



**PROJECT 21**  
Black Leadership  
Network

# BLUEPRINT

2022  
EDITION

FOR A BETTER DEAL FOR  
**BLACK**  
**AMERICA**



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*Blueprint for a Better Deal for Black America*



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# Executive Summary

In 2020, black Americans overwhelmingly voted for President Joe Biden in hopes that he would push policies that would address the growing and diverse needs of their community. Eighteen months into President Biden's term, blacks are more than a little disappointed. Rather than the centrist pro-growth and anti-crime policies they'd been promised, blacks have found that their personal situation in large part is worse than it was before Biden became president.

And racism isn't the issue. Instead, crippling government policy is the real barrier for blacks today.

Over the last year, the national debate has focused far more on the interests of eco and woke warriors, rather than kitchen table issues like job creation and lower energy costs. The Biden administration has pushed expanding the safety net, enshrining critical race theory (CRT) in the military, eco-alarmism and abandoning America's southern border.

Blacks aren't just ignored by today's priorities; they are harmed.

Inflation, crime in their neighborhoods, elevated energy prices and woke public and private schooling undermine the social and economic mobility of blacks and tragically perpetuate poverty, trapping many blacks and consequently fomenting anger towards the American experiment.

Project 21, a network of black leaders from across the nation, has identified eight key areas for reform. In this 2022 edition of the *Blueprint for a Better Deal for Black America*, Project 21 offers 56 concrete recommendations, all of which rely on the strengths of America – including values like faith, personal responsibility and free markets. If adopted, these would ensure that blacks reach their full potential and that the American Dream is attainable for all.

## *Project 21 Areas of Focus and Key Recommendations*

**Criminal Justice:** Make neighborhoods safer by addressing the skyrocketing levels of crime in inner-city communities, increasing the use of body cameras by law enforcement, stopping the war on law enforcement, discontinuing police department consent decrees and restoring bail and mandatory sentencing.

**Critical Race Theory:** Stop the spread of this destructive ideology by reinstating President Trump's 'Combatting Race and Sexual Stereotyping' executive order, ending the Defense Department's CRT-based training and barring federal grants for CRT instruction in history classes.

**Education:** Bolster students' upward mobility by encouraging educational choice, incentivizing STEM mastery and increasing standards for colleges and universities that receive federal aid.

**Election Integrity:** Encourage self-determination by protecting the votes of black citizens, restricting noncitizens' ability to vote and investigating and punishing voter fraud.

**Employment:** Revive employment opportunities for blacks by abolishing the Davis-Bacon Act, blocking vaccine mandates, ending the war on the "gig economy" and not taxing young adults before they graduate.

**Energy and Regulation:** Protect black Americans from the harmful "environmental justice" agenda by increasing energy production, requiring "minority impact assessments" on all new regulations, rolling back fuel standards for vehicles and ending tax credits for electric vehicles.

**Health Care:** Encourage health and well-being for black Americans by making the U.S. healthcare system more market-friendly, enacting a new "Medicaid Advantage" option for poorer households, expanding direct payment options, ending the war on the unborn and opposing marijuana legalization.

**Taxes and Spending:** Promote financial independence of black Americans by encouraging innovation and entrepreneurship, repealing tax penalties for married couples, repealing "sin taxes," raising asset limits for social programs and blocking COVID-related subsidies that fuel inflation.

# Criminal Justice

*Make Neighborhoods Safer for Black Americans*



For decades, the left has pushed various collectivist solutions for cities – where most black Americans reside. But these “solutions” have failed to make our communities safer or improve the lives of the residents in any material way.

In fact, in many cities, things have gotten substantially worse rather than better. Blacks in America are disproportionately harmed by America’s failure to control crime. In 2020, more blacks were killed than whites.<sup>1</sup>

Over the past couple of years, while the left has cut police budgets and promoted the narrative that law enforcement is the primary problem facing blacks in America, crime has accelerated to levels not seen in a generation – disproportionately harming black Americans in the process.

Today, our urban K-12 public schools are a disgrace, homelessness runs rampant and a permanent underclass has developed that cannot escape the inner cities. Academic studies show that while Great Society programs have transferred trillions of dollars of income to alleviate poverty, they have more likely harmed communities by creating disincentives against family formation, work and personal responsibility.

Crime appears to be a natural outgrowth of this failing, and under the Biden administration, things are getting worse.

After hitting a high of 2,605 in 1990, homicides in New York City had fallen to just 562 in 2018, a level not seen since 1960.<sup>2</sup>

But now the trend is reversing. According to the federally-funded Uniform Crime Reporting Program (which has been providing crime statistics since 1930), homicides in America increased in 2020 over 2019 at the fastest rate in modern American history.<sup>3</sup> Homicides were up nearly 37% among a sample of 57 large- and medium-sized cities. At least 2,000 more Americans were killed in 2020 than in 2019, most of them black.<sup>4</sup>

The increased rates are staggering: 95% in Milwaukee; 78% in Louisville, KY; 74% in Seattle; 72% in Minneapolis; 62% in New Orleans and 58% in Atlanta.<sup>5</sup>

Law enforcement has suffered, too. More than 60,000 law enforcement officers were assaulted while performing their duties in 2020. That’s over 4,000 more officers assaulted in 2020 than in the previous year.<sup>6</sup>

Law enforcement once attracted Americans from all walks of life and led to a higher percentage of black men in law enforcement than they represented in the population at large.<sup>7</sup> The unrelenting assault on law enforcement in recent years has led not only to a decline in the overall number of law enforcement officers nationwide,<sup>8</sup> but an even steeper decline in the number of black officers.



Black employment in Philadelphia's police department has dropped by 19% since 2017, while black employment in Chicago's police department has dropped by 12% since May 2019. A significant part of the problem is that departments are struggling to recruit young black officers. Last year, for example, Philadelphia reported that just 31% of its most recent group of recruits were black even though blacks made up 44% of the city's population.<sup>9</sup>

Improving neighborhood safety and protecting business development in working-class communities is critically important to improving the quality of life for minorities and the poor.

Policies that are premised on the idea that racial disparities in the criminal system result from bias – rather than from differences in criminal behavior – should be ended, not expanded. The data on who is committing drive-by shootings, robberies and burglaries in the U.S. is widely available and indisputable. And it indicates that blacks are not just disproportionately the offenders – but, more importantly, the victims.

It's the victims, and the witnesses who buttress their claims, who we should be listening to in developing a response.

Blacks in America regularly express in polls that they support more law enforcement, not less, because they need it most.<sup>10</sup>

That's why Project 21 recommends the following, for reasons explained below:

- ▶ Recruiting more police officers and repudiating the “defund the police” movement;
- ▶ Expanding federal-local law enforcement partnerships to target high crime areas;
- ▶ Ending the federal push to eliminate cash bail;
- ▶ Maintaining qualified immunity for police officers;
- ▶ Returning to the use of mandatory minimum sentences for violent crimes;
- ▶ Increasing the use of body cameras to build trust in police;
- ▶ Establishing a presidential medal for exemplary law enforcement and
- ▶ Ending abusive local police department consent decrees.



## *Recruit More Police Officers and Repudiate the “Defund the Police” Movement*

Under our Constitution, the primary responsibility for criminal law enforcement lies with the states – not the federal government. Maintaining law and order and protecting public health and safety fall squarely within the “police powers” reserved to the states under the 10th Amendment.

The federal government can buttress that responsibility of local governments by offering assistance and expertise. Instead, the current administration has used its authority to restrict and limit the ability of local law enforcement, harming black Americans disproportionately in the process.

Senior members of this administration, including both President Biden and Vice President Kamala Harris, have undermined law enforcement with disastrous consequences.<sup>11</sup>

In his 2022 State of the Union address, President Biden announced to wide applause that he was a supporter of law enforcement. However, those words are meaningless without action to back them up.

The “defund the police” movement should be explicitly rejected, and a concentrated effort should be undertaken to encourage more men and women to join law enforcement at all levels.

Civic leaders in America, including the president, should appear in public service announcements that seek new recruits while acknowledging law enforcement’s benefit to American society. Congress should pass a resolution denouncing the Black Lives Matter movement.

The Biden Justice Department should stop pursuing a racial-quota system that

pressures states to collect ethnic and racial data on hiring or on police stops and arrests. It should not condition certain federal grants on the race of new officer recruits, but instead should offer assistance to all communities seeking assistance in best practices for law enforcement recruitment.

## *Expand Federal-Local Law Enforcement Partnerships to Target High Crime Areas*

The federal government has offered federal grants to local and state law enforcement entities in the past to assist them in reducing violent crime, including providing funding for officers and prosecutors. A program similar to “Operation Relentless Pursuit” – put in place by President Donald Trump’s administration – should be restored and expanded. That effort focused on seven cities as a model of what can be done across the nation.

Greater funding should be directed toward any city or locality whose crime statistics are above the national average.

The Biden administration has instead used those scarce resources to promote its equity agenda. Black Americans need and want crime control, not equity control. Equity grants should be ended and used instead for crime control and expanded federal-state anti-crime partnerships. Such partnerships allow greater opportunities for arrest and prosecution (with stiffer sentencing) in communities where crime is elevated.

Drug traffickers, gun runners and criminal gangs should be targeted for elimination to end their free rein across the U.S. As Justice Department reports show, black Americans are statistically more likely to be victims of violent crime than the population at large,<sup>12</sup> and consequently, they are most likely to benefit from this reform.



## ***End the Federal Push to Eliminate Cash Bail***

For the past few years, America has been holding a national conversation about ending cash bail. In 2021, the Biden administration came down in favor of this anti-law enforcement proposal.<sup>13</sup> California was one of the first states to abolish cash bail for defendants awaiting trial, and the results have been as bad as expected. It has led to more black Americans being victimized.

Using algorithms instead of the traditional court system determinations of threats to the community is unworkable, dangerous and untested. Additionally, a cash-bail system keeps local jails from becoming overcrowded by providing a means to ensure that defendants will appear for trial and not engage in lawlessness while the trial process plays out.

Every accused defendant cannot be held in pretrial detention, even if every one of them were determined to be dangerously violent. It would require a prison construction program unlike any in American history.

But every accused defendant also can't simply be released after arrest on a promise to appear for trial.

Cash bail charts a course between these two extremes.

Traditional policies involving pretrial detention have focused primarily on public safety. Bail "reform" throws this approach out the window. For instance, persons accused of robbery and burglary – both violent felonies – could be released without any bail even though they could pose a significant risk to public safety.

According to the most recent data from the Justice Department, black Americans are statistically more likely to be victims of violent crime than the population at large.<sup>14</sup> Thus, policies that limit pretrial detention or shift the focus of release from community-safety risk to algorithms or even policies seeking to equalize detention decisions by race would harm blacks most.

Washington should restrict access to federal funds for communities that engage in this radical reform, and states and local governments should also end the practice.

## ***Maintain Qualified Immunity for Police Officers***

In 2020, the George Floyd Justice in Policing Act passed the U.S. House of Representatives, but ultimately died in the Senate. It's fortunate for black America that it did. The measure would have banned no-knock warrants in certain cases, and all but removed qualified immunity for law enforcement officers.

**Taking away qualified immunity could lead to officers being hesitant to act when it's most needed, and black Americans – disproportionately victims of crime – would suffer.**

Qualified immunity is the legal principle that grants law enforcement officers immunity from civil lawsuits unless they can be shown to have violated “clearly established statutory or constitutional rights.”

While very popular in liberal circles, banning or limiting qualified immunity would cripple policing in America, and blacks would be harmed the most.

Particularly as homicides continue to rise around the country, qualified immunity is essential to ensure that police officers can carry out their responsibilities without fear of baseless legal action that could ruin their reputations and their careers.

That need is particularly great in urban communities where many black Americans reside.

Law enforcement performs vital tasks that might require split-second decisions in stressful circumstances. Taking away qualified immunity could lead to officers

being hesitant to act when it's most needed, and black Americans – disproportionately victims of crime – would suffer.

The attacks on qualified immunity make law enforcement recruiting and retention harder.<sup>15</sup>

Congress should formally enshrine qualified immunity in federal law, and state governments should be encouraged to adopt similar measures.

### *Return to the Use of Mandatory Minimum Sentences for Violent Crimes*

Mandatory minimum sentencing requires a convicted criminal to serve a minimum sentence before being eligible for parole or release. Focusing these enforcement enhancements on crimes that are considered violent or serious protects communities from violent crime, particularly black communities.

Unfortunately, mandatory minimum sentences have come under assault by this administration, as well as by the previous one.<sup>16</sup>

Mandatory minimums operate on a simple principle: namely, that the “benefits” of the crime to the perpetrator will be greatly outweighed by the consequences of committing it. These sentencing guidelines reduce crime levels wherever they are in place.

Setting mandatory minimums also reduces the likelihood that personal bias could affect sentencing – either to under-punish or to over-punish.

Finally, mandatory minimum sentencing laws maximize safety by increasing the period wherein offenders are not free to prey on society.



Instead of repealing mandatory minimums or failing to enforce them, the Justice Department should direct prosecutors to ramp up mandatory minimum sentencing in high-crime communities as a means of stopping violent criminals in their tracks.

Instead of focusing on the race of criminals, crime policy should focus on crime reduction that benefits all Americans – and particularly blacks.

Congress should impose mandatory sentencing on violent crimes, including murder, rape, robbery and arson, and offer grant assistance to states that do likewise.

### *Increase the Use of Body Cameras to Build Trust in Police*

Those who choose a career in law enforcement are generally exemplary in their behavior. However, within all groups, there are those who don't meet the high standards needed overall.

Rather than demonize all police officers for the bad behavior of a few, there's a straightforward option to make it easier to identify and remove the bad actors: body cameras.

Body cameras provide visual and audio evidence that can independently verify events, allowing bad officers to more easily be prosecuted for misdeeds. At the same time, cameras also protect police officers against false accusations of misconduct. In many communities across the country, complaints against officers wearing cameras decreased substantially.<sup>17</sup>

They are also useful for prosecuting domestic violence incidents, as cameras are able to record the immediate aftermath of altercations, including any injuries a victim has suffered. They may capture victim statements that are more honest than later statements, which may be influenced by victims' emotional and

financial ties to the abusers.

Body cameras can additionally serve as great training tools, as video recorded from police body cameras can be used to train new and existing officers in how to perform during difficult encounters with the public.

Good policing protects blacks, who are overwhelmingly the victims of crime. To improve public safety for blacks, the Justice Department should provide funding to police departments that utilize body cameras.

### *Establish a Presidential Medal for Exemplary Law Enforcement*

Law enforcement has been a political target for the left in recent years. Although the Biden administration has made some positive public statements about law enforcement, it should take more concrete steps to demonstrate its commitment to the men and women in blue.

The Biden administration should create and award a Presidential Medal for Exemplary Law Enforcement to recognize police officers for exceptional acts of compassion, kindness and service – including actions that have strengthened the bonds between their departments and the communities they serve.

We recommend that the nominations come from local communities and be vetted by the White House.

### *End Abusive Local Police Department Consent Decrees*

During Barack Obama's presidency, the Justice Department opened civil rights investigations into police departments (called "pattern or practice" investigations) without credible evidence that these police departments were either regularly or systematically violating the constitutional rights of the residents in those communities.

