

NAACP[®] **RESOLUTIONS**

2022

**SUBMITTED UNDER ARTICLE X, SECTION 2 OF
THE CONSTITUTION OF THE NAACP**

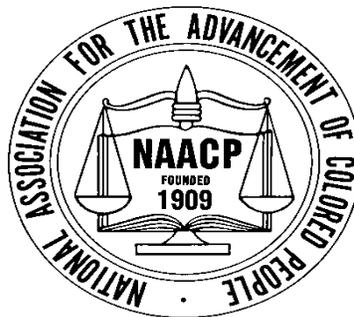
RESOLUTIONS SUBMITTED UNDER ARTICLE IX, SECTION 1 OF THE CONSTITUTION OF THE NAACP

2022

ARTICLE IX, SECTION 1. (PURPOSE OF THE CONVENTION)

1. *(Purpose of the Convention)*

The Annual Convention of the Association shall establish policies and programs of action for the ensuing year. All actions of the Convention on questions of policy and programs, which are not contrary to this Constitution, shall be binding on the Board of Directors, the Executive Committee, the Officers and all Units, except as hereinafter provided. No resolution for change of policy or program of action shall be in order unless it shall have been favorably voted upon at a regular legislative meeting of a Unit in good standing, or has been submitted by the President and CEO. The resolutions for policy or program change must be certified by the President and the Secretary of the Unit, and received by the President and CEO in the National Office by June 1st, annually. The Convention shall act on all such proposed program or policy changes during its Legislative Sessions.



All resolutions contained in this packet were reviewed by the 113th Convention of the NAACP, held July 19, 2022 at its Legislative Meeting in Atlantic City, New Jersey. These resolutions were ratified by the National Board of Directors on October 15, 2022 and are now the Official Policy of the National Association for the Advancement of Colored People.

NAACP
RESOLUTIONS APPROVED BY THE RESOLUTIONS
COMMITTEE
2022

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CIVIL RIGHTS

1. ***Preserving Disparate Impact Analysis in Employment, Housing, Education, Voting Rights and Telecommunications***

WHEREAS, One of the greatest current legal issues impacting the NAACP’s mission of advancing people of color is whether a plaintiff or complainant alleging racialized harms must prove an intent to discriminate, an increasingly difficult task as efforts to discriminate become more subtle and sophisticated, or whether it is sufficient to show “disparate impact;” and

WHEREAS, Disparate impact standard has been used in the U.S. Supreme Court in the landmark cases of: *Griggs v. Duke Power Co.*; *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.*; *Green v. County School Board of New Kent County*; and *Thornburg v. Gingles* regarding Title VII of the Civil Rights Act, the Fair Housing Act of 1968, school desegregation, and the Voting Rights Act of 1965, respectively; and

WHEREAS, In March 2022, the Federal Communications Commission sought public comment on whether it “should . . . establish a ‘discriminatory effects’ or disparate impact test” as it undertakes to observe a congressional command to eliminate discrimination in broadband deployment; and

WHEREAS, When a plaintiff or complainant is required to prove discriminatory intent, such as individual motives, a defendant or respondent can often avoid liability simply by offering a legitimate non-discriminatory reason for the challenged actions regardless of how disparately the actions negatively affect people of color, resulting in a defendant or respondent evading liability unless the defendant or respondent has displayed racial motives; and

WHEREAS, The disparate negative impact suffered by people of color is felt precisely the same regardless of whether a plaintiff or complainant can show that the complained of action was motivated by racial animus.

THEREFORE, BE IT RESOLVED, the NAACP supports the use of the disparate impact standard in all civil rights lawsuits.

BE IT FINALLY RESOLVED that the NAACP will disseminate this Resolution to state and federal legislators and regulators.

2. ***The Crown Act – Creating a Respectful and Open Workplace for Natural Hair***

WHEREAS, The **CROWN Act** was created in 2019 by Dove and the **CROWN Coalition** to ensure

protection against discrimination based on race-based hairstyles by extending statutory protection to hair texture and protective styles including, but not limited to braids, locs, twists, afros, and Bantu knots in the workplace and schools; and

WHEREAS, According to Unilever PLC/Unilever N.V (2019), “hair discrimination has real, measurable social, and economic impact,” with Black people’s hair continuing to be policed and used to deter professional advancement; and

WHEREAS, According to the Editorial Board of the High School Journal (2020), “rampant in the news media are stories of students and young people being refused entry to, sent home from school, having their natural hair cut off, being threatened with disciplinary action, or being removed from extracurricular activities for hair styles deemed unacceptable in mainstream white culture;” and

WHEREAS, In June 2019, California made headlines by becoming the first state to outlaw racial discrimination against individuals based on their natural and cultural hairstyles; and

WHEREAS, Only thirteen states in total (CA, IL, NY, NJ, VA, CO, WA, MD, CT, NM, DE, NE, NV) have passed the legislation so far, while hair discrimination affects Black people throughout the United States and the world; and

WHEREAS, The law, also known as the CROWN Act (Create a Respectful and Open Workplace for Natural Hair), states, “In a society in which hair has historically been one of many determining factors of a person’s race, and whether they were a second class citizen, hair today remains a proxy for race. Therefore, hair discrimination targeting hairstyles associated with race is racial discrimination;” and

WHEREAS, the U.S. House of Representatives passed the bill at the federal level on September 21, 2020; and

WHEREAS, In the United States, discrimination based on hair texture is a form of social injustice that has been predominantly experienced by African Americans and predates the existence of the country.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People reaffirms its stand and opposes the discriminatory practices associated with the denial of employment and educational opportunities based on hair texture, including hair that is tightly coiled or tightly curled, afros, and protective hairstyles, including braids, locs, twists, or Bantu knots.

BE IT FINALLY RESOLVED that the NAACP urges the remaining 37 states, U.S. territories, and the U.S. Senate to pass the Crown Act.

COMMEMORATIVE/MEMORIAL

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1. Charles A. Bibbs African American Museum & Cultural Center

WHEREAS, Nationally and internationally acclaimed artist Charles Bibbs, whose work is featured in museums, galleries, organizations, and homes of many collectors; and

WHEREAS, In 1991, Charles Bibbs decided to form his own publishing and distribution company, B Graphics and Fine Arts, Inc. Today, Bibbs is one of the top-selling artists in the country, and his company has grown to be one of the leaders in the African American art print market; and

WHEREAS, Charles Bibbs, who is an artistic genius and was educated in and is a native of South Bay Los Angeles County, creates his special brand of stylized art capturing the attention of art enthusiasts around the world; and

WHEREAS, Charles Bibbs' artwork reveals noble compositions and a signature technique that fuses acrylic paint and ink coupled with African and contemporary African American themes. The art of Charles Bibbs is born through a creative process which comes from a level of spirituality and commitment to empowerment in the African American; and

WHEREAS, Charles Bibbs Board & Advisory Committee have been working diligently for the past year laying the groundwork for an African American Museum & Cultural Center; and

WHEREAS, The most important goal is to make profound aesthetic statements that are ethnically rooted and at the same time arouse spiritual emotions within us. Charles Bibbs' vision is to open The Charles A. Bibbs African American Museum & Cultural Center in Riverside, California in the year 2023.

THEREFORE, BE IT RESOLVED that the National Association for the Advancement of Colored People will endorse and support the Charles A. Bibbs African American Museum & Cultural Center, and also send a letter memorializing support for the museum that will bring greater national attention to his work that fuses African, African American and Native American cultural themes.

2. Historical Recognition: Tara Cross, Antoinette White, Trisonya Thompson, Cheryl Stevens, Vicki Pullins and Sheri Sanders, A.K.A The Soul Patrol, and Brian Gimmillaro

WHEREAS, In 1989, Tara Cross, Antoinette White, Trisonya Thompson, Cheryl Stevens, Vicki Pullins and Sheri Sanders represented the first time five (5) African American women, and a Native American

woman comprised the starting lineup in a NCAA Division I Women's Volleyball National Championship finals; and

WHEREAS, The 1989 Long Beach State University women's volleyball team referred to themselves as ***The Soul Patrol***; and

WHEREAS, Brian Gimmillaro served as head coach of the women's volleyball team at Long Beach State University for 32 years, and led ***The Soul Patrol*** to the 1989 NCAA Division I Women's Volleyball National Championship title over #5 ranked Nebraska; and

WHEREAS, ***The Soul Patrol*** under Coach Brian Gimmillaro became the FIRST and ONLY all women of color, five (5) African American women, and a Native American woman, starting lineup to ever win a NCAA Division I National Women's Volleyball Championship; and

WHEREAS, ***The Soul Patrol*** under Coach Brian Gimmillaro won the first National Championship in any sport for Long Beach State University; and

WHEREAS, The 1989 Women's Volleyball team, in 2011, was the first team inducted into the Long Beach State University Hall of Fame; and

WHEREAS, In the years following this historic event, members of the team have contributed significantly to sports and society both nationally and globally.

THEREFORE, BE IT RESOLVED that the National Association for the Advancement of Colored People recognizes and applauds this historic accomplishment of volleyball players Tara Cross, Antoinette White, Trisonya Thompson, Cheryl Stevens, Vicki Pullins, Sheri Sanders and coach Brian Gimmillaro, and honors them for this historical first, and their past/future accomplishments as African American women.

BE IT RESOLVED, that this historical resolution be recorded and included in the archives of the National Association for the Advancement of Colored People signifying this stellar performance of these African American athletes on this 16th day of the month of April in the year 2022.

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3. *The Last Slave Ship Clotilda and its Future, Re-Location to a National Museum in Africatown*

WHEREAS, The Clotilda schooner was chartered by plantation owner and notorious slaver Timothy Meaher, sailing in 1860 from present-day Mobile County, Alabama, to the Kingdom of Dahomey in the present-day country of Benin to purchase and return with a shipment of enslaved Africans to make what became the last documented voyage in more than four centuries of the Transatlantic Slave Trade to North America from the African continent; and

WHEREAS, The Clotilda slave ship was burned and sunk in the Mobile River Delta near Twelve Mile Island immediately upon its return to conceal evidence of the enslavers' crimes against the federal ban on importing people from Africa into the United States to be enslaved; and

WHEREAS, A group of Africans who survived the Clotilda's sinister act of piracy and five and one-half years of slavery at various plantations came together after the U.S. Civil War, settling three miles north of Mobile; and,

WHEREAS, When they could not work hard enough to raise money and return to their homelands, they became the first Africans in 19th century U.S.A. to establish and manage their own self-governing community in 1870 to maintain and transmit their African indigenous folkways, traditions, language, and culture to their descendants; and

WHEREAS, The many descendants of the founders of Africatown who are still residents in the community situated in Mobile County maintained their ancestors' story of the Clotilda's tragic voyage that brought them to these shores; and

WHEREAS, The wreckage of the Clotilda slave ship was identified in 2018 along an uncharted stretch of the Mobile River near Twelve Mile Island in Mobile, Alabama, and later confirmed by marine archaeologists and researchers with the Alabama Historical Commission that officially announced the Clotilda discovery in May 2019; and

WHEREAS, The Clotilda slave ship, despite being submerged for more than 160 years and dynamited at some point in the more recent past, is the most intact Transatlantic Slave Trade ship wreckage ever found anywhere in the world that can provide crucial historic and archaeological knowledge about this global human holocaust; and

WHEREAS, Extensive interviews and community engagement meetings have provided critical insight into the descendant community's thoughts and feelings about what should happen with the Clotilda wreckage; and

WHEREAS, Clotilda Descendants and Africatown leaders, with many local political representatives, have expressed resolve to raise, locate and preserve the Clotilda wreckage in the Africatown community for the cultural, historical, social and economic benefit of its residents; and

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WHEREAS, Planning and organizing of the Africatown International Design Idea Competition began in August 2018, officially launching on Juneteenth (June 19) 2020 to solicit innovative architectural concepts from designers worldwide for a museum complex that could potentially house the Clotilda wreckage, among other monuments and amenities worthy of Africatown's legacy; and

WHEREAS, The Africatown community was recently listed on the 2022 World Monuments Watch by the World Monuments Fund (WMF) as one of 25 globally significant sites in need of immediate preservation, with WMF committing to bring much-needed technical assistance to grass-roots community stakeholders, particularly in issues related to under-represented tourism; and

WHEREAS, The Alabama Historical Commission has claimed legal authority over the Clotilda wreckage and can raise the sunken slave ship from its watery grave to be properly preserved and displayed in an appropriate, world-class, national museum situated in the Africatown community; and

WHEREAS, Such a museum should be authorized by the United States Congress, supported by the Institute of Museum and Library Services and the National Park Service, with the full oversight and management of Africatown's Clotilda Descendants as a major world heritage destination in the Mobile area and the entire State of Alabama, attracting millions of cultural tourists to view the Clotilda wreckage and learn about the resilience of the millions of people who survived the Transatlantic Slave Trade and their descendants across the Diaspora, all through the singularly powerful lens of the Clotilda Descendants and their Africatown history; and

WHEREAS, The wreckage is now mostly located on the private property of the Mobile mayor and the governor of the State of Alabama has awarded one million dollars to research how or if the Clotilda wreckage can be safely raised and restored; however, given the historical nature, this research, raising, restoration, and preservation should involve any and all United States government research and historical oversight agencies.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People affirms its support for the raising and preservation of the Clotilda wreckage in the Africatown community.

BE IT FINALLY RESOLVED that the NAACP calls upon the Alabama Historical Commission, the United States Congress, the Institute of Museum and Library Services, the National Park Service and all pertinent federal agencies to support and engage in the efforts to research, raise, re-locate, and restore the Clotilda, and establish an incredibly rare and era-defining, world heritage Clotilda Museum on behalf of and to benefit Clotilda's Africatown descendants.

