



HNBA 2018 RESOLUTIONS



HNBA 2018 RESOLUTION IN SUPPORT OF DREAM ACT LEGISLATION

WHEREAS, the Hispanic National Bar Association ("HNBA") is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

WHEREAS, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

WHEREAS, the HNBA is invested in promoting the rich tapestry of backgrounds, ethnicities, cultures, experiences and interests that characterize the American population; and

WHEREAS, the United States' immigration system should reflect our nation's basic values of family, economic opportunity, and fairness; and

WHEREAS, the majority of Americans believe that the United States needs legislation that provides a permanent legal status and a pathway to citizenship for undocumented youth, commonly known as "DREAMers" [referring to the original "DREAM" legislation from 2001, entitled, the Development, Relief, and Education for Alien Minors (DREAM) Act]; and

WHEREAS, the Deferred Action for Childhood Arrivals (DACA) program has empowered nearly 800,000 young people to come out of the shadows to work legally, get drivers licenses, go to college, serve in the military, meaningfully volunteer and serve their communities, and fulfill their economic and personal goals in greater measure, while simultaneously delivering significant benefits to the U.S. economy; and

WHEREAS, more than 97% of DACA recipients are in school or in the workforce and DACA helped recipients secure jobs with better pay, thus contributing in greater measure to the U.S. economy; and

WHEREAS, foreign nationals in the fields of science, technology, engineering, and mathematics (STEM) present special opportunities to the United States in innovation and advancement, and they should be permitted to fast-track their application for legal permanent residency; and

WHEREAS, it is estimated that losing the DREAMer population would cost our economy nearly half a trillion dollars in GDP loss over the next decade, and harm American employers by costing them an estimated \$6.3 billion in unnecessary turnover costs to recruit, hire and train more than 700,000 new employees, at least, who are currently employed under DACA authorization; and

WHEREAS, for the past five years, because of the DREAMers' contributions to the U.S. economy, our economy is stronger, has more businesses, and our tax base is larger; and

WHEREAS, because DACA recipients are more likely to start their own businesses than the general American population (five percent of all DREAMers and 8 percent of DREAMers over the age of 25 have started their own businesses in the United States, compared to a 3.1 percent of the U.S. population), and small businesses are key source of job growth, DREAMers are integral to the future economic growth of this country; and

WHEREAS, because the DACA Program has helped almost 70 percent of DREAMers secure better-paying jobs than they likely would have been able to get if they had no legal status, and better pay leads to major purchases, the DACA Program has allowed DREAMers to contribute even more to this economy than they could have without the program¹; and

WHEREAS, history shows that our nation depends on the infusion of ideas, creativity and energy that immigrants bring with them;² and

WHEREAS, it is estimated that the passage of legislation placing DREAMers on a path to legal status would add a total of \$22.7 billion annually to the U.S. gross domestic product (GDP), and an estimated \$281 billion to the U.S. economy over the next ten years, and ultimately raise the average incomes of all Americans on a per capita basis; and

WHEREAS, if even half of all workers who are immediately eligible for the DREAM Act complete the educational requirements to move from conditional status to lawful permanent residency—as distinct from the military service or employment paths—the annual gains could be even higher, creating an “education bump” and reaching as high as \$728.4 billion cumulatively over a decade; and

WHEREAS, the HNBA believes that Congress should listen to the more than 400 Fortune 500 CEOs and leaders who signed a letter to Congress in support DREAMers and urging Congress to pass clean DREAM Act legislation, stating, “DREAMers are vital to the future of our companies and our economy. With them, we grow and create jobs,” and that DREAMers, “are part of why we will continue to have a global competitive advantage.”³; and

¹ Nearly two-thirds of DACA recipients report buying their first car, and almost one in six report buying a new home, after their applications were approved; and DACA recipients also pay billions of dollars in federal, state and local taxes.