The investigations invariably resulted in settlements, or consent decrees, that placed police departments under the control of unelected federal monitors. These monitors collected millions of dollars in fees, paid by taxpayers, while they held police departments to emasculating crime-fighting protocols and useless and resource-straining recordkeeping mandates for years on end.

Predictably, crime increased in the jurisdictions under those consent decrees, hurting black communities the most.

We recommend that every consent decree be subject to high-level Justice Department approval, rather than being approved by department career bureaucrats, to ensure it is warranted. We further recommend that decrees be subject to sunset dates and specify what police departments specifically must do to terminate such decrees. And we recommend that, before any consent decree protocol can be adopted, the Justice Department must find that the alleged constitutional violations are in fact truly

systematic and unlikely to be corrected absent a federal takeover of the department.

To reduce the incentive of maintaining federal oversight far longer than necessary, we recommend that Justice Department personnel oversee implementation of the measures the department imposes, rather than compensated outside monitors.

Black Americans want and need a thriving and robust law enforcement sector in their communities. Consent decrees stymie that goal and must be ended.

### *Conclusion*

Improving neighborhood safety and protecting businesses located in black communities are critically important to improving the quality of life for blacks.

The Biden administration should turn its focus to practical ways to accomplish those ends, instead of following the woke utopians' path that leads only to misery and destruction.



# Critical Race Theory

*Abandon Ideologies that Marginalize Black Americans*



Critical race theory (CRT), a once-obscure academic doctrine, has been sweeping the nation ever since the tragic death of George Floyd at the hands of Minneapolis police officers in May 2020.

Although its advocates cast CRT as a framework for ending racial division, it is really a framework for exacerbating that division to advance a radical Marxist agenda. And while some might think it will advance the aims of blacks at the expense of whites, it will instead most likely generate racial tribalism. That cannot ever be in the interest of any racial minority.

CRT is an outgrowth of critical theory, which was developed by academics affiliated with the Institute for Social Research at the Goethe University in Frankfurt, Germany – the so-called “Frankfurt School.”

Founded in 1923, the Frankfurt School hosted progressive scholars who were steeped in Marxist economic theory and who over time expanded their disavowal of capitalism to include a rejection of the culture they believed supported it.

Among its most prominent figures was Herbert Marcuse, who held teaching positions at Columbia, Harvard and the University of California at San Diego from 1952 to 1970. He is considered “the Father of the New Left.” Marcuse laid the foundation for the speech codes and other CRT-related behavioral mandates we see on many high school and college campuses today. He suggested

that only certain types of speech should be protected – namely, speech that comported with his socialist worldview.

In his 1965 essay “Repressive Tolerance,” Marcuse called for the “withdrawal of toleration of speech and assembly from groups and movements which promote aggressive policies, armament, chauvinism, discrimination on the grounds of race and religion” and, significantly, speech that opposes government “extension of public services, social security, medical care, etc.”<sup>18</sup>

True to its Marxist heritage, CRT seeks to divide American society between oppressors and oppressed, replacing alleged class oppression with alleged racial oppression. The doctrine is revolutionary in nature, seeking nothing less than the complete transformation of society – using race as the vehicle to bring about that change.

While CRT is certainly a bad idea for America as a whole, it is especially harmful to black Americans.

## ***CRT Promotes Segregation***

Instead of bringing students of different races together, CRT-inspired curriculums instead segregate them into distinct racial groups.

In Wisconsin, Madison West High School officials thought holding race discussions in which students<sup>19</sup> and parents<sup>20</sup> were segregated into groups based on their race would advance unity.

Public schools in Wellesley, Massachusetts have utilized “affinity spaces”<sup>21</sup> that segregate students and staff by race. Following a shooting at an Atlanta spa in which six Asians were killed, the school district sponsored an affinity group it characterized as a “healing space for Asian and Asian American students [and] faculty/staff, and others in the BIPOC (Black, Indigenous, People of Color) community who wish to process recent events.” One teacher promoting the event noted: “This is a safe space for our Asian/Asian American and Students of Color, \*not\* for students who identify only as White.” She then offered separate counseling for whites who “need help to process recent events.”<sup>22</sup>

Separate “healing spaces” for people of color and for whites? Grouping people according to race so that they can discuss unity? It’s hard to see this as anything but a 21st-century update of Jim Crow.

In the 20th century, advocates for segregation claimed that it was good for blacks and whites. It was good for neither, and was especially harmful to blacks. It was this realization that inspired the civil rights movement in the 20th century. Today, this is just as true.

If parents are having difficulty understanding how segregating children by race can advance



equality and reduce racial division, imagine how difficult it must be for the children.

Former presidential candidate Andrew Yang offered insights on this in an interview with Bari Weiss on Substack:

*My friend’s 11-year-old daughter came home and said: “Why can’t I be friends with my black classmates?” That classmate, by the way, she had been friends with up until recently. And so, this parent was very unhappy with the fact that her daughter had come home thinking that she somehow cannot be friends with her black classmate. And so she brought these concerns to the school and then the school dismissed my friend’s concerns.”<sup>23</sup>*

CRT’s “we must segregate schools in order to desegregate them” is reminiscent of the Vietnam War-era notion, “It became necessary to destroy the town to save it.” And it’s likely to produce similarly counterproductive results.

By emphasizing racial differences and forcing friends apart and into their racial “affinity groups,” CRT won’t reduce racial division and inequality; it will only increase it.

### **CRT Disincentivizes Success**

CRT curriculums and the administrative policies they inspire advance two contradictory narratives that disincentivize black achievement.

The first narrative is that blacks have no control over their destinies because the system is rigged against them. This narrative is corrosive in the black community because it tells young blacks that no matter what they do, no matter how hard they try, no matter how good they are, they will never succeed.

If achievement is impossible, then why even bother trying?

The second narrative is that academic standards must be lowered in order for black students to gain admission to top high schools and colleges. That advances the false and negative stereotype that black students are less intelligent or less capable than their peers.

An example of that occurred at Thomas Jefferson High School for Science and Technology in Alexandria, Virginia. Known locally as “TJ,” it ranked first among all public schools nationally.

TJ scrapped its rigorous, race-blind entrance exam in favor of a more “holistic” admissions

process to increase black enrollment. Among other things, its new admissions process put a cap on the number of students admitted from each middle school, reducing the number of students from schools with high numbers of Asian Americans, who had come to dominate TJ.<sup>24</sup>

The move had the desired effect: The percentage of Asian American students at TJ fell from 73% in the 2019-2020 academic year to 54% for 2020-2021, while the number of black and Latino students increased.<sup>25</sup>

Notably, there is no evidence that the change in the student mix resulted in brighter and more academically talented students. In fact, by excluding some students on the basis of their race, the average scores and tested competence of the incoming classes declined.



Harry Jackson, who was elected as TJ's first black Parent Teacher Association president in 2021, believes the process harms minority students. A former Navy officer whose son gained admission to TJ before the standards were changed, Jackson said:

*When I see the effort to water down the admissions standards for TJ – and let's be clear, that effort is largely led by paternalistic white liberals who are determined to "help" minority victims at any cost – I see it for what it is: a tacit admission that they don't think black and Hispanic students have what it takes to compete on merit.<sup>26</sup>*

Lower admission standards for minority students further disincentivize minority achievement by minimizing the achievements of students like Jackson's son. Although he gained admission through the same rigorous process as Asian and white students, the perception will be that he gained admittance only because he received special accommodations.

Although Jackson's son will likely be able to handle the next stage of education – admission to an elite university or college – with aplomb, many of the other students admitted under lower standards will not. Here's the truth: Even though they may be academically capable, those students when forced to compete with remarkably exceptional students at elite institutions often fail and drop out.

Unfortunately, as these students ultimately conclude they are not college capable (though at lesser institutions they might have thrived), their experience provides an unfortunate

example to their exceptional peers. Their failures lead many of their peers to conclude that academic achievement can in fact be judged on the basis of race.

Clearly, that isn't good for blacks.

### **Blacks Suffer Most From CRT's Big-Government Vision**

CRT advocates envision a greatly expanded role for government that poses a significant threat to Black America.

America's Founding Fathers understood that the larger a government becomes, the greater the risk it will become oppressive – especially toward political minorities. Consequently, they designed a Constitution and Bill of Rights to constrain the size of government.

In a letter to James Madison in 1787, Thomas Jefferson wrote, "I own I am not a friend to a very energetic government. It is always oppressive."<sup>27</sup>

Later, in his first inaugural address, Jefferson warned, "All too will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect and to violate would be oppression."<sup>28</sup>

Blacks have paid an enormous price whenever America has failed to heed Jefferson's warning.

Jim Crow laws were enacted starting in 1865 and continued to be enforced until the mid-1960s. They were not created by the private sector, but by all-too-powerful government.



During the 1930s, Congress passed a series of wage laws that were specifically designed to prevent blacks from competing with white union workers for jobs. Blacks at the time were employed at slightly higher rates than whites because they were willing to work longer hours at lower wages to make life better for their families, much as migrant workers do today.

The first of those wage laws was the 1931 Davis-Bacon Act, which requires contractors to pay “prevailing wages” (read: union wages) for all construction projects receiving more than \$2,000 in federal funding. Because minority-owned firms tend to be small and unable to pay union wages, they are often precluded from participating in federal construction projects. The law is still on the books and continues to limit black employment opportunities to this day.<sup>29</sup>

### ***CRT Fosters Resentment Against Blacks***

Through promotion of something called “restorative justice,” CRT proponents foment racial division and resentment against blacks and Hispanics.

Prominent CRT advocate Ibram X. Kendi, director of the Center for Antiracism at Boston University and the author of *How to Be an Antiracist*, describes restorative justice this way: “The only remedy to past discrimination is present discrimination. The only remedy to present discrimination is future discrimination.”<sup>30</sup>

TJ’s new admissions policies, which take from some racial groups to give to others, are an example of “restorative justice.”

## Transforming the United States into a Marxist country won't reduce racial discrimination; it will increase it.

Punishing students far removed from the Jim Crow era and punishing those whose families recently emigrated to the United States and took no part in discrimination won't correct the injustices of the past; it will only create new injustices. In the process, it will create resentment against blacks – who will be perceived as the new oppressor class.

A policy that encourages racial tribalism ill-serves blacks. The interests of blacks are far better served in a regime where all – regardless of race or ethnicity – are treated as individuals with the same rights and privileges.

As U.S. Supreme Court Chief Justice John Roberts wrote in the 2007 case of *Parents Involved in Community Schools v. Seattle School District No. 1*, “the way to stop discrimination on the basis of race is to stop discriminating on the basis of race.”<sup>31</sup>

CRT's ultimate objective is to remake the United States into a Marxist country, and no governing philosophy has been more harmful to ethnic minorities than Marxism. Stalin's mass executions, China's “Great Leap Forward,” Cambodia's “Killing Fields” and famines resulting from Marxist central

planning have killed an estimated 100 million people.<sup>32</sup>

Abolition of private property rights by Marxist regimes throughout the world – a policy supported by CRT proponents today<sup>33</sup>– produced widespread starvation in Zimbabwe<sup>34</sup> and Ethiopia.<sup>35</sup> Marxist mismanagement in Venezuela has condemned three-quarters of the population to extreme poverty, as hyperinflation and a lack of basic supplies and services have devastated the resource-rich country.<sup>36</sup>

Transforming the United States into a Marxist country won't reduce racial discrimination; it will increase it.

Few things pose a greater threat to further progress of America's racial minorities than critical race theory, and Project 21 believes it should be rejected by schools, by employers and by every level of government.

That's why we recommend the following, for reasons explained below:

- ▶ Reinstating Executive Order 13950;
- ▶ Ending federal grants for CRT curriculum;
- ▶ Terminating federal funding for schools practicing CRT;
- ▶ Requiring corporations to disclose risks of their “racial training” programs;
- ▶ Investigating corporations and schools for possible violations of Title VI and Title VII of the Civil Rights Act;
- ▶ Barring the U.S. Department of Defense from conducting CRT-based racial training programs and
- ▶ Rescinding Executive Order 13985.



## *Reinstate Executive Order 13950*

Noting that “many people are pushing a different vision of America that is grounded in hierarchies based on collective social and political identities, rather than in the inherent and equal dignity of every person as an individual,” then-President Trump issued Executive Order 13950 – “Combating Race and Sex Stereotyping” – on Sept. 22, 2020. It prohibited federal employees and contractors from sponsoring training programs that perpetuate race or sex stereotyping or scapegoating.

The executive order cited four examples:

- a U.S. Treasury Department seminar that argued that “virtually all white people, regardless of how ‘woke’ they are, contribute to racism;”
- Argonne National Laboratories training materials that stated that racism “is interwoven into every fabric of America” and described terminology such as “colorblindness” and “meritocracy” as “actions of bias;”
- Sandia National Laboratories materials prepared for white males that asserted that emphasizing “rationality over emotionality” is a “white male” characteristic; and
- a taxpayer-funded Smithsonian Institution graphic that claimed that the concepts of “rational linear thinking,” “the nuclear family,” the belief that “[h]ard work” is necessary for success and the belief in a single god are “aspects and assumptions of whiteness.”

Such stereotyping, the executive order argued, is “rooted in the pernicious and false belief that America is an irredeemably racist and sexist country; that some people, simply on account of their race or sex, are oppressors; and that racial and sexual identities are more important than our common status as human beings and Americans.”

It further argued that such CRT-inspired beliefs are merely repackaging the discredited racist ideas of the past “designed to divide us and to prevent us from uniting as one people in pursuit of one common destiny for our great country.”<sup>37</sup>

Project 21 agrees.

Unfortunately, President Biden rescinded the executive order on Jan. 20, 2021, as one of his first acts as president.

Barring racial stereotyping shouldn't be controversial.

Government-funded agencies shouldn't be portraying blacks as incapable of “rational linear thinking,” as the Smithsonian Institution did, nor should they be saying that virtually all whites “contribute to racism,” as the Treasury Department did.

A nation that trains its government workforce that race is a legitimate basis for offering benefits or denying them is a nation that threatens the liberty of all. The lesson of Jim Crow shouldn't be that mistreating blacks is wrong. The lesson should be that mistreating any American is wrong.

Executive Order 13950 should be fully reinstated.

## *End Federal Grants for CRT Curriculum*

History courses should teach history, not make it.

Curriculum should certainly examine America's long struggle to overcome racial discrimination, from slavery to Jim Crow to the civil rights protests of the 1960s.



But it should also cover America's progress towards freedom and equality, from the development of the abolition movement in the 1830s to the passage of landmark civil rights legislation beginning in the 1950s and 1960s. It should also tell the story of black economic progress and the enormous contributions black Americans have made to science, medicine, the arts and sports.

What it should not do is encourage students to be practitioners of a new form of racism, separate kids into "affinity groups," label people as "oppressor" and "oppressed" based solely on their birth characteristics or perpetuate false race and gender stereotypes, as CRT does.

In April, the Biden administration took a significant step toward injecting CRT into K-12 curriculum by proposing changes to U.S. Department of Education rules that would allow it to offer grants to support teaching CRT as part of American history and civics courses.

