



Resolutions Ratified
By the
National Black Caucus of State Legislators
24th Annual Legislative Conference
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Charlotte, North Carolina

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AFRICAN
AMERICAN
MALES
TASK FORCE

RESOLUTION 01-01

Developing Entrepreneurial Programs for Youth

WHEREAS, African-American youth need to have skills and training in becoming entrepreneurs to become functioning adults and contributors to our community; and

WHEREAS, African-American communities need services provided by members of our community to increase the economic well-being of our communities; and

WHEREAS, African-American youth are consumers and need to have the understanding of business finance, product development, marketing skills and business ownership; and

WHEREAS, the members of NBCSL represent the policy leaders and program developers in communities across the country; now

THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 27 - DECEMBER 2, 2000, that NBCSL re-authorize its previously ratified resolution regarding the set-up of a national strategy to provide entrepreneurial opportunities for African American youth; and

BE IT FURTHER RESOLVED that NBCSL develop a Youth Entrepreneurial Program and the President of NBCSL appoint a committee of legislators and members of the CRT to outline a specific plan and program by December 2001 to operate a Youth Entrepreneurial Program.

Sponsored by: Representative Kenneth Green (CT)

Committee/Task Force of Jurisdiction: African American Males
Representative Spencer Coggs (WI)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-02

Research and Information Technology

WHEREAS, the Internet and computer age symbolize the influence of science and technology on the societal trends of African Americans, so much so that perhaps no advancements have contributed more to the acceleration of economic growth and have become key drivers of the economy; and

WHEREAS, such technology continues to grow in size and scope in terms of commercial influence and in terms of cultural impact in the development of the untapped economic markets, social services, employment, and the health and welfare of African-American communities nationwide; and

WHEREAS, NBCSL shall provide leadership in use of and advancement of technology that is as important as reading, writing, and arithmetic for the African-American community as it pertains to advocacy support in the 21st century.

THEREFORE BE IT RESOLVED BY THE 24th ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 27 - DECEMBER 2, 2000, that the President of NBCSL shall within 120 days from the date of this resolution appoint a committee to establish a strategic plan to determine appropriate directions for a research and information technology department arm of NBCSL; and

BE IT FURTHER RESOLVED that NBCSL, 60 days from the date from the receipt of the recommended appropriate directions, shall establish a research and development committee that will seek and/or develop linkages with other organizations for a research and information technology department; and

BE IT FURTHER RESOLVED that the research and information technology committee should work to establish linkages with other public and private agencies, universities and governments to develop a state of the art African-American advocacy information system; and

BE IT FURTHER RESOLVED that as we approach the 21st century, information technology will accelerate the leadership of NBCSL for the African-American community.

Sponsored by: Representative John Barnes, Jr. (OH)

Committee/Task Force of Jurisdiction: African American Males
Representative Spencer Coggs (WI)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-03

Submittal of Model Legislation

WHEREAS, there is an incredible realization that African-American state legislators can expand their legislative effectiveness by a systematic sharing of proposed legislation that is generated from their respective state capitols; and

WHEREAS, the effect of sharing legislative successes and the comparing of “best practices” legislation can only benefit black state legislators across the country.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators request that all NBCSL members shall submit a copy of any and all legislative initiatives introduced in their legislatures to the national offices of NBCSL for the purpose of having all of said initiatives distributed to the total membership at the end of the opening plenary of the Annual Conference of that given year.

Sponsored by: Representative Spencer Coggs, (WI)

Committee/Task Force of Jurisdiction: African American Males
Representative Spencer Coggs (WI)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-04

Disparity in Sentencing Report

WHEREAS, while African-Americans constitute only twelve percent of the U.S. population, African-Americans constitute over sixty percent of America's prison population; and

WHEREAS, this phenomenon is fueling a booming multi-billion dollar prison building industry, sometimes referred to as the "Prison Industrial Complex"; and

WHEREAS, African-Americans must begin to develop methodologies to prevent our young people from being negatively impacted by the criminal justice system.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators request that the NBCSL Staff research and publish a Disparity in Sentencing Study Report to be distributed to all NBCSL members by August 29, 2001. This report shall clearly state the race of individuals who are arrested nationally on state and federal offenses, and compare the statistics to those who are charged and those who are convicted. Also, if available the race of the arresting officer should be noted.

BE IT FURTHER RESOLVED, a workshop shall be presented at NBCSL 25th Annual Legislative Conference on the results of the study for evaluation by the entire NBCSL Organization.

Sponsored by: Representative Spencer Coggs (WI)

Committee/Task Force of Jurisdiction: African American Males
Representative Spencer Coggs (WI)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-05

Opposing Prison Privatization

WHEREAS, State and local governments, confronted with prison overcrowding and fiscal constraints, and the promise of jobs and tax revenues in impoverished rural communities, have been experimenting with prison privatization; and

WHEREAS, The existence of private prisons provides perverse incentives to grow the inmate population by focusing criminal justice policy on passing punitive laws, warehousing inmates, and building prisons for economic gain; and

WHEREAS, Many states do not have any laws governing the operation of private prisons, and many contracting jurisdictions do not have a system of oversight to ensure proper accountability, appropriate treatment of inmates and protection of public safety; and

WHEREAS, Private firms generate profits by cutting back on inmate services, programs that lessen recidivism and inmate healthcare. The impact of privatization has been especially devastating on inmates requiring healthcare services and specialized treatment because inmates tend to have greater healthcare needs than the general public; and

WHEREAS, Private firms encourage the exportation of inmates to private facilities in other states to optimize their profit potential. This business practice moves inmates far away from their families and support networks. For instance, inmates from Washington, D.C. are currently housed at private prisons in Ohio and New Mexico; and

WHEREAS, Private firms generate profits by understaffing facilities, paying employees inferior wages and benefits, providing inadequate staff training, and not paying corporate or property taxes. This endangers inmates, workers and the community. In addition, it erodes local economies and increases the liability for the contracting jurisdictions; and

WHEREAS, Despite all of the ways that private management firms cut corners, there is no conclusive evidence that prison privatization saves tax dollars. However, there are numerous "horror" stories at private prisons in places like Youngstown, Ohio; Travis County, Texas; Jena, Louisiana; and Santa Rosa and Hobbs, New Mexico; and

WHEREAS, The stock prices for the three biggest companies, which manage over 80% of all adult private prison beds, have plummeted, and each of the companies has experienced severe financial difficulties. This has put added pressure on the private firms to cut corners and jeopardize inmate treatment and public safety. Furthermore, the financial viability of these firms is uncertain and presents significant risks to jurisdictions that contract with them; and

WHEREAS, There is widespread opposition to private prisons. A recent poll, conducted by the renowned research firm of Lake Snell Perry & Associates, found that 51%

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of people likely to vote in the 2000 election oppose private prisons while only 28% support them. Groups across the political spectrum - from churches to inmates' rights advocates, unions and law enforcement organizations - are on record opposing private prisons.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators strongly opposes the privatization of prisons. The case against prison privatization is clear. The profit motive leads to increased recidivism, and it does not improve prison operation or save taxpayer money. Prison privatization only benefits corporations and their shareholders. The promises to communities of jobs and tax revenues never materialize. Cost-cutting and high employee turnover lead to dangerous conditions inside and outside the prison walls. The operation of prisons is a fundamental government responsibility; and

BE IT FURTHER RESOLVED, THAT NBCLS and its members fight to pass legislation that will prohibit private prisons and/or limit the expansion of the industry.

BE IT FINALLY RESOLVED, THAT NBSCL will also work with other organizations and interested parties to stop prison privatization.

Sponsored by: Committee/Task Force of Jurisdiction: African American Males

Committee/Task Force of Jurisdiction: African American Males
Representative Spencer Coggs (WI)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

**BLACK
CONSUMERISM
AND
CORPORATE
RESPONSIBILITY**

RESOLUTION 01-06

Consumer Loan Regulation

WHEREAS, an increased accessibility of consumer loans has resulted in the recent increase in household debt; and

WHEREAS, household debt is higher than disposable income in the United States; and

WHEREAS, an increase in the number of businesses providing consumer loans such as, credit cards, payday loans, title loans, small loans and rent-to-own businesses and the ability to obtain these services with minimum collateral has removed many obstacles that persons encounter when seeking such a loan; and

WHEREAS, consumer loan businesses often target specific populations including low-income individuals, minorities, elderly, and uneducated; and

WHEREAS, the loan amount plus the exorbitant interest rates place a hardship and burden on the individual who may have needed the loan for the necessities of life; and

WHEREAS, the high interest rates often result in the amount of the interest owed being greater than the original amount of the loan:

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators request that all NBCSL members should sponsor and work toward passage of stricter regulations on businesses that provide consumer loans.

Sponsored by: Representative John Horton

Committee/Task Force of Jurisdiction: Black Consumerism and Corporate Responsibility
Assemblyman Al Van (NY), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-07

State Community Economic Development

WHEREAS, the well-being of African American communities is a function of economic empowerment and wealth creation; and

WHEREAS, after an unprecedented ten year economic boom, African Americans, despite hard won advancements, continue to lag farther behind the nation in wealth creation; and

WHEREAS, true economic renewal and wealth creation occurs when African American communities build the capacity to control their economic future through community economic development institutions and practices; and

WHEREAS, community economic development also requires organizational development skills for leadership development, and effective strategic planning and decision making; and

WHEREAS, the devolution of federal responsibilities and programs to state government increases dramatically the role and influence of state legislatures to shape meaningful state economic development policy; and

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators request that each state Black Caucus develop a comprehensive community economic development strategy for the African American community that is an integral and equal component of a state economic development plan. Such a comprehensive community economic development strategy agenda would bridge urban and rural African American people, support statewide intermediaries to build organizational capacity (state associations of CDCs); alternative financing institutions (minority community credit unions); and minority business development and policy centers.

BE IT FURTHER RESOLVED, that the necessary appropriation of state funds is required to insure a statewide comprehensive minority economic program to yield measurable and substantial results in building wealth in the African American Community.

Sponsored by: Senator John Horhn (MS), Representative John Hall(NC)

Committee/Task Force of Jurisdiction: Black Consumerism and Corporate Responsibility
Assemblyman Al Van (NY), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

**BUSINESS
AND
FINANCE**

RESOLUTION 01-08

MINORITY MONEY MANAGERS AND BROKERS

WHEREAS, the enhancement or expansion of opportunity for underrepresented groups in economic development is a continuing goal of NBCSL; and

WHEREAS, Public Pension Funds have over seven trillion dollars in assets under their control; and

WHEREAS, only 16 states, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Louisiana, Maryland, New Jersey, New York, North Carolina, Ohio, Texas, Virginia and Wisconsin currently utilize minority investment professionals as fund managers; and

WHEREAS, the remaining states with the exception of Arkansas, which has an ongoing search, have zero participation of minority money managers; and

WHEREAS, equity and parity in pension fund management furthers legitimate economic development goals for the African-American community and our respective states and nation overall; and

WHEREAS, minority money managers and brokers have when given the opportunity, demonstrated their ability and capacity to perform or out perform majority firms.

NOW THEREFORE BE IT RESOLVED BY the 24th annual legislative conference of the National Black Caucus of State Legislators, assembled in Charlotte, North Carolina thru their state caucuses work to enhance and expand minority participation in their state pension fund management program; and

BE IT FURTHER RESOLVED, that NBCSL encourages all members to explore, investigate and where appropriate, introduce bills similar to legislation enacted into law in Illinois, Indiana and Ohio that statutorily mandates participation by minority money managers as pension fund investment managers and brokers.

Sponsored by: Rep. William A. Crawford (IN)

Committee/Task Force of Jurisdiction: Business and Finance
Representative Edwin R. Murray (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

**ELEMENTARY
AND
SECONDARY
EDUCATION**

RESOLUTION 01-09

**Fair Funding For Federal Special
Education Mandates**

WHEREAS, Congress continues to renege on its promise to fairly fund the costs of federal mandates in special education; and

WHEREAS, such mandates are imposing extraordinary costs on state and local school districts; and

WHEREAS, lack of proper funding prevents many special education children from receiving a quality education in the “least-restrictive environment”; and

WHEREAS, the refusal to adequately fund such important and worthwhile mandates results in *de facto* discrimination against poor children in inner cities and in poorer rural areas; and

WHEREAS, special education federal mandates cost \$42 billion last year; and

WHEREAS, such expenditures encourage poorer districts without adequate property tax revenues to cut back on efforts to raise standards and challenge all students; and

WHEREAS, Congress no longer faces the huge federal deficits that provided excuses for past failures to fund federal special education mandates; and

WHEREAS, NBCSL’s support for quality education for all children is a basic tenet of our commitment to democracy:

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators work with the other organizations to make fair federal funding for federal special education mandates one of their priority items for this and subsequent sessions of Congress until a 50/50 federal-state formula is realized by 2002.

Sponsored by: Senator C. J. Prentiss (OH)

Committee/Task Force of Jurisdiction: Elementary and Secondary Education
Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-10

Public School Funding

WHEREAS, the current federal budget expects to generate a surplus of funds due to an expanding economy; and

WHEREAS, Congress has an unprecedented opportunity to fund needed social programs; and

WHEREAS, current federal programs such as Head Start and Title I serve only a fraction of those eligible to enroll in these programs; and

WHEREAS, plans put forward by President Clinton to **CHANGE TO ADEQUATELY STAFF SCHOOL** and to repair and build schools will require significant increases in federal spending; and

WHEREAS, urban and rural public schools are in an advanced state of crisis, making recruitment of teachers difficult and **RESULTING IN LIMITED** educational opportunities for students (**DELETE** more limited); and

WHEREAS, URBAN AND RURAL PUBLIC SCHOOLS ARE NOT PROPERLY MAINTAINED, NOT ADEQUATELY STAFFED, NOT ADEQUATELY EQUIPPED, AND ARE IN DESPERATE NEED OF RENOVATION AND NEW SCHOOL CONSTRUCTION; AND,

WHEREAS, 50 percent of the current discretionary budget is being spent on the military budget; and

WHEREAS, funding of social programs such as public education creates many more jobs at union wages than does military spending; and

WHEREAS, the Arms Trade Resource Center indicates that “a consensus among experts exists across the political spectrum that military spending can be reduced (at the very minimum) by 15 percent to reflect the end of the Cold War”:

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators call on Congress to use the strengthened financial resources of the United States to develop a “Marshall Plan” for public education within the country, making available massive financial assistance to guarantee quality education for all students; and

BE IT FURTHER RESOLVED, that the NBCSL call on Congress to meet its obligations to the people of the country by fully funding social programs including public

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education and suspending any plans to increase the military budget until social programs are adequately funded.

Sponsored by: Senator C. J. Prentiss, OH-OH

Committee/Task Force of Jurisdiction: Elementary and Secondary Education
Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-11

Ensuring High Quality In Distance Education For College Credit

WHEREAS, one of the most pronounced trends in higher education is the exponential growth of distance education coursework, which commonly describes courses in which nearly all the interaction between the teacher and student is not in the same classroom but takes place electronically with little or no interaction at the same time and same place between and amongst students; and

WHEREAS, the importance of distance education is underscored by the increase in courses for college credit ranging from workforce training to undergraduate and graduate programs—sometimes, in fact, covering an entire academic degree program—and the increase in the number of distance education providers, including a large and growing number of for-profit enterprises; and

WHEREAS, high-quality distance education programs—including video-based and Internet-based coursework—hold great potential for serving, among others, geographically isolated and homebound students, as well as students whose personal and professional obligations make it impossible for them to regularly attend college-based programs; and

WHEREAS, it is essential that distance education courses have the same level of academic rigor as traditional courses and that there is a high level of interchange among students, and between students and their professors, in distance education courses; and

WHEREAS, the NBCSL has a long history of involvement with distance education, including two convention resolutions enacted in 1996 and 1998, numerous publications on distance education issues and trends, and advocacy to keep quality front and center in the policy debate about distance education; and

WHEREAS, in a continuation of that involvement, NBCSL recently conducted a survey of college faculty who teach distance education courses, to assist the union in developing basic principles of good educational practice in distance education; and

WHEREAS, the survey indicated that practitioners overwhelmingly believe higher education should move forward with distance education, even as they described a variety of problems, including the need for greater support to faculty developing distance coursework, the need for more faculty and student training in employing technologies, the difficulties of teaching and evaluating certain subjects in cyberspace and the challenges of maintaining high motivation among students from a distance; and

WHEREAS, over 70 percent of the practitioners responding to a survey question indicated that no more than half of a full undergraduate degree program should be offered by distance education, citing the importance of same-time same-place communication as part of the undergraduate experience; and

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WHEREAS, the NBCSL is working to develop formal Guidelines for Good Practice in Distance Education based on the practitioner survey and the findings of other organizations engaged in this subject in order to focus the policy debate on access and quality and to assist affiliates in developing positions that advance good practice in their negotiations and public advocacy; and,

WHEREAS, it is recognized that students need access to resources and an exchange of ideas with peers and instructors; and,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators provide guidelines in distance education include, among others, the following broad principles:

- Academic teaching faculty must maintain control of shaping, approving and evaluating distance education courses.
- The faculty teaching distance education courses must be provided adequate time, compensation, training and technical support to develop and conduct courses. Faculty should not be required to teach in this medium.
- Distance education students must be given advance information about course requirements, equipment needs and techniques for succeeding in a distance environment, as well as technical training and support throughout the course.
- No student should have to be offered distance education as his or her only opportunity to obtain a public college education.
- Designing distance education courses should not be approached in terms of replicating the traditional classroom but in terms of maximizing the potential of the medium that will be employed—faculty must be provided appropriate technical assistance to achieve this.
- Close personal interaction must be maintained in distance education courses among students and between teachers and students through electronic means, and, whenever feasible, opportunities for same-time same-place interaction should be provided.
- Class size should be consistent with high student-teacher interactivity and should be determined through normal faculty procedures to ensure high educational quality.
- Equivalent library materials and research opportunities must be provided to distance education students.

