

ISSUE BRIEF

Civil Rights

Congress should adopt key bipartisan civil rights measures, including legislation to fund the new federal election reform law, prohibit employment discrimination based on sexual orientation and help federal authorities fight hate crimes.

The Help America Vote Act (PL 107-252) enacted last year requires states to allow registered voters to cast provisional ballots, develop statewide voter registration lists and provide voting machines that are accessible to people with disabilities and allow voters to verify and correct their votes before casting them.

Adequate federal funding is required for the new election reform law. The new law authorizes Congress to appropriate \$2.16 billion in fiscal year (FY) 2003 to help states implement several new election reform requirements. Congress should fully fund this new law in FY 2003.

Congress should pass the Employment Nondiscrimination Act. Federal law does not prohibit employment discrimination on the basis of sexual orientation, and currently only 13 states and 240 local jurisdictions have enacted laws forbidding it, according to the Leadership Conference on Civil Rights. In the remaining 37 states, it remains legal to fire workers because of their real or perceived sexual orientation. Congress should pass the Employment Nondiscrimination Act bipartisan legislation that would outlaw employment discrimination based on a person's real or perceived sexual orientation. Public and private sector employees, except those working in the military, religious organizations and small businesses would be covered under this legislation.

Congress also should pass hate crimes legislation. According to the Federal Bureau of Investigations, the number of reported hate crimes increased by more than 20 percent from 2000 to 2001. Under current law, federal law enforcement officials can only help state and local officials investigate and prosecute hate crimes under limited circumstances—for example, if the victim is engaging in a federally protected activity such as voting. The bipartisan Local Law Enforcement Enhancement Act would allow federal law enforcement officials to help investigate and prosecute violent hate crimes and expand the law to include crimes committed on the basis of gender, disability and real or perceived sexual orientation.