The proposed rulemaking in the Federal Register<sup>38</sup> states that the "ongoing national reckoning with systemic racism [has] highlighted the urgency of improving racial equity throughout our society, including our education system."

The proposal made favorable references to the *New York Times*' 1619 Project and to CRT proponent Kendi.

Such funding should be prohibited.

### ***Terminate Federal Funding for Schools Practicing CRT***

CRT is toxic to racial unity and further black progress. Punishing one race while rewarding another reinforces the legitimacy of using race as a basis of judging a person.

Teaching this to young people during their formative years is particularly dangerous.

No white child should ever be moved to ask a parent why he can no longer play with his black friend because the CRT curriculum leads him to believe that children harbor subconscious resentment toward each other.

No black child should be taught that she is morally superior to her classmates solely on the basis of her race.

Schools teaching this dangerous ideology should be barred from receiving federal funding.

## *Require Corporations to Disclose Risks of Their “Racial Training” Programs*

CRT-inspired racial training programs could subject corporations to sanction by the Justice Department or the Equal Employment Opportunity Commission, trigger lawsuits by employees or cause reputational damage that could reduce profitability.

Project 21 believes the U.S. Securities and Exchange Commission (SEC) should issue interpretative guidance requiring corporations to disclose to shareholders the business risks of such training programs. Item 503(c) of Regulation S-K of the U.S. Securities Act of 1933 requires publicly traded corporations to report on significant factors that threaten their profitability.<sup>39</sup>

Employers are increasingly sponsoring CRT-inspired “implicit bias” training, which targets employees by race or gender.

Starbucks, for example, required all 175,000 of its employees at its 8,000 stores to participate in “racial bias training,” principally targeting its white employees.<sup>40</sup>

The trouble with such “unconscious bias” programs is not just that they fail to meet a scientific standard. Because they purport to aid employers in targeting employees primarily based on their race or ethnicity and/or their gender, they potentially allow employees to be assessed, disciplined or promoted on the basis of race or gender, which is explicitly barred by Title VII of the Civil Rights Act of 1964.<sup>41</sup>

Raytheon Technologies Corp., the nation's second-largest defense contractor, also sponsors racial bias training programs. According to internal documents, the



program – called “Stronger Together” – teaches employees that the CRT doctrine of “intersectionality” will expose “interlocking systems of oppression” and “break down power into privilege and marginalization.”<sup>42</sup>

White employees are told that their level of discomfort is only “a fraction” of the emotional distress of black colleagues, who are “exhausted, mentally drained, frustrated, stressed, barely sleeping, scared, and overwhelmed.”

In keeping with these lessons, Raytheon executives segregate employees by race and identity into “Employee Resource Groups” for black, Hispanic, Asian, Native American, LGBTQ and other identities.

Disturbingly, the Raytheon curriculum depicts black Americans and other minorities as passive and helpless people who lack the resolve, skills and resourcefulness necessary to improve their situations. Such a perspective is inherently bigoted because it assumes that certain racial groups are either unable or unwilling to reach their full potential.

As American consumers and investors learn more about the introduction of CRT into corporate planning and training, they will be less likely to associate with these companies – threatening their ability to expand and remain profitable.

When these companies fail, their black employees (as well as their white ones) will suffer, and shareholders of all races risk losing their investments. SEC guidance must be offered to limit the damages of CRT in the corporate world.

### ***Investigate Corporations and Schools for Possible Violations of Title VI and Title VII of the Civil Rights Act***

Title VI of the Civil Rights Act of 1964 specifies that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”<sup>43</sup>

Schools employing CRT-inspired “affinity” groups that deny students participation in such groups, including the Wellesley public schools system, have done so in violation of the law.

Title VII of the Civil Rights Act specifies that it is unlawful for an employer “to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual’s race, color, religion, sex, or national origin.”<sup>44</sup>



Corporations such as Starbucks and Raytheon appear to be violating Title VII through their racial-bias training programs.

Ignoring this unlawful behavior risks a return to the days of Jim Crow. Blacks remain a racial minority, and any precedents that allow for race-based discrimination could just as easily be used against blacks tomorrow if sentiment were to turn.

Project 21 calls for the Civil Rights Division of the U.S. Justice Department and the Equal Employment Opportunity Commission to launch investigations of these apparent violations of the law and to prosecute violations to the fullest extent of the law.

### ***Bar the U.S. Department of Defense From Conducting CRT-Based Racial Training Programs***

CRT-inspired training has also seeped into the U.S. military.<sup>45</sup>

In February, the U.S. Navy released a recommended reading list to facilitate the “growth and development” of sailors. One of the books on the list was Kendi’s *How to Be an Antiracist*.

Separately, the Navy’s 2nd Fleet created a book club that included *White Fragility* by CRT advocate Robin DiAngelo. Responding in *National Review*, Senator Tom Cotton noted that DiAngelo’s book “claims white people are inherently racist, whether consciously or subconsciously, and that race is the insidious subtext for virtually all human interactions.”<sup>46</sup>

Given the military’s unique mission, any doctrine that undermines unit cohesion puts at peril not just the lives of those in uniform, but also the lives of the people they are sworn to protect.



CRT is a poisonous element to be introduced into the military and threatens to destroy it altogether. Blacks are especially vulnerable, as 16% of servicemen and servicewomen are black,<sup>47</sup> while representing just 12% of the general U.S. population.<sup>48</sup>

The teaching of CRT doctrines should be prohibited throughout the U.S. Armed Forces.

### **Rescind Executive Order 13985**

On his first day in office, President Biden signed Executive Order 13985, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government."

Although the executive order doesn't mention critical race theory by name, the language of the order leaves no doubt that its intention is to advance this radical ideology.

"Entrenched disparities in our laws and public policies, and in our public and private institutions, have often denied... equal opportunity to individuals and communities," the executive order states. "Our country faces converging economic, health, and climate crises that have exposed and exacerbated inequities, while a historic movement for justice has highlighted the unbearable human costs of systemic racism."

Executive Order 13985 thus parrots CRT's false claim that our nation's laws are racist. It then sets up a framework for combating this phantom systemic racism.

Lest there be any doubt that the executive order was designed to advance CRT, it rescinded Executive Order 13950, President Trump's directive prohibiting federal employees and contract workers from employing stereotypes.

It also rescinded President Trump's Executive Order 13958 that created the 1776 Commission, which was established to challenge the curriculum of the CRT-rooted 1619 Project sponsored by *The New York Times*.<sup>49</sup> Overseen by Nikole Hannah-Jones, the *Times* project traces the founding of the nation not to the adoption of the U.S. Constitution or even the Declaration of Independence, but to the arrival of the first African slaves in the colony of Virginia in 1619.

The 1619 Project's collection of 30 essays and artistic productions was ultimately awarded a Pulitzer Prize, even though it presents radical and untrue theses such as the claim that America's "founding ideals were false when they were written" and the idea that "nearly everything that made America exceptional grew out of slavery."<sup>50</sup>

Noted historians have also identified a host of factual misstatements and historical errors in the work. In one highly covered instance, five historians wrote to the *Times* to urge corrections, arguing that the 1619 Project was inaccurate and misleading regarding the motivations for the Revolutionary War and President Abraham Lincoln's views on black equality.<sup>51</sup>

With little to no historical support, the 1619 Project thrust slavery and its aftermath into the center of the American historical narrative. Lesson plans and children's books have sought to further cement the 1619 Project's claims in the minds of the next generation.

Executive Order 13985 should be rescinded, and – if it isn't – Congress should pass legislation to prevent its implementation.<sup>52</sup>

### **Conclusion**

Critical race theory is dangerous. It is dangerous for America, and its efforts to encourage groups to organize on the basis of race make it extremely dangerous for blacks.

Project 21 believes, as the Reverend Martin Luther King, Jr., did, that people should be judged not by the color of their skin, but by the content of their character.

CRT does exactly the opposite. It is a pernicious ideology that must be opposed at every turn.



# Education

*Overcome Educational Barriers for Black Americans*



“Separate but equal” standards in public education were struck down by the U.S. Supreme Court’s *Brown v. Board of Education* decision over 65 years ago. Today, even though nearly all Americans now recognize that education is key to upward mobility, poorly-functioning urban schools still cripple the dreams of many young people – particularly black Americans.

The emphasis that many schools now place on equity and tolerance, instead of on how to either improve or expand learning options, only compounds matters. Schools too often pursue this woke agenda at the expense of academic achievement.

Neither quality nor equality is served by woke inclusion policies. As Project 21 member Marie Fischer, a former school board candidate whose son is on the autism spectrum, wrote in an essay in the book *Steal Away!*:

*Our current state of public education, especially for many black students, is probably worse than it was before Brown v. Board of Education. Parents then were fighting to be able to send their children to school in their neighborhood instead of the segregated schools across town. Now these neighborhood schools are worse than the segregated schools.<sup>53</sup>*

Fischer chose to use all of her child support

money to pay for her son’s private education. “I made an educational choice for my son and it affected me financially then,” she recounted. But, as tough as that decision was, it made sense to her because it would “benefit not only myself and my son, but all of society because now he is an educated young black man with unlimited potential.”

The mission of public education – equipping young people to be ready for the demands of adulthood – must be restored.

Many black parents, particularly those in urban settings, don’t have the resources to pursue educational alternatives when their neighborhood schools fail them. So they are limited to schools decided by property lines, zip codes and political goals.

Instead of Governor George Wallace standing in a schoolhouse door as he did in 1963,<sup>54</sup> access to quality education is now primarily impeded by laws denying funding to parents who want to send their children to better – and usually religious – schools.

And even if black students manage to overcome this failing system and enroll in a college or university, they are likely to encounter a minefield of political correctness that poisons thought, suppresses debate and maligns reputations – all while failing to provide them with the skills and training necessary for future success.

Racial quotas in higher education admissions also fail to benefit black students. Even if well-intentioned, these “diversity” initiatives too often end up stacking the deck against black students. As Richard H. Sander and Stuart Taylor, Jr., note in their book *Mismatch*:

*[W]e have a terrible confluence of forces putting students in classes for which they aren't prepared, causing them to lose confidence and underperform even while at the same time consolidating the stereotype that they are inherently poor students.<sup>55</sup>*

Black students are further harmed by the destructive woke ideologies that permeate college campuses. College is no longer the place for honest inquiry. Instead, debate is stifled and students are indoctrinated with progressive catechisms. In this environment, students are denied the benefits of a traditional liberal education.

While all students are hurt when higher education fails to highly educate, black students are perhaps hurt the most. Those who have been previously underserved by failing government schools lose out on an important opportunity to catch up academically and socioeconomically with their peers. Classes that teach dangerous racial doctrines instead

of logic and reason encourage black students to view the world through lenses of bigotry and unfairness instead of resiliency and adaptation.

It's time to step in and reform the education system. Black students deserve schools – at the primary, secondary and post-secondary levels – that are accountable for their well-being and that provide an environment that encourages them to unleash their true potential.

That's why Project 21 recommends the following, for reasons explained below:

- ▶ Promoting K-12 educational choice;
- ▶ Repealing Blaine amendments that discriminate against religious schools;
- ▶ Allowing public schools to offer elective courses on Bible literacy;
- ▶ Tying federal funding to STEM mastery;
- ▶ Protecting STEM instruction from the poison of “equity” activists;
- ▶ Requiring federally-supported colleges and universities to adopt graduation strategies that promote black success;
- ▶ Preventing federal student financial aid programs from fueling tuition inflation and
- ▶ Never again imposing COVID-19-style lockdowns that widen education and wealth gaps.





## Promote K-12 Educational Choice

Empowering parents to choose the best schools for their children would benefit not only black students, but ultimately all schools and all students. Competition for enrollment and tax dollars would drive public schools to improve, benefitting even the students who remained in those schools. In fact, 29 different empirical studies examining the impact of school choice programs on public schools have already found this to be true.<sup>56</sup>

School choice programs narrow the gap for students across the socioeconomic spectrum. Students in low-income communities – who are disproportionately black – can access the same curriculum and training options as those from middle-class and upper middle-class households who can afford to live in communities with better schools.

Congress should establish a federal needs-based educational voucher program. When black students are offered educational opportunities, they will graduate to create diverse workforces that are fueled not by woke concepts of equity, but by success and good, old-fashioned competition.

## Repeal Blaine Amendments That Discriminate Against Religious Schools

Anti-religious bigotry is still enforced law in 36 states.<sup>57</sup> Originally inserted into state constitutions to punish Catholic families seeking better educational opportunities, Blaine amendments prohibit government money from flowing to religious schools – now hindering school choice initiatives.

Taxpayer-assisted scholarships for low-income families have allowed many to escape from substandard public school systems. But parents who would like to use those funds to send their children to schools run by religious

institutions have found themselves blocked by Blaine amendments.

Allowing parents to use these funds for religious schools would empower them to better oversee their children's education. It would allow them to choose schools that emphasize the development of their children's character, faith and morals. They would be able to access quality education at what is often a fraction of the price of other private schools. And ultimately, it would increase pressure on public schools to reform as they face intensified competition.

The U.S. Supreme Court has differentiated between direct and indirect funding of religious institutions,<sup>58</sup> finding that publicly-funded scholarships to pay for tuition at faith-based schools do not necessarily constitute religious endorsement – nor are they unconstitutional.

In 2020, the Court struck down Montana's Blaine Amendment in *Espinoza v. Montana Department of Revenue*, a decision that Project 21 Co-Chairman Council Nedd II said "will do more to advance black lives than any march or protest."<sup>59</sup> Project 21, in a brief submitted in the case, stated that "[v]indicating the rights of parents and children to be free of state-inflicted religious discrimination creates a constitutional and educational environment that the Framers would recognize and applaud."<sup>60</sup>

Blaine amendments violate parents' First Amendment rights of free exercise of religion and speech as well as the 14th Amendment's guarantee of equal protection.<sup>61</sup> The *Espinoza* decision paved the way for the repeal of Blaine amendments in the other 36 states still under their power.

To ensure that low-income black families are able to choose the best educational options for their children, discriminatory Blaine Amendments must be abolished.

**No institution within the black community has been more central to its history and identity than the church.**

### *Allow Public Schools to Offer Elective Courses on Bible Literacy*

There is neither constitutional nor historical justification for Americans to avoid discussing faith in the public square. President Thomas Jefferson attended church services held in the U.S. Capitol building.<sup>62</sup> And while the often-misunderstood principle of the “separation between Church and State” has been traced to the author of the Declaration of Independence,<sup>63</sup> Jefferson also said that “[t]he God who gave us life, gave us liberty at the same time.”<sup>64</sup>

The Bible has had a broad and profound impact on the development of the American republic. Specifically, it was “central to the thought, rhetoric, and development of the Civil Rights Movement,” according to Kevin L. Smith, a pastor and professor.<sup>65</sup> It has also provided cultural and historical perspectives that predate and transcend America's founding.

For this reason, Bible literacy should be offered in public schools as an elective class.

No institution within the black community has been more central to its history and identity than the church. In the minds of many experts, black history and black church history overlap enough to be one and the same.