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CRIMINAL JUSTICE

1. *Reaffirming Necessary Police Reform Policies in the United States*

WHEREAS, That the NAACP has historically advocated for policing reform, most recently supporting those outlined within the George Floyd Justice in Policing Act of 2021, that include and emphasize the need for police accountability, transparency through data, the elimination of the use of no-knock warrants, and the standardization of comprehensive training requirements; and

WHEREAS, The doctrine of qualified immunity currently protects and shields law enforcement officers from being held responsible for malfeasance, perpetuating a culture of near-zero accountability that has resulted in approximately 1,000 deaths by police shootings each year with an average of only 13 police officers charged with murder or manslaughter in the same period; and

WHEREAS, The Supreme Court has held that a law enforcement officer is immune from liability unless it can be shown that the officer broke "clearly established" law in the process and in 2009 expanded the doctrine, making it even easier for law enforcement officers to avoid accountability for using excessive force, even in extreme cases of police misconduct; and

WHEREAS, Despite their responsibility to ensure accountability, implementation, and maintenance of police anti-corruption policies, local Internal Affairs Departments, internal EEO Departments, internal misconduct review panels and union protections further shield police officers from accountability and perpetuate corruption and misconduct; and

WHEREAS, Law enforcement officers who have been terminated or forced to resign on the basis of misconduct are often hired in other jurisdictions, including across state lines, posing a significant problem that increases the likelihood of further misconduct by those police officers; and

WHEREAS, There is no national dataset on fatal police interactions, allegations of instances of use of excessive force, records of allegations of police misconduct, civilian complaints, resulting in further obstacles to police accountability and a lack of transparency that erode the public's trust in governmental entities; and

WHEREAS, Although instances of police brutality and police-involved shootings of countless unarmed Black people have gained national attention, Black women victims are often overlooked and absent in the narrative, rarely garnering the same public outrage; and Black women account for 13 percent of women in the United States, yet make up 20 percent of the women fatally shot by the police and 28 percent of unarmed persons killed by police officers; and

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WHEREAS, No-knock warrants, an aggressive, military-style practice in which law enforcement agents raid an individual's home without notice or clearly identifying themselves as law enforcement, often create a scene of violence, confusion and panic that has traumatic and deadly consequences to individuals and communities; and

WHEREAS, The Fourth Amendment of the U.S. Constitution prohibits arbitrary vehicle searches by police; however, U.S. Supreme Court decisions, such as *Whren V. United States*, have created room for officers to use stops as a pretext to investigate alleged offenses for which the officer has no probable cause nor reasonable suspicion; and

WHEREAS, Due to a historic legacy stained by systemic racism and implicit bias, Black drivers are 20% more likely to be stopped than White drivers, and being heavily targeted for pretextual stops, Black people are exposed to a great risk of escalated use of force by law enforcement officers that all too often results in death; and

WHEREAS, Many law enforcement agencies have minimal training relating to diversity, culture, and bias with many states having no bias training mandates at all that is then exacerbated by the focus on combat tactics in basic training which, in turn, heavily impacts and amplifies the perceptions and biases officers carry into their interactions with the public, specifically with Black people and people of color, who are dehumanized and seen as threats; and

WHEREAS, The restraint killing of George Floyd put psychological "warrior training" of police, also known as "killology" and "fear-based training" in the spotlight. This controversial practice militarizes police, training them to have a willingness to kill based on the premise that police officers are "at war", necessarily casting members of the public as the enemy, and advocating that officers should be psychologically trained to become "warriors" to overcome their natural resistance to killing", necessarily casting members of the public as those to be killed; and

WHEREAS, Alternatives to policing, such as crisis units that deploy mental health professionals as first responders, automated traffic enforcement, and civilian traffic response units that remove police from routine traffic enforcement, are proven to greatly reduce the frequency and impact of use of force and corresponding injuries in crisis situations, reduce racial disparities in policing and the justice system, improve cost effectiveness for agencies and taxpayers, and most importantly, save human lives from the irreversible consequences of trauma and loss.

THEREFORE, BE IT RESOLVED, the NAACP reaffirms its strong opposition to police brutality, and calls for significant and tenable police reforms and an increased call for public awareness of Black women victims.

BE IT FURTHER RESOLVED, the NAACP calls for Legislative and Executive Branches, in their respective local, state and federal jurisdictions, to:

- 1) End qualified immunity for law enforcement officers;
- 2) Cease the practice of no-knock warrants;

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- 3) Protect against pretextual traffic stops by decoupling traffic enforcement from crime investigation and employing traffic enforcement units that are separate from other crime enforcement divisions or units;
- 4) Increase the use of technology and automation in a racially equitable manner that does not constitute surveillance;
- 5) Increase the use of unarmed law enforcement personnel when and where appropriate;
- 6) Research, evaluate, and institute community-determined alternatives to public safety and policing that are inclusive of interventions and preventative practices that reduce police contact, especially face-to-face interactions between armed law enforcement officers and motorists during routine traffic stops or during instances of mental health crises; and

BE IT FURTHER RESOLVED, that the NAACP calls on the Department of Justice and the Bureau of Justice Statistics to:

- 1) Expand their national, state, and local data collection and public dissemination efforts to be inclusive of a statistical gendered analysis;
- 2) Implement standardized reporting requirements by local and state police agencies;
- 3) Make federal funding contingent upon said local and state police agencies' compliance with these standardized reporting requirements; and

BE IT FINALLY RESOLVED the NAACP calls for Legislative and Executive branches, in their respective local, state and federal jurisdictions to:

- 1) Implement standards for independent oversight of law enforcement officers by Internal Affairs or EEO departments with final adjudication and determination powers;
- 2) Develop a comprehensive National Police Misconduct Registry and corresponding standards and policies barring the hiring of officers previously terminated or forced to resign due to acts of violence and/or misconduct;
- 3) Require comprehensive psychological screenings prior to the hiring of law enforcement officers and periodically throughout their tenure;
- 4) Standardize comprehensive training requirements on implicit bias and racial profiling; and
- 5) Prohibit the use of "warrior" or "fear based" training, *i.e.* "killology" by any law enforcement agency.

2. *In-Custody Deaths – Incarcerated Residents Constitutional Protections Recovery*

WHEREAS, Process failures, neglect, systemic racism, and bias continue to result in unnecessary and preventable loss of life in our U.S. criminal justice system and mental health institutions; and

WHEREAS, Fair treatment and adequate, medical and mental health care traditionally has not been consistently provided for individuals while they are in custody; and

WHEREAS, The Department of Justice's Bureau of Justice Statistics found that between 2001 and 2016, over 16,000 people died in local jails, with almost half dying due to unnatural causes like suicide or drug overdose, and nearly 60,000 people died in state and federal prisons; and

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WHEREAS, Local, state, and federal law enforcement agencies continuously fail to provide effective, independent oversight of in-custody deaths.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People (NAACP) reaffirms its dedication to ensuring data transparency and law enforcement accountability to secure and defend the constitutional protections that are due to all, including incarcerated individuals, under Federal and State Laws.

BE IT FURTHER RESOLVED, that the NAACP seeks full transparency and reporting of data concerning any deaths while in the custody of law enforcement including, but not limited to, during arrests, in local jails, in state/federal prisons, and in immigration detention facilities.

BE IT FURTHER RESOLVED, that the NAACP calls on the Federal Bureau of Prisons, the Bureau of Justice Statistics, the Department of Justice at large, and Congress, within their respective jurisdictions, to adequately fund and enforce the mandated reporting of all deaths occurring in law enforcement custody, standardize a uniform reporting process, and ensure complete, accurate, and timely collection and publication of all deaths occurring on the local, state, and federal levels.

BE IT FINALLY RESOLVED that the NAACP demands that each of the above referenced deaths be reported to the local health department, the State Health Department and the Centers for Disease Control.

3. *Jury Service for Citizens with Felony Records*

WHEREAS, The duty to serve on a jury is considered a basic obligation of citizenship in this country, and the right to a jury of one's peers has been historically and centrally connected to due process in the courts. Further, the U.S. Supreme Court has held that the 6th Amendment of the United States Constitution requires that juries be representative of a fair cross-section of citizens, as do many state constitutions; and

WHEREAS, Diverse juries have been proven to be fairer in their deliberative process with studies showing diverse juries deliberate longer and more thoroughly, help to instill confidence in our jury system and support for resulting verdicts, and that the public views diverse juries as fairer and more legitimate than those that are racially homogeneous; and

WHEREAS, This country's history of mass incarceration has resulted in hugely disproportionate incarceration rates for Black Americans with approximately one-third of Black men having a felony convictions according to the report, "Growth in the U.S. Ex-Felon and Ex-Prisoner Population, 1948 to 2010;" and

WHEREAS, Persons with felony convictions are automatically excluded from serving on juries in most states due to felony exclusion laws, regardless of their record of good citizenship and rehabilitation in the years after their release from prison, and despite the fact that their citizenship rights may have been restored; and

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WHEREAS, According to Prison Policy Initiative’s 2021 “Rigging the jury: How each state reduces jury diversity by excluding people with criminal records”, these laws prohibit more than twenty million people from jury service, in turn, significantly reducing jury diversity by disproportionately excluding Black people, and causing juries to deliberate less thoroughly, potentially leading to wrongful convictions; and

WHEREAS, Federal law, 28U.S.C.§1865(b)(5), since1968 has "deemed" persons convicted of a felony who have served their time as eligible for jury service in the federal courts if they have had their citizenship rights restored, however, because initial NAACP inquiries indicate that some federal judges are not aware of this statute, the NAACP is concerned that federal courts have not taken affirmative steps to encourage and welcome their participation; and

WHEREAS, When felony exclusion laws lead to Black people being disproportionately barred from jury participation, Black defendants’ Fourteenth Amendment Equal Protection rights are violated; and

THEREFORE, BE IT RESOLVED, that the NAACP calls for juries that are truly representative of the community; jury reform measures to increase the diversity; the inclusion of jury service with the restoration of citizenship rights.

BE IT FURTHER RESOLVED, that the NAACP at all levels will increase awareness, education and advocacy efforts to secure the right to jury service for citizens with felony backgrounds, not only for those whose citizenship rights have been restored but for all who have served their time.

BE IT FINALLY RESOLVED that the NAACP will advocate to reverse harmful and discriminatory felony exclusion laws on the local, state, and federal level to preserve and protect our democracy and the constitutional right to a fair and impartial trial by a jury of one’s peers, and to restore the civic participation rights of those who have been previously incarcerated or convicted of a felony.

4. NAACP Reaffirms its Support of Abolishing the Death Penalty

WHEREAS, In 1970 and 2001 the NAACP approved resolutions in support of abolition of the Death Penalty and in 2009 the NAACP launched a campaign to reverse the trends of African Americans on Death Row; and

WHEREAS, Racial bias is still prevalent in the Criminal Justice system and Black Americans are disproportionately given death sentences; and

WHEREAS, Black people are seven times more likely to be convicted of murders they did not commit; and

WHEREAS, In 2020 Black people made up 52% of those on Death row and only 13% of the United States population; and

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WHEREAS, Of approximately 2,400 people facing the death penalty today, more than 40% are Black, and a majority are poor and/or have a mental health disorder; and

WHEREAS, The Death Penalty is banned in only 21 states; and

WHEREAS, The practice of capital punishment is rooted in the United States' ugly history of lynching; and

WHEREAS, Between 1880 and 1918, more than 8 in 10 lynchings occurred in the South, and more than 8 in 10 of the nearly 1,400 legal executions carried out in this country since 1976 have been in the South; and

WHEREAS, Racial bias is still prevalent in the Criminal Justice system and African-Americans are disproportionately given death sentences; and

WHEREAS, The states that still maintain the death penalty also had the most incidents of lynching between 1883 and 1940; and

THEREFORE, BE IT RESOLVED, the NAACP reaffirms its support of abolition of the Death Penalty across the United States and calls for racial equity throughout the criminal justice system.

BE IT FINALLY RESOLVED, the NAACP reaffirms its support of abolishing the Death Penalty across the United States and calls for racial equity throughout the criminal justice system.

5. *Permanent Punishments*

WHEREAS, 'permanent punishment' laws erode the successful re-entry and full participation of formerly incarcerated persons into society through thousands of pieces of legislation nationwide that:

- Prevent the professional licensure required for many professions;
- Prohibit the formerly incarcerated from serving as the executor of a loved one's estate;
- Block access to a quality education, quality jobs, safe and affordable housing, and more; and

WHEREAS, Millions of people leave prisons every year hoping that their punishment has ended, only to encounter a combination of laws, rules, and biases forming barriers that block them from jobs, housing, and fundamental participation in our political, economic, and cultural life; and

WHEREAS, Research including reporting from the Open Society Foundation, the Brennan Center for Justice and, in June 2020, the "Never Fully Free" Report released by Heartland Alliance, all highlight the effects of 'permanent punishment' laws including:

- Individuals who have been formerly incarcerated are at a significantly higher risk of homelessness; and
- Prior criminal convictions greatly reduce an individual's earning prospects with formerly incarcerated individuals earning, on average, \$20,000 less annually than their peers without a conviction by the age of retirement; and

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WHEREAS, Black people and other people of color experience disparate and inequitable outcomes in the United States criminal legal system, including rate of arrests, convictions, and sentencing which ultimately concentrates the negative social and economic impacts of 'permanent punishments' in Black communities; and

THEREFORE, BE IT RESOLVED that the NAACP calls for legislative bodies on the local, state, and federal level, in their respective jurisdictions, to repeal 'permanent punishment' laws and to adequately fund the development of second-chance programs that support the transitioning of formerly incarcerated persons back into communities.