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- Assessment of student knowledge, skills and performance using standards as rigorous as those in classroom-based courses.
- The same level of student advisement and counseling must be maintained for distance education students.
- Faculty should retain creative control over the use and re-use of distance education materials.
- Full undergraduate degree programs should include classroom-based coursework, with exceptions permitted on a case-by-case basis for students truly unable to participate in classroom education.
- Research on the effectiveness of distance education for particular subjects and different types of students should be accelerated.
- Professional staff be recognized as critical to the quality of distance education and that their full involvement be recognized with adequate resources and funding.

BE IT FURTHER RESOLVED, that the NBCSL support these Guidelines for Good Practice in Distance Education and that the NBCSL continue providing reports on distance education trends and contractual provisions in order to keep the its membership apprised of quickly changing developments in this field.

Sponsored by: Senator C. J. Prentiss, OH

Committee/Task Force of Jurisdiction: Elementary and Secondary Education
Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-12

Improving Standards for K-12 Schools

WHEREAS, states are identifying some low performing K-12 schools with stipulations to improve standards by specified times or face the possibility of state receivership; and

WHEREAS, African American schools are mostly affected where inner city children are in majority attendance; and

WHEREAS, research reveals that schools have been grossly neglected by state departments of education, and local and county political bodies by denying and/or requiring less than:

- Adequate funding
- Advance and/or uniform curriculum, supplies and materials including technology
- State of the arts buildings/facilities
- Health Care
 1. Vision and hearing screening
 2. Dental Care
 3. Psychological evaluations and health services for addicted children and families
 4. Teacher retraining
 5. Effective parent participation and training
 6. Preventive and corrective measures for at risk children in K-4th grades to close widening gap and digital divide in preparation for the global economy
 7. Internet accessibility and technology infrastructure

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators require school districts in the states which include low-performing schools comply with effective strategies for improving the academic performance of African-American students:

High stakes testing should include multiple instruments for diagnostic assessment of children in the manner of such programs as the National Action for Minorities in Engineering's Vanguard Program;

That facilities in schools with 60 percent or more free lunch eligibility get the first priority for capital improvements, increased personnel funding including bonuses for certified and subject-matter qualified teachers; technology resources including broadband access for five computers per student as specified in Goals 2000;

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That facilities in schools with 60 percent or more free lunch eligibility be required to have current textbooks and textbooks that are proven effective with the cultural populations of the student body;

Experienced, certified, subject-matter qualified teachers have incentives for participating in the education of schools with 50 percent or more free lunch eligibility and that resources be devoted to recruitment and retention of teachers who are indigenous to those schools' communities as they are most likely to remain over the long haul;

That, because information technology has become the leading occupation among African-Americans, schools serving that student population have access to a minimum standard of five computers per student with wireless or broadband access that connects them to such cultural resources as African-American museums, historically black colleges and universities and significant math/science role models in order to prepare students for high-wage occupations;

That historically black colleges and universities be tasked with the primary responsibility for educational improvement of schools serving black student populations through specific teacher training, parental training, provision of distance learning to fill gaps in teacher competence, development of curriculum and enhancement of appreciation for African-American art, music, culture and history;

Professional development resources should have a priority of improving the quality of instruction for the students who need it most; those resources shall include the utilization of experts in pedagogy of learners of African descent; and districts should require that teachers who face black populations receive ongoing training and resources on effective strategies for motivating, disciplining, providing support services for and educating learners of African descent; and that they be assessed on their ability to convey African-American culture as a teaching strategy.

Teacher education preparation should include specific readiness for the particular needs of learners of African descent such as awareness of the significant historical, social, cultural, scientific, mathematical and political contributions of blacks in the given region, nationally and worldwide and the ability to convey that information as part of the instruction of a variety of subjects. Colleges of education should also convey the ability for teachers to assess different learning styles such as paradoxical learning, oral learners, and kinesthetic learners commonly found among African-American students, but often misdiagnosed as signs of learning disabilities, and provide prospective teachers with the tools to use the intrinsic cultural gifts that children often display in non-school settings such as churches or community programs, but are repressed from expressing by a one-size-fits-all curriculum;

Because the students who need it most get the least instruction, resources devoted to pre-kindergarten, primary reading, smaller class sizes, longer school years, extended time of instruction, after-school and Saturday academies be prioritized towards schools with performance problems as a part of regular funding as opposed to one-time, competitive grant programs.

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Distance learning and technology should be used to most quickly fill the gaps caused by the fact that one-third of schools serving a majority of African-American students have no on-site libraries and most do not have either certificated faculty or up-to-date textbooks. The Black College Satellite Network is an effective mechanism for transferring the expertise of historically black colleges and universities into the k-12 environment.

Parents and communities are key to student achievement and therefore must receive ongoing training, particularly in schools with high percentages of free-lunch eligibility or those identified as low performing. Such training should address the unique cultural attributes of the parents and community and take advantage of the Internet, historically black colleges and universities, the black church and community organizations to provide a rich learning experience for parents.

Districts should embrace the contributions that mentoring organizations such as the Black Data Processing Associates, with its computer programming competitions; the Campaign for African-American Achievement of the National Urban League and the Congress of National Black Churches and the ACTSO program of the NAACP can provide to inspire high achievement, space and time for students to see role models either in person or online or through video tape as a motivational and educational tool.

Sponsored by: Sen. C.J. Prentiss (OH)

Committee/Task Force of Jurisdiction: Elementary and Secondary Education
Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-13

A National Model For Safe Schools And A Public School Partnership Focused On Closing The Academic Achievement Gap Among Minority Students

WHEREAS, the National Black Caucus of State Legislators recognizes that in America's urban schools. (1) one out of every three middle and high school teachers' reports discipline as a major classroom problem (2) 25% of the typical middle and high school teacher's day is spent dealing with behavior of disruptive students, (3) one out of every three 9th graders have been retained and (4) approximately 50% of students enrolled in the 9th grade are not completing the 12th grade; and

WHEREAS, it is priority of the National Black Caucus of State Legislators to seek effective solutions to the growing problem of violence on many school campuses across the United States; and

WHEREAS, the National Black Caucus of State Legislators recognizes the unacceptable gap in academic achievement among minority students in our large, urban public school systems as indicated by the 2000 National Assessment of Educational Progress report, and

WHEREAS, with the leadership of the Black Caucus of Texas and Pennsylvania a valuable national model has been developed in Houston, Dallas and Philadelphia via a partnership between Community Education Partners (CEP) and the Houston Independent School District, the Dallas Independent School District, and the School district of Philadelphia to provide safer schools, lower dropout rates and achieve greater academic results for all students in these communities—particularly represented by a minority student population.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators through the sponsorship of the Black Caucus' of Texas and Pennsylvania, recognizes Community Education Partners and the leadership they represent in bringing a promising solution to the problems of school safety, escalating dropout rates, and in closing the academic achievement gap among minority students; and

BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators encourages its members to explore the development of similar partnerships between CEP and the public schools in member communities for the purpose of creating a national safety net for students in our nation's schools; and

BE IT FINALLY RESOLVED, that the National Caucus of Black State Legislators is committed to being an advocate for alternative public education, such as the model developed between CEP and the Houston Independent School District, the Dallas Independent School District and the School District of Philadelphia that offers the promise of

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improved school safety and improved educational outcomes for students who are disruptive, performing below grade level, who have been retained one, two, or more years, who are not earning grade promotion or course credits at a pace that will allow them to graduate on time, and who are likely to drop out of school, that this resolution be dispatched to the superintendents and board presidents of each members' public schools and other districts as are appropriate.

Sponsored by: Senator C.J. Prentiss (OH)

Committee/Task Force of Jurisdiction: Elementary and Secondary Education
Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-14

**Support for the Creation and Expansion of
After school Programs in the Public Schools**

WHEREAS, Over 28 million school-age children have either their only parent or both of their parents working outside of the home¹, but only 6 million K-8 children participate in after-school programs;² and,

WHEREAS, As many as 15 million children go home to empty houses after school;³ and,

WHEREAS, After school programs have been shown to improve children's academic achievement, interpersonal skills, school attendance, and behavior⁴; prevent juvenile crime; reduce the likelihood of children being victims of crimes; reduce teenage pregnancy; and reduce opportunities for teens to smoke, drink alcohol or take drugs⁵; and,

WHEREAS, There is strong public support for the creation and expansion of afterschool programs in the public schools that provide fun and enriching activities for children (kindergarten through 12th grade) before and afterschool and during summer vacations.⁶ A majority of voters believe that afterschool programs should be located in public schools and that schools and community organizations should share resources, rather than compete for them;⁷ and,

WHEREAS, School-based programs provide students with a structured environment in familiar surroundings that offer a high quality after-school experience and continuity of the school day for students, with staff who work with students during the day are best prepared to work on homework assignments, and with an environment that provides the access to the largest number of children.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators will work

¹ Bureau of Labor Statistics, *1997 Annual Average Figures from the Current Population Survey* as reported in US Department of Education and US Department of Justice, April 2000, *Working for Children and Families: Safe and Smart After-school Programs*.

² US Department of Education, Spring 1995, NCES, *NHES as Reported in US Department of Education, NCES, August 1999, Statistics in Brief*, "Participation of Kindergartners through Third Grade in Before and After-school programs."

³ Urban Health Initiative, March 1999, *After-School Programs Research Topic Brief* as reported in US Department of Education and US Department of Justice, April 2000, *Working for Children and Families: Safe and Smart After-school Programs*.

⁴ 1998-99 evaluation of Ohio's Urban School Initiative School Age Child Care (SACC) Project; Vandell and Pierce, 1999 "Can After-school Programs Benefit Children Who Live in High-Crime Neighborhoods?"

⁵ National Association for the Education of Young Children (NAEYC), March 2000, *Young Children*, "Police Leaders Call for Investment in Quality Programs to Fight Crime," pp. 68-72.

⁶ Afterschool Alliance, July 2000, *Afterschool Alert: Poll Report*.

⁷ *Ibid*

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- to establish and expand afterschool programs (6:00 a.m. to 6:00 p.m.) and summer school programs for children kindergarten through 12th grade that provide fun and enriching activities;
- to establish school-based afterschool programs that are provided by local education agencies (LEAs) and that are adequately funded to ensure access to the greatest number of children;
- to urge the federal government to expand funding for after school programs by expanding the 21st Century Community Learning Center program so as to provide universal access to afterschool programs; and,
- will encourage LEAs and community-based organizations to work together to provide afterschool programs.

Sponsored by: Senator C. J. Prentiss, OH

Committee/Task Force of Jurisdiction: Elementary and Secondary Education
Senator C. J. Prentiss (OH), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

HEALTH

RESOLUTION 01-15

The Aids Crisis in African Communities Throughout The World

WHEREAS, the rate of HIV/AIDS is growing at pandemic rate in countries with high concentrations of persons of African Ancestry throughout the world; and

WHEREAS, the Human Immuno-deficiency Virus (HIV) has been identified as the virus that causes AIDS; and

WHEREAS, the rate of HIV/AIDS in African communities is nearly one hundred times as high as the rate of HIV/AIDS in other communities; and

WHEREAS, in the USA at the end of 1999, a total of 733,374 AIDS cases had been reported to the Centers for Disease Control and Prevention (CDC); and

WHEREAS, in the USA in 1999 alone 21,419 cases of HIV were reported and of this; 14,329 cases were men (67%), female 7,090 cases (33%); and

WHEREAS, of these cases among men, black men represented 49%, white men represented 38%, Hispanics 12%, Asian Pacific Islanders/American Indian is less than 1%; and

WHEREAS, among females, black woman represented 70%, white women 8% and Asian Pacific Islanders/American Indians less than 1%. Blacks as a group represented 11,518 cases or 54% of all 1999 HIV cases; and

WHEREAS, life expectancy in most of African communities has declined significantly due to the spread of the disease AIDS; and

WHEREAS, the number of children orphaned due to the deaths of both parents from AIDS poses a socio-political problem with a future generation being raised parentless and, in some cases, valueless; and

WHEREAS, new anti-retroviral therapies exist that prolong life and markedly improve the quality of life for persons with AIDS; and

WHEREAS, the prohibitive cost of anti-retrovirals makes it unlikely that these sub-Saharan Nations Caribbean will be able to purchase needed medications.

THEREFORE BE IT RESOLVED BY THE 24th ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 27-DECEMBER 2, 2000 that the National Black Caucus of State Legislators hereby supports and encourages:

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- Special Funding of Two Billion Dollars to provide to provide anti-retroviral medication for sub-Saharan nations and other communities of high HIV/AIDS concentration
- Special Federal Funding of 750 Hundred Million Dollars to provide capacity building, laboratory support, and infrastructure support; and
- Federal support to establish transcontinental linkages with historically Black medical, dental and public health institutions.

Sponsored by: Rep. Shirley Nathan-Pulliam (MD)

Committee/Task Force of Jurisdiction: Health
Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-16

Elimination of Racial and Ethnic Health Disparities

WHEREAS, despite strides that have been made in overall health improvement for many Americans, communities of color experience poorer health and disproportionately higher rates of illness and death from a number of preventable causes; and

WHEREAS, African Americans have significantly poorer health outcomes when compared to non-Hispanic whites in many areas such as cardiovascular or heart disease, stroke, HIV/AIDS, cancer, particularly breast and prostate, diabetes and infant deaths; and

WHEREAS, President Clinton's Initiative to Eliminate Racial and Ethnic Health Disparities addresses the elimination of health disparities in five of the above health areas as well as child and adult immunizations; and

WHEREAS, factors contributing to health disparities include:

- Lack of financial access,
- Lack of adequate numbers of primary care providers and services,
- Lack of culturally competent providers and service delivery systems,
- Transportation and child care issues,
- Ineffective outreach and educational strategies, and
- Lack of sufficient racial and ethnic data and research to adequately address health disparities and environmental conditions which include environmental justice concerns; and

WHEREAS, the issue of health disparities is complex and multi-faceted, and requires aggressive, non-traditional and multi-dimensional approaches. Local solutions to health care problems can have a dramatic and positive effect on the health outcomes on communities of color.

THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 27-DECEMBER 2, 2000 that the National Black Caucus of State Legislators hereby expresses its support for the provision of adequate resources to support community-and neighborhood-based projects that will improve the health outcomes of racial and ethnic populations.