In the 18th century, the church served as the single largest source of land ownership for black Americans.<sup>66</sup> Three of the first black members of Congress were ministers.<sup>67</sup> In fact, of the 2,000 black officeholders across all levels of government during Reconstruction, more than 240 were ministers.<sup>68</sup>

One of the first known black churches in America – referred to as the African Baptist, or “Bluestone” Church – was established well before the American Revolution.<sup>69</sup> One of the earliest abolitionist organizations, the Free African Society, was religious in nature and was instrumental in the founding of the first independent black churches in America.<sup>70</sup>

After the Civil War, black Americans used church planting – the establishment of congregations – as a key means of promoting the interests and objectives of former slaves. Throughout the 19th century, black churches operated not only as worship centers but also as community centers, political halls and community theaters.<sup>71</sup>

At the dawn of the 20th century, the black church took the lead in the civil rights movement<sup>72</sup> – mobilizing to overcome Jim Crow laws, support state and local anti-lynching laws and oppose violence against blacks.<sup>73</sup> After these efforts succeeded, the black church has continued to promote morals and character development and to serve as a refuge from secularism.

More than any other demographic group in America, black Americans value faith and the church.<sup>74</sup> They express belief in God, attend church and pray more often than the population at large.<sup>75</sup>

Unfortunately, modern policymakers at the local, state and federal levels are oblivious or even hostile to this reality, and consequently often undermine the importance of the relationship between black Americans and faith.



This antipathy should end. Just as the church has been central to black progress since the founding of our nation, it continues to have a role today in improving the lives of black Americans and Americans as a whole.

One way to reverse this antireligious trend is to welcome the Bible into classrooms.

Bible literacy classes are already allowed by law in Arizona, Arkansas, Georgia, Kentucky, Oklahoma, Tennessee and Texas.<sup>76</sup> A poll found that such classes were favored by 68% of parents and 58% of teachers.<sup>77</sup> Additionally, a federal court has ruled – and the U.S. Supreme Court refused to reconsider – that Islamic tenets can be discussed in a public school. The lower court said these teachings did not violate the First Amendment because they did not “impermissibly endorse any religion and did not compel [the plaintiff] to profess any belief.”<sup>78</sup> The same can be applied to teaching the cultural impact of the Bible.

As Kentucky State Representative D.J. Johnson pointed out in his argument for a Bible literacy elective: “Whether you believe that it’s the word of God or you think it’s complete fiction, you can’t deny the impact it’s had on our culture.”<sup>79</sup>

Because the Bible has had such a profound influence on America – and on the black community in particular – it ought to be allowed to be taught in the public schools.

### *Tie Federal Funding to STEM Mastery*

Black Americans are underrepresented in fields and careers involving STEM (science, technology, engineering and math). As our nation’s future is increasingly reliant on these fields, this needs to change.

Mathematics, information technology and engineering are among the best careers available based on salaries and projected industry growth.<sup>80</sup> Students immersed in STEM curriculum are more likely to succeed in the 21st century than those who are not.

According to data from the U.S. Bureau of Labor Statistics, just 8.5% of those holding computer and math jobs are black, while 65.4% are white.<sup>81</sup> Likewise, black Americans hold just 5.8% of architecture and engineering jobs, while whites hold 77% of such positions.<sup>82</sup>

Whether this discrepancy is because of poor-performing urban schools or a lack of inclination among black students, black Americans must be prepared for the new digital world or risk being left behind.

There are currently enormous differences between all public schools and those serving predominantly minority student populations. Calculus, for example, is offered at 50% of all public high schools, but only 38% of high schools with a majority of black and Latino students. Similarly, physics is taught at 60% of all public high schools, but just 51% of high schools with a majority of black and Latino students.<sup>83</sup>

In addition, greater effort must be undertaken to ensure that schools in urban communities not only offer STEM courses but have qualified instructors. There is an enormous gap in the quality of instruction between predominantly white public schools and their black and Latino counterparts. While about half of all high schools report difficulty in finding and retaining qualified STEM instructors, 90% of high schools serving black and Latino students report the same trouble.<sup>84</sup>

Public education officials at the K-12 level should prioritize the attainment of science and mathematics skills and encourage interested students to make the most of additional STEM opportunities. They should continue to seek out both public and private funding for STEM programs, and reduce federal funds for schools that fail to require math and science competency of high school graduates.

Famed black astrophysicist Neil deGrasse Tyson said that one reason there aren't more black Americans in the "STEM pipeline" is that they aren't adequately encouraged to do so.<sup>85</sup> If self-proclaimed black community advocates such as Al Sharpton and the NAACP truly want to see black youth succeed, they would use their influence to encourage making the most of STEM opportunities.

An augmented effort to expand STEM mastery within urban communities will benefit the American economy, and especially black students.

## *Protect STEM Instruction from the Poison of "Equity" Activists*

While the dearth of minorities in STEM fields can be attributed in large part to the previously cited statistics, some ascribe it to racism. The "Pathway to Equitable Math Instruction" program proposed in California, for example, aims to address "barriers to math equity" through "anti-racist math practice."<sup>86</sup> These ideas are counterproductive and signal that black Americans aren't welcome in the STEM fields. That must change.

Instead of encouraging black students to explore STEM opportunities, American elites promoting an "equity agenda" are making STEM less attractive for them. If this isn't reversed, black students' avoidance of STEM training will exacerbate the wealth gap between black and white Americans.

Consider Brooklyn College Professor Laurie Rubel, who has a habit of denigrating math and science. She once tweeted that she's "ready to move on" from "the idea that math (data) is culturally neutral." She believes that  $2+2=4$  is a "trope" that "reeks of white supremacist patriarchy," and that math should be "in service" to the goals of "nurturing people & protecting the planet."<sup>87</sup>

These attitudes aren't isolated to academic elites. Unfortunately, they are becoming fairly commonplace, and consequently they subtly or even expressly discourage interest in the STEM field among black students.

A student whose teacher rejects the rules of math as racist will likely never have the inclination or the skills to become an actuary. When almost 6,000 politicized STEM researchers<sup>88</sup> go on strike to protest that "[o]ur research papers turn into media releases, books and legislation that reinforce anti-Black narratives" and "we create technologies



that affect every part of our society and are routinely weaponized against Black people,"<sup>89</sup> it doesn't encourage black students to become engineers and biochemists.

This antipathy is particularly apparent when a professor is praised not for encouraging STEM mastery, but for promising to "[r]ecommit to perfecting the pronunciation of the names of my non-white students in my chemistry classes."<sup>90</sup> Offering to be a tutor would be far more useful.

STEM mastery is America's future. And any watering down of the STEM pipeline – through rampant politicization or even the stretching of STEM into "STEAM" to inject art into the curriculum<sup>91</sup> – should be seen as an impediment to black progress.

We recommend that secondary schools – particularly in the inner-city – promote STEM in the classroom, and that Congress prioritize education assistance funds for schools that require demonstrated STEM mastery. Additionally, the broader society should end efforts to marginalize STEM or undermine it using equity and inclusion arguments.

Schools that prioritize STEM achievement

over destructive racial ideologies will set black students up for success.

### *Require Federally-Supported Colleges and Universities to Adopt Graduation Strategies That Promote Black Success*

Colleges and universities should focus on achieving black graduation rates similar to that of the larger student body instead of simply highlighting the diversity of their incoming freshmen classes.<sup>92</sup>

Too many institutions of higher education, eager to fill diversity quotas, are accepting black students who are ill-equipped for the rigors of a post-secondary education. They then fail to provide these students with the support they need to succeed.

As a result, there is a growing gap between the number of black students accepted to colleges and universities and the number who actually graduate.

This failure is reflected in current graduation statistics. Only 40% of black Americans earn their four-year degrees after six years,<sup>93</sup> compared to 64% of whites, 74% of Asians and 54% of Hispanics.<sup>94</sup>

And those who don't complete their degree are often left with devastating consequences: overwhelming debt, lack of future employment potential and a sense of failure and negative self-worth.

This is why the U.S. Department of Education should require schools participating in federal financial aid programs to publish annual reports on the four-, five- and six-year graduation rates of black students compared to other students, and include them as part of their application materials.

In Project 21's first *Blueprint for a Better Deal for Black America*, we recommended that federal financial aid be tied to minimum six-year graduation rates: 60% for the general student population and a rate no less than 15% lower for minority students (with the disparity being phased out over time).<sup>95</sup> We once again recommend that Congress enact this measure.

We also recommended that additional funding be provided to support Historically Black Colleges and Universities (HBCUs). These institutions have a legacy of providing a backstop to ensure black Americans get the higher education they deserve. Now more than ever, federal higher education funds should be reprogrammed for HBCUs committed to raising graduation rates for black Americans.

Additionally, we again recommend that segregation policies be ended at all federally-funded colleges and universities. In keeping with the color-blind principles articulated by Dr. Martin Luther King, Jr., these campuses should no longer operate race-based housing, recreation facilities or student centers – and if they do, they should no longer receive federal funding.

### *Prevent Federal Student Financial Aid Programs From Fueling Tuition Inflation*

As former Secretary of Education Bill Bennett noted 35 years ago, "increases in financial aid... have enabled colleges and universities blithely to raise their tuitions, confident that Federal loan subsidies would help cushion the increase."

Today's colleges increase the "sticker price" of tuition by 65 cents for every additional dollar in subsidized financial loans, and 55 cents for every additional dollar in Pell grants.<sup>96</sup>

As we did in our earlier *Blueprint*, we once again recommend ending the inflationary effects of federal student financial aid by limiting the overall amount – both grants and loans – students are allowed to receive, and also by limiting the price that colleges may charge for tuition and still be eligible for federal financial aid programs.



Capping federal assistance at \$22,000 per year per student, and limiting student financial aid eligibility to only those institutions with published tuition and fees of \$25,000 or less, would be reasonable and would make college attendance easier for black students.

### *Never Again Impose COVID-19-Style Lockdowns That Widen Education and Wealth Gaps*

The 2020 decision to shut down public schools across America had significant negative long-term consequences for black Americans. While wealthier households were able to provide their children with alternatives to remote learning, other families – including many minority families – were not. They lost ground that will be difficult to overcome.

The negative consequences of the lockdowns go well beyond academics. The number of emergency room visits for mental health problems rose 24% among elementary students in 2020. Among older students, it rose 31%. And while reports of child abuse fell precipitously during the pandemic, many experts believe this was not due to an actual decline in abuse but the inability of teachers to spot abuse in a virtual setting. “By the time children are identified,” said one researcher, “the abuse they have suffered is more severe than it otherwise would have been.”<sup>97</sup>

And, on top of these crises, the academic consequences of the COVID lockdowns have been significant.

After the 2020-2021 academic year, K-12 students were on average five months behind in mathematics and four months behind in reading as a result of the shutdowns, according to a McKinsey study.<sup>98</sup> Black kids were hurt even more: They ended six months behind where they would have been without the shutdowns.<sup>99</sup> And a Northwest

Evaluation Association study discovered that the “largest achievement declines” caused by the lockdowns were found among minority students and students “attending high-poverty schools.”<sup>100</sup>

Students in impoverished schools were less likely to have in-person classroom opportunities even after the pandemic waned, and were more likely to remain outside of classrooms if given an option. Many students in these schools dropped out altogether.<sup>101</sup>

Needless to say, these gaps between black students and their peers have made high school graduation and college enrollment and completion even less likely for black Americans.

Both consequences will widen lifetime earnings gaps between blacks and whites unless remediated. The McKinsey study estimates that unless this gap is addressed, our economy could forfeit \$1 trillion in economic growth over the next decade.<sup>102</sup> And this very real economic gap will only feed the unreal perception that blacks are disfavored in American society.

The COVID closures also disproportionately harmed black students with disabilities. When schools closed in 2020, many of these students not only lost access to education, but also speech and communication therapy, life skills training, behavior modification and the staff support necessary to ensure their safety. This was a violation of the 1975 Individuals With Disabilities Education Act (IDEA), which requires public school systems to provide “free appropriate public education to all children.” Many of these children couldn’t be taught remotely. Minority children and their families were hit especially hard by the sudden loss of these services, as 86% of all children receiving school special education services are members of minority groups.<sup>103</sup>

While most students have now returned to in-person classes, some schools remain closed or are severely restricted. Closures must end. Even if the country experiences another COVID-19 spike through the emergence of new variant, a shutdown strategy should never be used again. COVID-19 vaccines are now available for children as young as six months old.

Additionally, evidence indicates that K-12 facilities were never hotbeds for COVID outbreaks. The American Academy of Pediatrics published a study in 2020 concluding that “children are not significant drivers of the COVID-19 pandemic.”<sup>104</sup> And the overwhelming majority of K-12 educators and childcare workers have now been vaccinated.<sup>105</sup>

Furthermore, less than two percent of infected children were hospitalized and only 0-0.01% ultimately died.<sup>106</sup> Stated plainly, the death rate for Americans under 18 who are infected is roughly 0.01%, compared to five percent for 65- to 74-year-olds.<sup>107</sup> Finally, upwards of 25% of the children under 18 who have ultimately died from COVID-19 have had comorbidities such as asthma or obesity.<sup>108</sup>

While children are at little risk from the virus, they are at great risk from the lockdowns.

Black Americans cannot afford any more government-ordered shutdowns of what, for many, is their only education lifeline. Too much ground has already been lost.

Congress should deny funds to any K-12 institutions that remain closed, are severely restricted or that close again, and should prioritize existing grants for schools which work to undo their students' education losses.

## Conclusion

A quality education is essential for future success, and the best way to move up the socioeconomic ladder. We must challenge anything that prevents our children from taking advantage of all the opportunities a taxpayer-funded education could offer them. Schools need to be places of learning, not social experimentation. They need to be safe and must remain open.

Black students have been disproportionately harmed by failures within primary, secondary and post-secondary schools. Let's do all we can to reverse this trend and encourage them on the path to academic and economic success.





# Election Integrity

*Protect the Votes and Voices of Black Americans*



There has been a national conversation over the last few years about the need to adopt measures at the federal level to “protect” the right of black Americans to vote. This conversation appears to coincide with a political realignment occurring within the black community. This realignment demonstrates the absolute importance both of maintaining voting rights for black Americans and protecting the integrity of those votes.

Both the Constitution and federal law enshrine the right of every black citizen to have a voice in the selection of his or her elected officials at the federal, state and local level.

Up until the 1960 presidential election, when John F. Kennedy conspicuously helped get the Reverend Martin Luther King, Jr. released from an Atlanta jail,<sup>109</sup> black Americans were more likely to vote for more conservative candidates. After President Kennedy’s death, his successor – Lyndon B. Johnson – saw an opportunity with the passage of the Voting Rights Act of 1965, which undid the restrictions his party had previously placed on black votes. As a result, and ironically, the party and ideology that had once restricted black votes is now credited with protecting voting rights.

According to Robert MacMillan, a steward aboard Air Force One, Johnson bragged about his legacy in this way: “I’ll have those [n-words] voting Democratic for 200 years.”<sup>110</sup>

Since then, the popular narrative has been that black Americans have stayed with Johnson and liberal politicians due to the voting protections and other civil rights measures put into place during the Great Society era.

Today, the discussion about voting rights is being used to achieve the same end. The goal: to make black Americans beholden to the left without addressing any of the serious needs in the black community. Unlike the 1960s, the evidence now shows that there is no longer a voting rights problem in America; that issue has been replaced with a voter integrity problem.