6. *Police Deceptions in Interrogations*

WHEREAS, The National Association for the Advancement of Colored People ("NAACP") seeks to promote the integrity and efficiency of the justice system in part by eliminating police deception during interrogations to prevent false confessions and subsequent wrongful convictions of people, especially minors; and

WHEREAS, To establish a more acceptable interrogation tactic than the condemned, physical abuse tactic known as the "third degree," police deception (formally referred to as the "Reid Technique") emerged as the standard form of interrogation in the 1950's, being implemented in most, if not all, police jurisdictions in the United States; and

WHEREAS, The U.S. Supreme Court and state courts have upheld the use of police deceptions in interrogations, permitting police to present false evidence to suspects during interrogation to mislead and deceive them to extract confessions while failing to carve out any significant limitations or bright-line rules for police to observe; and

WHEREAS, False confessions are a leading cause of wrongful conviction in the United States. More than two-thirds of the convictions in DNA-cleared homicide cases documented by the Innocence Project were caused by false confessions; and

WHEREAS, The lying, coercion, and manipulation inherent in police deception, combined with the "recognized vulnerabilities and susceptibilities" of minors as a group, have led to an "unacceptably high rate of false confessions among juvenile suspects" who studies have shown are two to three times more likely to give a false confession than adults; and

WHEREAS, In 2021, Illinois and Oregon became the first states in the country to enact legislation banning police from lying to minors during interrogations. Similarly, New York has endeavored to ban this practice not only when interrogating minors, but when interrogating adults as well; and

THEREFORE, BE IT RESOLVED, that the NAACP should continue its effort to seek passage of anti-deception legislation in all 50 states.

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BE IT FURTHER RESOLVED, that the NAACP advocate for all anti-deception legislation should be written to protect both minors and adults from the use of deception tactics during interrogation pursuant to their rights under the Fifth Amendment of the U.S. Constitution without any exigent circumstance exemptions.

BE IT FINALLY RESOLVED that the NAACP advocate that any anti-deception legislation include statutory penalties against law enforcement officials found to violate the legislation in light of the economic burden wrongful convictions place on the citizenry.

7. *Reaffirming the Need to Make Communities Smart and Safe Through Violence Reduction*

WHEREAS, Violence and acts of crime involving the use of firearms, resulting in the murder of innocent men, women, senior citizens, and children pose a public health hazard in the African American and other communities throughout our nation; and

WHEREAS, The absence of federal data involving gun violence has prevented holistic, public health-based interventions to address the use of firearms with data driven insights; and

WHEREAS, According to a January 12, 2022 *Time Magazine* article entitled "Violent Crime in the U.S. Is Surging. But We Know What to Do About It", violence in America has continued to grow by record numbers; and

WHEREAS, Over ten major cities across our Nation lost historic numbers of residents to murder last year with homicides rising 7 percent in 2021 and 29 percent in 2022 (*77 percent of 2022 homicides involving firearms*) and fatal shootings increasing in the largest U.S. cities by 80 percent since 2014; and

WHEREAS, The underlying causes of violent crimes such as racism and oppression manifest themselves in high unemployment rates, drug addiction, the breakdown of the family, and an unjust criminal justice system; and

WHEREAS, The correctional system further perpetuates violence, corruption, and crime, and should be reformed to focus on harm reduction and restorative justice; and

WHEREAS, According to the Violence Policy Center, for the year 2016, Black people represented 13 percent of the nation's population, yet accounted for 51 percent of all homicide victims; and

WHEREAS, The 1996 Dickey Amendment mandated that "none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention (CDC) may be used to advocate or promote gun control" acting as an intimidation tactic that paused research and progress on the issue of gun violence and violent crime for nearly 20 years; and

THEREFORE, BE IT RESOLVED, that the NAACP, reaffirms its 2010 Resolution to help our communities become smarter and safer through a diverse set of violence reduction strategies and programs.

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BE IT FINALLY RESOLVED that the NAACP calls for the collection of data by local and state health departments and the Centers for Disease Control and Prevention to quantify the effect of gun violence and other violent crime as a public health issue.

8. *The Elimination of Cash Bail*

WHEREAS, The National Association for the Advancement of Colored People ("NAACP") seeks to ensure that no person accused of a crime is held in custody because he or she does not have access to capital; and

WHEREAS, Many state constitutions contain language that permits setting monetary bail as a condition of release for the purpose of securing future appearances and protecting the public. However, for almost 60 years, studies have shown that the rate at which those released on their own recognizance return for future hearings is the same as for those who pay to be released, proving the bail system is not effective; and

WHEREAS, Many people who fail to appear after paying monetary bail do so because of lack of transportation, support and other resources, not because they attempted to flee and pretrial detention can lead to loss of employment, housing, and child custody because being in jail prevents people from tending to their daily living obligations, such as working, paying bills or caring for their children; and

WHEREAS, People of color are more likely to be victimized by a monetary bail requirement because the poverty rate is much higher for minority populations, particularly Blacks and Latinos. Many pretrial detainees are likely to either plead guilty or accept a harsher penalty because pretrial detention hinders a defendant's ability to meet with their lawyer, gather evidence and formulate a defense; and

WHEREAS, Some states have begun attempts to reform their cash bail systems, but there is a large degree of inconsistency both in the method and application of reformation policies.

THEREFORE, BE IT RESOLVED, that the NAACP calls for the elimination of cash bail, monitoring fees, and the purposes of cash bail be satisfied through more appropriate means, such as home incarceration, which allows defendants to work; attend medical appointments and religious ceremonies; care for children; and contribute to their defense more meaningfully.

BE IT FURTHER RESOLVED, that the NAACP calls for the creation of oversight boards in respective states be tasked with collecting quarterly data at the county-level regarding pretrial release and detention rates, electronic monitoring release, demographics for pretrial detention and electronic monitoring groups, failures to appear, and re-arrest rates for those granted pretrial release.

BE IT FINALLY RESOLVED that the NAACP will deliver this resolution to federal and state legislators and associations of public defenders and prosecutors.

ECONOMIC DEVELOPMENT

1. *Closing the Wealth Gap in Homeownership*

WHEREAS, Systemic racism has left Black families behind, the typical White family holds eight times the amount of wealth held by the typical Black family, according to the 2019 Survey of Consumer Finances. The disparities continue after these students leave school. Due to lower family wealth and racial discrimination in the job market, Black students are far more likely than white students to experience negative financial events after graduating- including loan default, higher interest rate payments, and higher graduate school debt balances; and

WHEREAS, Crisis-level student debt hinders economic progress in many ways, including reinforcing racial wealth inequality. According to the U.S. Census, as of the second quarter of 2021, the Black homeownership rate was 44.6 percent compared to 74.2 percent for Whites. That's down from the recent high achieved in the second quarter of 2020 but up significantly from the half-century low of 40.6 percent measured in the second quarter of 2019. In spite of an apparent increase in homeownership among Blacks in 2020, the gap in homeownership rates between Black homeowners and White homeowners is still a staggering 30 percentage points; and

WHEREAS, According to the 2021 State of Housing in Black America (SHIBA) Report, there was a surge in Black millennials home buying during the first months of the pandemic, contributing to an increasing Black homeownership. This surge is largely attributed to the greater buying power that millennials have compared to other generations, reflecting a greater ability to save and invest, especially among middle-class Black millennials, who have higher incomes and more stable employment; and

WHEREAS, For many Black millennials, student loan debt is the biggest hurdle in homeownership, as it can limit the amount of savings that can be used for a down payment in the general population; and

WHEREAS, Debt to income ratio is reported as the main reason for denial for over 35 percent of Black millennial applicants compared with 28 percent of White millennial applicants. Study of millennial student debt shows that Black millennial Bachelor's degree holders had a median debt of \$31,000 compared to \$26,726 for White millennials; and

WHEREAS, Between June 2020 and May 2021, the private and philanthropic sectors have made at least \$215 billion in racial equity commitments; and

WHEREAS, Nationwide, the home price inflation increase over the year ending August 2021 was 14.9 percent. Currently, home prices are on the rise, and income levels are stagnant. Based on the economy, homeownership and ultimately Black wealth will also remain stagnant, and

WHEREAS, This resolution reaffirms and builds upon prior NAACP resolutions to promote homeownership that include, the 2012 NAACP resolution, “Saving Homeownership and Building Wealth in African American Communities” and the 2020 resolutions, “Down Payment Assistance Program To Increase Black Homeownership”, “Wealth Building and Homeownership”, and, “Ditch the College Debt” and the 2021, “Student Debt Cancellation \$50,000 & Beyond.”

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People (NAACP) offers its full and ongoing support and backing for the efforts of building Black wealth by closing the homeownership gap.

BE IT FURTHER RESOLVED, that the NAACP demands the President of the United States to make good on his promise to cancel and reform student debt. The NAACP requests the President of the United States, the Federal Housing Finance Agency (FHFA), the U.S. Department of Housing and Urban Development (HUD), and Congress initiate policies and legislation that will help Black American first time home buyers who want to purchase a home, but have large student loan payments.

BE IT FINALLY RESOLVED that the NAACP demands the President of the United States to secure support from his Administration, and from financial institutions with racial equity commitments to closing the homeownership gap.

2. *Decreasing the Wealth Gap by Creating Multi-Generational Wealth for African Americans with Financial Estate Planning*

WHEREAS, The NAACP has been a long-time champion of economic justice and has fought for the rights of people to live healthy and dignified lives; and

WHEREAS, According to the Federal Reserve Board of Consumer Finance, there is a significant wealth gap between white and marginalized communities; and

WHEREAS, Among Black families households’ net worth, which is defined as total assets, less all liabilities, have hovered in the \$1,5000 to \$25,000 range in the last 30 years; and

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WHEREAS, A lack of financial preparedness can lead to an atmosphere of soliciting family, friends and communities for monetary assistance; and

WHEREAS, Access to fiduciary financial planning tools, including life insurance, should not be seen as an option but as a necessity, especially in marginalized communities; generational wealth can be created by providing a financial asset and tax-free income.

THEREFORE, BE IT RESOLVED, that the NAACP will provide workshops to educate marginalized communities on the nuances and value of financial estate planning.

BE IT FINALLY RESOLVED that the NAACP will work with trusted fiduciary financial advisors, identifying Black investment, advisory, and housing professionals to create informational toolkits for greater outreach and awareness that highlights financial literacy tools and educational materials on the benefits of financial estate planning to create generational wealth.

3. *NAACP Recommends Reparation Policies for Black American Descendants of Person Enslaved in the United States*

WHEREAS, The persistent gap in almost all the human development indicators, such as life expectancy, income and wealth, level of education, even food security, and environmental and climate injustice between African Americans and the rest of the United States population, reflects the level of structural and institutional discrimination that creates de facto barriers for people of African descent to fully exercise their human rights; and

WHEREAS, The United Nations' Working Group of Experts on People of African Descent, remains extremely concerned about the human rights situation of African Americans. In particular, the legacy of colonial history, enslavement, racial subordination and segregation, racial terrorism and racial inequality in the United States remains a serious challenge, as there has been no real commitment to reparations and to truth and reconciliation for people of African descent. Contemporary police killings and the trauma that they create are reminiscent of the past racial terror of lynching. Impunity for State violence has resulted in the current human rights crisis and must be addressed as a matter of urgency; and

WHEREAS, The appalling evidence of racism embodied as disproportionate COVID-19 incidence and mortality for Black Americans should add to moral, historical, and legal arguments for reparations for descendants of people enslaved in the U.S.; and

WHEREAS, African American families were able to obtain land as promised to the American enslaved of 40 acres and a mule. Due to white supremacy and an unjust American system that allowed land to be robbed. The NAACP demand the land unlawfully stolen to be deeded back to those families at today's value of the land and/or the land/property itself.

WHEREAS, After being reintroduced annually since 1989, H.R. 40, The Commission to Study and Develop Reparation Proposals for African Americans Act was approved, ordered favorably, as a single amendment by the House Committee on the Judiciary on April 14, 2021; and

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THEREFORE, BE IT RESOLVED, the NAACP reaffirms its previous positions on reparations, (2016): “Creation of Commission to Study and Recommend the Appropriate Remedies for the Descendants of African American Slaves” and (2007): “Reparations for Unpaid Labor Rendered by Enslaved Persons of African Descent.”

BE IT FINALLY RESOLVED the NAACP demands the 117th U.S. Congress and President Joe Biden utilize all available procedural options to immediately establish a commission to study and recommend a comprehensive program of compensatory reparations policies for Black American descendants of persons enslaved in the U.S. for harms originating in chattel slavery and ongoing through multifaceted institutional and structural forms of anti-Black racism and discrimination.

4. *In Support of Holistic Economic Inclusion in Retirement Security Through Auto-Portability*

WHEREAS, Data issued by the Center for Retirement Research at Boston College calculate that 50 percent of all U.S. households were at risk of falling short in retirement with Black Americans demonstrating the greater risk of 54 percent; 61 percent of Latinos, and 48 percent of whites; and

WHEREAS, The racial wealth gap has increased with workers of color significantly less likely than white workers to be covered by an employer-sponsored retirement plan—whether a 401(k) or defined benefit pension, and a large majority of Black working-age households—62 percent—do not own assets in a retirement account, compared with 37 percent of white households according to “Race and Retirement Insecurity in the United States”; and

WHEREAS, According to The Department of Labor, Black 401(k) plan participants are 60 percent more likely to cash out their retirement savings in comparison to their white peers especially during times of financial stress and job transition; and as a result, incur financial penalties, fees and impacts that limit generating sustainable wealth; and

WHEREAS, An inclusive economy is one where everyone can contribute and earn with fair access to resources and opportunities, while also building generational wealth; and

WHEREAS, Auto-portability is the routine, standardized and automated movement of an inactive participant's retirement account from a former employer's retirement plan to an active account in a new employer's plan. In 2018, the U.S. Department of Labor defined a need for auto-portability to consolidate small retirement savings accounts and eliminate duplicative fees for small retirement savings accounts to reduce leakage of retirement savings from tax-deferred retirement savings. The Retirement Clearinghouse has calculated that Black 401(k) plan participants are 60 percent more likely to cash out their retirement savings in comparison to their white peers especially during times of financial stress and job transition; and as a result, incur financial penalties, fees and impacts that limit generating sustainable wealth.