² Last year, all six of the American winners of the Nobel Prize in economics and scientific fields were first-generation immigrants. First-generation immigrants or their children founded more than 40 percent of Fortune 500 companies in this country.

³ See <https://www.businessleadersdreamletter.com/>

WHEREAS, administrative or legislative efforts to expand the scope of enforcement priorities to target youth and immigrants with no criminal records do not make our country safer or more prosperous, do not help create a more fair or just society, and do not resolve the underlying issue of our broken immigration system;

NOW THEREFORE BE IT RESOLVED that the HNBA calls on Congress to pass legislation that codifies the benefits currently conferred upon recipients of the Deferred Action for Childhood Arrivals (DACA), including but not limited to: authorization for employment, clemency from immigration detention, and legal status that provides for a path to citizenship;

NOW THEREFORE BE IT RESOLVED, that the HNBA opposes DREAM Act legislation that does not include: conditional permanent residence; lawful permanent residents; and an earned path to citizenship; and

NOW THEREFORE BE IT RESOLVED, that the HNBA calls for the passage of “clean” DREAM Act legislation that does not include provisions related to ancillary immigration issues (border wall funding, enforcement issues unrelated to DREAMers, etc.), or other unrelated issues (tax reform, health care, etc.), and does not attempt in any way to undermine, diminish or remove DREAMers’ equal protection and due process rights under the Constitution; and

NOW THEREFORE BE IT RESOLVED, that the HNBA supports administrative relief that will address the harm caused to DREAMers by lack of action by Congress; and

NOW THEREFORE BE IT RESOLVED, that the HNBA opposes administrative efforts to target, remove, or criminalize immigrants DREAMers, who have been shown to pose no danger to this country.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, Erica V. Mason, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

Erica V. Mason,
HNBA National President



**HNBA 2018 RESOLUTION IN SUPPORT OF FUNDING TO PROVIDE
MINOR CHILDREN ASYLUM SEEKERS
WITH ACCESS TO LEGAL REPRESENTATION TO PROTECT THEIR RIGHTS**

WHEREAS, the Hispanic National Bar Association (“HNBA”) is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

WHEREAS, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

WHEREAS, over 100,000 unaccompanied minor children seeking asylum have arrived in the United States over the past 5 years from countries around the world; and

WHEREAS, the majority of the unaccompanied minor children seeking asylum who arrived during this period are from Mexico, Guatemala, Honduras, and El Salvador, and are fleeing violence from drug cartels, gang violence, and other crimes or threats to physical safety; and

WHEREAS, the vast majority of these unaccompanied minor children have lawfully entered this Country to seek asylum under the Trafficking Victims Protection Act (“TVPRA of 2013”) until such time that their case can be adjudicated in Immigration Court; and

WHEREAS, the United States has not afforded unaccompanied minor children seeking asylum with a legal right to attorney representation at hearings or legal proceedings that could result in their detention or deportation, or any support of “public defender” system for unaccompanied minor children seeking asylum; and

WHEREAS, because unaccompanied minor children seeking asylum have no right to a court-appointed attorney and there is no government funding for such attorneys, only 34% of unaccompanied minors are represented by counsel in the 88,069 cases currently pending across the country; and

WHEREAS, 73% of unaccompanied minors represented by counsel before the Immigration Court are granted relief and allowed to remain in the United States, but 88% of unaccompanied minors appearing before the Immigration Court without legal representation are not granted relief or allowed to remain in the United States; and

WHEREAS, the HNBA believes that a Nation’s moral compass can be judged by how it treats

its most vulnerable populations, such as refugees, asylum seekers, and children; and

WHEREAS, the HNBA believes that forcing unaccompanied minor children to represent themselves, *pro se*, against licensed U.S. Immigration attorneys in hearings could result in their detention or deportation is unfair, cruel, mentally and emotionally traumatic, and a potential violation of their Due Process and Equal Protection rights; and

WHEREAS, the HNBA is committed to protecting the rights and safety of this vulnerable population of unaccompanied minor children asylum seekers, and helping them navigate our complex immigration system;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports federal legislation requiring that unaccompanied minor children seeking asylum who cannot afford to pay for an attorney will be provided with a Court-appointed and government-funded attorney for proceedings in Immigration Court; and

NOW THEREFORE BE IT RESOLVED, that the HNBA supports Congressional appropriation of funding to cover the costs of court-appointed attorneys assigned to unaccompanied minor children seeking asylum who cannot afford an attorney to protect their rights in Immigration Court.