Sponsored by: Rep. Gilda Cobb-Hunter (SC)

Committee/Task Force of Jurisdiction: Health
Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-17

**Supporting Public Health Interventions for HIV-infected Persons
in Prisons and Jails**

WHEREAS, the HIV/AIDS epidemic has become a public health crisis in American jails and prisons, posing grave dangers to inmates, correctional employees, and the communities to which the inmates will return; and

WHEREAS, the confirmed AIDS incidence rate among inmates is six times higher than that of the general population; and

WHEREAS, estimates of actual HIV infection rates among inmates range even higher, measuring as high as 13.6% in New York, 9.5% in New Jersey, and 8.5% in Maryland; and

WHEREAS, women in prisons and jails are hit disproportionately hard by HIV/AIDS, as evinced by staggering rates among women inmates of 20.5% in New York and 16.7% in Rhode Island; and

WHEREAS, HIV prevalence among African-Americans in prisons and jails, while not reliably recorded, is estimated to be at least twice that of white inmates; and

WHEREAS, the rate of death due to AIDS in prisons is about three times that of the outside population in the same age group; and

WHEREAS, the United States Supreme Court has declared that “deliberate indifference to serious medical needs of prisoners” violates the Eighth Amendment of the Constitution, and federal courts have ruled that this constitutional requirement includes appropriate medical treatment for HIV/AIDS; and

WHEREAS, the availability of HIV testing, medical expertise, appropriate drug regimens, and discharge planning to support continuity of care post-release varies widely among correctional institutions,

WHEREAS, virtually all prison and jail inmates will return to their communities, exposing others to dangerously high risks of HIV infection; and

WHEREAS, drug interruptions and inconsistent and improper administration of medications during and following periods of incarceration can foster drug resistant variants that pose even greater dangers for the public at large; and

WHEREAS, many at-risk inmates lacked access to adequate medical care prior to incarceration and are difficult to reach through traditional HIV educational outreach, making the need to intervene within corrections more urgent;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators believes that the correctional setting represents a unique and critical opportunity for public health interventions targeting people at exceptionally high risk for HIV/AIDS to help protect the health of inmates themselves, correctional employees, and communities; and

BE IT FURTHER RESOLVED, that NBCSL supports expanding and improving efforts to identify inmates in prisons and jails who are HIV-positive, to educate and counsel inmates about high-risk behavior, and to provide HIV/AIDS treatment to inmates at a level consistent with prevailing national standards of medical care;

BE IT FURTHER RESOLVED, that NBCSL supports improved discharge planning and continuity of care between correctional facilities and communities to increase the likelihood that HIV-positive releases will obtain the care they need, take precautions to avoid spreading the disease, and successfully transition to life in their communities.

Committee/Task Force of Jurisdiction: Health
Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-18

Organ/Bone Marrow Procurement and Transplantation

WHEREAS, organ and bone marrow donation is voluntary and potential donors must perceive the system as fair, inclusive and equitable. The system for donations can be made more equitable, more efficient and more amenable with regard to disadvantaged communities; and

WHEREAS, increased organ and bone marrow donations would reduce system pressures and thus inequities caused by scarcity. Limited donations continue to be problematic for two reasons: the distance recipients must travel from their homes to receive transplants, and the lack of comprehensive health insurance; and

WHEREAS, inequalities in the general health care system of the United States adversely affect organ and bone marrow donations, and thus the system at large; and

WHEREAS, the procurement system is national, however, patients' access to the system is not. In some regions of the country, patients wait five times longer or more for an organ or bone marrow donation than in other regions; and

WHEREAS, organ and bone marrow allocation is a complex process involving medical compatibility between donor and recipient, social judgments, and issues of spatial distribution; and

WHEREAS, economic-based inequality, namely the ability to purchase appropriate health insurance, is also a matter of race and class; and

WHEREAS, race and socioeconomic status adversely influence the likelihood that an individual will be placed on a transplant waiting list; and

WHEREAS, changes announced by the United States Department of Health and Human Services in the national Organ Procurement and Transplantation Network (OPTN), which is administered by the United Network for Organ Sharing (UNOS), have not resulted in equitable distribution to those with greatest medical need; and

WHEREAS, since the Seventies, when transplantation became an established medical procedure, the number of organ transplants performed yearly in the United States has grown from 12,618 in 1988, to 20,961 in 1998, and the number of centers performing surgery has grown from 235 in 1988, to 278 presently. The number of patients awaiting transplantation services has grown even more rapidly, from about 14,000 in 1988, to almost 66,000 awaiting transplantation services today; and

WHEREAS, a report by the Institutes of Medicine (IOM) concluded that organ sharing, particularly livers, must take place over a sufficiently large population area in order to ensure that such life-saving organs reach the patients who most urgently need them and for whom transplantation is medically appropriate; and

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WHEREAS, OPTN needs to develop allocation policies that provide organs and bone marrow, whenever possible, to the patients who need them most based on uniform medical criteria. The goal of OPTN is to have the greatest survival for patients, and for the organs and bone marrow used in transplantation; and

WHEREAS, the responsibility of the U.S. Department of Health and Human Services, as recommended by the IOM, is to provide for public accountability, including performance goals for the system, as well as review and approval of OPTN policies on the basis of these goals.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators urge that:

1. The Organ Procurement and Transplantation Network's effort to develop standardized and enforceable medical and allocation criteria to adequately provide for broad sharing of organs and bone marrow;
2. The final rule included in the Institutes of Medicine's report directing OPTN to investigate the means for reducing socioeconomic barriers to organ and bone marrow donation, procurement, allocation and transplantation; and
3. The recommendations of the Institutes of Medicine to:
 - Establish organ and bone marrow allocation areas;
 - Discontinue use of waiting time as an allocation criterion for liver transplantation;
 - Exercise federal oversight through an advisory committee;
 - Establish independent scientific reviews; and
 - Improve data collection and dissemination.

Sponsored by: Senator Roscoe Dixon

Committee/Task Force of Jurisdiction: Health
Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-19

Calling for a Community Awareness Campaign and Study about Systemic Lupus Erythematosus (SLE) and the Prevalence of Lupus among African American Women in the United States of America

WHEREAS, Systemic Lupus Erythematosus (SLE) is a chronic, multisystem, autoimmune disease that may cause irreversible damage to the skin, joints, brain, kidney, heart and lungs; and

WHEREAS, there is strong evidence that SLE is caused from the interactions of genes with environmental factors; and

WHEREAS, African-American women are three times more likely to contract SLE than Caucasian women; and

WHEREAS, data suggests that African-Americans are disproportionately exposed to hazardous waste chemicals from a variety of sources.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators will seek funding for community outreach programs that will increase awareness about SLE and exposure to toxic wastes and facilitate a series of genotoxicity screening designs; and

AND BE IT FURTHER RESOLVED, that funding also be provided to conduct a case-control study to determine which genetic alleles cause the genotoxicity that increases the risk of contracting SLE and the relative importance of genetic, socio-economic, behavioral and environmental variables on the risk of SLE.

Sponsored by: Rep. Gloria L. Fox, (MA)

Committee/Task Force of Jurisdiction: Health
Senator Roscoe Dixon (TN), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

Health Care Reform

RESOLUTION 01-20

Asthma In School-Based Settings

WHEREAS, asthma is the leading serious chronic illness among children. Most children have mild to moderate problems, and their illnesses can be controlled by treatment at home or in the doctor's office. For some children the illness becomes a formidable problem causing numerous visits to the hospital emergency room and multiple hospitalizations; and

WHEREAS, the estimated annual cost of treating asthma in those under 18 years of age is \$3.2 billion; and

WHEREAS, asthma accounts for ten million lost school days annually. It is the leading cause of school absenteeism attributed to chronic conditions; and

WHEREAS, asthma is the third-ranking cause of hospitalization among children under the age of fifteen; it is the first-ranking chronic condition; and

WHEREAS, asthma accounts for one in six of all pediatric emergency visits in the United States. The estimated annual rate for emergency room visits among children under the age of five years is 120.7 per 100,000, the highest rate of all age groups.

THEREFORE, BE IT RESOLVED BY THE 24th ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS (NBCSL) ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 27-DECEMBER 2, 2000 that the National Black Caucus of State Legislators supports allowing school children to carry their asthma inhalers with them to school or to school-based activities; and

BE IT FURTHER RESOLVED that NBCSL further supports the addition of asthma to any listing of conditions that are checked as part of any school-based physical examination, whether for all students or for athletes.

Sponsored by: Senator C.J. Prentiss (OH)

Committee/Task Force of Jurisdiction: Health Care Reform
Senator Muriel Dawson (FL), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

HOUSING

RESOLUTION 01-21

Homeowner Protection: Anti-Predatory Lending

WHEREAS, more Americans own their homes today than any other time in history, the average African-American family has a net worth one-tenth that of the average white family; and

WHEREAS, of the wealth that African-Americans do own, fully 63 percent consist of the equity in their homes; and

WHEREAS, homeownership is a key component to closing the economic gap between White and Black America; and

WHEREAS, unscrupulous lending institutions engage in such practices, termed predatory lending, to undermine the economic stability of the African-American community nationwide; and

WHEREAS, predatory lending is defined as mortgage lenders who offer high interest loans to undeserved consumers or those who have had past credit problems; and

WHEREAS, the different classifications of predatory lending are sub-prime lending: refers to the extension of high rates, high fee loans to persons who are considered to be high-risk borrowers, equity stripping: is a loan based on the equity in a property rather than on the consumer's ability to repay the loan, packing: adds credit insurance or other extras to increase the lender's profit on the loan, and flipping: is when a lender induces a borrower to repeatedly refinance a loan, often within a short time frame, charging high points and fees each time; and

WHEREAS, it is imperative that as many consumers as possible have access to credit, but access must not come at the cost of unlawful lending practices; and

WHEREAS, in the past minority consumers were once ostracized under the practices of red-lining, they are now being targeted by the reverse tactics of blanketing minority neighborhoods with offers for home-equity loans and giving credit to people who did not need it, with terms prohibited by Federal lending laws; and

WHEREAS, many of the abusive lending practices that target African-American communities can result in foreclosure; and

WHEREAS, the banking affiliates, the Federal Deposit and Insurance Corporation, the Federal Trade Commission and the Federal Housing Agency must sustain an active role to regulate and enforce anti-predatory lending practice, and engage vigorously in consumer education; and

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WHEREAS, credit insurance premiums should not be financed into loans up-front in lump sum payments; and

WHEREAS, the borrower should not charge fees greater than 3% of the loan amount (4% for FHA or VA loans); and

WHEREAS, sub-prime loans should not include prepayment penalties; and

WHEREAS, brokers should not receive commissions in exchange for steering borrowers into excessive interest rates, which violate fair lending principles; and

WHEREAS, institution engaged in predatory lending must be barred from targeting habitat housing loans and federal community block grant loans.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators supports: civil rights community to urge the Federal Reserve Board to use the full extent of its authority to address predatory lending, particularly under the Home Ownership and Equity Protection Act; ensuring that banking institutions adopt responsible sub-prime lending principles as part of its acquisition of the associates; encourages HUD to provide funding for community education and victim assistance efforts, marry all state legislation with complimentary federal legislation, and the use of high school or college interns to develop a state-by-state list of predatory lenders and for posting on the NBCSL website.

BE IT FURTHER RESOLVED that each state should initiate state-by-state legislation to adopt anti-predatory laws modeling the North Carolina Senate Bill 1149.

Sponsored by: Assemblywoman Gloria Davis (NY),

Committee/Task Force of Jurisdiction
Assemblywoman Gloria Davis (NY), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

HUMAN SERVICES

RESOLUTION 01-22

Hunger in the United States

WHEREAS, the United States Census Bureau and Department of Agriculture (USDA) data confirm that, despite the nation's prosperity, thirty-one million Americans – twelve million of them children – still suffer from hunger or live on the edge of hunger (technically “food insecure”); and

WHEREAS, African-American and Hispanic households suffer higher than national average rates of food insecurity; and

WHEREAS, local emergency food program operators report a continuing strong need and long lines of working families, children, elderly, and legal immigrants in need of food assistance; and

WHEREAS, hunger is a national problem that undermines the ability of children to learn and grown, of adults to be productive, and of elderly persons to live in dignity; and

WHEREAS, our nation has the resources – particularly at a time of record budget surpluses – to end hunger in the United States; and

WHEREAS, the federal Food Stamp Program and other federal nutrition programs can be effective weapons in the fight against hunger; and

WHEREAS, unfortunately, in 1996, Congress made deep cuts in the Food Stamp Program, cutting eligibility for some and benefits for all; and

WHEREAS, current food stamp allotments are so low that recipients report they run out of benefits in the second or third week of the month; and

WHEREAS, statutory gaps leave the Food Stamp Program unable to serve very vulnerable populations, especially many legal immigrants, certain jobless adults willing to work, and people with drug convictions who are trying to turn their lives around; and

WHEREAS, many families leaving cash assistance are struggling at low-paying jobs and often remain eligible for but are not receiving food stamp benefits; and

WHEREAS, the USDA reports that one-third of all persons eligible for food-stamp benefits are not receiving them; and

WHEREAS, the Food Research and Action Center reports that Food Stamp Program average monthly participation dropped by nearly eight million persons between August 1996 and August 2000; and

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WHEREAS, lack of information to potentially eligible clients and overly restrictive state practices were identified by the General Accounting Office (GAS) as being factors contributing to the large drop in Food Stamp Program participation in recent years; and

WHEREAS, in its report released August, 1999, GAO warned, “there is a growing gap between the number of children living in poverty – an important indicator of children’s need for food assistance – and the number of children receiving food stamp assistance; and

WHEREAS, in 1999, the National Black Caucus of State Legislators called on the federal government to begin the job of strengthening the Food Stamp Program by enacting the Kennedy-Specter/Walsh-Clayton Hunger Relief Act (HRA)(S.1805, H.R. 3192) and the Graham-Coyne/Levin Food Stamp Outreach and Research for Kids Act (FORK) (S. 1800, H.R. 2738); and

WHEREAS, in October 2000, President Clinton and Congress, working in a bipartisan effort, made significant progress by appropriating funds that will be available for food stamp outreach activities (as sought by FORK sponsors) and by enacting two titles of HRA (to allow more households to own reliable vehicles and stay food stamp eligibility and to increase allotments for families with high shelter costs); and

WHEREAS, on November 18, 2000, President Clinton announced new rules to further ease the ability of low-income working households to access food stamp benefits; and

WHEREAS, Congress has not yet enacted the HRA title restoring food stamp benefits for legal immigrants; and

WHEREAS, 110 House Democrats have joined Rep. Eva Clayton in a letter calling for legal immigrant food stamp restorations; and

WHEREAS, on November 18, 2000, President Clinton reiterated his request for Congress to restore food stamp eligibility to vulnerable legal immigrants; and

WHEREAS, the Food Stamp Program is due to be reauthorized in 2002.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators calls for immediate and longer term actions to further strengthen the nutrition safety net to assist families and communities:

1. NBCSL applauds the leadership of President Clinton and Congressional sponsors of HRA and FORK and urges Congress, immediately upon resumption of the 106th Congress in December, to enact restoration of food stamp benefits for legal immigrants; and

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2. NBCSL calls on lawmakers during the 107th Congress to reauthorize the federal Food Stamp Program, maintaining it as a federal entitlement program and improving access to and adequacy of benefits.

Sponsored by: Senator Gwendolyn Moore (WI)

Committee/Task Force of Jurisdiction: Human Services
Senator Gwendolyn Moore (WI), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-23

Importance Of Protecting Civil Rights In Welfare Programs

WHEREAS, most parents who from welfare to work are earning very modest salaries, generally around \$7 per hour, the National Black Caucus of State Legislator resolve that:

WHEREAS, it is essential that State government take steps to use a portion of their Temporary Assistance to Needy Families (TANF) funds to assist low-income working families. Important supports that families need include child care subsidies, transportation assistance, housing subsidies, income subsidies, state earned income tax credits, opportunities for education and training to retain jobs advance to better paying positions, and interim or crisis assistance to help families avoid having to return to TANF.

WHEREAS, in addition, it is essential that state governments design systems that ensure that low-income working families are easily able to secure all other benefits for which they are eligible, including Food Stamps, Medicaid, State Child Insurance Program (SCHIP), and the federal Earned Income Tax Credit.

WHEREAS, states should also utilize the options available to them under the 1996 welfare law and Section 1931 of the Medicaid statute to expand health insurance coverage to working parents.

WHEREAS, states should design their office schedules and procedures so that they are responsive to the needs of working parents – opening earlier and on weekends and staying open later, allowing reporting to be mail, phone, fax, or e-mail – to ensure that families are not discouraged or barred from receiving supports that will help them remain employed and able to meet the needs of their families.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators should think strategically about how to best help low-income families and utilize the flexibility they have to design their welfare programs so as to protect the time clocks of some families. For example, by moving working parents who still receive a small TANF grant to a separate state-funded program, states can help families save their months of TANF eligibility for time of joblessness when the funds will be needed. States can also move families to a separate program to allow them to participate in post-secondary education without their time clocks. And, States can use TANF funds to create public jobs programs – involvement in such a program will not run a person's TANF time clock and may also be an important use of TANF funds that there are jobs for some recipients after they reach their time limit.