WHEREAS, Auto-Portability of retirement savings plans is part of the solution to the cash-out problem by enhancing long-term savings for retirement.

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THEREFORE, BE IT RESOLVED that the NAACP supports legislation advancing Auto-Portability as an essential tool to address racialized economic inequities in retirement security.

5. *In Support of Fairness in Taxation to Reduce the Racial Wealth Gap Through Federal Tax Policy: Restoring the State and Local Property Tax Deduction*

WHEREAS, Redlining of urban neighborhoods combined with appraisal bias, actions from housing lenders, and the systematic exclusion of Black homebuyers from post-World War II suburban housing markets produced a disproportionately unequal distribution of property tax revenues and burdens between Black and White homeowners; and

WHEREAS, An economic analysis published in 2020 by the Washington Center for Equitable Growth of over 118 million homes across the United States, found that Black and Hispanic homeowners face an average 10 to 13 percent higher property tax burden when compared to similarly-situated White homeowners; and

WHEREAS, Scholars have identified regressive patterns of taxation in jurisdictions throughout the United States that impose a comparatively higher tax burden on communities of color, shifting the burden of subsidizing public services to communities that also receive fewer public services and less historic investment in public infrastructure; and

WHEREAS, The state and local tax deduction reduces the effects of regressive tax policy in the federal tax code through property tax relief that encourages and preserves homeownership for Black and Brown homeowners by reducing tax delinquencies and predatory tax sales; and

WHEREAS, Progressive tax policies within states reduce the racial wealth gap through distributional policy such as levying higher tax rates on top earners, providing stronger renter tax credits, child tax credits, and earned income tax credits.

THEREFORE, BE IT RESOLVED that the NAACP urges the United States Congress to restore the deductibility of state and local property taxes in the federal tax code for the purpose of reducing tax delinquencies, predatory tax sales, and preserving homeownership for people of color.

6. ***The NAACP Stands Opposed to Discriminatory Lending Practices Against African Americans***

WHEREAS, According to the September 2017 report commissioned by Prosperity Now and Institute for Policy Studies entitled, *The Road to Zero Wealth: How the Racial Wealth Divide is Hollowing out America's Middle Class*, in 2024, median Black and Latino households are projected to own 60-80% less wealth than they did in 1983, and if the racial wealth divide is not addressed it will be further exacerbated setting Black households on a trajectory to zero wealth in 2053; and

WHEREAS, The NAACP abhors discriminatory and predatory lending practices that put borrowers at risk by trapping homeowners in unaffordable debt and often costs homeowners their homes and life savings; and

WHEREAS, The Civil Rights Act ensures that no person in a democracy is treated unfairly but equal; but yet there are still cases where African American rights are violated; and

WHEREAS, Therefore differential treatment discrimination occurs when equally qualified individuals are treated differently due to their race or ethnicity; in mortgage lending, differential treatment might mean that minority applicants are more likely than whites to be discouraged from applying for a loan, to have their loan application rejected, or to receive unfavorable loan terms-even after characteristics of the applicant, property, and loan request that affect creditworthiness are taken into account; and

WHEREAS, Some of the discriminatory practices include the ongoing, modern-day “redlining” or refusal to insure mortgages in and near Black neighborhoods, delay and/or denial to refinance loans at lower interest rates for Black homeowners, and the high rate of rejection of credit applications from qualified Black Americans through automated algorithms and machine learning systems; and

WHEREAS, Bloomberg’s analysis of Home Mortgage Disclosure Act data for 8 million completed applications to refinance conventional loans in 2020 found that Black applicants allegedly had the lowest approval rate by lenders nationwide in 2020 and additional discrimination allegations against lenders; and

WHEREAS, As reported by Bloomberg, “after the 2008 housing crisis revealed discriminatory treatment, authorities unleashed a wave of penalties against U.S. lending giants.”

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People reaffirms its past resolutions, (2012) “Saving Homeownership and Building Wealth in African American Communities”, (2013) “Overcoming the Racial Wealth Gap Through the Development of Affordable and Sound Mortgage Lending Products for the African American

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Community and Communities of Color”, (2015) “Home Appraisals and Mortgage Lending Discrimination”, (2019) “Rent to Own Schemes and Predatory Lending” and “Support of Regional and Municipal Public Banking” condemning discriminatory and predatory lending practices; and

BE IT FURTHER RESOLVED, that the NAACP is opposed to the discriminatory practices associated with sub-prime loans, predatory lending, race bias redlining and over charging refinancing African American in this United States of America; and

BE IT FURTHER RESOLVED, the NAACP demands that Regulatory Agencies take a closer look at the policies and procedures in lending; set a specific amount on loans, write an addendum to the Home Mortgage Disclosure Act (HMDA) urging Lenders to disclose data to HMDA and comply with requirements under the Community Reinvestment Act to improve equitable outcomes.; and

BE IT FURTHER RESOLVED, that the National NAACP Economic Development Office will collect CRA compliance monitoring reports from local and state conferences to develop a national profile and regional trends.

BE IT FURTHER RESOLVED, that the NAACP and major U.S. lenders develop a partnership to create a Financial Freedom Centers to provide financial education and combat racial discrimination in mortgage lending etc. We urge lenders to create partnerships which invest in financial freedom centers and other efforts that will improve the relationships with African American communities throughout the nation; and

BE IT FINALLY RESOLVED that a copy of this resolution be submitted to the United States House of Representatives Financial Services Committee, U.S. Senate Banking, Housing and Urban Affairs Committee, Consumer Financial Protection Bureau, U.S. Department of Housing and Urban Development and the U.S. Office of the Comptroller of the Currency.

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EDUCATION

1. *Anti-Racism, K-12 Education*

WHEREAS, The U.S. educational system has maintained suppressive curriculum practices through policies that restrict instruction related to accurate historical events and historical truth telling at large in schools; and

WHEREAS, Current censorship legislation, proposed in more than 25 states, minimizes both the positive educational experiences and outcomes for marginalized student groups and also negatively impacts the educational experiences and outcomes of nationally dominant student groups at every level of schooling by restricting instructional practices; and

WHEREAS, Such censorship legislation also prohibits schools, districts, and other state and/or municipal government entities from enacting instruction or professional development related to topics of diversity; and

WHEREAS, Such legislative censorship specifically serves as an indisputable attack on racial reckoning, LGBTQ+ rights, and other forms of liberation before and during the pandemic and propagandizes theory and practice including but not limited to Critical Race Theory (CRT), the 1619 Project, and fundamental language used to describe diverse and marginalized students, in particular, language used to describe students and other members of the LGBTQ+ community; and

WHEREAS, Such inclusionary theory, practice, language, instruction, and related professional development are essential, in their own respects, to improving school climate; educational outcomes of all students; and reaffirming the content and instructional expertise of teachers, scholars, and other educational stakeholders.

THEREFORE, BE IT RESOLVED, that the NAACP firmly opposes censorship legislation that ultimately decreases knowledge and understanding of culturally diverse groups for students through developmentally appropriate but comprehensive instruction; prohibits educators from using quality instructional approaches that prepare students for further learning and life; restricts professional development related to topics of diversity in any educational or other municipal space; or stops offices of diversity, equity, and inclusion from fulfilling their legal and ethical duties in service to students, families, and communities.

BE IT FURTHER RESOLVED, that the NAACP supports federal, state, and local/school board efforts to oppose censorship legislation that suppresses inclusionary instruction and practice in P-12 schools

and/or institutions of higher education and/or through the work of offices of diversity, equity, and inclusion.

BE IT FINALLY RESOLVED, that the NAACP shall convey this Resolution to federal, state and local legislators, the United States Secretary of Education, and State Heads or Commissioners of Education.

2. *Asbestos, Lead, Mold and Other Contaminates in Schools Pose Serious Health Hazards to Children of Color*

WHEREAS, We reaffirm the 2017 resolution that acknowledged that since the 1970's African Americans are disproportionately exposed to toxic ambient air quality and suffer from cognitive disabilities and serious illnesses, including a variety of major respiratory illnesses; and

WHEREAS, Mold and uncontained asbestos are known environmental hazards that can lead to a range of serious health issues, such as allergies, headaches, cancers, and death, sometimes decades after exposure; and

WHEREAS, Due to the effects of environmental racism, Black, Indigenous, People of Color (BIPOC) communities are more likely to be exposed to environmental contamination than other groups; and

WHEREAS, The Asbestos Hazard Emergency Response Act (AHERA) requires public school districts and non-profit private schools to inspect their schools for asbestos-containing building material and prepare management plans which recommend the best way to reduce the hazard from any asbestos-containing materials that may be present; the plans must be developed by accredited management planners and submitted to the State authority; The school authority must notify parent, teacher, and employee organizations of the plans, and then the plans must be implemented; the school district must also perform periodic surveillance of asbestos-containing material every 6 months in its schools; AHERA also requires accreditation of abatement project designers, abatement workers, supervisors, and building inspectors; and

WHEREAS, The Federal Asbestos Hazard Emergency Response Act (AHERA)(40 CFR 763) and the Environmental Protection Agency (EPA) require all public and nonpublic elementary and secondary schools to re-inspect previously identified and assumed asbestos-containing building materials (ACBM) in all facilities which are owned, leased, or otherwise used as a school building every three years; and

WHEREAS, Remediation of such hazards is strictly regulated by the EPA; and

WHEREAS, According to the EPA if you feel you may have been exposed to asbestos fibers in the air, you should consult with a physician that specializes in lung disorders or occupational exposures.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People demands that state Education Departments require school districts to adhere to the EPA guidelines for containment, remediation or removal of mold and hazardous waste and utilize the National Institute for Occupational Safety & Health (NIOSH) Dampness and Mold Assessment Tool for School Buildings informing the staff and the parents of school children as the exact procedures followed to resolve hazardous conditions; and

BE IT FURTHER RESOLVED, that the National Association for the Advancement of Colored People urges state Education Departments to direct social workers, school nurses, and family resource centers to inform the affected parents and staff that they should consider being tested for exposure; and

BE IT FINALLY RESOLVED that the National Association for the Advancement of Colored People will advocate for state Education Departments to require local school boards to thoroughly inspect all schools in their districts and that such inspections be carried out in a timely fashion by licensed inspectors, with all results freely distributed to parents, staff, students and interested public citizens.

3. *Opposing the Gap in Racial Disparities in School Extracurricular Activities*

WHEREAS, The National Association for the Advancement of Colored People (“NAACP”) seeks to improve the livelihood of children by ensuring that African American children are exposed to a wide range of extracurricular activities; and

WHEREAS, African American children are widely underrepresented in most extracurricular activities including but not limited to selected and exclusive sports and music, dance, STEAM and other arts programs; and

WHEREAS, African American children’s experiences are cut short due to exclusion from expansive extracurricular opportunities and a disproportionate funneling into selected extracurricular activities such as football, basketball and cheerleading; and

WHEREAS, African American children’s expectations regarding future educational and career opportunities are also cut short due to this exclusion; and

WHEREAS, African American children are at a higher risk of grade retention and school suspension and have a decreased rate of entering into gifted programs; and

WHEREAS, Due to systemic economic disadvantages, parents of African American children are forced to view a college education through a narrow lens of sports scholarships as the only means by which their children could become financially successful; and

WHEREAS, The vast disparities in extracurricular activities are due to the school systems' lack of funding provided to African American communities and lack of interest in the overall experience of African American children; and

WHEREAS, The benefits of racial integration flow from opportunities of all children to participate in a wide variety of extracurricular activities, as the U.S. Supreme Court recognized in its unanimous 1968 *Green* decision; and

WHEREAS, The support of expanded extracurricular activities is pivotal to the healthy social, emotional, and academic development of African American children and communities.

THEREFORE, BE IT RESOLVED, that the NAACP will advocate for such support through both federal and state funding mechanisms including but not limited to Title One Funding, which supports the academic improvement of "disadvantaged" students and communities.

BE IT FINALLY RESOLVED that the NAACP will advocate for substantive legislation and appropriations to help states support programs geared specifically toward increasing diversity of the extracurricular activities offered to children.

4. *Equity in Special Education Placement, Services, and Outcomes*

WHEREAS, Despite federal mandates required through the Individuals with Disabilities Education Act (IDEA), years of research indicate persistent inequities in special education placement, services, and outcomes for marginalized student groups, including students with disabilities, African American, Indigenous, and Latina/o/x students; and

WHEREAS, African American students are disproportionately identified as having high-incidence disabilities (e.g., learning disabilities, emotional and behavioral disabilities/disorders, intellectual/cognitive disabilities), which are more prone to the subjective influence of persons responsible for referral and identification; and

WHEREAS, Despite the documented benefit of maximizing least restrictive environment (LRE) through inclusive settings, African American students are disproportionately placed in more restrictive special education settings that drastically minimize adequate and favorable instructional experiences, thereby reducing positive instructional outcomes such as content mastery, entry to and success in postsecondary and career and technical education, and sustainable employment; and

WHEREAS, African American students are disproportionately subject to zero-tolerance discipline practices and related consequences including but not limited to reduced instructional time; increased physical, mental, and emotional trauma; exposure to the preschool to prison

pipeline; interaction with carceral systems; and minimized access to college entry and career and technical education, and sustainable employment; and

WHEREAS, Educational stakeholders committed to the realization of equitable and quality instruction for all students must consider issues of disproportionate identification, placement, and discipline for impacted student groups; the conflation of disability with adverse child experiences (ACEs), and other environmental trauma; the relationship between special educator shortages and subpar instructional experiences for students; and the impact of inequity and disproportionality in special education on all student groups and educational progress at large.

THEREFORE, BE IT RESOLVED, that the NAACP calls on the current Administration and related federal agencies, such as the United States Departments of Agriculture, Environmental Protection Agencies and Housing and Urban Development, to attend to the adverse environmental factors that reduce optimal learning experiences for marginalized student groups and the proliferation of inequity in special education.