Leftists’ recent accusations of voter suppression are easily disproven by the data. In the 2020 election, black Americans participated at record levels.<sup>111</sup> In nine states, the black vote constituted 32% of the electorate or more.<sup>112</sup> In overall percentages, eligible black voters were 12.5% of the U.S. electorate, up from 11.5% in 2000.<sup>113</sup> In fact, the number of black Americans eligible to vote exceeded 30 million in 2020.<sup>114</sup>

But perhaps these cries about suppression are meant to cover leftists’ true concern: They are losing their grip on the black community. In the 2020 presidential election, an election in which President Trump’s political opponents loudly proclaimed him to be a racist, and the media and corporate America promoted a similar systemic racism narrative against America as a whole, Edison Research reported that the president received 12% of the black vote – 18%

## Perhaps these cries about suppression are meant to cover leftists' true concern: They are losing their grip on the black community.

from black men and eight percent from black women.<sup>115</sup> That was an improvement of four points from 2016,<sup>116</sup> a six-point increase over Mitt Romney's performance in 2012<sup>117</sup> and an eight-point increase over John McCain's performance in 2008.<sup>118</sup>

The threat that black citizens will be thwarted in the exercise of their right to determine or influence the policies by which they will live is real. But now it is being thwarted through less violent and more subtle schemes with the same aim: to block their vote.

Black Americans today face a new voting rights challenge: Voter disenfranchisement by fraud. This disenfranchisement of black Americans occurs when 5-10% of the vote in their community on Election Day is made up of dead people, former residents or even people who have never lived in the places where votes in their name are cast. If illegal aliens and felons vote, the legitimate black vote in these places is further diluted or diminished.

In the first edition of Project 21's *Blueprint for a Better Deal for Black America*, we recommended that proof of citizenship be required for voting. In this edition, we

go a step further by recommending even more explicit safeguards to protect against foreigners voting. For black Americans to truly have the power of self-determination, the rights of real black citizens to cast votes (without dilution or interference from ghost voters) must always be protected.

In the last edition, we recommended that voter rolls be updated to prevent fraud. In this edition, we additionally call for restrictions on same-day voter registration and "vote harvesting" schemes. We also believe that universal voting by mail – initiated in response to the COVID-19 pandemic – must be discouraged to ensure the black vote is not diluted.

Congress should also reject the John Lewis Voting Rights Advancement Act of 2021. The measure, which purports to restore and strengthen parts of the Voting Rights Act of 1965 that were affected by the U.S. Supreme Court decisions *Shelby County v. Holder* and *Brnovich v. Democratic National Committee*, would diminish the rights of black Americans and threaten to upend our federalist election system that has served America well.

Too many people worked – and died – to secure the right to vote for all Americans, not to allow votes to be squandered, sold and stolen through political chicanery. Partisan operators who fear political realignment must not be allowed to once again marginalize black voters as they did in the Jim Crow era.

Black Americans deserve a better deal when it comes to voting, particularly in the face of mounting efforts by progressives to prevent them from taking their votes elsewhere.



That's why Project 21 recommends the following, for reasons explained below:

- ▶ Enforcing the federal law barring noncitizens from voting and enacting similar state laws;
- ▶ Banning "ballot harvesting";
- ▶ Ending universal mail-in balloting and automatic voter registration;
- ▶ Rejecting congressional attempts to reimpose preclearance of election reforms and
- ▶ Ending same-day voter registration.

### *Enforce the Federal Law Barring Noncitizens From Voting and Enact Similar State Laws*

Whether one believes voting is a right, a privilege or a duty, it should be understood that voting is a function that should be reserved only for citizens. Yet there are too many local elections across the nation – and even some federal elections<sup>119</sup> – in which noncitizens are being allowed to cast ballots. This is wrong and must be stopped because it dilutes the constitutionally-recognized right of American citizens to determine the outcome of their nation's elections.

This problem disproportionately and negatively impacts black Americans because foreign nationals are more likely to reside in communities with large black populations. Additionally, the foreign-born population residing in the U.S. (13.7% of the U.S. population) is greater than the percentage of black Americans living in the U.S.<sup>120</sup> If noncitizens are given the power to vote, the election choices of black citizens may be obliterated.

According to the federal government's website (USA.gov), noncitizens – including lawful permanent "green card" residents – cannot vote in governmental elections, except in a few local elections.<sup>121</sup> Localities allowing noncitizen voting seem to be on the rise, however. The state of Maryland allows city governments to give noncitizens ballots to participate in local elections.<sup>122</sup> In San Francisco, noncitizens can vote in general elections for school board candidates.<sup>123</sup> An analysis by Professor Joshua A. Douglas of the University of Kentucky determined that 16 states have "no explicit state constitutional or legislative impediments" that would prevent localities from changing citizenship status as a voter requirement.<sup>124</sup>

The New York City Council voted to give noncitizens the right to vote in city elections.<sup>125</sup> Since the state already allows illegal immigrants to apply for driver's licenses, and recently set up automatic voter registration,<sup>126</sup> this set up a perfect storm that could wash out the effect of the state's black vote. But this law was declared unconstitutional by the New York Supreme Court.<sup>127</sup>

Black Americans make up a significant proportion of the electorate in both New York City (24%) and Maryland (31%), and consequently, these black Americans are more likely to be harmed by "voter liberalization" measures that allow noncitizens to vote.

All Americans' votes are diluted when people from foreign lands, who have not gone through the legal naturalization process, are allowed to vote. This is particularly hard to swallow for black Americans, who have historically struggled for their right to vote.

As Project 21 member Christopher Arps, president of Americans for Citizen Voting, recently noted:

*Many recent elections nationwide were exceedingly close. Races involving millions of votes were decided by just a few thousand or even a few hundred ballots. By giving ballots to noncitizens, Americans lose the ability to determine the people and policies that will govern them, unknowingly handing over to others their right to self-determination.*<sup>128</sup>

Allowing foreigners who crossed national borders only 30 days before<sup>129</sup> to cast a ballot in an area with which they may not be familiar will increase the likelihood that the national conversation on public policy will focus more on their issues than it does on the needs and aspirations of the native population, including black Americans. This is not what America's founders – nor the leadership of the civil rights movement – envisioned when they spoke about the importance of voting.

In order to maximize the ability of black Americans to influence local, state and national elections, policymakers in Washington and throughout the nation should enforce rules preventing noncitizen voting.



## *Ban “Ballot Harvesting”*

Stealing someone's ballot or forcing them to cast a vote in a manner contrary to their conscience are among the worst infringements of voting rights. It is thus puzzling that “ballot harvesting” is completely legal in many states. It shouldn't be, because it's an invitation to fraud and intimidation that can alter election outcomes.

Not unlike the effect of the odious “Eight Box Law,” which took voting out of the hands of black voters and placed it instead in the hands of the Jim Crow-minded majority,<sup>130</sup> ballot harvesting gives broad discretion to allow people other than the actual voter to cast a vote, even to the point of allowing a vote to be cast without any input or knowledge of the voter.

Black Americans are particularly vulnerable to this technique. In the recent Supreme Court case *Brnovich v. Democratic National Committee*,<sup>131</sup> which upheld a statewide ban on ballot harvesting, even progressives acknowledged that minority voters are often targeted by this practice.<sup>132</sup>

As voting rights scholar Hans von Spakovsky of The Heritage Foundation has testified, the practice “gives party activists, campaign consultants and other political guns-for-hire the ability to manipulate election outcomes either through coercion of voters or outright ballot theft and forgery.”<sup>133</sup>

The process is simple: “Operators” lead a team of harvesters to not only collect ballots, but also forge signatures and fill out ballots themselves. As a result, communities – including communities of color – can find themselves “voting” for policies and elected officials not in their best interests. Such policies may include

increases in the minimum wage, higher levels of immigration and vaccine mandates. When black voters see their elected officials advocating policies that contravene their interests, they are far less likely to believe that voting is fair and worthwhile – sadly resulting in many deciding to not vote at all.

When ballot harvesting is allowed, voter fraud and voter suppression are easy to commit and hard to detect. That's why the best policy is to ban ballot harvesting altogether. Black Americans can choose whether or not to vote, but no one should be allowed to vote for them.

## *End Universal Mail-in Balloting and Automatic Voter Registration*

Advocates of universal mail-in balloting and automatic voter registration have advanced three false narratives about voting: (1) The right to vote comes without responsibilities; (2) The modest responsibilities that have been imposed by states, such as registering and casting ballots in person, impose undue impediments to exercising the franchise and (3) Many more Americans would choose to vote if only someone else would shoulder their responsibilities.

Those who fought so hard to overturn true impediments to voting rights, such as property ownership requirements and poll taxes, would undoubtedly be appalled to learn that our definition of disenfranchisement today is that our ballots are not available for take-out and delivery like our food.

The left, in its zeal to ensure that everyone casts a ballot without needing to show proof of eligibility, is depriving black Americans of their vote. This is precisely what so-called universal voting measures do.

The “right to vote” doesn’t just mean that all Americans have the right to vote, but also that they have the absolute right to decide to *not* vote. There are plenty of reasons why people might not vote. Members of the Amish,<sup>134</sup> Mennonite<sup>135</sup> and Jehovah’s Witness<sup>136</sup> (27% of whom are black<sup>137</sup>) faiths seldom participate in elections. Those disillusioned by government or with politics also often opt out of voting.<sup>138</sup> Yet, wherever automatic voter registration and universal balloting exist, such individuals are nonetheless forced to participate in an election process in which they don’t wish to participate.

Only eight states currently allow universal mail-in ballots in all elections – among them California, Nevada and Oregon. But there is momentum for increasing this practice in other jurisdictions in the wake of the COVID-19 pandemic.<sup>139</sup> This could disproportionately harm the voting rights of black Americans as mail-in ballots – especially those in large urban areas where most black Americans live – offer tremendous opportunities for fraud.

Fake votes are just as much a deprivation of voting rights as ballot destruction or poll taxes.

In 2020, days before the municipal elections were held in Paterson, New Jersey, piles of mail-in ballots were found on mailroom floors in the city of Paterson – where the black population is nearly as large as the white population – making them a tempting target for theft.<sup>140</sup> The city ended its experiment in universal mail-in voting after 20% of the cast ballots were rejected, a judge invalidated the city election results and two lawmakers were charged with vote fraud.<sup>141</sup>

An unsolicited ballot can also become a commodity. In 2011, for example, one candidate for the Kentucky state legislature admitted to buying mail-in votes. Eighty-five

percent of the votes cast in the election were by absentee ballot, and the candidate “won” by just eight votes after buying some of those votes with cash, liquor and even a chicken dinner.<sup>142</sup> In other elections, ballots have even been put up for auction on eBay.<sup>143</sup>

Every vote that is sold, stolen, lifted out of a trash can or harvested from a disinterested or coerced voter is a vote that is stolen from someone voting in earnest. And minorities are often the hardest hit. For example, in Democratic operative Anthony DeFiglio’s voter fraud trial in New York, he admitted that he deliberately targeted low-income housing projects because “there is a sense that they are a lot less likely to ask any questions.”<sup>144</sup>

During the civil rights movement, Black Americans fought and suffered too much to lose the right to vote in this manner. The process of automatic voter registration and the mailing of ballots willy-nilly is an insult to their struggle and should be discontinued.

### *Reject Congressional Efforts to Reimpose Preclearance of Election Reforms*

Ever since the U.S. Supreme Court’s landmark 2013 *Shelby County v. Holder* decision, which effectively overturned the Voting Rights Act’s requirement that certain jurisdictions submit to a “preclearance” process before instituting new election laws, the left has been working hard to reverse it. For example, the John Lewis Voting Rights Advancement Act would not only restore the preclearance process, but strengthen it.<sup>145</sup>

Since the 2020 election cycle, 19 states<sup>146</sup> have passed new election reform laws intended to make election fraud more difficult. The left wants to re-establish preclearance as a means of slowing down these efforts.

Most of these state measures include voter identification (“voter ID”) provisions that require voters to prove they are who they say they are before casting their ballots. This is one of the most effective means of ensuring that only bona fide American citizens are able to influence the outcome of elections.

While progressives say these measures harm black Americans by limiting their ability to vote, the reverse is true: Black Americans are harmed when voter ID is not required. Nearly every American possesses some sort of government ID. It is required to board a plane, to cash checks, to open a bank account, to receive government benefits, to get a job and – thanks to COVID-19 restrictions in some jurisdictions – to enter restaurants and other public places. Requiring presentation of identification in order to vote is simply common sense.

Voter ID requirements can, however, prevent those who aren’t entitled to vote from having influence over our elections.

Perhaps that’s why voter integrity measures, including voter ID and penalties for vote fraud, are popular with the American people<sup>147</sup> – including black Americans.<sup>148</sup>

Voter ID requirements aren’t the only voter integrity efforts the left is hoping to stop by re-establishing the preclearance process for certain jurisdictions. Leftists also hope to prevent states, especially in the South, from eliminating racially-gerrymandered congressional districts. While such gerrymandering increases the likelihood that a specific congressional district will be won by a racial minority, it decreases the likelihood that a racial minority will win in other areas.

In a legal brief filed with the Supreme Court in the *Shelby County* case, Project 21 argued that federal preclearance requirements for voting procedures “serve[d] primarily to foster alternative notions of racial proportionality in voting and electoral success not based on, and indeed in conflict with, the Constitution” and “turned the very concept of racial discrimination on its head.”<sup>149</sup>



**Election procedures that dilute the black vote by enabling fraud relegate black Americans to a kind of “partial person” status reminiscent of the three-fifths compromise that once defined us as three-fifths of human beings.**

Noting that such requirements effectively forced the U.S. Department of Justice to apply “racially offensive stereotypes,” the brief compared these restrictions to justifications for the internment of Japanese Americans during World War II and forced segregation prior to the Court’s *Brown v. Board of Education* decision. Criticizing “authority perversely used to manufacture racially segregated majority-minority voting districts,” Project 21 asserted that one could “[s]ubstitute ‘schools’ or ‘neighborhoods’ for ‘voting districts,’ and there would be no question that government-manufactured segregation of minorities constituted racial discrimination of the worst sort.”<sup>150</sup>

With good reason, the justices struck down such discrimination.

Project 21 Co-Chairman Horace Cooper, in criticizing earlier legislation to overturn the *Shelby County* decision, warned that such action “permanently lowers the standard of review for allowing the federal government

to intervene in the election law decisions of states in a way that conflicts with the federalist system that our nation’s founders created.”<sup>151</sup>

Congress should not amend the Voting Rights Act to overturn the *Shelby County* decision in order to advance a purely political agenda that would encourage election fraud at the expense of black Americans.

***End Same-Day Voter Registration***

In 2020’s hotly-contested presidential race, Milwaukee’s 273th and 274th wards both had turnout exceeding 200%, according to a report by the Wisconsin Secretary of State.<sup>152</sup>

As mind-boggling as those numbers may seem, there is an explanation for some of it: same-day voter registration.

Ever since 2008, when the Milwaukee Police Special Investigations Unit found that there was an “illegal organized attempt to influence the outcome of an election in the state of Wisconsin,”<sup>153</sup> it’s been obvious that Wisconsin needs election reform – including an end to same-day registration.