Sponsored by: senator Gwendolyn Moore (WI)

The National Black Caucus of State Legislators

Committee/Task Force of Jurisdiction: Human Services
Senator Gwendolyn Moore (WI), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-24

Adequate Funding For State Civil Legal Service Programs

WHEREAS, the first enumerated function of the United States Constitution is to “establish justice”; and

WHEREAS, for millions of low-income Americans state and federal civil legal services programs are the only resource to resolve civil disputes; and

WHEREAS, civil and legal services promotes a respect for the law by encouraging disputing parties to resolve their differences within the law; and

WHEREAS, by denying people of lesser incomes access to the justice system there is and will continue to be a diminished public trust and confidence in our courts and the rule of law; and

WHEREAS, even with state and local civil legal services programs, more than eighty percent of the basic civil legal of the low-income Americans are not being met; and

WHEREAS, funding for federal programs were cut by a third in 1990; and

WHEREAS, funding for federal civil legal services programs are only half of what they were in 1980 dollars; and

WHEREAS, more than forty million Americans now qualify for civil legal services; and

WHEREAS, less than eight million Americans actually receive services; and

WHEREAS, civil legal services programs provide service in every Congressional district in America; and

WHEREAS, programs and priorities are established at the local level by local boards; and

WHEREAS, legal services programs help keep families together and out of poverty; and

WHEREAS, civil legal services programs help people resolve issues including family law, consumer issues, housing issues, and helps them obtain wrongly denied benefits such as social security and veterans’ pensions; and

WHEREAS, civil legal services programs are the nation’s primary source of legal assistance for women and their children who are the victims of domestic violence; and

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WHEREAS, civil legal services programs enjoy bipartisan support at both the state and federal level.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators urges that adequate funding be provided by the states for civil legal services programs and by the Congress for its federal Legal Services Corporation to provide basic legal services to America's forty million low-income citizens to ensure the establishment of justice for all Americans, rich and poor.

Sponsored by: Senator Gwendolyn Moore, WI

Committee/Task Force of Jurisdiction: Human Services
Senator Gwendolyn Moore (WI), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-25

Opposing Prison Privatization

WHEREAS, State and local governments, confronted with prison overcrowding and fiscal constraints, and the promise of jobs and tax revenues in impoverished rural communities, have been experimenting with prison privatization; and

WHEREAS, The existence of private prisons provides perverse incentives to grow the inmate population by focusing criminal justice policy on passing punitive laws, warehousing inmates, and building prisons for economic gain; and

WHEREAS, Many states do not have any laws governing the operation of private prisons, and many contracting jurisdictions do not have a system of oversight to ensure proper accountability, appropriate treatment of inmates and protection of public safety; and

WHEREAS, Private firms generate profits by cutting back on inmate services, programs that lessen recidivism and inmate healthcare. The impact of privatization has been especially devastating on inmates requiring healthcare services and specialized treatment because inmates tend to have greater healthcare needs than the general public; and

WHEREAS, Private firms encourage the exportation of inmates to private facilities in other states to optimize their profit potential. This business practice moves inmates far away from their families and support networks. For instance, inmates from Washington, D.C. are currently housed at private prisons in Ohio and New Mexico; and

WHEREAS, Private firms generate profits by understaffing facilities, paying employees inferior wages and benefits, providing inadequate staff training, and not paying corporate or property taxes. This endangers inmates, workers and the community. In addition, it erodes local economies and increases the liability for the contracting jurisdictions; and

WHEREAS, Despite all of the ways that private management firms cut corners, there is no conclusive evidence that prison privatization saves tax dollars. However, there are numerous "horror" stories at private prisons in places like Youngstown, Ohio; Travis County, Texas; Jena, Louisiana; and Santa Rosa and Hobbs, New Mexico; and

WHEREAS, The stock prices for the three biggest companies, which manage over 80% of all adult private prison beds, have plummeted, and each of the companies has experienced severe financial difficulties. This has put added pressure on the private firms to cut corners and jeopardize inmate treatment and public safety. Furthermore, the financial viability of these firms is uncertain and presents significant risks to jurisdictions that contract with them; and

WHEREAS, There is widespread opposition to private prisons. A recent poll, conducted by the renowned research firm of Lake Snell Perry & Associates, found that 51%

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of people likely to vote in the 2000 election oppose private prisons while only 28% support them. Groups across the political spectrum - from churches to inmates' rights advocates, unions and law enforcement organizations - are on record opposing private prisons.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators strongly opposes the privatization of prisons. The case against prison privatization is clear. The profit motive leads to increased recidivism, and it does not improve prison operation or save taxpayer money. Prison privatization only benefits corporations and their shareholders. The promises to communities of jobs and tax revenues never materialize. Cost-cutting and high employee turnover lead to dangerous conditions inside and outside the prison walls. The operation of prisons is a fundamental government responsibility; and

BE IT FURTHER RESOLVED, THAT NBCLS and its members fight to pass legislation that will prohibit private prisons and/or limit the expansion of the industry.

BE IT FINALLY RESOLVED, THAT NBSCL will also work with other organizations and interested parties to stop prison privatization.

Sponsored by: Senator Gwendolyn Moore

Committee/Task Force of Jurisdiction: Human Services
Senator Gwendolyn Moore (WI), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-26

Reauthorization of the TANF Program

WHEREAS, THE 107th Congress will address reauthorization of the Temporary Assistance to Needy Families (TANF) program,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 22, 2000, that the National Black Caucus of State Legislators, calls upon Congress to enact legislation that:

Modifies the purposes of the TANF program to make clear that a primary goal is to move families out of poverty and to reward states that do this;

Increases the amount of the federal TANF block grant to include adjustments for inflation, continuation of a supplemental formula for states, which historically have had low benefit levels, and additional funds to serve low-income non-custodial parents;

Modifies the federal time limit in ways that ensure that families who are unable to work will be protected;

Provides increased child care funds through the Child Care and Development Block Grant to ensure that more children are able to receive subsidized, quality child care while their parents work; and

Modifies work activity requirements to allow parents to receive credit for education, both towards a GED and post-secondary education.

Sponsored by: Senator Gwendolyn Moore (WI)

Committee/Task Force of Jurisdiction: Human Services
Senator Gwendolyn Moore (WI), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

INSURANCE

RESOLUTION 01-27

State Children's Health Insurance Programs

WHEREAS, State Children's Health Insurance Programs (SCHIP) have been implemented in all states except Wyoming to serve as the primary vehicle for providing moderate and low wage working families with access to affordable health insurance coverage; and

WHEREAS, employers and workers continue to face double digit increases in health care premiums; and

WHEREAS, even in these prosperous times, over 45 million individuals lack health insurance coverage, and working families have suffered an erosion in the availability of affordable, comprehensive health insurance; and

WHEREAS, the delinking of welfare and Medicaid that occurred during welfare reform resulted in dramatic and injurious declines in health insurance coverage among *eligible* adults and children; and

WHEREAS, a number of states have taken pioneering steps to expand their SCHIP programs, including outreach to working families at higher income levels who are in need of coverage, creating more categories of eligible individuals including adults, and providing premium assistance so families can all receive coverage through the same employer or union plan; and,

WHEREAS, many states have eliminated barriers in their application processes to facilitate enrollment of more eligible individuals; and

WHEREAS, all working families benefit when fewer individuals delay or are denied care because of lack of insurance; and

WHEREAS, employers that offer affordable, adequate health insurance to their employees should not be placed at an economic disadvantage relative to those employers that do not;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators support the following:

(1) Introduce legislation to expand SCHIP programs to cover individuals and families at least up to 300% of poverty.

(2) Support the expansion of the State SCHIP programs to cover uninsured adults.

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(3) Support expansion of the State SCHIP programs to facilitate coverage of workers who lack coverage because of irregular work schedules or part-time or part-year schedules.

(4) Encourage policy changes in the State SCHIP programs to include premium assistance components that allow dependants to receive coverage through the same plans as the insured family member, while not encouraging employer crowd-out or substitution.

(5) Encourage the streamlining of the State SCHIP application processes so all eligible individuals can enroll.

(6) Encourage expanded outreach activities among all individuals, particularly those facing language, cultural or geographic barriers, to increase awareness of the benefits of the State SCHIP programs; and,

(7) Explore strategies for ensuring universal access by coordinating SCHIP, community health centers, and other existing resources.

Sponsored by: Delegate Nathaniel Oaks

Committee/Task force of Jurisdiction: Insurance
Representative John Hilliard (AL), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-28

Surety Bonding

WHEREAS, the opportunities for minority contractors inherent in the construction industry are immense; and,

WHEREAS, minority contractors have historically had difficulty in participating in construction contracts, both public and private, because of their inability to obtain surety bonding; and,

WHEREAS, the surety industry has, in the past, been perceived to have been less than responsive to the needs of minority contractors seeking surety bonding, but is committed to proactively addressing this issue; and,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators asserts that there is a need for a comprehensive plan and program to address the issue of access to bonding; and,

Be it further resolved that the surety industry is regulated by legislation at the state level;

- Develop model legislation to be introduced by its membership in the state legislatures as priority legislation, that address issues of access to surety bonding by minority contractors, including unbundling of contracts incremental bonding, and non-compliance consequences and penalties; and,
- Appoint an ad hoc committee on surety bonding to work with representatives of the surety industry, especially the Surety Association of America, to assist in the development of this model legislation and to have this industry support the introduction and passage of such legislation in the various states.

Sponsored by: Representative John Hilliard

Committee/Task force of Jurisdiction: Insurance
Representative John Hilliard (AL), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-29

Universal Health Assurance

WHEREAS, the establishment of a State Universal Health Assurance Programs are necessary to provide each state with single, publicly financed, statewide insurance that will provide comprehensive coverage for all necessary health care services for all residents of each state; and

WHEREAS, each Program should have as its goals: the control of health care costs, the provision of adequate funding for each state's health care delivery system, and timely access to necessary health services of the highest quality for every resident of each state, thus allowing all individuals, businesses, and providers to benefit from the Program; and

WHEREAS, each Program should be a body corporate and instrumentality of its state and the appropriate state department director should divide the state into an appropriate number of regional health care districts of roughly equal population in order to provide fair and accessible health care to all residents; and

WHEREAS, each Program should appoint a governing Board with appropriate representation from health care professionals and sufficient representation of racial and ethnic minorities and of disabled persons to ensure that the Board will accurately reflect the racial , ethnic, and disabled diversity of each state and of its residents; and

WHEREAS, the Board should administer and manage the Program in the best interests of particular state needs; and

WHEREAS, each Program should keep as its primary goal the provision of health care to any resident of the state regardless of race, color, income level, national origin, religion, sex, sexual orientation, or other non-medical criteria:

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators urge all NBCSL members should sponsor and work toward passage of a Universal Health Assurance Program within their respective states for the purpose of providing affordable, accessible health care to all state residents.

Sponsored by: Sen. Nathaniel Exum

Committee/Task force of Jurisdiction: Insurance
Representative John Hilliard (AL), Chair

The National Black Caucus of State Legislators

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

INTERNATIONAL AFFAIRS

RESOLUTION 01-30

Resolution on the Encyclopedia Africana

WHEREAS, the concept of having authentic history of Africa and African life documented in an organized form may have been considered by many from all over the world, however, the people and structures that are instrumental in formulating a strategy to implement the idea of an Encyclopedia Africana were the late Dr. W.E.B. DuBois and Kwame Nkrumah; and

WHEREAS, In 1959 Kwame Nkrumah, President of Ghana saw the need of Black elected officials and scholars joining together and publishing the most important set of books about the African world and asked Dr. W.E.B. DuBois to spend the “sunset years of (his) life” editing the Encyclopedia Africana, a dream of Dr. DuBois since 1909; and

WHEREAS, efforts towards the realization of the Encyclopedia Africana dream culminated in the establishment of the Secretariat for the Encyclopedia Africana Project (EAP) in Accra, Ghana in 1962; and

WHEREAS, the mandate of the EAP’s Secretariat has been to initiate, facilitate and produce authentic peer-reviewed articles, the central subject of the articles must be indigenous Africa and African life; and

WHEREAS, to give structure to the Secretariat’s output, articles were to be published in a series of volumes, constituting the Encyclopedia Africana. Each set of volumes was to cover an aspect of African life such as: history, economic systems, architecture, religion, biographies, and medicine; and

WHEREAS, the overall management of the EAP is under a Pan-African committee known as the Standing Committee of the Editorial Board of the Encyclopedia Africana Project. The Standing Committee is constituted by a number from each participating African Country; and

WHEREAS, from its inception until 1967, the EAP was funded by contributions from participating African Countries. Since 1967, however due to various socio-political changes in Africa, and the absence of both Drs. W.E.B. DuBois and Kwame Nkrumah funding sources of the project have been reduced to that of the Ghanaian Government, which only maintains the Secretariat; and

WHEREAS the standing committee directed the Secretariat to concentrate on the production of a twenty volume dictionary of African biography, each volume to cover a country or a group of countries depending on information available; and

WHEREAS, the secretariat under the Chairman of the Standing Committee, Dr. S.O. Biobuku, former Vice Chancellor of the University of Lagos, has managed to publish three volumes of the Dictionary of African Biography, Volume I- Ghana and Ethiopia, Volume II- Sierra Leone and Zaire, and Volume III- South Africa, Botswana, Lesotho and Swaziland; and

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WHEREAS, since the publication of the third volume in 1995 it has been financially difficult for the EAP to undertake the necessary activities to complete the project; and

WHEREAS, in the absence of substantial and regular assistance to advance the work of the Encyclopedia Africana, the Secretariat has endeavored to enter into various collaborative working arrangements as well as to seek the support of individuals and institutions in various forms; and

WHEREAS, one such effort yielded the present working relationship with the Race Relationship Institute (RRI) of Fisk University; and

WHEREAS, the 100th anniversary of when Dr. DuBois first proposed the Encyclopedia Africana is 2009, it would be a great legacy for African American elected officials and scholars once again to join together and fulfill Nkrumah and DuBois dream of an “all African Encyclopedia;”

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28 - DECEMBER 2, 2000, that NBCSL will enter into a partnership with the Encyclopedia Africana Project to assist in attaining, the necessary financial commitments from the public and private sectors in order to complete this project; and

Be it further resolved that a copy of this resolution be transmitted to the Chairperson of each state legislative Black Caucus urging their membership to support the Encyclopedia Africana Project.

Sponsored by: Representative Henri E. Brooks, TN

Committee/Task Force of Jurisdiction: International Affairs Committee
Representative Reginald Beamon (CT), Committee Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-31

Africa Debt and Global Apartheid

WHEREAS, African countries are continually forced to divert money from health care, education and economic development to pay the interest in illegitimate foreign debts. The All Africa Conference of Churches calls Africa's debt burden "a new form of slavery as vicious as the slave trade"; and

WHEREAS, Africa's challenges are now compounded by the deadly AIDS plague which is killing millions of women, children and men in Africa. In some countries up to 20% of the population is infected with the HIV virus. Yet these countries cannot afford even the most basic resources for preventions and treatment. The AIDS pandemic has become another feature of global apartheid, concentrated largely in Africa and among communities of color in the United States where equal access to quality healthcare is absent; and

WHEREAS, most of Africa is not at war, the tragic conflicts that are occurring have devastating consequences. But these conflicts are not without solutions. Rather they fester because of the international double standard in how the world responds to conflicts in Europe compared to those in Africa. In Kosovo the U.S. has provided troops and funding for peacekeeping. In Sierra Leone the U. S refused to transport peacekeeping troops from other countries; and

WHEREAS, in the U.S, development aid for Africa continues to be cut. Funding by the U.S. is less than \$800 million in development assistances to all 48 countries of sub-Saharan Africa while providing \$5 billion to two countries in the Middle East alone. The double standard is obvious. The vast majority of African countries cannot develop their economies without significant development assistances and cooperation from the rich western countries that have take so much from Africa over five centuries; and

WHEREAS, the National Black Caucus of State Legislators has a proud history of supporting justice and democracy in Africa.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28 - DECEMBER 2, 2000, that the National Black Caucus of State Legislators do hereby recommend

- (1) unconditional debt cancellation of the African debt owed to the U.S. government and advocates for the implementation of similar policies by other creditor governments and financial institutions,
- (2) a solution to address the AIDS pandemic in Africa that will include the rebuilding and rehabilitation of primary health care systems on the continent as a whole. To support

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- African governments efforts to acquire anti-viral and other HIV/AIDS related drugs, free of charge or at an affordable cost.
- (3) The U.S. to assume an equal obligation toward promoting peace in Africa as it has in Europe and to exert decisive financial, and diplomatic leadership to help resolve conflicts on the continent. These conflicts have inflicted intense human suffering.
 - (4) The U.S. Congress to enact legislation to penalize companies, subsidiaries and governments who violate human rights.
 - (5) The U.S Government to provide development assistance to the 48 countries of sub-Saharan Africa comparable to that providing to other regions such as Europe and the Middle East and
 - (6) State legislative entities represented by members of NBCSL introduce and pass a similar resolution in their respective states.