BE IT FURTHER RESOLVED, that the NAACP supports the full funding of the Individuals with Disabilities Education Act (IDEA) as well as increased federal funding for teacher preparation and related programs.

BE IT FINALLY RESOLVED that the NAACP shall convey this Resolution to federal and state legislators, the United States Secretary of Education, and State Heads or Commissioners of Education.

5. *Racism in High School Sports*

WHEREAS, Racial minorities are continuously being targeted and met with racial violence during school sports games; and

WHEREAS, There have been numerous instances of racial harassment and race based name calling during high school sports throughout the country. Over the past year alone, alleged incidents of abuse by fans and students have been reported in California, Tennessee, Michigan, Vermont, Massachusetts, Pennsylvania, Oklahoma, Maryland and New York, among other states; and

WHEREAS, For example, in California, a Black student from Buchanan High School received monkey/ape noises from a student at the opposing school during a penalty kick period at a soccer game at Oak Ridge High School in 2022 and; a Latina student from Buchanan High School was barked at by a student at the opposing school during a penalty kick period at a soccer game at Oak Ridge High School in 2022; students from the opposing team New Prague High School made monkey noises and engaged in racist chants towards Robbinsdale Cooper High School in 2022; and

WHEREAS, High School faculty needs to be proactive in protecting students of color from discriminatory and racist behaviors and proactive in condemning this behavior, and

WHEREAS, The National Association for the Advancement of Colored People stands opposed to discrimination and racist behaviors at school sports games in the United States of America.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People calls on all Interscholastic Federations and all Federal Agencies that supervise sports under Title IX, across the country to enact proper sanctions toward schools using discriminatory and racist behaviors towards opponents.

BE IT FINALLY RESOLVED that the NAACP will urge all of its Units to work to identify and assist victims of racism in school sports, following NAACP procedures, and take action necessary to expose and halt those who engage, permit, and allow discriminatory and racist practices to continue to affect communities of color.

6. *Sexual Abuse by Coaches Against Athletes*

WHEREAS, The national goal of Women in NAACP in part, is to “(3) to advocate for the emotional, mental, physical and spiritual development of children;” and

WHEREAS, Sexual abuse, in part, is defined as an unwanted sexual activity with perpetrators using force, making threats or taking advantage of victims not able to give consent; and

WHEREAS, Traditionally, athletes place their trust in their coaches, taking their advice and following their instructions due to the relationship between the coach and child-athlete. Coaches often come into close contact with girls as young as 11 years of age in sports in locker rooms, overnight trips and traveling tournaments where parents or other adults may not be present to supervise or observe the interaction between coaches and the child-athlete; and

WHEREAS, Many girls remain silent and do not speak out about abusive coaches because of their fear and or desire to remain in competition for local and state championship awards or are merely unaware of what is inappropriate behavior; and

WHEREAS, An eleven-year old girl believing that she was destined for U.S. Olympics and that she would be in safe hands with her coach, quit the sport out of fear following years of disturbing alleged sexual assault by her coach; and

WHEREAS, Teachers, school employees, educators, and childcare custodians are all mandated reporters and have a duty to report known or suspected abuse relating to children but they often turn away and do not report the abuse leaving young girls in the hands of their and often times abusive coaches; and

WHEREAS, Women have detailed how former U.S. Olympic, and women's team physician Larry Nassar had repeatedly sexually abused them on their way to winning gold for Team USA at the Olympic Games

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and World Championship, and three organizations entrusted with their safety, the United States Olympic & Paralympic Committee, USA Gymnastics and the FBI, had failed to protect them; and

WHEREAS, Simone Biles, a four-time Olympic and 19-time World champion stated before US Representatives how officials and coaches failed to inform her of Larry Nassar’s inappropriate conduct. Aly Raisman, a three-time Olympic gold medalist informed senators that Nassar’s conduct was concealed from her also.

THEREFORE, BE IT RESOLVED that the National Association for the Advancement of Colored People advocate for the education of youth, parents and their caregivers as to what is inappropriate sexual behavior by coaches, other staff and volunteers.

7. *Supporting Early Head Start and Head Start as “Universally Subsidized Pre-Kindergarten Programs”*

WHEREAS, The NAACP believes that every child, no matter their circumstances at birth, can succeed in school and in life; and

WHEREAS, The NAACP is committed to breaking down systemic inequities that stand in the way of children having access to safe, stable, and nurturing early care and education opportunities that put children and their families on the path to success in school, in work, and in life; and

WHEREAS, The NAACP celebrates the 57th anniversary of Head Start programming through the Economic Opportunity Act of 1964 and the 27th anniversary of Early Head Start programming and recognizes the key role that such programming plays in the aforementioned beliefs and commitments; and

WHEREAS, The NAACP supports the current administration’s efforts to increase and enhance existing Head Start and Early Head Start programming through efforts such as the \$1 billion in funding provided by the American Rescue Plan Act; and

WHEREAS, The NAACP supports all aspects of the Head Start Community including Head Start-Child Care Partnerships, Early Head Start programs, migrant and seasonal (MSHS) and American Indian and Alaska Native (AIAN) communities; and

WHEREAS, The NAACP understands the deep impact of Head Start programming, including but not limited to comprehensive family services from prenatal care through age five that develop the whole child with attention to cognitive, social, emotional, and physical aspects; and

WHEREAS, The NAACP recognizes the significance and necessity of Head Start and Early Head Start programming, specifically for historically underserved students, families, and communities; and

WHEREAS, The NAACP supports all state efforts to foreground Head Start and Early Head Start programs including the expansion and supplement of Head Start, the expansion and supplement of

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Voluntary Pre-Kindergarten (VPK) programs, and subsidized Pre-Kindergarten programs as well as a multi-layered and embedded approach to all early child care and learning; and

WHEREAS, The NAACP believes that all programmatic advancement for early learners must prioritize the most vulnerable children and their families by strengthening and building upon the success of Head Start and Early Head Start.

THEREFORE, BE IT RESOLVED, that the NAACP will work in partnership with others to empower Head Start families, staff, alumni, and allies to advocate for an early childhood system that builds on Head Start's proven model of support for the whole child, the whole family, and the community and that ensures a robust, high-quality system of early learning and care that compensates its workforce equitably for this critical work.

BE IT FINALLY RESOLVED that the NAACP, in partnership, will work to ensure a nationwide, robust, and high-quality system of early learning and care that will meet the needs of our nation's youngest learners and prepare them for success in the 21st century by leading advocacy campaigns to expand access to Head Start and Early Head Start and that are strategically aligned with funding opportunities in Congress such as the FY 2023 Federal appropriations process.

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ENVIRONMENTAL AFFAIRS

1. *Advancing Global Climate and Environmental Justice*

WHEREAS, A primary focus of the 2021 United Nations Framework Convention on Climate Change (UNFCCC), Conference of Parties 26 (COP26) held in Glasgow, Scotland was to complete provisions of the Paris Rulebook to ensure the global community's commitment to keep the rise in global temperature to well-below 1.5C. However, it failed to deliver on the urgency to scale up ambition in all areas of climate action to meet the goals of the Paris Climate Agreement, address the root causes of global warming, and excluded provisions to protect and prepare the most climate vulnerable impacted populations; and

WHEREAS, Approximately 3.3 to 3.6 billion people live in contexts that are highly vulnerable to climate change. Current unsustainable development patterns are increasing exposure of ecosystems and people to climate hazards; and

WHEREAS, In Glasgow, countries agreed to come back in 2022 with new strengthened commitments, a new UN climate program on mitigation ambition as they finalized the Paris Rulebook. To deliver on these stretching targets, the Biden Administration has driven commitments to move away from coal power, halt and reverse deforestation, reduce methane emissions and speed up the switch to electric vehicles; and

WHEREAS, The National Association of the Advancement of Colored People (NAACP) has observer status to UNFCCC and has been engaged in the COP process since 2008, including having representation in Glasgow Scotland to engage in the process to demand a Just Transition for communities negatively impacted by racists systems and practices that exacerbate the impacts of environmental and climate injustices; and

WHEREAS, The NAACP sent a delegation to Glasgow Scotland and engaged in the process to demand Just Transition for communities negatively impacted by racists systems and practices that exacerbate the impacts of environmental and climate injustices.

THEREFORE BE IT RESOLVED, that the NAACP calls upon all member nations of the UNFCCC, particularly the United States, to employ equitable and just climate emergency actions including, but not limited to:

- Set aggressive targets to transition the economy away from fossil fuels, in alignment with the Intergovernmental Panel on Climate Change's (IPCC) designated pathway to decrease greenhouse gas emissions by 2030, keeping global warming below the 1.5 C preferred limits of the Paris Agreement; and end all new fossil fuel exploration and extraction immediately, and;

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- Ensure developed nations follow through on their pledge of \$100 billion in climate financing and further support for damages and losses to disadvantaged nations, especially nations in Africa, which have been oppressed through colonialism and imperialism, continue to be exploited for natural resources and are at heightened risk to escalating environmental disasters like flooding due to global warming and further environmental destruction;
- Halt deforestation and wood pellet biomass production;
- Oppose false geo-technologies like carbon capture sequestration; and
- Debunk the carbon market schemes that advance net-zero emissions goals as opposed to zero emissions standards and approaches.

BE IT FINALLY RESOLVED that the NAACP will continue to provide primary and secondary research, tools and strategies for frontline communities, partners, and stakeholders to achieve the goals listed above and achieve zero emissions, eliminate climate racism and ensure a just transition for communities and workers.

2. *Ensuring Climate and Environmental Justice Through Federal Funding – Justice40 Initiatives*

WHEREAS, The Black community and other frontline communities here in the United States have been disproportionately impacted by climate change – negatively affecting the health, economics and well-being of men, women and children; and

WHEREAS, The Biden Administration has made historic commitments to use every lever to advance environmental justice and spur economic opportunity for disadvantaged communities by establishing the Justice40 Initiative; and

WHEREAS, The Justice40 Initiative is a whole-of-government effort to ensure that Federal agencies work with states and local communities to make sure that President Biden fulfills his promise to deliver at least 40 percent of the overall benefits from Federal investments in climate and clean energy to disadvantaged communities; and

WHEREAS, The interim guidance issued by the Office of Management and Budget, the Council on Environmental Quality, and the White House Office of Domestic Climate Policy establishes measures to guide agencies on their path to implementing Justice40, launches the Justice40 Pilot Program, and includes accountability and transparency tools to ensure agencies are working to reach the Justice40 goal.

THEREFORE, BE IT RESOLVED, the NAACP will advocate for the realization of the Justice40 Initiative through all affected Federal Agencies.

BE IT FURTHER RESOLVED, that the NAACP will monitor and evaluate 21 pilot priority programs designed to enhance benefits for disadvantaged communities. These priority programs provide a blueprint for other agencies to help inform their work to implement the

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Justice40 Initiative across government. This initial set of programs were selected following extensive consultation with environmental justice stakeholders and the recently established the [White House Environmental Justice Advisory Council](#) and the [White House Environmental Justice Interagency Council](#). The programs include but are not limited to the:

- Department of Homeland Security [Flood Mitigation Assistance Program](#), which provides funding to states, local communities, tribes and territories for projects that reduce or eliminate the risk of repetitive flood damage to buildings; and
- Environmental Protection Agency [Drinking Water State Revolving Fund](#), which provides funds to improve drinking water quality, prevent water contamination, and support water systems; and
- Department of Housing and Urban Development [Lead Hazard Reduction and Healthy Homes Grants](#), which assist states, local communities, tribes and territories in identifying and controlling lead-based paint hazards; and
- Department of Agriculture [Rural Energy for America Program](#), which provides guaranteed loan financing and grant funding to agricultural producers and rural small businesses for renewable energy systems or to make energy efficiency improvements; and

BE IT FURTHER RESOLVED, that the NAACP will hold accountable all relevant Federal Agencies to follow the guidance of Justice40 to identify the benefits of programs beyond the initial pilot list to propose methods to calculate and report on reaching the 40-percent goal, and develop plans to engage with communities.

BE IT FINALLY RESOLVED that the NAACP will work to mobilize, train and engage with partners and allies to ensure the Black and disadvantaged communities are fully empowered to achieve environmental and climate justice with the direct support of Federal agencies through the Justice40 Initiative.

HEALTH

1. *A Ban on Menthol Products that Accelerate Tobacco Addiction Among African American Youth*

WHEREAS, The National Association for the Advancement of Colored People ("NAACP") seeks to stop cigarette companies' use of menthol products to deliberately target and accelerate tobacco addiction among African-American youth. A ban on menthol products would save millions of lives; and

WHEREAS, Cigarette companies use menthol-flavored tobacco products which, according to the Centers for Disease Control and Prevention (CDC), create "a cooling sensation in the throat and airways when the user inhales making cigarette smoke feel less harsh on the user," to appeal to youth, with tastes that are available in various flavors; and

WHEREAS, Historically, according to the CDC, cigarette companies have disproportionately marketed menthol products in predominantly Black communities by using culturally tailored advertising images and messages. (ii) According to the Food and Drug Administration (FDA), research indicates that by giving free samples, offering discounts and coupons, sponsoring urban music events, and placing menthol advisements in magazines with primarily Black readers, tobacco companies promote menthol product sales to African Americans; (iii); and

WHEREAS, According to the CDC, of African American adult smokers, 85% use menthol products, which is three times the rate of menthol use among White adult smokers. (iv) The trend continues with African American youth, with the 2020 National Youth Tobacco Survey, conducted by the federal government, finding that 6.5 percent of Black students in high school and middle school used menthol products compared with 2.5 percent who used non-menthol products (v); and

WHEREAS, According to the CDC, research shows that menthol products are potentially more addictive than and allow the body to absorb harmful chemicals more easily than traditional, non-menthol tobacco products, ultimately posing a greater health risk than traditional tobacco products (vi); and

WHEREAS, In 2021, the Biden administration announced its intention to ban menthol products shortly after anti-tobacco and public health organizations sued the FDA for not responding to a citizen petition for a menthol cigarette ban vii; and

WHEREAS, The CDC has reported that African American smokers die of "heart attacks, strokes and other causes linked to tobacco use at higher rates than White smokers do," but African Americans actually smoke less. (x) This fact requires, too, that when seeking to ban the use of menthol products because of its disproportionately adverse effect of African American people, disparities in overall healthcare must be addressed as well; and

WHEREAS, Menthol ban efforts have been met with pushback from some political and civil rights leaders who warn that criminalizing the use of menthol tobacco products could be discriminatory given its popularity among African Americans, and encourage negative interactions between African Americans and police. (xi) Menthol ban supporters counter that the FDA 's proposed legislation would target manufacturers, wholesalers, and retailers and, thus, won't penalize consumers (xii); and

WHEREAS, This resolution reaffirms and builds upon the (2016), Support State and Local Restrictions on the Sale of Flavored Tobacco Products; and

WHEREAS, Any policing consequences that a ban on menthol tobacco products conceivably could have on Black communities will be addressed through criminal justice safeguards for potential smokers' protection.