NOW THEREFORE BE IT FURTHER RESOLVED, that the HNBA authorizes its officers and staff to communicate this Resolution's content to other bar associations, members of the U.S. Congress, the press, and to whomever else is suited to receive the information in order to affect this Resolution.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, Erica V. Mason, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

Erica V. Mason,
HNBA National President



HNBA 2018 RESOLUTION IN SUPPORT OF CRIMINAL JUSTICE REFORM

WHEREAS, the Hispanic National Bar Association (“HNBA”) is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

WHEREAS, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

WHEREAS, the United States is home to four percent of the world’s population, but twenty percent of the world’s prisoners and spends \$80 billion a year to sustain these incarceration rates; and

WHEREAS, the per capita rate of prison incarceration in the United States has increased four-fold since 1970; and

WHEREAS, research supports that Hispanics are among the minorities more likely to be convicted of an offense that requires a mandatory-minimum sentence that strips sentencing judges of their discretion at sentencing; and

WHEREAS, in recent years, both parties and both chambers of Congress have introduced comprehensive criminal-justice reform legislation that would ease some federal sentencing guidelines for drug-related crimes, and allow some current prisoners held on drug-related convictions to have their sentences reduced; and

WHEREAS, research suggests that among the major racial/ethnic groups, Latinos are most likely to be required to pay bail to gain release, and on average receive the highest bail amounts, and are the group least able to pay bail; and

WHEREAS, one of the fundamental and immediate needs of prisoners upon release is employment and education; and

WHEREAS, research supports that after a certain number of years a lower-level felony conviction no longer supports a credible likelihood of recidivism; and

WHEREAS, law enforcement's use of body cameras provides benefits to the judicial fact-finding function by virtue of their ability to provide documented evidence that lends greater accuracy and credibility to court and jury determinations in contexts ranging from suppression hearings to jury verdicts; and

WHEREAS, in 2017, five states had enacted laws that required at least some officers to use body-worn camera, and thirteen states and the District of Columbia had approved funding opportunities for state and local law enforcement to purchase body camera equipment,

NOW THEREFORE BE IT RESOLVED, that the HNBA supports any and all legislative and executive measures aimed at addressing prior sentencing disparities through revised statutory penalties, sentencing guidelines, and a reinvigorated use of clemency;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports law enforcement's use of body cameras in a manner that thoughtfully addresses privacy and fourth amendment issues, data storage and retention, open records laws and police training;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports the use of best-available technologies, including the use of GPS devices, as an alternative to pre-trial and post-trial incarceration;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports adequate funding for prisoner re-entry programs, including those support programs that provide a high school diploma, GED and training in computer science and tech fields;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports expungement of criminal records for lower-level felony offenses after a certain time period for which research demonstrates there is low chance of recidivism;

NOW THEREFORE BE IT RESOLVED, that the HNBA supports the end of solitary confinement, especially for youth;

NOW THEREFORE BE IT FURTHER RESOLVED, that the HNBA authorizes its officers and staff to communicate the content of this resolution to other minority bar association members, members of the U.S. Congress, the press, and to whomever else suited to receive the information in order to affect this Resolution;

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, Erica V. Mason, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