Sponsored by: Representative Reginald Beamon (CT)

Committee/Task Force of Jurisdiction: International Affairs Committee
Representative Reginald Beamon (CT), Committee Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-32

Native American Rights

WHEREAS, before Christopher Columbus, Native American societies had made great artistic, scientific, cultural, and governmental achievements, including the architectural marvels of Cahokia (a city which was larger than London in the 14th Century), the Sky City of the Acoma Pueblo (the oldest inhabited settlement in North America), and the serpent mound of Ohio; and

WHEREAS, all Americans, and people throughout the world, should acknowledge and thank Native American societies that developed corn and other staple foods that are used on tables throughout America and the world everyday; and

WHEREAS, The United States of America recognized the genius and beauty of the Native American self-government and the Founding Fathers studied the Six Nations Confederacy of the Iroquois in designing our own system of constitutional checks and balances; and

WHEREAS, since the formation of the Union, the United States has recognized Native American Nations and Tribes as self-governing societies, with a continuing right to live according to their time honored cultures, traditions, and laws on their own lands; and

WHEREAS the Constitution of the United States acknowledges the status of Native Americans as governments in the Indian Commerce Clause and acknowledges the sovereignty of Native American Tribes in the Supremacy Clause by ratifying the early Native American treaties entered into under the Articles of Confederation; and

WHEREAS, the United States of America guaranteed the right of Native American Nations and Tribes to self-governments in treaties; and

WHEREAS, the Supreme Court of the United States has recognized Native American Tribes as self-governing nations under Federal protection; and

WHEREAS, despite the United States many pledges to Native American Nations and Tribes, the United States broke many Native American Treaties, carried out wars against Native American Nations, and after destroying traditional tribal economies and ways of life, often forced Native American Nations onto small area of unproductive lands; and

WHEREAS, Native American Nations and Tribes possess sovereign authority over their members and territory, including economic development and gaming; and

WHEREAS, the Congress of the United States has acknowledged the right of Native American Tribes to engage in gaming as a means of generating tribal government revenue to build strong tribal governments, 25, U.S.C. sec.2701;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28 - DECEMBER 2, 2000, that the National Black Caucus of State Legislators acknowledges the status of Native American Tribes as sovereign governments, strongly supports continued recognition of the Indian Treaty Rights and rights of self-government, and strongly supports the right of Native Americans to have gaming upon their land as a means of generating tribal governmental revenue and economic development for Native American reservations; and

BE IT FUTHER RESOLVED THAT the National Black Caucus of State Legislators acknowledges that the right of self-government is a basic human right, civil right, and fundamental freedom of Native American and Tribes guaranteed by the Constitution and Laws of the United Nations.

Sponsored by: Representative Henri E. Brooks (TN)

Committee: International Affairs Committee
Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-33

Global Initiative on AIDS in Africa

WHEREAS, the *Global Initiative on AIDS in Africa*, a non profit organization committed to providing food, shelter, clothing, housing, medical care, education, and a whole life experience to Africa's AIDS Orphans; and

WHEREAS, the Isaac Hayes Foundation (IHF) is dedicated to developing educational facilities in Ghana, and throughout the continent of Africa; and

WHEREAS, the Isaac Hayes Foundation believes that education is key to the development, well-being and to any opportunity for a normal, whole life experience for African children; and

WHEREAS, the IHF recently invested \$450,000.00 to build and open it's first school in Ghana, West Africa- "*The Isaac Hayes Foundation Neko Tec Academy*" serving over 400 students; and

WHEREAS, the Isaac Hayes Foundation will develop and construct *Neko Tec Academies* throughout the continent of Africa to educate and train children orphaned by AIDS; and

WHEREAS, the Isaac Hayes Foundation is committed to encouraging and supporting educational opportunities for all children in Africa; and

WHEREAS, the Global Initiative on AIDS in Africa is committed to unifying, supporting and empowering African-American and African based grass roots organizations who are providing services, care and educational opportunities to children orphaned by AIDS; and

WHEREAS, the Global Initiative on AIDS in Africa is the largest, most aggressive international private sector collaborative *advocating for Africa's AIDS Orphans* with over 1,000 African-based grassroots affiliates and beneficiary foundations who collectively and currently service millions of orphans on the continent of Africa; and

WHEREAS, the Isaac Hayes Foundation and the Global Initiative on AIDS in Africa have joined forces in collaboration of their mutual goals and commitments to the children of Africa; and

WHEREAS, the IHF and the Global Initiative on AIDS in Africa seek the endorsement and support of the NBCSL to assist their efforts; and

WHEREAS, NBCSL and the Sullivan Entities have signed a "Memorandum of Understanding" for joint cooperation of support and assistance to international efforts.

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NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28 - DECEMBER 2, 2000, that the National Black Caucus of State Legislators hereby recognize, honor, support and whole-heartedly endorse this joint initiative between the Isaac Hayes Foundation and the Global Initiative on AIDS in Africa.

BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators urges its membership to join the efforts of this initiative and endorses it as an official global private-sector initiative supporting and advocating the care of and education of all of Africa's AIDS orphans and other policy organizations with advocacy for Africa.

Sponsored by: Rep. Henri E. Brooks (TN)

Committee: International Affairs Committee
Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-34

Immigration

WHEREAS, with the exception of Native Americans and the descendants of African slaves, all of those currently living in the U.S. are either immigrants or the descendants of immigrants; and

WHEREAS, immigrants from every continent have played an important role in the history of the U.S. by helping us to unite around democratic principles, while encouraging us to celebrate our country's rich and vibrant diversity; and

WHEREAS, the U.S. immigration system should operate on principles of order, responsibility and fairness; and

WHEREAS, immigrants comprise a growing percentage of the population growth and a greater share of the U.S. labor force, while one in every four children lives in a mixed-immigration status household; and

WHEREAS, it is recognized that the current immigration system has resulted in long waits for naturalization and backlogs for permanent immigrant admissions, making the possibility of legal immigration to this country an impossibility for many; and

WHEREAS, despite their ongoing contributions to this country, immigrants are far too often the victim of discrimination, racial profiling and scapegoating at the hands of a small, but harmful, segment. This is especially true of undocumented workers, who despite their often strong ties to their workplace and community, must lead a furtive and unstable existence; and

WHEREAS, immigrants often face extraordinary hardship at the hands of those who wish to exploit them. UNSAVORY CHARACTERS continue to engage in trafficking in undocumented people who are held as slaves for years as they work off exorbitant debts. Unscrupulous employers knowingly hire undocumented workers without legal work authorization, and then use their immigration status to quell any effort to enforce workplace rights, including the right to organize into a union and bargain collectively; and

WHEREAS, some employers have used immigrant and foreign temporary workers to displace native-born workforces, leading at times to distrust and finger pointing between the two groups; and

WHEREAS, although many in the information technology industry claim a shortage of U.S. workers, thus requiring the importation of hundreds of thousands of specialty skill (H-1B) temporary foreign workers, numerous reports indicate that African Americans and Latinos are drastically under represented in this segment of the workforce; and

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WHEREAS, the Congressional Black Caucus, the Black Leadership Forum, the Black Data Processing Associates and the Coalition for Fair Employment in Silicon Valley have called on the President to take administrative steps to correct gaps in enforcement of fair employment practices caused by the passage of S. 2045 increasing the number of H1-B visas to 195,000 through enactment of an executive order that requires all applicant companies to file reports showing their compliance with fair employment practices; and

WHEREAS, laws legitimate on their face, from immigration to housing enforcement have been applied so as to harass and intimidate immigrants and their families;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators,

(1) Write to encourage Congress to enact legislation that will:

(A) Allow hard-working undocumented people with strong ties to their communities to legalize their status;

(B) Replace the current I-9 form as a tool of workplace immigration enforcement with an enforcement strategy that focuses on the criminalization of employer behavior, especially those who recruit undocumented workers and use workers' immigration status to suppress their rights and labor protections;

(C) Provide "whistleblower" protections to those immigrant workers who come forward to report labor standards violations, or cooperate in the investigation of such;

(D) Allow those hundreds of thousands of people with temporary protected status who have lived in the U.S. for many years, from such places as Liberia, Haiti, and Central America to adjust their immigration status to permanent resident; and

(E) Address reform of the current U.S. system of immigration to assure fairness and order.

(2) Encourage the President and the relevant federal agencies to correct the impact on African-American high technology workers who do not get the opportunity for jobs due to an excessive reliance on foreign guest workers by enacting the administrative changes developed by the Congressional Black Caucus; and urge

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Congress to adopt the amendments by the Congressional Black Caucus to require adherence to existing fair employment laws.

Sponsored by: Delegate Nathaniel Oaks (MD)

Committee/Task Force of Jurisdiction: International Affairs
Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-35

NBA/African Benefit Basketball Game

WHEREAS, Basketball is a vehicle that has given young African Americans unprecedented international exposure. Understanding the worldwide fascination attached to NBA players, the game of basketball presents an unmatched means to uniquely accomplish socially beneficial and financially rewarding initiatives that can act as a catalyst in the overall development process of Africa; and

WHEREAS, The Emissary group has organized NBA goodwill basketball tours to Ghana, Cote d' Ivoire and Benin. As a result of these tours the Emissary Foundation was established to promote African education, health and recreational activities; and

WHEREAS, the involvement of NBA players in African affairs has the potential to likewise heighten the international level of awareness and support for Africa. Toward this end, the Emissary organization is working with the NBA, and the NBA Players Association, to implement high profile interrelated African basketball initiatives that extend far beyond the mere aspect of the game itself, with the aim to ultimately advance the interests of Africa; and

WHEREAS, there are a number of multinationals with a longstanding presence, and a recent influx of U.S. businesses in Africa. It is a known fact that foreign companies operating in Africa exist to profit, even in some cases at the expense of the needs and people of Africa; and

WHEREAS, this presents an opportunity for leverage to sensitize, and get the cooperation of companies to support African initiatives with social components.

WHEREAS, the Emissary Foundation has decided to sponsor an annual NBA/African Benefit Basketball Game. This game will be organized in collaboration with a confluence of people, organizations, and business involved in African affairs. The game will be an All-Star level extravaganza; and

WHEREAS, The Emissary Foundation has proposed to the Congressional Black Caucus that the game be played in Washington, D.C. each September, as part of the activities of their annual Congressional Black Caucus Weekend and in order to take advantage of the spirit of cooperation and the wide range of organizations and participants attending the events; and

WHEREAS, in conjunction with supportive organizations, The Emissary organization will develop an effective promotional campaign to attract and encourage corporate sponsors and businesses to purchase advance tickets, and donate a percentage to schools, youth organizations and charities, so children in the Washington, D.C. metropolitan area can attend the game; and

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WHEREAS, proceeds from this event will be used to develop African youth educational initiatives, in collaboration with the National Black Caucus of State Legislators International Affairs Committee and its Entertainment and Sports sub-committee;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators hereby endorse, support and pledge to solicit corporate and financial commitments for The Emissary Foundation, NBA/African Benefit Basketball Game; and

BE IT FURTHER RESOLVED, that the NBCSL urges each State Legislative Black Caucus to endorse and aggressively recruit corporate commitments through their Corporate and Labor Roundtables and for the NBA/African Benefit Basketball Game.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the chairman of each state legislative black caucus urging their membership support for The Emissary Foundation's NBA/African Benefit Basketball Game.

Sponsored by: Representative, Henri E. Brooks (TN)

Committee/Task Force of Jurisdiction: International Affairs Committee
Representative Reginald Beamon (CT) Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-36

State Black Caucus African/Affairs/HIV/AIDS Committee

WHEREAS, HIV/AIDS has achieved the status of a national security issue according to the Clinton Administration in an historic address to the United Nations (UN) Security Council in January, Vice President Al Gore implored UN Security Council members to adopt an expanded definition of world security. “The heart of the security agenda is protecting lives,” the Vice President stated. He also promised to help poor countries obtain life saving anti-retroviral drugs. At the end of April, President Clinton established a precedent by redefining a public health public challenge, HIV/AIDS, as a national security priority. As such, the National Security Council has been charged with rapidly reassessing the government’s efforts in fighting HIV/AIDS.

WHEREAS two thirds of the worlds HIV/AIDS cases are located in Africa; and

WHEREAS more than 11 million African people have died; and

WHEREAS 22 million African adults are non infected; and

WHEREAS the percentage of the African population infected with HIV/AIDS is as high as 26% in some countries; and

WHEREAS 6,000 people die each day and the life expectancy rate will drop by as much as 20 years in the most affected county by 2010; and

WHEREAS the HIV/AIDS holocaust has left behind more than 13 million orphans; and

WHEREAS 9 out of 10 of the world’s orphans live in Africa; and

WHEREAS HIV/AIDS is a barrier to American values of democracy, free trade and civil stability, and is a threat to our national security; and

Therefore, Be It Resolved that the National Black Caucus of State Legislators at its 24th Annual legislative Conference convened in Charlotte, North Carolina, November 27th-December 2nd, that HIV/AIDS is a moral imperative that:

- The National Black Caucus of State Legislators and each State Black Caucus will dedicate itself to serving Africa; and
- each State Legislative Black Caucus will arrange special town hall meetings; and

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- each State Legislative Black Caucus will organize, in collaboration and partnership with the Macs's International Affairs Committee, visits to Africa's potential development areas experiencing the HIV/AIDS pandemic.

Sponsored by: Representative Henri E. Brooks (TN)

Committee/Task Force of Jurisdiction: International Affairs
Rep. Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-37

Support for Summer Pre-College Study Abroad Scholarship Program to help HBCUs Recruit and Retain Highest Achieving Black High School Students

WHEREAS, the National Association for the Advancement of Colored People (NAACP) sponsors local and regional Afro-Academic, Cultural, Technological and Scientific Olympics (ACT-SO) programs, a national youth competition encouraging high school students of African descent to strive for excellence; and

WHEREAS, traditional institutions and Historically Black Colleges and Universities (HBCUs) are in competition with in seeking scholarships to recruit and retain high achieving African American high schools students; and

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has established a Technical Assistance Center to help HBCU's develop and sponsor programs to increase the number of African American Students studying abroad in Africa and the Caribbean; and

WHEREAS, twenty four HBCU's have already approved and sponsored courses in the Dominican Republic for their students to earn college credits by studying Spanish, Caribbean cultural, and participating in internships and career development workshops on the global economy sponsored by U.S. corporations in that country; and

WHEREAS, college coursed sponsored by HBCUs and offered on the campuses of Dominican Universities were coordinated and supervised by the International Education Resource Center (IERC) which is now partnering with the NBCSL Technical Assistance Center to coordinate university business partnerships between HBCU, and ACT-SO program and U.S private sector,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators enable its Technical Assistance Center to respond to the requests from the New York City Advisory Committee of the NAACP ACT-SO Program; Presidents of HBCUs which are members of the Consortium; and the Dominican Association of Foreign Investment Enterprises (ASIEX); comprised of U.S. and other foreign corporations doing business in the Dominican Republic.

BE IT FURTHER RESOLVED, that NBCSL members us their influence to help high achieving African American high school students applying for admission to HBCU's through the NAACP ACT-SO study abroad programs in their constituencies, obtain summer study abroad scholarships and travel grants.

Sponsored by: Representative Reginald Beamon (CT)

The National Black Caucus of State Legislators

Committee: International Affairs

Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-38

United States Agency for International Development

WHEREAS, on September 4, 1961, Congress adopted the Foreign Assistant Act, thereby reorganizing United States military and non-military foreign assistance programs; and

WHEREAS, the Foreign Assistance Act mandated creation of the United States Agency for International Development, which President John F. Kennedy subsequently established by executive order; and

WHEREAS, popularly know by the acronym “USAID,” this organization is an independent federal government agency which receives overall policy guidance from the Secretary of State; and

WHEREAS, seeking to expand democracy and free markets while improving the quality of life in the developing world, USAID focuses on six principal areas: (1) economic growth and agricultural development; (2) population, health and nutrition; (3) environment; (4) democracy and governance; (5) Latin America and the Caribbean; and, (6) Europe and Eurasia; and

WHEREAS, through a network of field offices located around the world, for four decades USAID has offered long-range economic and social assistance to developing nations through partnerships with private voluntary organizations, indigenous organizations, universities, American businesses, international agencies, and other governmental agencies; and

WHEREAS, in recent years, various groups within this nation and overseas have increasingly questioned USAID’S efficiency and effectiveness; and

WHEREAS, it is critically important that USAID be thoroughly reviewed and examined to ensure that its policies, programs and practices continue to reflect our nation’s heartfelt compassion and concern for the health, safety and welfare of needy people throughout the world; now therefore

BE IT RESOLVED BY THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, CONFERENCING IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 27TH THROUGH DECEMBER 2ND, 2000, THAT the U.S. Congressional Black Caucus is hereby urged to call upon administrative agencies to expeditiously undertake such actions as may be necessary to bring about prompt and thorough financial and performance audits of USAID from 1990-2000; and

BE IT FURTHER RESOLVED, that this conference does hereby request that such audits be performed by the U.S Office of Management and Budget (OMB) and

BE IT FURTHER RESOLVED that the OMB submit to the National Black Caucus of State Legislators and NBCSL’S Committee on International Affairs copies of both the

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financial and performance audits of USAID and a copy of this resolution shall be submitted to the Office of Management and Budget.