THEREFORE, BE IT RESOLVED, that the NAACP will actively continue its support for an FDA regulation banning menthol tobacco products.

BE IT FINALLY RESOLVED that the NAACP calls on organizations and civil rights leaders and political candidates of all races, but especially African Americans, to refuse to accept donations from tobacco companies that are attempting to undermine the proposed FDA regulation.

2. *Difficulties in Qualifying for Organ Transplants in Communities of Color*

WHEREAS, Black people in need of a new heart are less likely than their white peers to get a transplant, and when they do, they are more likely to die afterward, according to new research published in the Journal of the American Heart Association; Black patients have a 10% lower likelihood of transplantation. Researchers also found that Black patients had a 14% higher risk of post-transplant death during the 10-year follow-up period compared to white patients; and

WHEREAS, Black patients are about four times as likely to have kidney failure as White Americans, and Black patients make up more than 35 percent of people on dialysis, but are just

13 percent of the U.S. population. Black patients also less likely to get on the wait list for a kidney transplant, and less likely to receive a transplant once on the list; and

WHEREAS, Getting an organ transplant is often accompanied by several challenges, many of which can be attributed to factors such as the state of an individual's living circumstances, their economic status, literacy level, where the patients were born, poor advice from medical professionals, and racial discrimination among medical professionals. As a result, many Black, Indigenous and People of Color (BIPOC) must unjustly wait longer for a much-needed new organ - or never receive one at all because of these barriers to care; these trends are also evident in groups suffering from liver disease. Asians and Latinos individuals are more likely to be diagnosed with liver failure, but less likely to receive a transplant; and

WHEREAS, All too often, organ procurement organizations (OPOs) do not prioritize organ recovery from Black patients. Black patients are less likely to be referred by hospital staff to OPOs, including as the result of guidance by OPOs to not call them in specific circumstances “to avoid reporting on cases when the OPO believes donation is unlikely;” and

WHEREAS, organ procurement organizations and other donation partners are responsible for recognizing and working to overcome the many challenges to organ donation among Black people and people of color, including decreased awareness of transplantation, cultural mistrust of the medical community, financial concerns and fear of the transplant operations. OPOs, transplant centers and hospitals should implement specific organ donation education programs to reach marginalized community. It is known that their communities often face hardships such as poverty and a racial trauma which in turn causes a high rate of mistrust of the medical system.

WHEREAS, This resolution reaffirms and builds upon the (2016) “Exploring the Option of Becoming an Organ Donor” resolution that supports and calls for education regarding organ donation.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People strongly urges Health and Human Services (HHS) moving to an objective standard for evaluating OPOs, so that OPOs can no longer choose-without consequence-not to approach certain families. As a practical matter, OPOs will have an incentive to invest more heavily in building relationships with hospitals that serve minority populations and in hiring a more diverse workforce.

BE IT FURTHER RESOLVED, that the National Association for the Advancement of Colored People strongly urges the department of Health and Human Services to ensure that organ donation reforms continue in the Biden-Harris administration as part of its commitment to equity.

BE IT FINALLY RESOLVED that the National Association for the Advancement of Colored People strongly urges HHS to create a new, dedicated Office of Organ Policy to implement pro-

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patient reforms; that office should ensure as many Americans as possible have access to organ transplants, centering racial equity in all organ donation policy decisions and making sure that a patient's ethnicity in no way limits the end-of-life decisions available to them.

3. *Equity in Health Outcomes Data Collection*

WHEREAS, The COVID-19/coronavirus pandemic has amplified long standing disparities in chronic health outcomes for African Americans; and

WHEREAS, These chronic conditions including heart and stroke, kidney, diabetes, asthma and other respiratory diseases led to the disproportionate impact of the coronavirus upon African Americans and also continue to broadly threaten health of the Black community across all socioeconomic indicators; and

WHEREAS, Data on health outcomes has been inconsistent and inaccessible across the country with many NAACP units reporting they are unable to easily access public health data in their states; and

WHEREAS, The Commonwealth Fund Foundation states, “The COVID-19 pandemic exposed our long-standing inability to collect, share, and act on meaningful race and ethnicity data in health care. According to the Centers for Disease Control and Prevention, race and ethnicity data are not available for nearly 40 percent of people testing positive for COVID or receiving a vaccine. This situation is not unique to COVID-19. There are major concerns about the quality or Medicaid data in 22 states. In Medicare, data standards have varied over time. Data are Incomplete in other federal and state programs...;” and

WHEREAS, The US Office of Management and Budget has not updated the Standards for the Classification of Federal Data on Race and Ethnicity for more than 25 years. This policy, found at the following link: <https://www.govinfo.gov/content/pkg/FR-1997-10-30/pdf/97-28653.pdf>, provides the minimum rules that affect federal reporting on health data and was last updated in 1997 which was about 20 years after it was established; and

WHEREAS, Racial and ethnic demographics in America have changed significantly as well as technology, capabilities, research and understanding around race and ethnicity reporting; and

WHEREAS, Accurate and consistent health data delineated by race and ethnicity is a critical part of tracking pathology of a disease, and will also provide vital information on how to address future health crises.

THEREFORE, BE IT RESOLVED, that the NAACP demands that agencies and organizations responsible for reporting health data including the CDC and State Public Health Departments

publicly report data on chronic disease conditions, outbreaks, hospitalizations, and mortality rates disaggregated by race and ethnicity.

BE IT FURTHER RESOLVED, that the NAACP demands that the health data affecting all Americans, most specifically African Americans, be consistently collected and made publicly available in a timely manner.

BE IT FURTHER RESOLVED, that the NAACP calls for executive oversight of state and federal health agencies to ensure consistent public reporting of health data disaggregated by race and ethnicity.

BE IT FURTHER RESOLVED, that the NAACP calls on President Joseph Biden's Administration to direct the US Office of Management and Budget to modernize the Standards for the Classification of Federal Data on Race and Ethnicity based on current, research, technology, methodology, capability, and understanding.

BE IT FINALLY RESOLVED that NAACP State Conferences and local units monitor data disseminated by their local health departments and advocate for data transparency and consistent, current and publicly accessible race and ethnicity delineated data.

4. *Improving Equitable Birth & Maternal Health Outcomes for Black Families*

WHEREAS, According to the Centers for Disease Control and Prevention (CDC), Black women are two to three times more likely to die from pregnancy-related complications compared to non-Hispanic white women, yet most racial and ethnic disparities in maternal and infant mortality are preventable; and

WHEREAS, Risk for negative maternal and child health disparities are increased by preventable chronic diseases, such as cardiovascular disease, lung disease, diabetes, obesity, and more; and

WHEREAS, Barriers to health care, including lack of health insurance, limited access to providers, and culturally inappropriate care, especially in rural areas, are major contributors to disparities in maternal and infant health outcomes; and

WHEREAS, The racial discrepancies in maternal death rates persist even when controlling for socioeconomic status and education; and

WHEREAS, The Black Maternal Health Momnibus Act of 2021 is seeking congressional support to build on existing legislation to address all aspects of the maternal health crisis in America comprehensively, including but not limited to the social and environmental drivers of poor maternal health outcomes; culturally sensitive care for all mothers; maternal mental health

care and substance abuse treatment; and more robust data analysis and quality improvement measures; and

WHEREAS, The use of culturally aware pregnancy companions, who may not be health care professionals but support individuals through childbirth or other significant health-related experiences, is associated with decreased birth complications for both mother and child.

THEREFORE, BE IT RESOLVED, that the NAACP advocates for the adoption of the Momnibus Act of 2021 and full funding to improve equitable birth and maternal health outcomes for Black mothers and families.

BE IT FURTHER RESOLVED, that the NAACP will monitor and support federal and state efforts to adopt legislation that provide Medicaid and ACA coverage for care provided by trained pregnancy companions and Doulas.

BE IT FINALLY RESOLVED that the NAACP reaffirms our resolutions demanding affordable and equitable health care for all Americans, including the “Regarding Health Care for All (Universal Health Care)” resolution of 2006, the “NAACP Calls for Full Implementation of the Patient Protection & Affordable Care Act” resolution of 2013, the “Prescription Drugs – Eliminating Pharmacy Benefits Manager (PMB) Gag Clauses” resolution of 2018, and the “NAACP Supports Affordable, Quality Health Care Now” resolution of 2020 and (2021 Resolutions).

5. NAACP Calls for the Abolition of the Period Tax on Feminine Hygiene Products

WHEREAS, The Period Tax is a tax added to feminine hygiene products such as pads, tampons, etc.; and

WHEREAS, Feminine hygiene products are a basic necessity for those who menstruate; and

WHEREAS, As of 2020, 11.4% of women and girls in the United States live in poverty and struggle to access proper resources for the periods; and

WHEREAS, Products used primarily by the male population such as Viagra and Rogaine are not taxed in some states; and

WHEREAS, Taxing feminine hygiene products causes excess spending, especially for individuals with restricted income, and places these individuals in what is commonly called “period poverty”; and

WHEREAS, There is a lack of access in schools for students who menstruate and experience hardships purchasing feminine hygiene products; and

WHEREAS, In some primary, secondary schools, and post-secondary-institutions feminine hygiene products are not provided for free to students who need them.

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THEREFORE BE IT RESOLVED, the NAACP calls for a complete ban on the “Period Tax.”

BE IT FURTHER RESOLVED, the NAACP demands that funding be made available for feminine hygiene products to be made available at no cost in schools and universities.

BE IT FINALLY RESOLVED the NAACP calls for gender equity across the board.

6. *To Oppose Dangerous Policies that Put Dialysis Patients at Risk*

WHEREAS, Millions of Americans rely on dialysis treatment 3 days a week up to 4 hours at a time to stay alive. Black or African Americans are 4 times more likely and Hispanics are 1.3 times more likely to have kidney failure than White Americans although they make up 13.5% of the population, Blacks make up more than 35% of Dialysis patients; and

WHEREAS, it is critical that patients have easy, nearby access to dialysis clinics otherwise their risk of missing a treatment increases; and

WHEREAS, the National Association for the Advancement of Colored People has repeatedly voted to oppose harmful ballot initiatives and legislation that threaten dialysis patients' access to care; and

WHEREAS, missing a single treatment increases a patient's risk of death by 30%; and

WHEREAS, according to the National Institute of Diabetes and Digestive and Kidney Disease, African Americans are 3 times more likely to develop kidney failure and need dialysis treatment; and

WHEREAS, certain interest groups continue to propose harmful and unnecessary measures that would reduce dialysis patient access to care by threatening the viability of dialysis clinics.

THEREFORE, BE IT RESOLVED that the National Association for the Advancement of Colored People will continue to take a stand to protect vulnerable dialysis patients against dangerous initiatives and legislation that would threaten patient access to safe and effective care.

HOUSING

1. *Reversing the Impact of Restrictive Zoning and Interstate Highways on Fair Housing*

WHEREAS, The mission of the National Association for the Advancement of Colored People (“NAACP”) includes recognizing and advocating for civil rights whenever advancement historically has been limited; and

WHEREAS, Discriminatory housing policies created conditions through state-sponsored segregation that limited access and opportunities for Black Americans, ultimately instituting a racial wealth gap that has been perpetuated through the reinforcement of residential segregation patterns, and fueled by government housing policies that were purported to prohibit discrimination; and

WHEREAS, Housing segregation persists because of these factors: federal and state housing programs that forced Black families into public housing by strategically limiting the schools and accommodations for Black people to one area, followed by the limitation of resources; the migration of power plants and high pollution manufacturing companies to the predominantly Black areas; the denial of access to equal education through the underfunding of predominantly Black public schools, and the refusal of equal employment opportunities as a result of restricted access to the city center and its job market; and

WHEREAS, Governments used infrastructure redevelopment programs, under the guise of urban renewal, to build highways that further segregate Black communities, and contemporaneously, the Federal Housing Administration implemented racially restrictive covenants to form segregated, all-White neighborhoods; and

WHEREAS, The government used infrastructure projects such as highways and parks to split or, in some cases, demolish Black neighborhoods and wealth. While government infrastructure was purported to be a means of economic advancement, these projects destroyed existing economies by isolating Black neighborhoods and fast-tracking suburbanization trends that perpetuated segregation; and

WHEREAS, Black communities were often targeted for these projects because they did not have the social or economic standing to oppose them; and

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WHEREAS, Statistically, wealth allows for people to invest in the form of education or homeownership, but financial assets beyond those required for daily living costs are heavily concentrated at the top of the income bracket, while those at the bottom of the income distribution hold essentially no wealth at all; and

WHEREAS, The average Black household income is about 60% of the average White household income, while Black wealth is only about 10% of White wealth. Given that many Americans hold the majority of their wealth in home equity, the inability of Black Americans to acquire property as a result of redlining and restrictive zoning, put a significant limitation on the economic advancement of Black Americans; and

WHEREAS, Homes in Black neighborhoods are significantly undervalued, which is an additional limitation on the ability of Black Americans to participate in and benefit from the housing market; and

WHEREAS, Public education is generally funded through property taxes; thus, where property values are higher, public education is more efficiently funded. However, even in areas where property values are low but taxes per dollar are proportionally higher, public schools are still left with less funding per student than schools in areas with higher property values but lower taxes per dollar; and

WHEREAS, Children in predominately Black low-income areas are deprived of a quality education and fundamental resources based solely on the average income in their neighborhood. To the extent that education determines income and economic mobility, this poses and inarguable limitation to racial economic equality; and

WHEREAS, That the impacts of restrictive zoning and racially targeted infrastructure bills are evidenced by the racial wealth gap - specifically, disparities in the generation and preservation of wealth through homeownership that disadvantages the Black community respective to other communities; and

WHEREAS, The biggest hindrance for home ownership among Black Americans is affordability and access, with the First-Time Homebuyer Tax Credit often not being received by its intended beneficiaries.