Erica V. Mason,
HNBA National President



HNBA 2018 RESOLUTION IN SUPPORT OF TIMELY CONFIRMATION OF DIVERSE JUDGES TO THE FEDERAL BENCH AND DIVERSE NOMINEES TO THE EXECUTIVE BRANCH

WHEREAS, the Hispanic National Bar Association ("HNBA") is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

WHEREAS, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

WHEREAS, there are currently 140 judicial vacancies, of which 52 have been rated "judicial emergencies," and these vacancies have caused extraordinary caseloads for Courts;

WHEREAS, there are at least 12 future judicial vacancies that will continue to exacerbate the judicial emergency crisis; and

WHEREAS, the United States' system of justice cannot function effectively without a fully staffed judiciary because these vacancies impede access to justice; cause delays in criminal defendants' Constitutional right to speedy trials; increases the number of pleas taken by defendants to avoid longer detention; increases legal costs; slows resolution of all disputes (civil and criminal); and interferes with business growth; and

WHEREAS, the federal appointments process should be an apolitical process involving the selection of the brightest legal minds, and the current composition of the federal bench and pending judicial nominees do not appear to reflect or consider women and minority candidates in adequate measure; and

WHEREAS, 75% of the current members of the federal judiciary are White and 45.6% are White males;

WHEREAS, 92% (55 of 60) of individuals that the current President of the United States has nominated for Article III judicial appointments are male, and 72% (43 of 60) are white males; and

WHEREAS, 8.7 % of the current federal judiciary is Latino, and only 2.5% of federal judges are Hispanic women; and nearly 18% of the total U.S. population is Latino, but only 1.67% (one

of 60) of the individuals that the current President of the United States has nominated for Article III judicial appointments is Latino; and

WHEREAS, approximately 50% of the total U.S. population is female, but only 18.33% (11 of 60) of the individuals that the current President of the United States has nominated for Article III judicial appointments are female;

WHEREAS, approximately 11% of the total U.S. population is African-American, but only 1.67% (one of 60) of the individuals that the current President of the United States has nominated for an Article III judicial appointment is African-American; and

WHEREAS, approximately 6.5% of the total U.S. population is Asian-Pacific American, but only 5% (three of 60) of the individuals that the current President of the United States has nominated for Article III judicial appointments are Asian-Pacific American; and

WHEREAS, approximately 1.7% of the total U.S. population is Native American, but none of the 60 individuals that the current President of the United States has nominated for Article III judicial appointment are Native American; and

WHEREAS, the HNBA has a strict vetting and endorsements process available to any and all candidates for a position on the federal bench or the federal Executive Branch; and

WHEREAS, the HNBA has worked vigorously to identify, vet, and endorse qualified judicial nominees to fill the numerous vacancies in the federal court system and has endorsed and provided the current administration and U.S. Senators with a number of endorsed diverse candidates for federal judicial vacancies in: Minnesota, Florida, New York, and New Jersey; and

WHEREAS, the HNBA supports the nomination and confirmation of the many highly-qualified, diverse judicial candidates endorsed by the HNBA, ABA, NAPABA, NBA, NNABA, and the LGBT Bar, because the confirmation of these individuals as Article III judges would demonstrate respect for diverse individuals who reflect the changing demographics of our country and the rich tapestry of backgrounds, ethnicities, cultures, experiences and interests that characterize the American population, inspire the confidence of minority populations in our justice system; and

WHEREAS, including Latinos at all levels of the federal workforce enables our government to better execute policies that will effectively reach and serve Latino citizens; and

NOW THEREFORE BE IT RESOLVED, the HNBA will continue to seek out and promote talented Latino attorneys for positions on the federal bench and the federal Executive Branch and is committed to working with Senators and members of this administration in order to bring them a slate of talented Latino attorney candidates for judicial and executive branch appointments; and