Sponsored by: Representative Henri E. Brooks, TN

Committee/Task Force of Jurisdiction: International Affairs Committee
Representative Reginald Beamon (CT), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-39

Assistance for War Refugees from Africa

WHEREAS, the United States of America has opened its doors to refugees and immigrants from around the world; and

WHEREAS, Nearly half a million new immigrants are added to the U.S. population yearly through immigration; and

WHEREAS, The U.S. population growth due to immigration clearly reveals an endemic pattern of racial discrimination particularly against African refugees; and

WHEREAS, The resources and infrastructures allocated for processing of African refugees; and

WHEREAS, The resources and infrastructures allocated for processing of African refugees are woefully inadequate. There is a vivid absence of African American churches among the religious institutions processing refugees in Africa; and

WHEREAS, In the fiscal year of 2001, U.S. policy makers continue their unfair discrimination and restriction of African refugees by setting an unfair limit of 20,000 on refugee admission from the entire African continent with millions of refugees and dozens of ongoing conflicts. The quota for the small European country of Bosnia, which is currently not at war, is set to 20,000; and

WHEREAS, This type of officially sanctioned racial discrimination and its long terms effects threatens our democracy.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators in its efforts to preserve democracy and ensure justice and fairness have adopted the following measures:

1. Request increased state funding for all war refugees, including asylum seekers and those with Temporary Protected Status (TPS), and a category that includes Africans.
2. Request an increase in the budget and infrastructure of African refugee processing centers and seek a role for African-American churches.
3. Launch a fact-finding mission to gain a first hand account of African war refugees in conjunction with the Universal Human Rights International annual assessment tour of Africa.

Committee/Task Force of Jurisdiction: International Affairs Committee
Representative Reginald Beamon (CT), Chair

The National Black Caucus of State Legislators

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

LABOR
AND
MANAGEMENT

RESOLUTION 01-40

Immigration Resolution

WHEREAS, With the exception of Native Americans and the descendants of African slaves, all of those currently living in the U.S. are either immigrants or the descendants of immigrants; and

WHEREAS, Immigrants from every continent have played an important role in the history of U.S. by helping us to unite around democratic principles, while encouraging us to celebrate our country's rich and vibrant diversity; and

WHEREAS, The U.S. immigration system should operate on principles of order, responsibility and fairness; and

WHEREAS, Immigrants comprise a growing percentage of the population growth and a greater share of the U.S. labor force, while one in every four children lives in a mixed-immigration status household; and

WHEREAS, It is recognized that the current immigration system has resulted in long waits for naturalization and backlogs for permanent immigrant admissions, making the possibility of legal immigration to this country an impossibility for many; and

WHEREAS, Despite their ongoing contributions to this country, immigrants are far too often the victim of discrimination, racial profiling and scapegoating at the hands of a small, but harmful, segment. This is especially true of undocumented workers, who despite their often strong ties to their workplace and community, must lead a furtive and unstable existence; and

WHEREAS, Immigrants often face extraordinary hardship at the hands of those who wish to exploit them. **UNSAVORY CHARACTERS** continue to engage in trafficking in undocumented people who are held as slaves for years as they work off exorbitant debts. Unscrupulous employers knowingly hire undocumented workers without legal work authorization, and then use their immigration status to quell any effort to enforce workplace rights, including the right to organize into a union and bargain collectively.

WHEREAS, Some employers have used immigrant and foreign temporary workers to displace native-born workforces, leading at times to distrust and finger pointing between the two groups; and

WHEREAS, Although many in the information technology industry claim a shortage of U.S. workers, thus requiring the importation of hundreds of thousands of specialty skill (H-1B) temporary foreign workers, numerous reports indicate that African Americans and Latinos are drastically under represented in this segment of the workforce; and

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WHEREAS, Laws, legitimate on their face, from immigration to housing enforcement have been applied so as to harass and intimidate immigrants and their families;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators

- (1) Write to encourage Congress to enact legislation that will:
 - (A) Allow hard-working undocumented people with strong ties to their communities to legalize their status;
 - (B) Replace the current I-9 form as a tool of workplace immigration enforcement with an enforcement strategy that focuses on the criminalization of employer behavior, especially those who recruit undocumented workers and use workers' immigration status to suppress their rights and labor protections;
 - (C) Provide "whistleblower" protections to those immigrant workers who come forward to report labor standards violations, or cooperate in the investigation of such;
 - (D) Allow those hundreds of thousands of people with temporary protected status who have lived in the U.S. for many years, from such places as Liberia, Haiti, and Central America to adjust their immigration status to permanent resident;
 - (E) Study the expansion of temporary foreign worker, or guest worker, programs and address the under-representation of African Americans, Latinos and other people of color in the information technology workforce;
 - (F) Address reform of the current U.S. system of immigration to assure fairness and order.

Sponsored by: Delegate Nathaniel Oaks, MD

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-41

Collective Bargaining

WHEREAS, There are 22 states in the US where there are no collective bargaining laws.

WHEREAS, There are 5 million public employees who have no right to bargaining collectively with their employers

WHEREAS, According to the Federal Service Labor Management Relations Statute: “Congress finds that:

- (1) experience in both private and public employment indicates that the statutory protection of the right of employees to organize, bargain collectively, and participate through labor organization of their own choosing in decisions which affect them:
 - a. safeguards the public interest,
 - b. contributes to the effective conduct of public business, and,
 - c. facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment; and,
- (2) the public interest demands the highest standards of employee performance and the continued development and implementation of modern and progressive work practices to facilitate and improve employee performance and the efficient accomplishment of the operations of the Government.”

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators introduce and support legislative efforts to extend collective bargaining rights to more public service workers.

Sponsored by: Representative Anthony Hill (FL)

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-42

Equal Pay

WHEREAS, Persistent wage gaps between working women and men and between minorities and non-minorities and the earnings inequality giving rise to these gaps translate into lower pay, less family income, less retirement security and more poverty for working families; and,

WHEREAS, African American and Hispanic workers are more than twice as likely as white workers (10.8 percent and 12.5 percent respectively compared to 4.7 percent for white workers) to be among the "working poor," that is, working but living in poverty. And the proportion of women among the working poor (6.3 percent) is much higher than that of men (4.7 percent); and,

WHEREAS, More than 35 years have passed since enactment of the comprehensive ban on workplace discrimination in 1964 and passage of the Equal Pay Act in 1963, but women and minority workers remain the victims of wage discrimination. Women's earnings continue to lag behind men's, and minority workers' earnings continue to trail those of non-minority workers. In 1999, women who worked full-time full-year earned only 72 percent as much as men. African-Americans who worked full-time full-year earned 76 percent as much as non-Hispanic white workers, and Hispanic full-time full-year workers, 63 percent as much.

WHEREAS, Erasing wage differences between women and men would make a dramatic difference for working women's families, increasing family earnings and reducing poverty levels. The wage gap results in a total national loss of \$200 billion annually, or \$4,000 on average for working women's families. If the pay gap were eliminated and if married women were paid the same as comparable men, their family incomes would rise by nearly 6 percent and their poverty rates would be reduced from 2 to 1 percent; single women's incomes would rise by 13 percent and their poverty rates reduced from 6 percent to 1 percent; and single working mothers would see increases of nearly 17 percent and a poverty rate reduction from 25 percent to nearly 13 percent. Working women in every state would receive wage hikes if they earned as much as comparable men in their states, with the potential wage hikes ranging from a low of \$2,815 in Alaska to a high of \$5,160 in Ohio. Poverty rates would fall dramatically in all states, and poverty rates for families headed by single mothers would drop to less than 10 percent in 14 states;

WHEREAS, Several reasons account for continuing wage gaps including, among others, the greater concentration of women and minorities in low wage jobs, employer's discriminatory hiring and/or promotion practices for women and minority workers, and pay discrimination based on gender, race, or ethnicity. Other less overtly discriminatory factors, such as differences in job tenure and attachment to the work force or educational differences, may nevertheless have a differential effect along gender, racial and ethnic lines because of workers' differences in opportunities, access and family responsibilities. Additional research into the causes and potential

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solutions for wage disparities can make a significant contribution to shaping voluntary initiatives and policy reforms that will help end those disparities;

WHEREAS, Wages are higher for union-represented workers, and the gender and minority-based wage differences are smaller. Compared to their non-union counterparts, union women earn 35 percent more, African American union members earn 39 percent more, and Latino union members earn 55 percent more. Unionized women earn 86 percent of what unionized men earn, while non-union women earn only 75 percent of what non-union men earn. Unionization reduces the race-based wage gap, especially for minority men. Unionized minority male workers make around 81 percent as much of white workers **WHEREAS** non-union minority males earn only 67 percent as much. Stepping up efforts to protect workers' voice at work and their freedom to choose a union will raise wages for women and minorities and help to reduce wage inequalities;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators, that

(1) States investigate and determine the extent and causes of continuing gender and race-based wage gaps and the appropriate measures, including voluntary initiatives and policy reforms, to reduce or eliminate these gaps; and

(2) States enforce existing protections against wage discrimination and adopt tougher laws, where needed, to deter discriminatory conduct and provide full remedies to workers who are the victims of wage discrimination.

Sponsored by: Senator Gloria Lawlah-MD, Senator Gwendolyn Moore- WI

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-43

Low Wage Workers

WHEREAS, There is a growing number of low wage workers in the US. According to the Bureau of Labor Statistics (BLS) between 1981 and 1986 the number of low wage workers increased from 8.6 to 8.9 million; Women and people of color constitute a high proportion of low wage workers;

WHEREAS, Americans support raising the minimum wage to \$6.15 over two years by 75 percent, according to a March 1999 survey by Hart and Teeter. Further, an ABC News poll conducted between September 29 and October 3, 1999, found that 83 percent of Americans support raising the minimum wage; and, Unless Congress increases the minimum wage, its value will fall from \$5.15 to \$4.90 by 2001, in inflation-adjusted dollars;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators

- support federal legislation to raise the minimum wage; and,
- support living wage ordinances.

Sponsored by: Representative Anthony Hill-FL

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-44

Mandatory Overtime

WHEREAS, Working families today are working more hours than ever before. While some workers want or need more work hours to provide additional income, all too often workers are compelled to work excessive hours as a condition of employment; and

WHEREAS, Excessive hours and involuntary overtime can result in employee exhaustion and exacerbate employee stress, possibly jeopardizing the health and safety of workers and of the public they serve; and,

WHEREAS, Patient safety is one example of a public safety area implicated by excessive hours and involuntary overtime. Recent news accounts of hospital errors as well as high profile strikes by nurses evidence growing concerns that staffing inadequacies, excessive hours and forced overtime among health care workers can and does compromise health care quality; and

WHEREAS, Even in an environment where families' work hours have increased and families are feeling the "time crunch" as never before, societal institutions have failed to keep up with the compelling demand for solutions that help workers as they struggle to balance the dual and sometimes competing responsibilities of family and work. Generally, our laws do not guarantee workers' input into decisions about their work hours or provide recourse for workers who wish to refuse longer hours. Moreover, outside of unionized work places, few employers have adopted work place programs and practices that genuinely give workers' greater control over their hours and help them balance their family and work responsibilities; and

WHEREAS, Workers represented by unions often enjoy contract protections that limit excessive hours and mandatory overtime, but no federal law provides such protections for non-unionized workers, and only one state, Maine, has legislated some restrictions. Broader safeguards are needed to help workers gain greater control over their work hours, provide them input into decisions about overtime, and protect their safety and health and that of the public they serve;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators,

- (1) State legislatures should adopt policy reforms and other strategies that will help workers gain greater control over their hours by, among other things, providing for worker input into decisions about hours and ensuring protections for worker against the imposition of excessive hours and involuntary overtime

The National Black Caucus of State Legislators

(2) The National Black Caucus of State Legislators expresses its great concern about the apparent rise in excessive work hours and involuntary overtime and the impact these longer hours and workers' limited control over hours has on worker and public safety and health and on the ability of workers to balance the competing demands of family and work.

Sponsored by: Senator Nathaniel Exum

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-45

**Support for the Creation and Expansion of
After school Programs in the Public Schools**

WHEREAS, Over 28 million school-age children have either their only parent or both of their parents working outside of the home⁸, but only 6 million K-8 children participate in after-school programs;⁹ and,

WHEREAS, As many as 15 million children go home to empty houses after school;¹⁰ and,

WHEREAS, Afterschool programs have been shown to improve children's academic achievement, interpersonal skills, school attendance, and behavior¹¹; prevent juvenile crime; reduce the likelihood of children being victims of crimes; reduce teenage pregnancy; and reduce opportunities for teens to smoke, drink alcohol or take drugs¹²; and,

WHEREAS, There is strong public support for the creation and expansion of afterschool programs in the public schools that provide fun and enriching activities for children (kindergarten through 12th grade) before and afterschool and during summer vacations.¹³ A majority of voters believe that afterschool programs should be located in public schools and that schools and community organizations should share resources, rather than compete for them;¹⁴ and,

WHEREAS, School-based programs provide students with a structured environment in familiar surroundings that offer a high quality after-school experience and continuity of the school day for students, with staff who work with students during the day are best prepared to work on homework assignments, and with an environment that provides the access to the largest number of children.

**NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL
LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF
STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA,**

⁸ Bureau of Labor Statistics, *1997 Annual Average Figures from the Current Population Survey* as reported in US Department of Education and US Department of Justice, April 2000, *Working for Children and Families: Safe and Smart After-school Programs*.

⁹ US Department of Education, Spring 1995, NCES, *NHES as Reported in US Department of Education, NCES, August 1999, Statistics in Brief*, "Participation of Kindergartners through Third Grade in Before and After-school programs."

¹⁰ Urban Health Initiative, March 1999, *After-School Programs Research Topic Brief* as reported in US Department of Education and US Department of Justice, April 2000, *Working for Children and Families: Safe and Smart After-school Programs*.

¹¹ 1998-99 evaluation of Ohio's Urban School Initiative School Age Child Care (SACC) Project; Vandell and Pierce, 1999 "Can After-school Programs Benefit Children Who Live in High-Crime Neighborhoods?"

¹² National Association for the Education of Young Children (NAEYC), March 2000, *Young Children*, "Police Leaders Call for Investment in Quality Programs to Fight Crime," pp. 68-72.

¹³ Afterschool Alliance, July 2000, *Afterschool Alert: Poll Report*.

¹⁴ Ibid

The National Black Caucus of State Legislators

NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators, will work

- to establish and expand afterschool programs (6:00 a.m. to 6:00 p.m.) and summer school programs for children kindergarten through 12th grade that provide fun and enriching activities;
- to establish school-based afterschool programs that are provided by local education agencies (LEAs) and that are adequately funded to ensure access to the greatest number of children;
- to urge the federal government to expand funding for afterschool programs by expanding the 21st Century Community Learning Center program so as to provide universal access to afterschool programs; and,
- will encourage LEAs and community-based organizations to work together to provide afterschool programs.

Sponsored by: Senator Gloria Lawlah, MD, Delegate Salima Marriott, MD

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-46

Unemployment Insurance Reform

WHEREAS, For more than six decades the nation's federal-state Unemployment Insurance (UI) program has provided indispensable financial support to working families during periods of separation from the work force, serving for many as the bulwark against poverty; and

WHEREAS, The work force and the economy have changed sharply over the last several decades, and these changes have implications for people of color and women who require access to the UI program. Rules governing the programs in most states contemplate a work force comprised primarily of men who work full-time, full-year, whose jobs are largely in the manufacturing sector, and who are their families' primary if not exclusive breadwinners. This policy model no longer fits.