THEREFORE, BE IT RESOLVED, The NAACP will advocate for government or private programs that improve access to homeownership through subsidizing down payment assistance and closing costs for low-income families in need assistance, and other measures that improve access.

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BE IT FINALLY RESOLVED that the NAACP will advocate for and hold the federal government and the current administration to racial equity commitments that improve housing access and reduce the racial wealth gap.

INTERNAL AFFAIRS

1. ***Mandatory Training for Unit Officers, Executive Committee Members and Executive Directors***

WHEREAS, It is in the best interest of the NAACP for all Units to follow NAACP policies and procedures; and

WHEREAS, On occasion, there are units and officers who violate the Bylaws for Units of the NAACP by filing lawsuits without written authorization from the President and CEO and the General Counsel; and

WHEREAS, On occasion, there are units and officers who have rallies, marches, demonstrations and protests without written authorization from the President and CEO; and

WHEREAS, On occasion, there are members who file lawsuits, or sign on to amicus briefs against the National Office, units, unit officers, members without pursuing remedies within the framework of the Association thereby frustrating the NAACP's mission, diverting NAACP resources, and tarnishing the reputation of the NAACP.

THEREFORE, BE IT RESOLVED, that Article VI, Section 1 of the Bylaws for Units shall be amended to add the following clause:

(d) All Unit Officers, Executive Committee members and Executive Directors must attend annual mandatory training conducted by the National Office. The training sessions shall include but not limited to legal redress training, financial training, Unit elections training and other necessary training. Failure to attend annual mandatory training may result in disciplinary action under Article X of the Bylaws for Units of the NAACP.

2. NAACP Unit Running for Public Office

WHEREAS, On occasion some NAACP unit officers are elected or appointed to public office, which may create a conflict of interest between the unit officers' governmental duties and their NAACP duties; and

WHEREAS, The NAACP is a non-partisan organization and any NAACP unit officer who runs for public office while continuing to serve as NAACP unit officers may create the impression that the Association is supporting political candidates and political parties.

THEREFORE, BE IT RESOLVED, that any Unit Officer or Committee Chairperson who qualifies to run for office and/or establishes a fundraising committee or officially files for partisan or non-partisan public office shall relinquish such NAACP office or NAACP chair temporarily during the period of such candidacy.

BE IT FURTHER RESOLVED, that any Unit Officer or Committee Chairperson who is elected to office shall immediately tender a resignation from such unit office or chair to the executive committee of the unit which shall, at its next regularly scheduled meeting, vote to accept or reject the same. Should the committee vote to reject the resignation, the officer or committee chairperson tendering the same shall make a conscientious examination of the situation and determine whether continued service will be substantially free of conflict and in the best interest of the NAACP. Should the answer to the question be in the affirmative, the officer may continue to serve.

BE IT FURTHER RESOLVED, that the officer or chair shall continue to evaluate the situation with respect to conflicts and the potential for conflict and resign should conditions change. Any officer continuing to serve after substantial conflict of the potential for substantial conflict has been manifested is subject to removal through the Article X procedure.

BE IT FURTHER RESOLVED, that any Unit Officer or Committee Chairperson who is appointed to elective public office to fill a vacancy or otherwise or to appointive public office in which the officer or committee chair is expected to take public positions on issues on behalf of a governmental subdivision or agency or an elected official shall follow the procedures set forth above.

BE IT FINALLY RESOLVED that this resolution will apply to non-partisan public offices such as non-partisan school boards. This resolution shall not apply to Unit Officers or Committee Chairpersons elected or appointed to public office prior to October 2021.

3. *To Recognize NAACP Volunteers*

WHEREAS, The majority of NAACP work is done by volunteers, such as State Conference Presidents, Branch Presidents, Executive Committee Members, and Youth Programs and all of the volunteers who have served throughout the history of the organization; and

WHEREAS, Volunteers of the NAACP are critical to the success and progress of the organization. And their tireless efforts perform a valuable service deserving of special recognition; and

WHEREAS, Volunteer recognition increases morale, productivity, and willingness to participate in the organization.

THEREFORE, BE IT RESOLVED, that on February 12th or a designated date approved by the Unit's Executive Committee annually, Units will recognize NAACP volunteers for the outstanding service.

VOTING RIGHTS

1. *Redistricting*

WHEREAS, A core goal of the NAACP is to ensure that Black people can freely and fully participate in the electoral process of the United States; and

WHEREAS, Throughout 2021 and 2022, states and localities across the country have reapportioned and redrawn, or are in the process of redrawing, their electoral districts at all levels of government following the 2020 Census; and

WHEREAS, This redistricting cycle, the first in over 50 years which does not have the protections created by preclearance under Section 5 of the Voting Rights Act, has been subjected to unrelenting assaults on the equitable representation of Black voters, with districts drawn to preserve white, rural power and dilute the voting strength of Black voters; and,

WHEREAS, Any possibility of a fair and equitable redistricting process has been further hindered by the Census Bureau's significant undercount of communities of color ensuring that

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the maps drawn would be inherently biased toward white representation and away from proper representation for Black people; and

WHEREAS, The United States Supreme Court is now using the *Purcell* Doctrine to prohibit federal courts from enjoining a state’s election laws close to the beginning of an election cycle even if the election will be conducted using a racially discriminatory redistricting plan.

THEREFORE, BE IT RESOLVED, that the NAACP reaffirms its commitment laid out in its 2010 Redistricting Resolution that “all NAACP units work to influence and prepare the development of alternative redistricting plans for state, county, congressional, city, school board elections, [and] districts” in those areas still engaged in map drawing or in continuing legal battles over maps.

BE IT FURTHER RESOLVED, that all NAACP units work to counteract the impact of discriminatory maps through conducting in-depth voter registration, outreach and education campaigns.

BE IT FURTHER RESOLVED, that all NAACP units, urge the Census Bureau to stop the continual undercount of Black people which serves to disenfranchise Black people.

BE IT FINALLY RESOLVED that the NAACP units, commit to resisting the continuing degradation of the rights and protections established by the Fourteenth and Fifteenth Amendments to the United States Constitution and the Voting Rights Act through both litigation and political campaigns to pass legislation, for instance the John R. Lewis Voting Rights Advancement Act of 2021 (H.R. 4), to substantively repair the damage done to the Voting Rights Act.

2. *Voter Suppression and Voter Nullification Laws*

WHEREAS, There were more votes cast in the 2020 presidential election than in any other U.S. election in history, with historic turnout among African-American voters; and

WHEREAS, Following the 2020 election, several state legislatures proposed and/or passed voter suppression laws that, among other things, make it more difficult to register voters, to vote by mail, to transport voters to the polls, to vote in-person, and to provide food and water to voters waiting in lines at the polls, while making it easier to challenge ballots already cast, to invalidate ballots, and to overturn or otherwise discard election results that reflect the will of the voters as opposed to the wishes of state legislators; and

WHEREAS, Such legislative actions are direct attacks on democracy and designed to prevent African Americans from wielding the political power that comes from voting; and

WHEREAS, Any claim that such legislation serves a legitimate purpose or increases the integrity of elections is baseless and disingenuous.

THEREFORE, BE IT RESOLVED, that the NAACP calls upon all states that have enacted such voter suppression laws to repeal them immediately.

BE IT FINALLY RESOLVED that all State and Area Conferences of the NAACP oppose any such legislation when it is proposed, and, working with the Office of the General Counsel, challenge such legislation that already has been passed into law.

EMERGENCY RESOLUTIONS

ECONOMIC DEVELOPMENT

1. ***NAACP Supports Access to Banking for Licensed and Regulated Cannabis Businesses, With Fair Terms and Rates for Black-owned Social Equity Licensed Cannabis Businesses, and Will Continue to Fight for Restorative Justice***

WHEREAS, Despite progress in reforming cannabis laws in states across the country and the fact that 43 states and U.S. territories have medical cannabis laws, a disproportionate number of African-American adults continue to be subjected to arrests, imprisonment, and other punishments related to cannabis. For example, the [American Civil Liberties Union reported](#) in 2020 that African Americans are 3.64 times as likely to be arrested for cannabis possession despite using cannabis at approximately the same rate as the white population; and

WHEREAS, In 2019, the NAACP passed a resolution in support of decriminalizing the possession of cannabis and regulation of a medical- and adult-use cannabis industry; and

WHEREAS, In that 2019 resolution, the NAACP recognized that states with medical- and adult-use laws are generating billions of dollars in sales and creating hundreds of thousands of jobs, but not generating enough economic opportunities for African Americans despite the disproportionate enforcement of drug laws against the community; and

WHEREAS, In 2021, the NAACP passed a resolution called “Economic Equality in Support of the Cannabis Industry,” in which it reaffirmed its support for the decriminalization of cannabis and the pardoning of persons previously convicted of non-violent cannabis crimes, and demanding greater African-American ownership and employment opportunities in the cannabis industry; and

WHEREAS, Despite the expansion of medical- and adult-use cannabis laws across the country, [5.7% of federal prosecutions](#) for drug offenses in 2021 involved cannabis and [43% of state drug arrests in 2018](#) involved cannabis; and

WHEREAS, The federal prohibition on cannabis currently restricts banks, credit unions, and other financial institutions in their ability to lend, invest in, or provide services to regulated businesses in the cannabis industry; and

WHEREAS, [Only 15 states](#) with medical- and adult-use cannabis laws have social equity programs to support underrepresented or disadvantaged entrepreneurs seeking to enter the industry; and,

WHEREAS, Federal prohibition is causing lack of access to banking and hamstringing efforts in states with social equity programs to provide licenses and economic opportunities to cannabis entrepreneurs from disadvantaged communities; and

WHEREAS, The Secure and Fair Enforcement (SAFE) Banking Act, which would protect financial institutions from liability for providing services to licensed cannabis businesses in states with medical- and adult-use laws, has passed the U.S. House of Representatives with broad bipartisan support on seven separate occasions; and

WHEREAS, The SAFE Banking Act could enable cannabis businesses with social equity licenses, diverse ownership licenses, or other licenses made available by states with medical- and adult-use cannabis laws that aim to foster a diverse and equitable industry, to better compete in the industry if it was coupled with the federal descheduling of marijuana and explicitly provided for fair terms and rates for Black-owned and social equity licensed cannabis businesses; and

WHEREAS, The Marijuana Opportunity Reinvestment and Expungement (MORE) Act, which would end federal prohibition by descheduling marijuana, expunge and resentencing cannabis convictions, reinvest cannabis tax revenue in social services and Small Business Administration opportunities for communities most impacted by cannabis prohibition, and end the collateral consequences associated with a marijuana arrest or conviction such as loss of federal benefits, a federal security clearance, and immigration rights, has passed the U.S. House of Representatives with bipartisan support on two separate occasions.

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THEREFORE, BE IT RESOLVED, that the NAACP reaffirms its 2021 resolution calling for greater economic opportunities for African Americans in the growing cannabis industry.

BE IT FURTHER RESOLVED, that the NAACP reaffirms its 2019 resolution in support of decriminalizing the possession of cannabis and regulation of a medical- and adult-use cannabis industry.

BE IT FURTHER RESOLVED, that the NAACP supports the immediate passage of legislation to provide access to banking services with fair terms and rates for Black-owned and social equity licensed cannabis businesses.

BE IT FURTHER RESOLVED, that the NAACP supports comprehensive legislation that provides for individual remedies for those who have been arrested for or convicted of marijuana possession or sale, including release from incarceration and automatic pardon and expungement of records.

BE IT FURTHER RESOLVED, that the NAACP calls for Congress to remove cannabis from the list of federal controlled substances and provide federal grants to states seeking to implement social equity programs with entrepreneurship opportunities and job creation in the cannabis industry, particularly for low-income individuals and people of color from communities that have been disproportionately impacted by marijuana arrests and prosecutions.

BE IT FINALLY RESOLVED that the NAACP units will continue to advocate at the local, state, and federal level that marijuana reform legislation must include reparative measures for communities by advocating for legislation that deschedules marijuana, expunges and resentences marijuana convictions, ends the collateral consequences of marijuana arrests and convictions, ensures equal access to business licenses in the marijuana industry, and invests in communities that have been harmed by federal drug laws.