NOW THEREFORE BE IT RESOLVED, that the HNBA calls on the President of the United States to nominate a greater number of Latino attorneys to fill judicial vacancies and for the U.S. Senate and the President of the United States to fully support the confirmation of Latino judicial candidates in a number that shows greater parity with the total U.S. Latino population;

and

NOW THEREFORE BE IT FURTHER RESOLVED, that the President of the United States timely identify and nominate Latino candidates for open judicial vacancies and that the U.S. Senate hold confirmation votes for qualified Latino nominees without undue delay; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, Erica V. Mason, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

Erica V. Mason,
HNBA National President



HNBA 2018 RESOLUTION SUPPORTING MEASURES ADDRESSING PUERTO RICO'S RECOVERY FROM HURRICANE MARIA

WHEREAS, the Hispanic National Bar Association (“HNBA”) is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

WHEREAS, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

WHEREAS, on September 20, 2017, Hurricane Maria devastated the Commonwealth of Puerto Rico, a territory of the United States (“Puerto Rico” or “the Island”), destroying most of its infrastructure and natural resources and leaving its 3.4 million residents without electricity and the majority without water or the ability to communicate via telephone or internet; and

WHEREAS, since Hurricane Maria hit Puerto Rico, many in Puerto Rico remain without water, electricity or any means to communicate effectively via telephone or internet, and a significant number of the roads, streets, and bridges in Puerto Rico that were destroyed by Hurricane Maria have yet to be fully repaired, leaving many in the remote parts of the Island without the appropriate ability to look for, or receive, aid; and

WHEREAS, as a result of the devastation in Puerto Rico caused by Hurricane Maria, thousands of U.S. citizens previously residing on the Island, including, but not limited to families with young children and the elderly, have relocated and will continue to relocate to the mainland United States; and

WHEREAS, displaced Residents from Puerto Rico will require comprehensive relocation assistance, including, but not limited to, access to appropriate housing accommodations, healthcare, and education in the United States and District of Columbia; and

WHEREAS, as noted in the HNBA’s 2016 “RESOLUTION SUPPORTING MEASURES ADDRESSING PUERTO RICO’S FISCAL CRISIS,” even without Hurricane Maria, Puerto Rico is in a deep recession with severe fiscal, economic, and liquidity challenges that have placed

immediate and growing hardships on the Island's 3.4 million U.S. citizens, including, but not limited to, continuously increasing unemployment and poverty rates; and

WHEREAS, the almost complete destruction of Puerto Rico's infrastructure caused by Hurricane Maria has significantly exacerbated its economic recession, decreased revenues, increased unemployment, suppressed wages, and caused Puerto Rico to sink into a deeper financial crisis; and

WHEREAS, under the current tax code Puerto Rico is treated as a foreign country and U.S. companies with subsidiaries on the island are taxed at a higher rate than their operations on the mainland; and

WHEREAS, Puerto Rico's fiscal crisis will continue to undermine the Island's ability to recover from Hurricane Maria and its overall economic recovery; and

WHEREAS, Puerto Rico needs short and long-term solutions to recover from the impact of Hurricane Maria that are comprehensive, fair, and sustainable, and which inure to the benefit of the residents of Puerto Rico, help restart and sustain its economic growth, restore the Island's infrastructure, and provide humanitarian relief for residents of Puerto Rico; and

WHEREAS, studies estimate that the adverse effects of the Jones Act are costing Puerto Rico an estimated \$537 Million per year which has significantly contributed to the Island's fiscal crisis; and

WHEREAS, Puerto Rico does not currently receive the same Medicaid funds afforded to U.S. states and the Medicaid funds currently allocated to Puerto Rico under the Affordable Care Act are projected to run out in federal FY 2018, which will cause a significant shortfall in the Island's Medicaid budget going forward; and

WHEREAS, Section 404 of the Stafford Act allows the President to authorize the federal government to cover up to 75% of the cost of hazard mitigation measures that "reduce the risk of future damage, hardship, loss or suffering in an area affected by a major disaster," capped at not more than 7.5% of total costs of major disasters costing \$10 Billion; and

