy Committee
Certified by Committee Chair: Delegate Michael Vaughn (MD)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President
38th ANNUAL LEGISLATIVE CONFERENCE

2015 RATIFIED POLICY RESOLUTIONS

FOR

YOUTH
POLICY COMMITTEE (YTH)

NBCSL OFFICIAL DOCUMENT
CELEBRATING THE POWER OF SPORTS TO UNIFY COMMUNITIES

WHEREAS, in communities here at home and abroad riddled with social ills, sports become an escape and an avenue to propel young people towards positive growth and actions;

WHEREAS, sports and sporting events can bring people together from all races, creeds, and colors as witnessed during major international competitions such as the FIFA World Cup and the Olympic Games;

WHEREAS, great moments in sports are frequently exemplified by actions and struggles both on and off the field;

WHEREAS, track and field athlete and four-time Olympic gold medalist Jesse Owens defied Adolph Hitler’s plan to show the world that Aryan people were the dominant race by becoming the most successful athlete of the 1936 Olympic Games and winning medals in the 100m race, 200m race, 4x100 relay, and the long jump;

WHEREAS, during the Winter Olympics of 1980 in Lake Placid New York on February 22, the United States National Hockey Team, composed of amateur and collegiate players, defeated the Soviet Union national team, playing in what would be later known as “The Miracle on Ice”;

WHEREAS, Jack Roosevelt “Jackie” Robinson became the first African American to play in Major League Baseball in the modern era, and who later in the life founded the Jackie Robinson Foundation dedicated to narrowing the achievement gap in higher education and preparing leaders;

WHEREAS, former number one ranked professional tennis player in the world and winner of 39 Grand Slam titles, Billie Jean King, defeated Bobby Riggs 6-4, 6-3, 6-3 in the nationally televised “Battle of the Sexes”;

WHEREAS, the first Black heavy-weight champion since Jack Johnson, “The Brown Bomber” Joe Louis defeated Max Schmeling in a rematch in 1938, fanning the flame of hope that was lit for millions of African Americans who now had reason to believe in an opportunity for change; and

WHEREAS, in the United States and around the world, sports are a universal language that unites people (from urban to suburban) and breaks down barriers whether they are ethnic, religious, economic, or social.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) salutes sports in American society and recognizes the valuable role it plays in our communities;
BE IT FURTHER RESOLVED, NBCSL urges its legislators to use the power of sports to unify their communities and encourage young people to grow and succeed; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Representative Ronald G. Waters (PA)
Committee of Jurisdiction: Youth Policy Committee
Certified by Committee Chair: Senator Mike Shelton (OK)
Ratified in Plenary Session: Ratification Date is December 12, 2014
Ratification is certified by: Representative Joe Armstrong (TN), President