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INTERNATIONAL AFFAIRS

1. *U.S. Policy on Haiti*

WHEREAS, Throughout its 113-year history, the NAACP has sought foreign and domestic policies based on social justice and humanitarian principles – a goal that has often gone unrealized in the United States’ policy on Haiti; and

WHEREAS, U.S. Haitian policy began under President John Adams with support for Toussaint Louverture, including sending the U.S. Navy to Haiti to support him; but when Haiti became independent in 1804, it was not recognized by the United States; and

WHEREAS, The presence of a free Haiti provided a beacon of hope for African Americans and their supporters in the years prior to the recognition of Haiti in 1862; and

WHEREAS, Even after the appointment of Black ambassadors beginning in 1969, the U.S. tried to obtain a naval base at Môle-Saint-Nicolas and achieve other imperial objectives; yet throughout the 20th Century, Haiti continued to be a source of hope for African Americans; and

WHEREAS, Despite NAACP opposition, the U.S. occupied Haiti from 1915 to 1933 with segregationist U.S. Marine leadership; the NAACP agitated for withdrawal of the Marines and even sent its first Black Executive Secretary (now called President) James Weldon Johnson to Haiti and produced a scathing report of the racism in the U.S. occupation; and

WHEREAS, In the Cold War era, the U.S. supported the dictatorship of the Duvaliers; and

WHEREAS, There has been a dual approach to immigrants and refugees in recent years, most notable between Haitians and Cubans. Treatment of refugees is most recently seen with Haitians being driven back by Border Patrol officers on horseback, despite the efforts of the NAACP to call for fair and humane treatment; and

WHEREAS, In recent years, even in a seemingly benign period, humanitarian aid to Haiti has resulted in a loss of the ability of Haitian subsistence farmers to raise pigs and the decimation of

Haitian rice farming as well as significant capital being allocated with few results to show for it; and

WHEREAS, In 2021, Daniel Foote, the Biden administration's special envoy to Haiti, resigned in protest of U.S. policy being unwilling to listen to the voices of the Haitian people; and

WHEREAS, The Haitian diaspora in the U.S. is continuing to be successful, especially in the political arena, yet has little influence on U.S. policy.

THEREFORE, BE IT RESOLVED, that the NAACP should develop a coordinated effort to reboot the U.S. policy approach to Haiti. The approach would urge the involvement of dialog with civil society in Haiti and the Haitian diaspora, particularly with the National Haitian American Elected Officials Network. The purpose of the dialogue would be to develop a proposal for changing the way U.S. policy toward Haiti is developed, including consideration of a body such as the President's Board of Advisors on HBCUs.

BE IT FURTHER RESOLVED, that the resignation statement of the former Special Envoy to Haiti, Daniel Foote, be examined for guidance on immediate steps to continue to urge President Biden and in perpetuity to encourage for the repeal of Title 42 to assist Haitian migrants who are in need of asylum.

BE IT FINALLY RESOLVED that the state conferences in states having substantial Haitian populations including New York, Florida, New Jersey, and Massachusetts, be involved with this effort.

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LEGISLATIVE AFFAIRS

1. ***Emergency Resolution Denouncing the Supreme Court of the United States Ruling in West Virginia v. Environmental Protection Agency***

WHEREAS, On July 30, 2022, the Supreme Court of the United States rendered its devastating decision in *West Virginia v. EPA*, crippling the Environmental Protection Agency's attempts to curtail carbon pollution and deter the worst impacts of the climate crisis; and

WHEREAS, The Court's capricious ruling concluded that the EPA has no authority under the Clean Air Act to regulate carbon dioxide emitted from fossil fuel electricity generation plants; and

WHEREAS, This reckless finding erodes the most effective regulatory authority of the EPA to protect our environmental and climate vulnerable communities, while favoring the rich, powerful coal industry and political extremists; and

WHEREAS, The *West Virginia v. EPA* decision will further jeopardize the health and well-being of our national and global communities, already disproportionately impacted by greenhouse gas pollution and impede a much needed shift towards renewable energy sources, such as wind and solar- the cleanest, safest, most effective, efficient, and cost effective way of combating exposures to fossil fuel pollution within the power sector that's primarily driving global warming; and

WHEREAS, Under the Court's disastrous decision, the EPA will retain limited general authority under the Clean Air Act to control emissions of greenhouse gas pollutants and advance emissions standards to reduce levels of environmental and climate pollution from the power and transportation sectors, as well as oil and gas development. However, the ruling will make it significantly more difficult for the EPA to administer substantive standards to regulate greenhouse gas emissions from the largest source of energy pollution exacerbating climate change; and

WHEREAS, given the fact that the United States is historically the world's worst emitter of greenhouse gas pollution, the Supreme Court's reckless disregard for the climate crisis and human health will have a devastating impact on human health, sea level rise, flooding, droughts,

wildfires, more frequent and intense storms, and mounting climate disasters in the U.S. and around the globe.

THEREFORE BE IT RESOLVED, that the National Association for the Advancement of Colored People denounces the irresponsible and ill-conceived ruling of the Supreme Court of the United States in the case of *West Virginia v. EPA*, as one that oversteps its bounds of authority into the affairs of a federal regulatory agency; and

BE IT FURTHER RESOLVED, that the NAACP calls upon the Biden Administration, the United States Congress and the United States Environmental Protection Agency to use all constitutional and governance means available to protect our country, and from the destructive consequences of the United States Supreme Court decision in *West Virginia v. EPA*, in an effort to provide the much needed protection of our people and planet from the escalating climate crisis, driven by greenhouse gas emissions; and

BE IT FINALLY RESOLVED that the NAACP urges the Biden Administration, the U.S. Congress, EPA, and U.S. Department of State to develop an aggressive, strategic path forward to ensure a fair and just transition towards safe, effective, carbon free renewable energy sources, such as wind and solar- to safeguard our communities from the calamitous impacts of climate change and adhere to the warnings of global scientists and uphold the terms of the Paris Climate Agreement to keep global warming well-below 1.5C.

2. Prohibition of or Ban on the Sale of Any New Assault Weapons National Firearms Act (NFA) to Include “Assault Weapons”

WHEREAS, The National Firearms Act (NFA), 73rd Congress, Sess. 2, ch. 757, 48 Stat. 1236 was enacted on June 26, 1934, and currently codified and amended as I.R.C. ch. 53. And since the law is an Act of Congress in the United States that, in general, imposes an excise tax on the manufacturer, transfer of certain firearms, and mandates the registration of those firearms. The NFA also is referred to as Title II of the federal firearms laws, with the Gun Control Act of 1968 ("GCA") as Title I; and

WHEREAS, According to numerous news articles and various news commentaries such as one written by Jay Andersen in the AZMIRROR, an Arizona Newspaper, “AR-15 style rifles have played a prominent role in many high-profile mass shootings in this country and have come to be widely characterized as the weapon of choice for these crimes. AR-15s or similar rifles were the primary weapons used in around half of the 10 deadliest mass shootings in modern American history, including the 2012 Sandy Hook Elementary School shooting (in Connecticut); 2017 Sutherland Springs Church shooting (in Texas); 2018 Marjory Stoneman Douglas shooting (in Florida). The many of the nation’s most recent shootings in 2022 have involved AR-

15s or similar rifles; and now in Buffalo, (New York); Uvalde, (Texas);” and the Fourth of July shooting in Highland Park, Illinois; and

WHEREAS, Assaults weapons originally were designed for military use as full or semi-automatic weapons of war. As such, they were designed to fire ammunitions at three times the velocity of ordinary rifles and with such force to kill people in warfare; and

WHEREAS, There is no rational reason to sell such weapons to the general public, especially when weighed against the increasing danger to public safety caused by the sale of each and every such weapon; and

WHEREAS, Assault weapons are commercially manufactured and sold as semi-automatic weapons in the U.S. to persons 18 years or older based on a background check via the “National Instant Criminal Background Check System” (NICS). The background check is based on having proper identification such as a government issued photo I.D. card, driver’s license or passport. The purchaser must also complete the Bureau of Alcohol Tobacco and Firearms (ATF) form 4473 when purchased from a Federal Firearm Licensed (FFL) dealer; and

WHEREAS, Sawed off (short barreled) shotguns, rifles or firearm suppressors classified as Title II devices under the NFA have additional requirements when purchased or transferred. The purchase or transfer must be completed through a Class III (FFL) dealer. The applicant is required to complete ATF Form 4, provide two passport style photos, a set of ATF finger print cards, pay \$200.00 for a tax stamp. The purchase or transfer cannot be completed by the (FFL) dealer until approval has been received from ATF; and

WHEREAS, An applicant for the purchase or transfer of a Title II device through a Class III dealer must be; a United States Citizen, at least 21 years of age, meet the requirements for buying a handgun; and be a resident of the state where the firearm is purchased or transferred; and

WHEREAS, A law requiring assault weapons to be classified as Title II devices and sold or transferred under these laws and regulations is an option that would deter undesirable applicants and slow down the process to obtain an assault weapon. Such safety requirements would establish controls to ensure this type of weapon is not readily or easily obtainable for illegal purposes, most notably, mass shootings; and

WHEREAS, The physical and mental damage is done to victims of such shootings who, particularly in the case of children are left unrecognizable by assault-style weapons and the victims and families of shootings must bear financial burden; and

WHEREAS, The rapidity at which mass shootings are occurring with the use of such weapons is continuing to increase rapidly making clear that such shooting violence in our country has reached a crisis, with another taking place just this week in Indiana; and

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WHEREAS, The FBI has made public pronouncements indicating that our greatest threat from terrorists in our country is from domestic terrorists; and

WHEREAS, The Federal Assault Weapons Ban in effect from 1994 to 2004 was found in multiple studies to reduce public mass shootings, gun deaths, and gun injuries; and

WHEREAS, There are estimates that over 20 million Americans now possess these types of assault, automatic or semi-automatic weapons; and

WHEREAS, The use of such weapons can and has given various mass shooters certain advantages over law enforcement and security officials who, after or during a shooting, try to restore the public peace and/or arrest the shooter who is in possession of an AR-15 style assault weapon.

THEREFORE, BE IT RESOLVED, that the NAACP urges the members of the United States Congress to adopt a new ban on the purchase and ownership of all assault weapons, automatic weapons, semi-automatic weapons, or weapons that operate similarly thereto.

THEREFORE, BE IT FURTHER RESOLVED, that the National Association for the Advancement of Colored People will advocate for and seek the introduction of legislation to mandate the registration of any and all assault weapons now in possession of individuals who reside in this country, under the National Firearms Act

THEREFORE, BE IT FURTHER RESOLVED, that the law include a \$200.00 fee to establish a mass shooting crime victims' compensation fund to help compensate victims of gun violence related to mass shootings.

BE IT FINALLY RESOLVED that the NAACP will disseminate this Resolution to the appropriate members of the Executive and Legislative Branches of the Federal Government.

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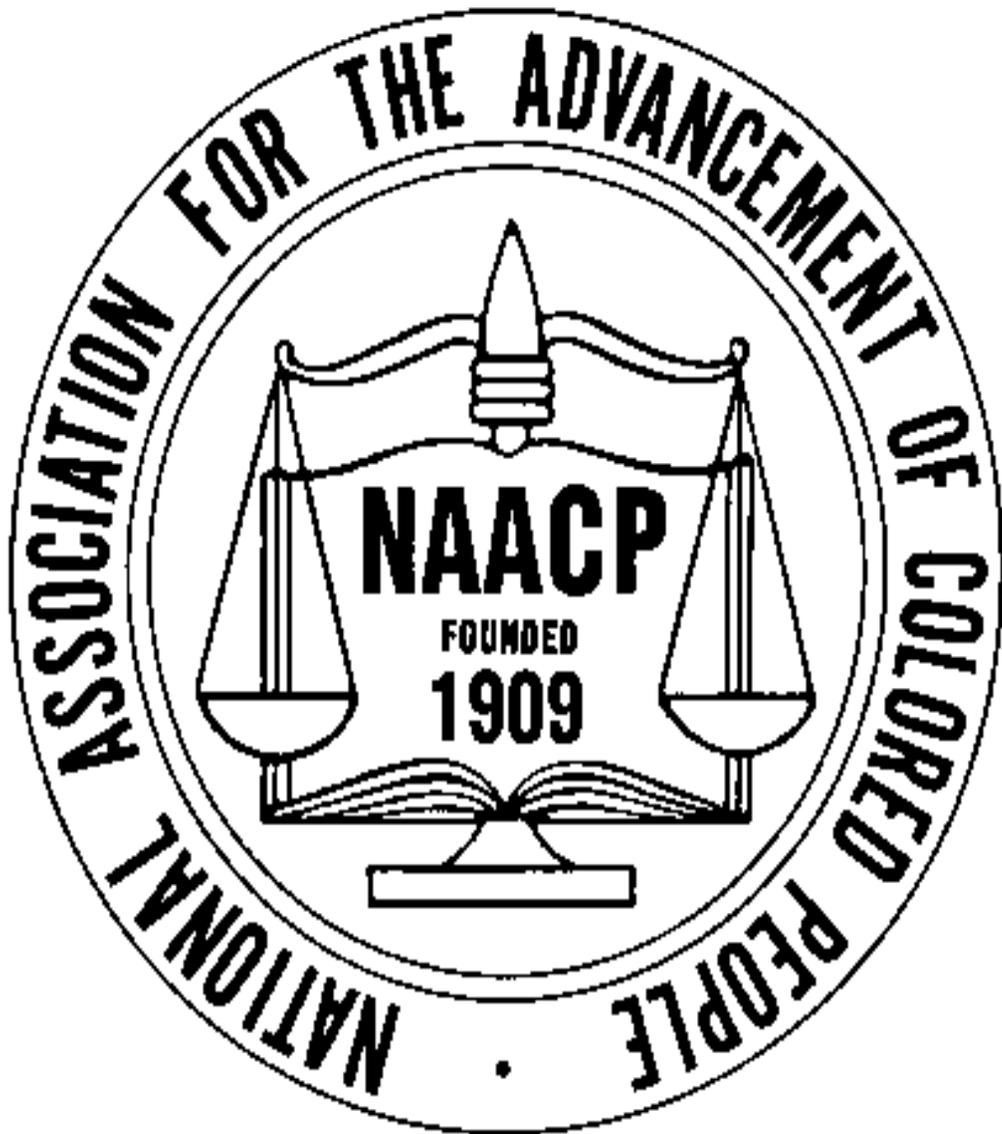
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