WHEREAS, the federal Child Tax Credit (CTC) currently applies only to families in Puerto Rico with three or more children, but approximately 355,000 working Puerto Rican families have two or fewer children; and

WHEREAS, most residents of Puerto Rico do not currently qualify for the Earned Income Tax Credit; and

WHEREAS, U.S. citizens living on the Island are not currently allowed to receive Supplemental Security Income (SSI); and

WHEREAS, the HNBA is greatly concerned that Congress's current proposed budget and tax

reform plans do not appear to consider or intend to address the United States' financial obligation to assist with the estimated \$94.4 Billion needed for Puerto Rico disaster relief and rebuild, or Puerto Rico's current debt load of more than \$70 Billion that it is clearly in no position to repay, and that the House of Representatives Ways and Means Committee has rejected all proposed amendments to pending tax reform legislation that would expand the Child Tax Credit to include Puerto Rican families with one or two children, and extend Earned Income Credit to Puerto Rican residents as recommended by the bipartisan, bicameral Congressional Task Force on Economic Growth in Puerto Rico; and

WHEREAS, the HNBA finds it unacceptable and unviable to add to the Island's current debt load by making repayment a condition of some or any funding provided to Puerto Rico by Congress for the purposes of disaster relief, rebuild, or restructuring; and

NOW THEREFORE BE IT RESOLVED, that the HNBA supports action by Puerto Rico to take the structural and fiscal reforms that would allow Puerto Rico to recover from Hurricane Maria, including by repairing, rebuilding and improving its infrastructure, providing humanitarian relief to the residents of Puerto Rico, and improving its economic efficiency and growth, and that the federal government be supportive of said measures; and

NOW THEREFORE BE IT RESOLVED, that the HNBA supports the restructuring process currently underway pursuant to the Puerto Rico Oversight, Management, and Economic Stability Act ("PROMESA"), but urges the Governor of Puerto Rico and the fiscal oversight board to revise the current fiscal plan to eliminate austerity measures, and implement comprehensive restructuring or forgiveness of Puerto Rico's debt; and

NOW THEREFORE BE IT RESOLVED, that the HNBA urges the Supreme Court of Puerto Rico to adopt the American Bar Association ("ABA") Model Court Rule on Provision of Legal Services Following Determination of a Major Disaster in order to allow out-of-state attorneys to provide legal assistance to individuals in the jurisdiction on a temporary basis; and

NOW THEREFORE BE IT RESOLVED, that the HNBA supports action by the ABA and other legal organizations for the creation of hotlines, task forces, training and other avenues for lawyers in the United States and Puerto Rico to assist with FEMA claims and other actions related to housing, insurance, employment, and other vital issues, and otherwise provide legal assistance to the residents of Puerto Rico impacted by Hurricane Maria; and

NOW THEREFORE BE IT RESOLVED, that the HNBA calls on Congress to take the following immediate actions:

- (1) Enact legislation that assists Puerto Rico's recovery and rebuilding and places Puerto Rico on a path towards economic growth including, but not limited to Congressional appropriation for additional funding for both disaster relief recovery and rebuilding, and for the improvement of the Island's existing infrastructure for purposes of hazard mitigation, hurricane readiness, and climate adaption.