Wisconsin is one of 21 states, plus the District of Columbia, that allow people to register to vote on the day of an election.<sup>154</sup> In Milwaukee, voter rolls expanded by the tens of thousands on November 3, 2020. And while 2020 was a high-profile and high-participation election nationwide, Wisconsin’s substantial voter turnout – 72.7% statewide,<sup>155</sup> and 91% in one of those Milwaukee wards<sup>156</sup> – raised questions as to whether all of these new voters were legitimate, and if the votes of long-registered voters in Wisconsin and elsewhere were compromised by same-day registration shenanigans. This should be of particular concern to black Americans, since they account for nearly 39% of Milwaukee’s population.<sup>157</sup>



It is enormously difficult for election officials to authenticate the registration and eligibility of those registering on Election Day, especially in large-turnout elections. They may have to choose between giving same-day voters the benefit of the doubt at the risk of disenfranchising legitimate voters or slowing down the voting process and possibly disenfranchising voters who can't spare the time to wait in long lines.

Either of these outcomes is a burden on black Americans, as most live in urban communities.

"Election officials are unable to check the authenticity of a registration or the eligibility and qualifications of a registrant by comparing the registration information to other state and federal databases that provide information not just on identity, but also on citizenship status and whether the individual in question is a felon whose voting rights have been suspended," Heritage Foundation legal scholar Hans von Spakovsky explained. "Since Election Day registrants cast a regular ballot, even if election officials determine that the registration was invalid after the election, they have no means of discounting the ballot."<sup>158</sup>

According to the Milwaukee Police Department and a Wisconsin election task force, ending

same-day voter registration would help end "the majority of the problems" related to vote fraud in Milwaukee as well as ease the burden on voters.<sup>159</sup>

Same-day voter registration makes it easier to commit voter fraud and disenfranchise legitimate voters, many of them black. For this reason, it should be ended.

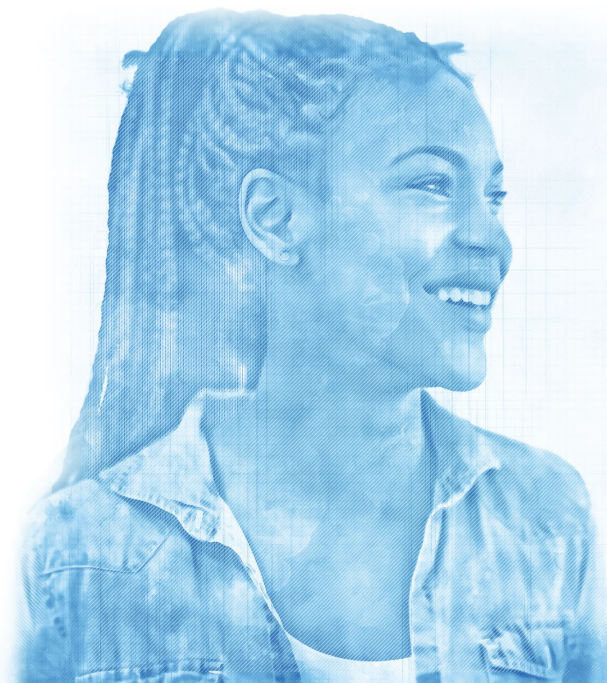
### *Conclusion*

Election procedures that dilute the black vote by enabling fraud relegate black Americans to a kind of "partial person" status reminiscent of the three-fifths compromise that once defined us as three-fifths of human beings.

White leftists would have us believe that these voting measures are all for our benefit. They aren't: They're for their benefit. They see black Americans shifting more conservative, threatening the liberal hold over the black community – and so they cloak their power grab in the rhetoric of inclusivity in an effort to fool us.

But we won't be fooled.

Black Americans have worked too hard and sacrificed too much to ever again be treated as second-class citizens.



# Employment

*Increase Economic Opportunities for Black Americans*



Employment is a critical engine for Black America's success. Fortunately, there is no better place than the United States for blacks to tap into employment opportunities.

After the unemployment rate for blacks dropped to record-breaking lows during the last's president tenure, it is now rising once again. And sadly, instead of the black unemployment rate rising and falling in tandem with the national unemployment rate, the employment gap between whites and blacks has expanded during the Biden administration.

Black unemployment is far more likely to be due to government intervention and bureaucratic red tape than the bigotry seen in the last century. For example, COVID-19 vaccine mandates have almost certainly exacerbated the employment gap. The keys to lowering this unemployment disparity are to reverse job-killing polices and enact free enterprise measures that will grow the economy and enhance the job prospects of blacks.

That's why Project 21 recommends the following, for reasons explained below:

- ▶ Abolishing the Jim Crow-era Davis-Bacon Act;

- ▶ Blocking vaccine mandates;
- ▶ Adding a work requirement to the Supplemental Nutrition Assistance Program;
- ▶ Adopting the "No Taxation Before Education" plan;
- ▶ Exempting employers in low-income zip codes from the federal minimum wage law;
- ▶ Ending the war on the "gig economy" and
- ▶ Requiring OMB to analyze all proposed regulations for impact on young workers.

## *Abolish the Jim Crow-Era Davis-Bacon Act*

In a groundbreaking 2014 paper, Project 21 Co-Chairman Horace Cooper revealed how the Davis-Bacon Act was specifically drafted to adversely impact the job opportunities of blacks.<sup>160</sup> Today, it still functions the same way.

While Americans want to believe that the federal government fairly represents the interests of everyone, regardless of race, this relic of the Jim Crow era has had free reign to make good on its discriminatory promise. Designed to prefer white skilled union workers over non-union and unskilled blacks, Davis-Bacon continues to harm Black America, as minorities tend to be vastly underrepresented in highly unionized skilled trades and overrepresented among the pool of unskilled workers.



The law requires that so-called prevailing wages – set by the U.S. Department of Labor – are to be paid by contractors doing business with the federal government. Many small business and minority contractors can't afford to pay these rates and still offer a competitive bid for a contract. At the same time, the law also requires the hiring of the most skilled tradesmen (typically union members who are non-minority). Black businessowners miss out and black workers lose as well, and this matters because the construction industry compensates its workforce at very high levels compared to other equivalent jobs. Davis-Bacon's job interference bigotry should end. Congress should repeal this measure.

### ***Block Vaccine Mandates***

On November 4, 2021, the Biden administration announced that it would mandate that all businesses with 100 employees or more require their employees to either be vaccinated against COVID-19 or submit to regular testing. The administration sought to impose the mandate through the Occupational Safety and Health Administration (OSHA), using its powers to issue Emergency Temporary Standards (ETs), emergency rules that can be imposed immediately outside the ordinary rulemaking process to address "grave" dangers to worker safety. Although OSHA withdrew the ETS following the U.S. Supreme Court blocking its enforcement, the agency indicated that it would continue pursuing the vaccine mandate through its ordinary rulemaking process. Not only would this mandate contradict the administration's public commitments made earlier in the year, it would very likely disproportionately harm black workers in the U.S.

Additionally, the healthcare worker mandate – which remains a subject of litigation after the Supreme Court declined to join the regulation

in early January 2022 – is harmful to blacks. About a quarter of all healthcare workers are black, roughly double their representation in the overall population.<sup>161</sup>

According to a Morning Consult poll, support for the Biden administration dropped precipitously – including 12% among blacks – after the White House announced the vaccine mandate.<sup>162</sup>

Wherever large numbers of blacks live, the vaccine mandate is unpopular.

In Chicago, for instance, before city employees were required to be vaccinated, nearly 62% of whites were fully vaccinated, compared to only 38% of blacks.<sup>163</sup> In the fall of 2021, the city government announced that it would impose vaccine requirements on its employees, and encouraged private employers to do the same both for workers and customers. The unintended consequence is that black residents have been disproportionately shut out of services and employment in the city. City employees, including those at the police department, pushed back heavily against the plan. More than one-third of the Chicago Police Department (heavily represented by blacks<sup>164</sup>) refused to comply.<sup>165</sup> And the fire department took the city to court.<sup>166</sup>



This isn't only true for Chicago. According to the Kaiser Family Foundation, blacks nationwide remain far less likely than their white counterparts to have received a COVID-19 vaccine.<sup>167</sup> So any policy that penalizes employees on the basis of vaccine status will harm blacks more and further expand the black-white employment gap.

Even the Equal Employment Opportunity Commission understands this phenomenon. Last summer, before the federal mandate was announced, the EEOC issued guidance warning that "employers should keep in mind that because some individuals or demographic groups may face greater barriers to receiving a COVID-19 vaccination than others, some employees may be more likely to be negatively impacted by a vaccination requirement."<sup>168</sup> And afterwards, employment and human resource attorneys recommended enhanced accommodations and exemptions for the unvaccinated that would be noncoercive and rely on greater allowances for telework.<sup>169</sup> Taken together, it's clear that a vaccine mandate hurts blacks and creates potential legal liabilities for employers.

Arguably, a vaccine mandate contradicts the Civil Rights Act. Title VII of the 1964 Civil Rights Act says it is "an unlawful employment practice for an employer to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin."<sup>170</sup> A few years after the law was adopted, the U.S. Supreme Court ruled in *Griggs v. Duke Power Co.* that "practices, procedures, or tests neutral on their face, and even neutral in terms of intent, cannot be maintained if they operate to

'freeze' the status quo of prior discriminatory employment practices."<sup>171</sup>

The pandemic disproportionately affected many of the very industries that play a critical role in providing employment to blacks. A consequence is that many blacks have been forced into federal assistance programs, thereby limiting their ability to develop and expand their skills, and consequently causing them to be less competitive in the workplace.

Employment policies that are known to have disproportionate negative impact on black employment – even those relating to employee safety – should be carefully considered before being imposed. There are many other ways to achieve the vaccination goals of the federal government without locking blacks out of U.S. commerce and the workplace. Blacks, and all Americans, should be encouraged and not penalized if they are willing to undertake entry-level jobs to build their experience and talents so that later they will be more valuable in the workforce. Federal and state vaccine mandates should be repealed, and Congress should ban their reemergence.

### ***Add a Work Requirement to the Supplemental Nutrition Assistance Program***

Black America would greatly benefit if the Supplemental Nutrition Assistance Program (SNAP) required participants to work a specific number of hours in order to be eligible for the program.

Similarly, the Temporary Assistance for Needy Families (TANF) program created during the Clinton administration saw great success thanks to its work requirement. In the first five years of TANF, the welfare caseload fell by 56% and employment increased.<sup>172</sup>



In 2021, the Biden administration took several steps to oppose work requirements for state and federal benefits, including asking the U.S. Supreme Court to dismiss a case considering Trump-era Medicaid waivers.<sup>173</sup> This is the wrong approach.

Like all Americans, blacks must enter the workplace – even at entry levels, if necessary – to develop and expand their skills in order to be able to earn more in the future. It harms black Americans when government programs incentivize delays to job entry, and – with blacks currently experiencing an elevated level of unemployment – work incentives are needed more than ever.

Congress should formally add a work requirement for SNAP, and the Biden administration should not rescind work requirements for Medicaid participation.

### ***Adopt the “No Taxation Before Education” Plan***

Black teens have the highest unemployment rate among all groups in the U.S.<sup>174</sup> This problem has been persistent since the 1970s. While it has occasionally improved, the pandemic made the problem worse than we've seen in years.

The left-leaning Brookings Institute decried black teen unemployment as “staggering” when it reached 13.3% in July 2021.<sup>175</sup> By October 2021, however, that rate had risen to 16.1%.<sup>176</sup>

America needs a bold initiative to combat black teenage unemployment. It should be broad-based and assist young people of all races and geographic locations.

The private sector needs to be properly incentivized, and young people should be as well. Employers need to be encouraged to hire young people, particularly those who are enrolled in high school and/or college. The system at present doesn't provide these rewards.

Consider: If a young teen works at a clothing store for \$9.00/hour, and works 25 hours per pay period, he or she might expect to receive a paycheck of \$225. Instead, his or her take-home pay would be closer to \$185. Teens are often perplexed by this result – failing to understand that Washington policymakers are more interested in syphoning funds for the Social Security trust fund than supporting vulnerable teen workers. This is unfair.

**The passage of the minimum wage was motivated by racist impulses... Today's elevated unemployment levels among blacks demonstrate that the federal minimum wage is doing exactly what it was designed to do.**

Unfortunately for these teens, the Federal Insurance Contributions Act (FICA) requires them to pay taxes to support Social Security and Medicare with the first dollar they earn. This is true even if employees are exempt from all income tax withholding and aren't even required to file an income tax return.

We recommend that Congress adopt the "No Taxation Before Education" plan. It would exempt employers in low-income zip codes nationwide from needing to collect FICA taxes from employees 22 years of age and younger while they are enrolled in high school or college.

This will make these teens more attractive to hire as well as incentivize them to finish high school or pursue a trade school or university degree.

### ***Exempt Employers in Low-Income Zip Codes From the Federal Minimum Wage Law***

Teens, black Americans and ex-convicts are among those most harmed by minimum wage laws, and they are the most likely to benefit

from their repeal. Instead of advocating for the adoption of a "living wage,"<sup>177</sup> the Biden administration should instead see to it that the neediest Americans have a "possible" wage – any wage that an employer in low-income zip codes might be willing to pay.

The minimum wage tries to force employers to pay unskilled workers far above the value of their contributions. Many businesses must then choose to either be charitable organizations that disregard their bottom lines or to automate jobs or forgo hiring extra employees altogether.

The irony is that this phenomenon of adverse effects has been examined as far back as 1915 – before the federal minimum wage's inception.<sup>178</sup> The passage of the minimum wage was motivated by racist impulses to reduce the high levels of black employment at the beginning of the 20th century.<sup>179</sup> Noted economist Thomas Sowell has shown that racist alliances to use minimum wage to advantage one ethnic group over others have developed in many countries, including Canada, Australia and South Africa.<sup>180</sup>

Today's elevated unemployment levels among teens, blacks and ex-cons bear out this racist line of thinking and demonstrate that the federal minimum wage is doing exactly what it was designed to do. It raises the cost of hiring low-skilled workers beyond the level an employer can afford to pay them and still remain competitive.

Minimum wage laws even encourage recidivism as ex-convicts reenter society. Some studies suggest that the minimum wage actually leads to increased levels of crime in poor communities, because its presence results in lower income earned from lawful employment.<sup>181</sup>

In communities where poverty exists at substantially greater levels than in the U.S. population as a whole, federal policies should

make it easier for young men and women and ex-convicts to join the lawful U.S. workforce. In these jurisdictions, Congress should exempt employers from the federal minimum wage in order to give low-skilled workers there a chance to get their foot in the employment door.

### *End the War on the “Gig Economy”*

In response to pressure from progressives, the Biden administration has pushed to dramatically limit the ability of Americans to be independent contractors. This harms the overall employment marketplace and is especially detrimental to blacks.

The Biden administration has specifically proposed requiring businesses that hire independent contractors to classify them as employees, making hiring them more difficult.<sup>182</sup> This is a bad idea, and has pernicious effects for blacks in the workforce.