WHEREAS, Today, more women and mothers work for pay than ever before; women are nearly half the labor force, and more than 60 percent of women are employed. 11/16/2000 More workers are in short-term and sometimes episodic employment: three of every ten workers are in temporary, contract or part-time positions. And job growth is primarily in the low wage service sector. Further, the low-wage service sector is disproportionately comprised of people of color. Because the UI programs in place in most states do not fit the needs of these new workers -- women, contingent workers, and low wage earners -- they are especially unlikely to qualify for UI coverage during periods of work force separation; and

WHEREAS, Changes in states' UI programs, including tightened eligibility criteria and benefits cuts, have also served to reduce coverage and income protections for the unemployed. As a result, only about one-third of unemployed workers actually receive benefits today. In contrast, at least 25 states have drastically cut UI employer taxes over the past few years; and

WHEREAS, As the result of a lengthy and thorough review of the UI system, including an examination of problems and possible solutions, a stakeholders' body, representing state employment services agencies, the Department of Labor, the business community, and workers and their unions, recommended a comprehensive UI reform package that would reduce employers' tax obligations while stabilizing funding and improving coverage and benefits for workers (see attached proposal); and

WHEREAS, Congress has failed to adopt legislation implementing this proposal;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that ,

The National Black Caucus of State Legislators

- (1) NBCSL shall write letters to Congress in support of comprehensive UI/ES reform.
- (2) NBCSL shall collaborate with NCSL and NGA to voice support of a comprehensive UI/ES reform package as well as State level reforms.
- (3) NBCSL shall urge members to introduce and promote legislation implementing reforms at the state level proposed in the federal legislation.
- (4) State UI legislation shall include policies to implement eligibility and coverage reforms agreed upon by the UI stakeholders' group, including a moveable base period and coverage for part-time workers.

Sponsored by: Senator Nathaniel Exum

Committee/Task Force of Jurisdiction: Labor and Management
Representative Joseph Proctor Jr. (PA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

LAW
AND
JUSTICE

RESOLUTION 01-47

Faith Roundtable and the NBCSL

WHEREAS, the Faith Community has long been active in policy and social justice issues as spiritual leaders, clergy and laypersons, particularly in the African-American community;
and

WHEREAS, the mission of the Faith Roundtable is to bring together Black faith based organizations and Blacks in other faith based organizations and NBCSL to (a) increase knowledge and understanding of public policy and how it impacts our communities; (b) to dialogue around the moral and justice perspectives which impinge upon public policy; and (c) to promote the development of new public policy which grow out of these perspectives;
and

WHEREAS, the Faith Roundtable body deliberated and identified the following as priority issues for the Black faith community to engage its members in educating themselves and organizing for action: (1) Issues relating to racial disparities in the criminal justice system, including but not limited to – the prison industrial complex, prison construction, prison privatization; probation and parole; felon disenfranchisement and application of the death penalty; (2) education, specifically public schools and school financing; (3) welfare reform; (4) health care and infectious diseases, including HIV/AIDS; (5) environmental justice and environmental health care; (6) the state of the African Diaspora; (7) and other racial justice issues including but not limited to racial profiling, police brutality, hate crimes and administration of justice, including selective prosecution;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators,

- Adopt the issues identified by the Faith Roundtable as priority issues for the NBCSL and develop a legislative agenda that is consistent with such issues that will be advanced by NBCSL members in their respective state legislatures.
- Report back at the next conference on the progress made in advancing public discussion and legislative action on the aforementioned issues.

Sponsored by: Rep. Mary Coleman – MS

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-48

Omnibus Criminal Justice Bill

WHEREAS, it is well known and widely acknowledged that nationally, the rate of imprisonment of African Americans is higher than any other group in America; and

WHEREAS, substantial variation exists among the states with regard to the degree of racial disparity in incarceration; and

WHEREAS, such variations amount to civil forfeiture of the basic rights of a specific group of Americans.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators hereby encourages its members to work in their individual states to repeal mandatory sentencing laws, to develop and introduce legislation to prohibit racial profiling, and to work to develop alternatives to incarceration.

Sponsored by: Senator Charles D. Jones

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-49

**Calling on Congress To Hold Hearings To Investigate
Voting Irregularities in the Presidential Election**

WHEREAS, the votes of thousands of Americans may never have been counted in the recent Presidential election due to, among other problems, machine error, and confusing ballots; and

WHEREAS, there appears that many African American and other minorities were summarily disenfranchised in ways that recall the Jim Crowe era of the segregated South due to intimidation and the violation of their constitutional rights,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators calls on the U.S. Congress to hold public hearings to investigate allegations of voting irregularities that may have occurred during the presidential election in Florida and elsewhere;

AND BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators urges the U.S. Congress to conduct hearings on voting irregularities in a fair, bipartisan and expedient manner in order to suggest ways that errors of this most recent national election can be prevented in the future.

Sponsored by: Pre. Harold and Rep. LeAnna Washington, PA

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-50

To Further Limit The Access To The Criminal Offender Record Information.

WHEREAS, Each state in the United States of America maintains a criminal offender record information database of all persons convicted of a crime; and

WHEREAS, African-Americans represent a disproportionate number of the people convicted of crimes; and

WHEREAS, A large number of African-Americans are becoming disenfranchised and unable to secure employment or public housing after serving time for misdemeanor crimes.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators will seek to pass legislation in their respective states that limits the number of years that employers and housing authorities can search back in an applicant's CORI file.

Introduced by Representative: Gloria L. Fox (MA)

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-51

A Resolution Memorializing Congress To Increase Financial And Technical Support To Improve The Condition Of Our Nation's Capital, Washington, D.C.

WHEREAS, Washington, D.C. is our nation's capital, the citizens of each of the fifty states, are beholden to ensure that our nation's capital reflects the splendor of our country, and the great standards of prosperity and opportunity for which the United States stands; and

WHEREAS, Congress and the federal government, on behalf of the fifty states, assume a unique authority over our nation's capital, and therefore are responsible for the condition on Washington, D.C.; and

WHEREAS, in recent years our nation's capital has fallen into a state of disrepair and neglect; and

WHEREAS, The citizens of Washington, D.C. deserve quality education and housing, and they have the right to live in a clean and healthy environment, and Congress should provide the support required to meet these needs; and

WHEREAS, Congress should also provide adequate capital investment for infrastructure and transportation to support urban renewal and encourage economic growth in the nation's capital; and

WHEREAS, Without increased financial and technical support from the federal government, the long-term needs of the city and its residents will have to be met with even greater financial obligation by future generations; and

WHEREAS, It is fitting and appropriate for National Black Caucus of State Legislators to memorialize Congress to increase financial and technical support to improve the condition of our nation's capital, Washington, D.C.;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators memorializes the Congress of the United States to increase financial and technical support to improve the condition of our nation's capital, Washington, D.C.

BE IT FURTHER RESOLVED that a copy of the resolution be sent to the Speaker of the House of Representatives, the President of the Senate, the Mayor of Washington, D. C., the President of the City Council of Washington, D.C. and the Chairman of the Congressional Oversight Committee of the District of Columbia.

Sponsored by: Rep. Craig Stanley-NJ

The National Black Caucus of State Legislators

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-52

**Calling on The Justice Department to Investigate
Voting Irregularities in the Presidential Election**

WHEREAS, on November 7th there may have been a well coordinate, deliberate attempt to disenfranchise African Americans and other minority voters in Florida by blatantly turning them away from the polls or simply choosing not to count their ballots during the most recent Presidential election; and

WHEREAS, testimony from witnesses told a Miami hearing of the National Association of the Advancement of Colored People (NAACP) that they were prevented from voting by election staff, questioned by police or subjected to other irregularities; and

WHEREAS, the election voting irregularities that disenfranchised thousands of African Americans and other minority voters in Florida may have occurred nationwide; and

WHEREAS, we must not allow the voice of our democracy to be silenced;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators call on U.S. Attorney General Janet Reno to investigate claims of voting irregularities, considering there is enough anecdotal evidence that authorities may have violated the constitutional rights of voters;

AND BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators urges its members to contact the U.S. Justice Department if they believe that the constitutional rights of their constituents may have been violated during the most recent Presidential election.

Sponsored by: Representative Harold James and Rep. LeAnn Washington, Pa.

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-53

Kemba Smith Resolution

WHEREAS, the National Black Caucus of State Legislators support and encourage the petition for commutation of sentence filed July 12, 2000, on behalf of Ms. Kemba Niabi Smith of Glen Allen, Virginia.

WHEREAS, the National Black Caucus of State Legislators requests for the pardon and relief of Ms. Smith's sentencing and incarceration.

WHEREAS, Ms. Smith has currently served approximately 6 years of a mandatory 24 years sentence in the Federal Corrections institutions for Women in Danbury, Connecticut.

WHEREAS, Ms Smith is a first-time, non –violent offender whose relatively minor role in drug distribution appears to be outside the central purpose and intent of the mandatory sentencing required for “drug kingpins”.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators supports your recent clemency decisions and your recognition that the individuals involved received disproportionately harsh sentences.

BE IT FURTHER RESOLVED, the National Black Caucus of State Legislators believes that Ms. Smith's sentencing provides an equally strong case for clemency.

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-54

Calling for Justice for the Reverend Dr. Martin Luther King, Jr.

WHEREAS, Reverend Dr. Martin Luther King, Jr. was born in Atlanta on January 15, 1929, and this year is the 72nd anniversary of his birth, and

WHEREAS, Dr. King received a doctorate in systematic theology from Boston University in 1955; and

WHEREAS, Dr. King fought for housing, education, and employment in Boston for all citizens; and

WHEREAS, Dr. King fought against discriminatory practices throughout the United States of America; and

WHEREAS, Dr. King presided over the historic Montgomery, Alabama bus boycott, which resulted in the historic desegregation of Montgomery buses in 1956; and

WHEREAS, Dr. King and his staff organized mass demonstrations in Birmingham, Alabama in 1963 that eventually led to passage of the Civil Rights Act of 1964; and

WHEREAS, Dr. King was the recipient of the Nobel Peace Prize in December 1964; and

WHEREAS, Dr. King's life was tragically cut short by an assassin's bullet April 4, 1968, in Memphis, Tennessee while he was there to champion the cause of underprivileged workers; and

WHEREAS, Public and private organizations and institutions in the United States of America have been honoring Dr. King on his birthday since his assassination; and

WHEREAS, Dr. King's family has consistently maintained that they believe he was assassinated by a group of conspirators; and

WHEREAS, A jury of six Whites and six Blacks convened in 1999 to hear testimony in the civil trial initiated by the King family supported the family's belief in a conspiracy.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators petition President William Jefferson Clinton to convene a grand jury with powers of prosecution to investigate the facts regarding his assassination in order to ensure that those involved with his death are brought to the bar of justice.

The National Black Caucus of State Legislators

Sponsored by: Representative Gloria L. Fox (MA)

Task Force/Committee of Jurisdiction: Law and Justice Committee
Senator Charles Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-55

Moratorium on Executions

WHEREAS, studies have confirmed that prosecutors, judges, and juries have historically discriminated against black defendants whose victims were white; and

WHEREAS, each death penalty case should be handled in accordance with due process to minimize the risk of execution of innocent persons; and

WHEREAS, a haphazard maze of unfair practices exists with no internal consistency.

WHEREAS, it is imperative to place a moratorium on executions in this country until death penalty cases are administered fairly and impartially; and

WHEREAS, this resolution establishes a legal position on fairness in the application of the law and it is not a policy statement for or against the death penalty; and

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators calls for a moratorium on executions in this country until jurisdictions implement policies to ensure that death penalty cases are administered fairly, impartially and in accordance with due process to minimize the risk of execution of innocent persons.

Sponsored by: Senator Gerald Anthony Neal (KY)

Committee of Jurisdiction: Law and Justice
Senator Charles D. Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-56

Opposing Prison Privatization

WHEREAS, State and local governments, confronted with prison overcrowding and fiscal constraints, and the promise of jobs and tax revenues in impoverished rural communities, have been experimenting with prison privatization; and

WHEREAS, The existence of private prisons provides perverse incentives to grow the inmate population by focusing criminal justice policy on passing punitive laws, warehousing inmates, and building prisons for economic gain; and

WHEREAS, Many states do not have any laws governing the operation of private prisons, and many contracting jurisdictions do not have a system of oversight to ensure proper accountability, appropriate treatment of inmates and protection of public safety; and

WHEREAS, Private firms generate profits by cutting back on inmate services, programs that lessen recidivism and inmate healthcare. The impact of privatization has been especially devastating on inmates requiring healthcare services and specialized treatment because inmates tend to have greater healthcare needs than the general public; and

WHEREAS, Private firms encourage the exportation of inmates to private facilities in other states to optimize their profit potential. This business practice moves inmates far away from their families and support networks. For instance, inmates from Washington, D.C. are currently housed at private prisons in Ohio and New Mexico; and

WHEREAS, Private firms generate profits by understaffing facilities, paying employees inferior wages and benefits, providing inadequate staff training, and not paying corporate or property taxes. This endangers inmates, workers and the community. In addition, it erodes local economies and increases the liability for the contracting jurisdictions; and

WHEREAS, Despite all of the ways that private management firms cut corners, there is no conclusive evidence that prison privatization saves tax dollars. However, there are numerous "horror" stories at private prisons in places like Youngstown, Ohio; Travis County, Texas; Jena, Louisiana; and Santa Rosa and Hobbs, New Mexico; and

WHEREAS, The stock prices for the three biggest companies, which manage over 80% of all adult private prison beds, have plummeted, and each of the companies has experienced severe financial difficulties. This has put added pressure on the private firms to cut corners and jeopardize inmate treatment and public safety. Furthermore, the financial viability of these firms is uncertain and presents significant risks to jurisdictions that contract with them; and

The National Black Caucus of State Legislators

WHEREAS, There is widespread opposition to private prisons. A recent a poll, conducted by the renowned research firm of Lake Snell Perry & Associates, found that 51% of people likely to vote in the 2000 election oppose private prisons while only 28% support them. Groups across the political spectrum - from churches to inmates' rights advocates, unions and law enforcement organizations - are on record opposing private prisons.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators strongly opposes the privatization of prisons. The case against prison privatization is clear. The profit motive leads to increased recidivism, and it does not improve prison operation or save taxpayer money. Prison privatization only benefits corporations and their shareholders. The promises to communities of jobs and tax revenues never materialize. Cost-cutting and high employee turnover lead to dangerous conditions inside and outside the prison walls. The operation of prisons is a fundamental government responsibility; and

BE IT FURTHER RESOLVED, THAT NBCLS and its members fight to pass legislation that will prohibit private prisons and/or limit the expansion of the industry.

BE IT FINALLY RESOLVED, THAT NBSCL will also work with other organizations and interested parties to stop prison privatization.

Sponsored by: Senator Gwen Moore, WI, Spencer Coggs, WI

Committee/Task Force of Jurisdiction: Law and Justice
Senator Charles D. Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-57

Private Criminal Complaints

WHEREAS, On April 6, 2000, the Black Elected Officials of Philadelphia, chaired by State Representative LeAnna M. Washington, made history by successfully persuading a judge to order a white police officer prosecuted for the murder of 19 year old unarmed African American man; and

WHEREAS, following public outrage at this unwarranted killing, the Philadelphia District Attorney (DA) begrudgingly filed manslaughter charges against the officer, only to have that charged dropped by not one, but two judges, because the wrong charge was filed; and

WHEREAS, on behalf of the BEO, Representative Washington and others sought legal counsel that advised them to file a personal criminal complaint - which is a petition to try to persuade a judge to force the DA to file the proper charge (in this case murder); and

WHEREAS, after nearly a year and a half of letters, petitions, arguments, and legal briefs by the BEO and its lawyer, a historic judicial decision was announced when a courageous African American judge approved the BEO'S private criminal complaint, hence ordering the officer prosecuted for murder; and

WHEREAS, this is first time in Philadelphia that a white police officer has ever been charged with murder for killing an African American man; and

WHEREAS, this is the first time that a private criminal complaint for murder has been successfully filed before a Pennsylvania court, and

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators supports the filing of private criminal complaints in the instance of questionable prosecutorial decisions following the killing of African Americans at the hands of police officers, and

BE IT FURTHER RESOLVED that, NBCSL encourages its members to disseminate this important information to their respective constituents.