- (2) Approve FEMA funds under Section 404 of the Stafford Act to substantially improve Puerto Rico's electricity grid.
- (3) Authorize a permanent waiver or exemption of the Jones Act for Puerto Rico that affords Puerto Rico more access to emergency and building supplies and lowers the cost of all imported goods needed for reconstruction efforts and future economic recovery and growth.
- (4) Make immediate changes to the current tax reform plan in order to classify Puerto Rico as a domestic territory, thereby removing the 20% tax on U.S. mainland businesses operating on the island and saving up and around 250,000 jobs that lay in the balance.
- (5) Ensure that funding provided through FEMA and the Community Development Block Grant-Disaster Recovery Program is allocated to Puerto Rico on terms and conditions no less advantageous than those applicable to the fifty states and the District of Columbia.
- (6) Approve a temporary waiver of the local matching requirement for federal Medicaid funding and enact legislation that eliminates the annual Medicaid/Mi Salud funding cap on Puerto Rico and replaces those funding caps with the Federal Match for Medicaid (FMAP) funding calculation used for the 50 states and the District of Columbia.
- (7) Enact legislation or include a provision in the pending tax reform legislation that would permit families in Puerto Rico with one or two children to claim the Child Tax Credit and extend the Earned Income Tax Credit to Puerto Rican residents under the same criteria under which mainland U.S. citizens are allowed to claim it.
- (8) Enact legislation that extends SSI benefits to residents of Puerto Rico.
- (9) Enact legislation that pays for or forgives Puerto Rico's approximately \$70 Billion debt.

And,

NOW THEREFORE BE IT RESOLVED, that the HNBA calls on the President of the United States and the Executive Branch agencies under his authority to take the following immediate actions:

- (1) Deploy the necessary resources to Puerto Rico, and to provide all the tools available to the U.S. military and U.S. government agencies to provide logistics, communication and engineering assets to get Puerto Rico's power grid up, repair mobile and fixed telecommunications throughout the Island to pre-Hurricane Maria levels, rebuild or replace infrastructure destroyed or damaged by Hurricane Maria, remove debris, clear and fix roads and bridges and ensure that assistance is received immediately.
- (2) Waive the federal matching requirements for FEMA disaster public assistance programs beyond the current 180-day extended waiver period.
- (3) Extend FEMA's 60-day deadline for filing individual claims for disaster relief for an

additional 120 days (and possibly longer for individuals who continue without power or a means to communicate after the extended deadline).

- (4) Approve the use of FEMA funds under Section 404 of the Stafford Act to substantially improve Puerto Rico's electricity grid.
- (5) Make all residents of Puerto Rico and those who have relocated to the mainland eligible to receive USDA Supplemental Nutrition Assistance Program (SNAP) benefits, subject to that program's eligibility criteria and the additional rule that those receiving SNAP benefits may not simultaneously receive Puerto Rico Nutrition Assistance Program (NAP) benefits;
- (6) Issue an Executive Order directing federal agencies to prioritize hiring residents of Puerto Rico and local organizations over non-Puerto Rican residents, to: ensure that disaster survivors participate in recovery activities and directly benefit from recovery funds; help Puerto Rico reduce its high unemployment rate and low labor force participation; generate local economic activity that can lead to additional tax revenue for the Government of Puerto Rico; and, reduce the costs associated with disaster relief and recovery by reducing the costs associated with transporting and housing workers from the mainland.
- (7) Support debt forgiveness of Puerto Rico's approximately \$70 Billion debt through Executive Order or legislation.

NOW THEREFORE BE IT RESOLVED, that the HNBA supports immediate action by all states to which Puerto Rico residents have relocated as a result of Hurricane Maria or its economic crisis to provide appropriate assistance and access to their healthcare, housing and education systems, including the waiver of certain deadlines and requirements for seeking such assistance, and to ensure that such assistance is available in Spanish to mitigate language barriers that may hinder a person's ability to take advantage of such assistance; and

NOW THEREFORE BE IT RESOLVED, that the HNBA supports immediate action through the Emergency Management Assistance Compact process to facilitate the provision of assistance to Puerto Rico by states and other U.S. jurisdictions;

NOW THEREFORE BE IT FURTHER RESOLVED, that the HNBA authorizes its officers and staff to communicate the content of this resolution to other bar associations, members of the U.S. Congress, the press, and to whomever else suited to receive the information in order to affect this Resolution.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

I, Erica V. Mason, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the

authority delegated to it by a duly-noticed meeting of the Board of Governors.

Erica V. Mason, National
President