Independent contractors provide goods or services according to the terms of a contract they have negotiated with an employer or business. Although independent contractors do not receive the protections of most federal employment statutes – including the Family Medical Leave Act, the Fair Labor Standards Act or Title VII of the Civil Rights Act – they enjoy benefits employees do not. They are free to perform services or work for multiple clients simultaneously, work off-site, work their own hours, subcontract out work to others and complete projects at their own pace and discretion.

It is precisely this freedom that makes the independent contractor status attractive. It provides an individual with the flexibility and freedom to start and stop projects at will and to operate from home or away from the worksite (a phenomenon that millions of bona fide employees now are taking for granted).

For blacks, this is especially attractive. Prior incarceration and lack of education are not barriers to becoming an independent contractor, which means blacks who’ve been arrested or didn’t graduate from high school can compete on the basis of their ability rather than their background.

On the other hand, the war on the gig economy hurts blacks<sup>183</sup> and young people the most, as they disproportionately comprise the ranks of freelancers.<sup>184</sup> And to be clear: the income levels earned in the gig economy can be quite substantial in some instances, providing these workers with the same or greater salaries than traditional workers.<sup>185</sup>

The war on the gig economy puts these individuals at risk. Congress should adopt measures making it easier for Americans to be independent contractors.

### *Require OMB to Analyze All Proposed Regulations for Impact on Young Workers*

Excessive regulation stifles economic growth and imposes disproportionately negative impacts on small businesses. Blacks pay the highest price for these negative impacts.

While talking heads and politicians are quick to blame racial employment gaps on structural or systemic racism, they pay little attention to the ways in which federal policies specifically make eliminating this gap more difficult.

The U.S. Chamber of Commerce estimated that federal regulation alone costs the U.S. economy up to \$1.9 trillion in lost productivity and added expense each year. It estimated that the cost of regulation is 20% greater for firms with 50 or fewer employees – the very type of business most likely to be owned by black entrepreneurs.<sup>186</sup>

Excessive regulation not only drives up consumer prices and diminishes job opportunities, harming black households in the process, but it also prevents new products from coming into the marketplace and limits the ability of black-owned small businesses to create the generational wealth necessary to support future generations.

When companies cut back on hiring in order to cover their regulatory compliance costs, blacks suffer – especially the young and unskilled.

The Office of Management and Budget (OMB) should begin analyzing all proposed regulations to determine all potential effects, both positive and negative, on youth and low-skilled workers. Agencies should determine in advance whether their proposed regulations would have an overall negative impact on low-skilled and youth workers. They should include any recommended alternative approaches to heavy-handed regulation for less deleterious

impacts on this employment group – which is disproportionately black.

### *Conclusion*

The potential for upward mobility is and has always been America's answer to critics who claim this country favors certain group and races. The demonstrated ability of blacks to achieve enormous wealth and financial independence belies both the claim of systemic racism as well as charges that America favors elites over the broad diaspora of America. Yet there is still more progress to be made.

Free enterprise has aided wealth creation in nations all over the world. But in America, the relics of Jim Crow and market intervention continue to restrain the otherwise unlimited possibilities afforded to Americans. Project 21 believes that, as more people of color are able to apply their talents and skills free from government restraint and intervention, they will benefit – and so will America.





# Energy and Regulation

*Preserve Affordable Energy for Black Americans*



In one of his first acts as president, President Biden signed Executive Order 13990 – “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis” – which signalled not only that he’d make climate change one of his top priorities, but that he’d use “environmental justice” as a means to advance it.<sup>187</sup>

The problem is that the Biden administration’s vision of environmental justice is hurting Black America. It is reversing the progress the nation has made toward energy independence, which kept prices low and helped black families prosper.

While the Biden administration is concerned with the fair treatment of “all people regardless of race, color, or national origin” with respect to environmental impacts,<sup>188</sup> true environmental justice requires that all people be treated fairly with respect to regulatory impacts, too.

As Donna Jackson, Project 21’s director of membership development, explained in congressional testimony:

*There are far too many people who try to make environmental justice into a one-sided issue.*

*They focus only on claims that disadvantaged and minority communities are disproportionate victims of environmental threats, such*

*as water pollution, air pollution, climate change and others.*

*But I think the greater threat comes from the disproportionate impacts of environmental policies and the damage they do to the economic aspirations of those who can least afford them.<sup>189</sup>*

Much like critical race theory, the environmental justice agenda isn’t really about helping minority citizens, but about feigning that concern to advance a radical agenda. Under the cloak of environmental justice, the Biden administration has waged war against American producers and the fossil fuel industry in particular.

The result? After becoming a net exporter of oil for the first time in 67 years just three years ago,<sup>190</sup> the U.S. is once again a net importer, resulting in enormous spikes in the prices of gasoline, natural gas and other fuels.<sup>191</sup>

Black households have been hit especially hard by these price increases.

The energy industry is integral to American life, as it powers homes and vehicles, creates jobs and offers enormous economic opportunities for the black community. Yet it’s been under constant regulatory assault from the Biden administration and environmental special interests. Their commitment to this radical agenda with little or no regard for the impact on black Americans relegates them to the back of the economic bus.

Environmental justice advocates are seemingly indifferent to real kitchen-table concerns of America's poor, such as the issue of energy poverty.<sup>192</sup> Energy poverty occurs when "low-income families and individuals can't afford basic heating and electric needs due to high energy prices," according to Project 21 member Derrick Hollie.<sup>193</sup>

Hollie notes that rising energy costs have a disparate impact on black Americans:

*... even if two households similar in size use the same amount of energy, and therefore receive the same monthly bill, it ends up hurting minorities and people of color who make less. The same concept applies for the price of gasoline at the pump, groceries and many other household needs.*<sup>194</sup>

That's why Project 21 recommends the following, for reasons explained below:

- ▶ Requiring "minority impact assessments" for all new federal regulations;
- ▶ Increasing domestic energy production in order to lower prices;
- ▶ Reducing impediments to energy infrastructure;



- ▶ Rolling back or rescinding corporate average fuel economy (CAFE) standards for vehicles;
- ▶ Ending electric vehicle tax credits;
- ▶ Repealing the Renewable Fuel Standard and
- ▶ Reforming the National Environmental Policy Act.

### **Require "Minority Impact Assessments" for All New Federal Regulations**

Excessive regulation stifles economic growth and has a disproportionate negative impact on small businesses.

The U.S. Chamber of Commerce has estimated that federal regulation costs the U.S. economy up to \$1.9 trillion annually in lost productivity and added expenses. Regulatory costs are especially onerous – 20% greater – for firms with 50 or fewer employees, the size of businesses most commonly owned by black entrepreneurs.<sup>195</sup>

Such regulatory costs can have enormous, negative impacts on blacks' health and well-being. As Dr. Ralph Keeney once noted in the *Journal of Risk and Uncertainty*: "Regulatory costs are paid by individuals, which leaves them with less disposable income. Since individuals on average use additional income to make their lives safer and healthier, the regulatory costs lead to higher mortality risks and fatalities. Cost-induced fatalities disproportionately burden the poor and minorities, particularly blacks."<sup>196</sup>

To reduce the harm of federal regulations to minorities, Project 21 recommends that all major new federal regulations undergo rigorous "minority impact assessments" to determine both the positive and negative effects on blacks.

Such cost-benefit analyses would project not only the environmental and health benefits of the proposed regulations, but any negative impact on blacks due to loss of wages, price increases, reduced access to medical care and lower homeownership rates.

The assessments would offer one or more measures to mitigate any disproportionate harm to minorities, and if no such measures exist, the proposed regulations should not be implemented.

The idea of minority impact assessments is overwhelmingly supported by the American people. In an April 2021 poll of 1,300 Americans, 72% of all respondents favored an assessment of the economic impact of new legislation and regulation prior to enactment.

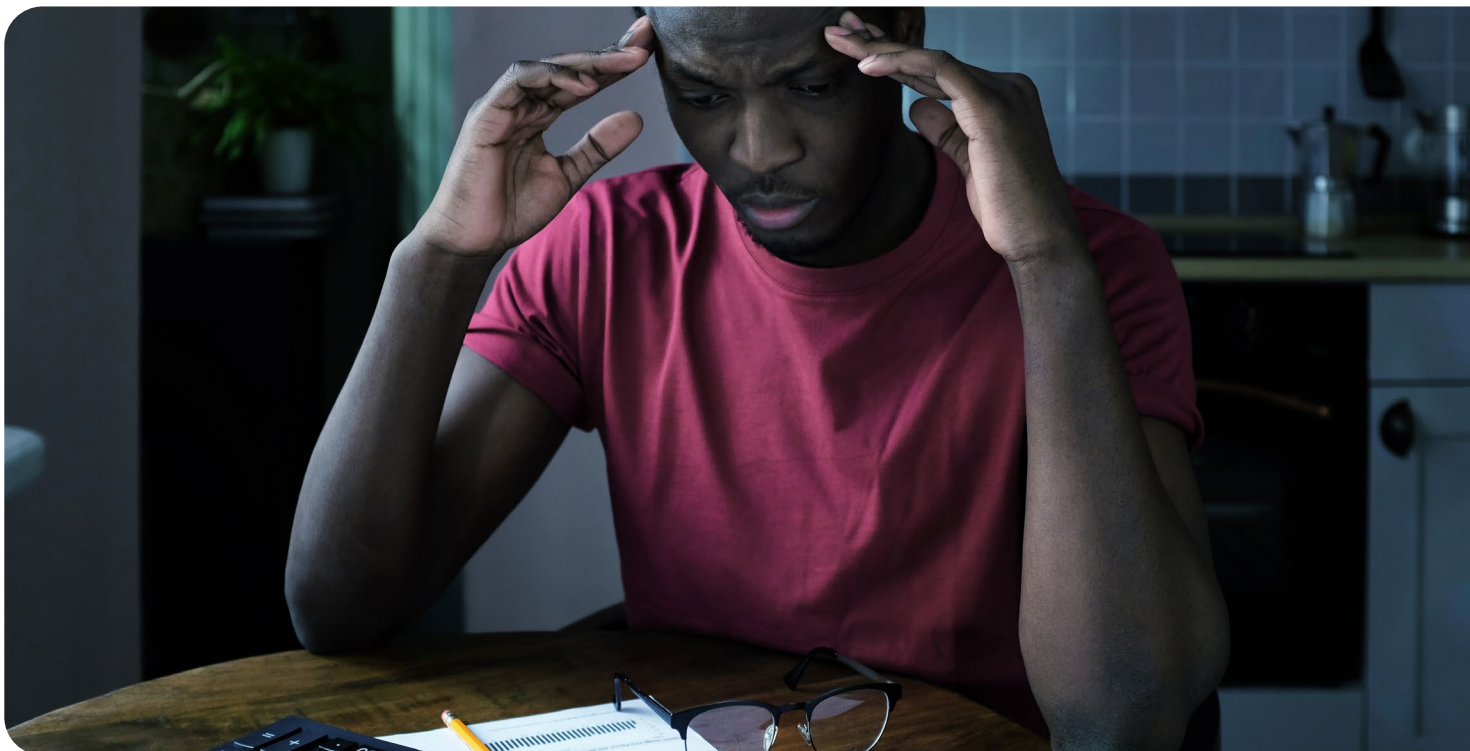
An even greater percentage of those living in low-income neighborhoods who considered themselves politically liberal – 75% – supported the idea.<sup>197</sup>

Such broad support indicates a wide gulf between the regulatory “environmental justice” agenda of the Biden administration and the people who are supposed to be the focus of that agenda.

### *Increase Domestic Energy Production in Order to Lower Prices*

In 2019, the United States achieved energy independence for the first time in 67 years, but that achievement has been reversed by the Biden administration's war on fossil fuels – including the suspension of drilling in the Arctic National Wildlife Refuge<sup>198</sup> and in places such as Utah.<sup>199</sup>

Swedish teenager Greta Thunberg and establishment environmentalists have been lobbying lawmakers to pass the Green New Deal and to phase out fossil fuels,<sup>200</sup> but doing so would hurt working class and minority households disproportionately.



**It is impossible to reach Green New Deal goals without inflicting economic damage and unnecessary human suffering, and blacks would suffer disproportionately in the process.**

Even liberal black leaders realize the importance of an all-of-the-above energy strategy that includes continued reliance on fossil fuels. Although the Green New Deal agenda calls for all motor vehicles and electricity generation to be powered by renewable energy sources by 2030,<sup>201</sup> leading civil rights leaders disagree.

For example, National Urban League President Marc Morial has noted that “people are debating these [policies that require a rapid switch to renewables] in some instances without consultation with the leaders of the African American communities and neighborhoods affected by these issues... [Natural gas] is a fuel that we need to have access to, because the transition to alternatives is a long-range transition.”<sup>202</sup>

In 2019, fossil fuels were responsible for providing 62.7% of America's electric power. By contrast, renewable sources provided just 17.5% of our electric power, while nuclear power met 19.7% of America's electricity needs. During the winter of 2018-19, almost half of all homes were heated by natural gas, while 10% were heated by propane or home heating oil.<sup>203</sup>

It is impossible to reach Green New Deal goals without inflicting economic damage and unnecessary human suffering, and blacks would suffer disproportionately in the process.

Conversely, increasing domestic energy production would lower energy prices and thus reduce energy poverty that Project 21's Hollie notes “disproportionately impacts minority, low-income, and rural communities.”<sup>204</sup>

Between 2010 and 2019, global petroleum production increased by 11.7 million barrels per day.<sup>205</sup> U.S. production alone increased by more than 6.8 million barrels a day, or about 55% of the total. During that period, crude oil prices dropped by 26%.<sup>206</sup>

As a result of President Trump's pro-energy policies, U.S. crude oil production increased from 8.84 million barrels per day in 2016 to nearly 12.3 million barrels a day in 2019, a 39% increase. Although U.S. production dropped to 11.3 million barrels per day in 2020 at the height of the COVID-19 pandemic, its rapid drop during the Biden administration has been much more precipitous. During President Biden's first year in office, production dropped 97,000 barrels per day, equal to 35.4 million barrels per year, from the previous year<sup>207</sup> at the very time world demand increased by about two billion barrels (5.5 million per day) per year.<sup>208</sup>

The resumption of U.S. crude oil production growth is critically important to lowering gasoline prices, which hit an all-time high amid Russia's invasion of Ukraine,<sup>209</sup> wreaking havoc on poor families.

Conservative and liberal black leaders alike agree that affordable fossil fuels will continue to be necessary to power and heat our homes, create jobs and provide for our security. That's why an all-of-the-above strategy is best for Black America.

## Reduce Impediments to Energy Infrastructure

Time and again, President Biden has signaled that he is more interested in pleasing environmental extremists than in helping Black America. On his first day in office, he canceled a permit for the Keystone XL Pipeline to bring crude oil to the United States from Canada.

Initially proposed in 2008, the pipeline was to carry up to 830,000 barrels of Canadian crude oil per day to refineries on the Texas Gulf Coast. The project immediately drew opposition from climate activists and Native American groups, and then-President Obama eventually rejected the project. But in 2019, President Trump approved a development permit to move it forward.

President Biden's revocation of the permit for Keystone XL ultimately killed the project, and an estimated 11,000 jobs with it.<sup>210</sup>

The loss of the pipeline and the increased uncertainty that such projects can be brought

to fruition have contributed to rising gasoline costs.