Sponsored by: Senator Charles Jones (LA)

Committee/Task Force of Jurisdiction: Law and Justice
Senator Charles Jones (LA)

RESOLUTION 01-58

**Calling on State Hearings to Examine Voting
Irregularities in the Presidential Election**

WHEREAS, one of the most sacred rights we have as American citizens is the ability to select out political leaders through the voting process; and

WHEREAS, the disenfranchisement of thousand of African American and other minority voters that occurred in Florida may have also occurred nationwide due to voting irregularities; and

WHEREAS, this problem may go unreported and uncorrected unless a full, fair public examination of the issue is untaken; and

WHEREAS, the National Association of the Advancement of Colored People (NAACP) has already held an important and highly enlightening hearing on the issue of Florida,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators encourages its members to work with their state and/or local NAACP branch to organize public hearings to examine possible voting irregularities in their respective state;

AND BE IT FURTHER RESOLVED, that the National Black Caucus of State Legislators urges its members to report findings garnered during the hearings to the U. S. Justice Department.

Sponsored by: Rep. Harold and Rep. LeAnna Washington, PA

Committee: Law and Justice
Senator Charles D. Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-59

Posting Voters Bill of Rights at Precincts

WHEREAS, America is the crucible of democracy and thus sets for the world the example of a true democracy where every vote should count; and

WHEREAS, certain perennial voting irregularities have received increased scrutiny during the 2000 elections and have led to a new level of distrust in our electoral system; and

WHEREAS such voting irregularities include but are not limited to:

- 1) Voters who were standing in line were, prior to the polls closing, were subsequently denied the right to vote even though local law requires the deputy clerk to stand at the end of the line at the time of closure to allow those who were on time the right to vote;
- 2) Citizens who voted in the 2000 primary and runoff elections were told that they were no longer registered voters, and were thus denied the right to vote;
- 3) Voters mistakenly voted for the wrong person and were denied the opportunity to change their vote even though the law provides that a citizen must have the opportunity to correct his/her ballot and cast the vote s/he intends to cast;
- 4) Voters who did not have the proper identification were denied the opportunity to sign a form affidavit verifying their identity as required by law and were thus denied the right to vote; and
- 5) Citizens who were on their way to the polls were stopped by law enforcement officials in an effort to intimidate them and prevent them from voting; and

WHEREAS it is essential that poll workers and voters understand their basic rights, the law, and local policy as it relates to their ability to vote at the polls on Election Day, and thus have the ability to know when their basic rights are being violated:

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators:

- (1) Encourages each state legislature to adopt and pass model legislation that requires posting on election day a Voter's Bill of Rights that is easily visible to each voter in each precinct of every state in our great nation, and which explains to each poll worker and each citizen their rights to so that every voter may participate in this precious franchise unfettered by uninformed or ill intentioned persons; and

The National Black Caucus of State Legislators

- (2) Encourages the United State Congress to adopt and pass similar legislation as applicable to all federal elections.

Sponsored by: Senator Daryl L. Jones-FL

Sponsored by: Senator Charles Jones (LA)

Committee/Task Force of Jurisdiction: Law and Justice
Senator Charles Jones (LA)

REDISTRICTING

RESOLUTION 01-60

**CREATING THE NBCSL TASK FORCE
ON REDISTRICTING AND REAPPORTIONMENT**

WHEREAS, federal law requires a count of the U. S. population to be made every ten years and delegates responsibility for the redrawing of lines to delineate political sectors to state legislatures; and

WHEREAS, the process of redistricting and reapportionment is becoming more and more technical with the advent of technology. The need to educate and train members of the National Black Caucus of State Legislators in redistricting and reapportionment processes is urgent in order to ensure fair representation for their constituents.

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 22, 2000, that the National Black Caucus of State Legislators supports creation of a “Task Force on Redistricting and Reapportionment” to sponsor seminars and training on technical strategies, legal implications analysis, and maximizing political empowerment related to redistrict and reapportionment.

Sponsored by: Sen. Charles Jones (LA)

Committee/Task Force of Jurisdiction: Redistricting
Senator Charles D. Jones (LA), Chair

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

TRANSPORTATION
AND
ENVIRONMENT

RESOLUTION 01-61

Neighborhood Protection Act

WHEREAS, the neighborhoods of people of color and poor people have been severely, adversely impacted by the citing of new industries in their communities; and

WHEREAS, existing polluting industries have created environmental and health problems for residents of these neighborhoods; and

WHEREAS, property values, as well as health problems can be directly attributable to the cumulative actions of industries located within or in close proximity to the neighborhood; and

WHEREAS, all people are entitled by right to the protection, preservation and enhancement of air, water and land; and

WHEREAS, each state should provide for an adequate civil remedy to protect air, water, land and other natural resources from pollution, impairment or destruction by industry; and

WHEREAS, the owner of property, the value of which is adversely impacted by pollution, impairment or destruction due to the use to which neighboring property has been put, may bring action against the owner of an adjacent property for the purpose of recovering money damages on suitable equitable relief sufficient to compensate the owner of the adversely impacted property or otherwise provide a remedy to such owner for the decline in value of such owner's property,

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators do strongly urge the legislators of each state to adopt such legislation to protect neighborhoods adversely impacted by polluting industrial sites; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the presiding officers of the legislative bodies in each state of the U.S.

Sponsored by: Representative. Bob Holmes (GA)

Committee/Task Force of Jurisdiction: Transportation and Environment
Representative. Bob Holmes (GA)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-62

Persistent Organic Pollutants-Dioxin

WHEREAS, a recent EPA draft report which reassessed Dioxin indicated that it and like compounds were even more dangerous than previously estimated; and

WHEREAS, the reassessment report documented that Dioxin is a dangerous cancer causing chemical which should be classified as a known human carcinogen; and

WHEREAS, the cancer risk for the general population is 10 times greater than EPA has previously thought; and

WHEREAS, young children receive three times more Dioxins than adults through common foods like fish, meat and dairy products; and

WHEREAS, Dioxin is produced by waste incineration and other industrial processes and is one of twelve persistent organized pollutants (POPS) which are the subject of an international treaty negotiations; and

WHEREAS, every effort should be made to eliminate Dioxin domestically and internationally;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators do strongly urge EPA to eliminate Dioxins and urge the U.S. State Department to sign an International Treaty to ban Dioxins.

BE IT FURTHER RESOLVED that a copy of the resolution be sent to the Secretary of State and Administrator of EPA.

Sponsored by: Rep. Bob Holmes

Committee/Task Force of Jurisdiction: Transportation and Environment

Committee Chairperson's Approval: Rep. Bob Holmes

RESOLUTION 01-63

Protecting Children's Environment Health

WHEREAS, recent studies such as the May 2000 Report titled In Harm's Way: Toxic Threats to Child Development by the Great Boston Physicians for Social Responsibility, have documented the risks to brain development posed by numerous chemicals; and

WHEREAS, such developmental neurotoxicants pose a grave chemical threat to America's children by causing such health problems as brain damage, attention deficit, lower IQ, motor skill impairment and other learning developmental and behavioral disabilities; and

WHEREAS, by December 1998, only 12 of the 800,000 chemicals used by industry in the U.S. that have been submitted to the EPA with complete developmental neurotoxicity data; and

WHEREAS, of the 20 chemicals documented on the largest quantities revised by the Toxic Release Inventory (TRI) approximately 5 per cent are known or suspected of neurotoxicants; and

WHEREAS, 1.2 billion pounds of registered pesticides are released into the environment annually and over 80 percent of Americans have pesticides in their bodies including almost all children of farm workers; and

WHEREAS, there is an obvious need for the U.S. Government to adopt new policies and programs to protect the health of the American people from chemical hazards;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER 2, 2000, that the National Black Caucus of State Legislators urge that the EPA require testing for the developmental neurotoxicity of all new pesticides.

BE IT FURTHER RESOLVED, that the U.S. Congress enact the School Environmental Protection Act and the Children's Environmental Protection Act which requires schools to use fewer and less toxic pesticides and notify parents when spraying will take place; and

BE IT FURTHER RESOLVED, that the Department of Health and Human Services conduct a major education campaign aimed at pregnant women to warn them against handling paints, solvents and other common chemicals that can be dangerous to the developing fetus; and

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BE IT FURTHER RESOLVED, that NBCSL urges the President of the U.S. to sign and the Senate to approve a pending treaty with approximately 100 nations in which the signatories pledge to eliminate the 12 most dangerous persistent organic pollutants (POPs) worldwide; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Administrator of EPA, the Secretary of HHS, the President of the United States and the Vice President/Presiding Officer of the U.S. Senate.

Sponsored by: Representative. Bob Holmes (GA)

Committee/Task Force of Jurisdiction: Transportation and Environment
Representative. Bob Holmes (GA)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

RESOLUTION 01-64

Environment Justice: Jobs and Clean Air

WHEREAS, everyone has the right to safe, clean, affordable, and reliable energy;
and,

WHEREAS, the physical health of individuals, especially persons who reside in low income and communities of color, face serious consequences from global warming pollution;
and

WHEREAS, global warming pollution policies disproportionately impact the health of people living in low-income and people and color communities; and

WHEREAS, unemployment rates for African Americans and other people of color are at its lowest level since we started keeping unemployment figures by race and have resulted in economic improvements in our communities; and

WHEREAS, global warming policies may affect the economic stability and quality of life low-income and people of color of communities and could result in job losses; and

WHEREAS, environmental justice groups have stated that programs designed to address problems of environmental pollution, must protect the rights of the community and the workers and must include compensation, retraining, and other assistance; and

WHEREAS, increased energy efficiency and renewable energy sources improve the environment; create jobs, foster energy independence; and lessen global warming;

NOW THEREFORE BE IT RESOLVED BY THE 24TH ANNUAL LEGISLATIVE CONFERENCE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN CHARLOTTE, NORTH CAROLINA, NOVEMBER 28-DECEMBER2, 2000, that the National Black Caucus of State Legislators encourage members to:

- Develop policies, which call on utility and environment regulators, and energy producers to shift our present energy supply towards cleaner energy sources such as solar, wind, and fuel cells.
- Introduce and support legislation which requires utility and environmental regulators, and energy provides to work with local communities, especially low-income and people of color communities so that they may benefit from a higher quality of life, lower bills, and greater energy independence.
- Work with all parties that will affect energy systems to ensure that they commit to working with local communities; and
- Introduce and support environmental equity criteria and cumulative environmental impact assessments in the sitting process policies, which prevent utility and

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environmental regulars from further clustering fossil fuel, and nuclear power plants in low-income and minority communities.

Sponsored by: Representative. Bob Holmes (GA)

Committee/Task Force of Jurisdiction: Transportation and Environment
Representative. Bob Holmes (GA)

Ratified in Plenary Session, Friday, December 1, 2000. Ratification certified by:
Representative James Thomas (AL), President

EXECUTIVE COMMITTEE

RESOLUTION 01-65

**National Black Caucus of State Legislators (NBCSL) Hydrocarbon Energy Access
Resolution and Policy Statement**

WHEREAS, In addition to its waters and beaches, which support recreation and tourism, the Gulf of Mexico is home to world class commercial and recreational fisheries and some of the nation's most prolific areas of hydrocarbon production; and,

WHEREAS, The concurrent development of natural resources across much of the Gulf has taken place successfully for decades, benefiting coastal residents and non-coastal Americans alike. Offshore development of oil and natural gas has provided needed supplies of domestic energy and substantial local, state, and federal revenues as well; and,

WHEREAS, Gulf coast areas have benefited from jobs and economic development created by offshore exploration and production, as well as onshore support and maintenance activities. Moreover, hydrocarbon production operations in the Gulf of Mexico have a long history of environmentally sensitive and safe performance, while supplying substantial volumes of America's daily energy needs; and,

WHEREAS, Today, the Gulf of Mexico represents one of the brightest spots in terms of potential U.S. energy reserves. In particular, the Eastern Gulf of Mexico Federal Lease Sale 181 area, and the area known as the Destin Dome; and,

NOW THEREFORE BE IT RESOLVED BY THE EXECUTIVE COMMITTEE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN ATLANTA, GEORGIA, FEBRUARY 16 -17, 2001, that the National Black Caucus of State Legislators, hereby adopts this resolution and policy statement, and that this statement shall be transmitted to the President of the United States. Copies of this NBCSL resolution and policy statement shall also be forwarded to the U.S. Secretaries of Commerce, the Interior, and Energy and to the Administrators of the Minerals Management Service, the Federal Energy Regulatory Commission, the National Oceanic and Atmospheric Administration, and the Environmental Protection Agency.

Sponsored by: Representative James Thomas (AL)

Ratified in Executive Committee Session, Saturday, February 17, 2001. Ratification certified by: Representative James Thomas (AL), President

Resolution 01-66

**In Support of Washington Juneteenth 2001
National Holiday Observance and National Juneteenth
Holiday Campaign**

WHEREAS, more than 130 years old, **Juneteenth** National Freedom Day is the oldest and only African-American holiday observance in the United States. Also known as “Emancipation Day,” “Emancipation Celebration,” “Freedom Day,” “Jun-Jun” and “Juneteenth.” Juneteenth National Freedom Day commemorates the survival, due to God given strength and determination, of African Americans, who were first brought to this country stacked in the bottom of slave ships in a month long journey across the Atlantic Ocean known as the “Middle Passage;” and,

WHEREAS, approximately eleven and one-half million African Americans survived the voyage to the New World, the number that died is likely greater, only to be subjected to whipping, castration, branding, rape, tearing apart of families and forced to submit to slavery for more than 200 years after arrival in the United States; and,

WHEREAS, **Juneteenth** commemorates the day freedom was proclaimed to all slaves in the south by Union General Granger, on June 19, 1865, in Galveston, Texas, more than two and a half years after the signing of the Emancipation Proclamation by President Abraham Lincoln. For the first time, in over 130 years of the annual celebration, Juneteenth has finally been “officially recognized” as **Juneteenth Independence Day** in America by the President and Congress of the United States; and

WHEREAS, this reality is particularly underscored by the fact that it was in the 1st session of the 105th Congress via the bipartisan cooperation of the Former Congresswoman Barbara Rose-Collins (D-Michigan), Former Senator Carol Mosely-Braun (D-Illinois), Congressman J.C. Watts (R-Oklahoma), Former House Speaker Newt Gingrich (R-Georgia), Senate Majority Leader Trent Lott (R-Mississippi) and Senate Minority Leader Tom Daschle (D-South Dakota), that *Senate Joint Resolution 11* and *House Joint Resolution 56* were successfully shepherded through both House of Congress, in a successful effort to officially recognize **Juneteenth** as the Independence Day Observance of Americans of African descent in 1997; and

WHEREAS, Americans of all colors, creeds, cultures, religions and countries-of-origin, share in a common love of and respect for “*freedom*”, as well as determination to protect their right to freedom through democratic institutions, by which the “*tenets-of-freedom*” are guaranteed and protected. The “19th of June” or **Juneteenth Independence Day**, along with the “4th of July”, completes the “*cycle of freedom*” for America’s Independence Day observances. “*Until All are Free, None are Free*” is an oft repeated maxim that can be used to highlight the significance of the end of the era of slavery in the United States; and,

WHEREAS, the **National Juneteenth Observance Foundation** is sponsoring the premier celebration, concert, worship services and campaign to commemorate America’s 2nd

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Independence Day Observance, the “**19th of June**”, as one which completes the cycle of America’s 18th century Independence Movement, initiated with the “4th of July”, 1776 “**Declaration of Independence**” and to recognize this country’s movement towards a “One America”, advanced by a sincere dialogue of the realization of what Juneteenth historically means to all Americans, promoting racial healing, restoration and justice; and

NOW THEREFORE BE IT RESOLVED BY THE EXECUTIVE COMMITTEE OF THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS, ASSEMBLED IN ATLANTA, GEORGIA, FEBRUARY 16 -17, 2001, that the National Black Caucus of State Legislators, hereby adopts this resolution in support of this historic recognition and encourages participation of our members, families, and communities in the 2nd Annual **WASHINGTON JUNETEENTH 2001 NATIONAL HOLIDAY OBSERVANCE**, on the **National Mall, Lincoln Memorial and U.S. Capitol Grounds**, scheduled for Saturday, June 16th, from 1:00 p.m. until 6:00 p.m., followed by a June 17th, Sunday morning **Juneteenth Fathers Day Worship Service** at Vermont Avenue Baptist Church, an evening **Benjamin Baneker Fathers Day Festival**, a June 18th, Monday evening **Juneteenth Benefit Jazz Concert**, a June 19th, Tuesday noon rally in support of National **Juneteenth Independence Day** holiday legislation during the 2nd Annual **National Day of Reconciliation and Healing From the Legacy of Slavery** and a series of evening **Juneteenth Prayer and Praise Worship Services** in churches and houses of worship throughout the Washington, DC area and the country.

Sponsored by: Representative Al Edwards (TX), Representative Alzo Reddick (FL),
Senator Maxine Hornes (OK)

Ratified in Executive Committee Session, Saturday, February 17, 2001. Ratification certified by: Representative James Thomas (AL), President