Even the Reverend Jesse Jackson – no conservative, and an adherent to climate change alarmism<sup>211</sup> – recognizes the importance of connecting communities to energy. In 2019, for example, he endorsed a local natural gas pipeline project through farmland south of Chicago, noting that it could bring new businesses to the predominantly black area. Jackson said: “This is our work – fighting poverty and connecting people.”<sup>212</sup>

When the Line 5 natural gas pipeline serving Michigan was targeted for shutdown, Project 21's Hollie said: “It's nice to say you want to replace lead pipes in cities like Flint, but shutting down the Line 5 is going to literally freeze the pipes of black Midwesterners when they are forced to choose between staples like energy and food, as prices for both continue to rise.”<sup>213</sup>

But the green lobby doesn't seem to care about the well-being of black Americans.



Consider activists' efforts to stop the Atlantic Coast Pipeline, which would have created jobs and generated significant tax revenues in rural areas of West Virginia, Virginia and North Carolina while providing cheaper energy. Environmentalists fought the Atlantic Coast Pipeline tooth and nail<sup>214</sup> against the financial interests of places with sizable black populations such as Buckingham County, Virginia.<sup>215</sup>

Even though the U.S. Supreme Court sided with the project on permitting challenges,<sup>216</sup> the pipeline project was ultimately canceled because – in the words of its corporate underwriters – “increasing legal uncertainty... overhangs large-scale energy and industrial infrastructure development in the United States.” They ominously warned: “Until these issues are resolved, the ability to satisfy the country’s energy needs will be significantly challenged.”<sup>217</sup>

Washington should work to expedite, and remove barriers to, the shipment and distribution of energy to the communities where it is needed. This is very important for black well-being.

### ***Roll Back or Rescind Corporate Average Fuel Economy (CAFE) Standards for Vehicles***

Corporate Average Fuel Economy (CAFE) standards were first enacted in 1975 to reduce gasoline consumption by regulating how far cars and light trucks travel on each gallon of fuel. The standards, set by the National Highway Traffic Safety Administration, currently require a fleetwide fuel economy of 40.3-41 miles per gallon for passenger cars and light trucks.<sup>218</sup>

In recent years, CAFE standards have also been used as a means to reduce U.S. emissions of greenhouse gases.

However, there has been considerable debate over whether CAFE standards have proven effective in achieving either goal. Critics of the standards argue that they actually create perverse incentives that encourage greater gas consumption and increased emissions. Demand for gas-guzzling SUVs, which were built on truck platforms subject to less stringent fuel economy standards, for example, can be directly attributed to the imposition of CAFE standards that killed the family station wagon.

CAFE standards also force many Americans to keep older, less fuel-efficient vehicles on the road longer, by significantly increasing the price of new vehicles. By one estimate, the 2009 standards added \$6,200 to the price of a new car.<sup>219</sup>

And finally, the standards may encourage Americans to drive more by lowering the per-mile costs of operating vehicles, which would negate a significant portion of any fuel savings and potentially increase the impact of automobile use on roads and highways.

While the benefits of CAFE standards are uncertain, the costs to black Americans are not. The standards not only make cars less affordable, but less safe in crashes, because carmakers have been forced to make their cars and trucks lighter with more plastic and less metal to meet the higher standards. These costs fall disproportionately on the poor.

“If vehicle prices had tracked furniture and appliance prices since 2007, they would be 23.4 percent lower” than they were in 2016, found a study by The Heritage Foundation, which also noted that the billions of dollars in regulatory costs associated with CAFE standards have fallen hardest on households earning less than \$25,000 annually.<sup>220</sup>



The poor are also more likely to suffer injury or death due to CAFE standards, as they are more likely to purchase smaller, lighter and less safe vehicles due to their lower sticker prices. Numerous studies link increased traffic fatalities to lighter vehicle weight necessitated by CAFE standards. One suggested that there are an additional 7,700 highway fatalities for each additional mile added to the standards.<sup>221</sup>

As Project 21 member Deroy Murdock wrote at *National Review*, “Nearly each one of these CAFE-caused deaths featured crying loved ones, a casket, and someone inside it who probably made people smile just days earlier.”<sup>222</sup>

And all of this is for a possible fraction of a degree in temperature change over nearly 100 years.<sup>223</sup>

In its previous *Blueprint for a Better Deal for Black America*, Project 21 recommended a rollback of CAFE standards, warning that they made vehicles “less affordable and less safe.”<sup>224</sup> In comments submitted to the Federal Register, Project 21 leaders said that “[i]ncreasing black hardship and placing drivers’ safety at greater risk for such a small payoff is simply irrational.”<sup>225</sup>

The Trump administration took that advice. In announcing the administration’s easing of the fuel economy standards, then-Transportation

Secretary Elaine Chao said that “more lives will be saved and more jobs will be created.”<sup>226</sup>

But the Biden administration reimposed stricter mandates.<sup>227</sup>

To ensure blacks have access to safe, affordable vehicles that meet the needs of their families, CAFE standards should at a minimum be rolled back – and preferably abolished altogether.

### **End Electric Vehicle Tax Credits**

An electric vehicle is a de facto luxury vehicle. There’s no reason poor Americans should be forced to subsidize extravagant cars for those who can easily afford them.

Yet purchases of electric vehicles are eligible for more than \$7,500 in tax subsidies<sup>228</sup> – subsidies that are unavailable for other less costly but fuel-efficient gas-powered automobiles.

A 2018 report from the National Center for Sustainable Transportation noted that “incentives for hybrid vehicles [were] largely accrued to high-income households” – most of them earning more than \$150,000 a year. Just two percent of all plug-in, battery-powered vehicles were purchased by blacks and just 10% were purchased by Hispanics. In contrast, 55% were purchased by non-Hispanic whites and 21% by Asians.<sup>229</sup>

With black Americans already more likely to be at the lower end of the economic spectrum, there's no reason a household living paycheck-to-paycheck should help bankroll a rebate for someone else's electric vehicle.

Yet 67% of electric car customers cite the appeal of the tax credit as a factor in their shopping decisions.<sup>230</sup> In other words, the subsidy is the main driver in their purchasing decision – not value, utility or benefit for the environment.

Adding insult to financial injury, the Biden administration's infrastructure agenda prioritizes construction of electric vehicle charging stations in “underserved communities.”<sup>231</sup> Not only does this appear to be a waste of money, but it will place new reserved parking spots for charging in black communities even though only two percent of blacks own such vehicles.

No one should have to subsidize high-priced vehicles for those in the upper middle-class and for the wealthy – least of all those who make a whole lot less. Making blacks subsidize these vehicles for green elites when blacks show little or no interest in them is especially unfair.

That's why any state and federal tax incentives on electric cars must be immediately rescinded.

### *Repeal the Renewable Fuel Standard*

The Renewable Fuel Standard (RFS) can be expensive, harmful to the environment, inefficient and wasteful – and it can hurt black Americans.

Initiated during the George W. Bush administration, the RFS was designed to address growing reliance on imported oil by requiring gasoline to include American-made biofuels, such as corn-derived ethanol.

Although the United States has become more energy independent since then, due largely to increased fossil-fuel production, the RFS mandate has nonetheless remained in place.<sup>232</sup>

Free-market environmentalists have called for an end to “mandat[ing] the purchase of a product that Americans don't need and most don't want” that gives “special favors for the ethanol industry.”<sup>233</sup> Since it's been proven that America can be energy independent, there's also less need to add corn-based ethanol to gasoline as a means of being less reliant on imported oil.





The RFS can place an undue burden on America's poor by increasing fuel prices when crude oil prices are low. Whether it raises prices or lowers them depends on the market prices of both.

Ethanol contains about 33% less energy than gasoline and, according to the Energy Information Agency, reduces fuel economy by three percent with the E10 ethanol-gasoline blend, which has 10% ethanol content.<sup>234</sup>

Blending ethanol with conventional gasoline can increase prices at the pump, sometimes substantially, depending on the price of oil. If, for example, conventional gasoline costs \$3.60 before taxes, ethanol must cost \$2.41 ( $\$3.60 \times .67$ ) to provide comparable value. Bad growing seasons, labor shortages and increased production costs could cause ethanol prices to rise. At the same time, decreased demand for petroleum (such as what occurred during the height of the pandemic) and increased production could cause crude oil prices to plummet relative to ethanol prices.

But the price at the pump is only one of the costs of ethanol.

Ethanol can also damage engines, requiring expensive repairs or replacement. A 2012 Auto Alliance study found that gasoline-ethanol blends damaged valves and valve seats.<sup>235</sup>

A 2013 study by the U.S. Department of Energy found that the use of the E15 blend in smaller engines, such as those found in lawn mowers, resulted in engine-part failure, hotter engine temperatures and "erratic" performance. It went on to warn that the E10 blend could "help destroy small engines."<sup>236</sup>

The expense of replacing a car or a lawn mower because of the RFS mandate is one

that America's poor – including many black Americans – cannot afford.

The mandate also imposes tremendous costs on the environment and on health.

Although the RFS was imposed ostensibly to help the environment, even many environmental groups disagree and have argued that the mandates have had unintended negative consequences.

The Sierra Club, for example, claims that ethanol production has resulted in major withdrawal of land from the federal Conservation Reserve Program;<sup>237</sup> has increased ozone and ozone-related health problems by four percent and has resulted in greater carbon emissions, more toxic pollutants in water supplies and increased toxic algae blooms.<sup>238</sup>

Ethanol production has contributed to a "record-breaking dead zone" in the Gulf of Mexico. Perhaps that's why close to 70% of "environmentally conscious" Americans support rolling back corn-ethanol production.

A policy that raises the price of fuel, damages car engines and isn't even supported by the green lobby is a bad deal for blacks.

The government should immediately repeal the Renewable Fuel Standard.

### *Reform the National Environmental Policy Act*

Every president talks about improving American infrastructure, but it's important to do it right. After more than 50 years, the National Environmental Policy Act (NEPA) – the regulation subjecting major construction projects and land management decisions to an array of permitting and oversight – needs an overhaul.<sup>239</sup>

NEPA unnecessarily impedes the growth and improvement of our economy and infrastructure, preventing Americans who want to work from being able to find good jobs to provide for their families.

Infrastructure jobs are expanding in the U.S., and, although blacks are underrepresented in the field, the solution for that is a national policy of expediting projects, not stifling them.

Some of the best-paying jobs in the U.S. are associated with infrastructure. Infrastructure workers – from electricians to carpenters to plumbers – can earn great wages, even without a college degree.

The Trump administration championed NEPA reform. Mary Neumayr, who served as the chair of the Council on Environmental Quality, said such reform offered “a faster process,” one that would “not change any substantive environmental law or regulation” while refining the review process in a manner that would not “deter investment” or make America “less economically competitive.”<sup>240</sup>

But, like with many Trump-era proposals, the Biden administration quickly sought to restore the bureaucratic status quo.<sup>241</sup> That reversal has been particularly harmful to blacks.

NEPA reform could help reduce black unemployment, which has been rising under President Biden’s watch.

A Project 21 analysis of federal jobs data noted that the black unemployment rate reached record lows six times during the Trump administration, in part because of robust regulatory-reform efforts.<sup>242</sup> Unfortunately, in the fall of 2021, the black-white employment gap began growing again.<sup>243</sup>

This is why Project 21 leadership has supported an infrastructure regulatory overhaul that can enhance black empowerment, saying in a public comment that “NEPA reform, with a mindful balance of environmental protection and economic growth, is key to a more productive America that helps all of its citizens.”<sup>244</sup>

## Conclusion

The Biden administration’s cynical attempt to advance the Green New Deal by cloaking it in “environmental justice” is hurting black Americans more than it is helping them.

Authentic environmental justice means treating people of color fairly, not only with respect to environmental and health hazards, but also with respect to regulatory costs that can harm them disproportionately.

The Biden administration can either stand with radical green ideologues or it can stand with black Americans.

It can’t do both.



# Health

*Improve Health and Wellness for Black Americans*



Proper health and wellness for the black community require that America's healthcare system become more reliant on free markets and competition, and that blacks are encouraged to adopt lifestyle changes that will improve their health and extend life expectancy. Those lifestyle changes should include an end to medical care skepticism.

Between 2019 and 2020, life expectancy in the United States declined. For black Americans, the fall was the most precipitous, and is now at the lowest level since 2001.<sup>245</sup>

A black boy born today is expected to live three years less than his peers born just a few years earlier. For a little black girl, it's 2.3 fewer years on the earth. At current estimates, the overall life expectancy for black newborns is 72 years.<sup>246</sup>

It wasn't always this way. According to the U.S. Census Bureau, the long-term trend in life spans improved for all Americans for more than five decades.<sup>247</sup> But, according to the Centers for Disease Control and Prevention (CDC), they have declined for all Americans since 2019<sup>248</sup> – beginning before the COVID-19 pandemic.<sup>249</sup>

Notably, after nearly 30 years of the life-expectancy gap between blacks and the overall U.S. population narrowing,<sup>250</sup> that trend is being reversed.<sup>251</sup> A recent report indicated that this narrowing slowed particularly from 2009 to 2018.<sup>252</sup>

Contrary to claims by elected leaders like

Chicago Mayor Lori Lightfoot and race-obsessed activists, the decline in black Americans' life expectancy is not due to "systemic racism."<sup>253</sup>

While lifestyle differences – that is, diet and access to medical care – might explain some of the decline in black life expectancy, the decline isn't unique to Black America. The latest data indicates that life expectancy for Americans overall declined by 1.5 years from 2019 to 2020.<sup>254</sup>

We believe that most of Black America's health and wellness problems can be remedied by transforming the American healthcare system to make it more market-friendly, and also by encouraging positive lifestyle and cultural choices within the black community (including ending medical care skepticism).

That's why Project 21 recommends the following, for reasons explained below:

- ▶ Ending race-based health policies;
- ▶ Introducing Medicaid Advantage;
- ▶ Permitting families to deduct costs of in-home caretakers as medical expenses;
- ▶ Expanding direct primary care options;
- ▶ Repealing certificate of need laws;
- ▶ Banning race- and gender-based abortions;
- ▶ Restoring the Hyde Amendment to affirm that "Black Babies' Lives Matter;"
- ▶ Reforming residential services for those with disabilities or substance abuse issues and
- ▶ Opposing marijuana legalization.

## End Race-Based Health Policies

Prioritizing blacks at the expense of whites for medical treatment in the name of racial equity benefits neither group, as it places limits on the efficient provisioning of care and violates the 14th Amendment.

Last year, the CDC came up with a plan to distribute COVID-19 vaccinations that placed people of color at the front of the line. Tried in several states, the plan was exposed as counterproductive and unpopular, and ultimately ended.

The lessons learned from that are instructive.

Despite the CDC prioritizing vaccinations for blacks over those suffering with diabetes, immunodeficiencies, obesity and chronic lung or kidney disease, as well as over the elderly and pregnant women, the CDC's racial preference plan didn't result in higher vaccination rates among blacks, and might have created greater vaccine resistance.<sup>255</sup>

Comparisons made between government vaccination campaigns and the infamous Tuskegee Experiment – a 20th century medical study in which blacks were treated as guinea pigs – didn't inspire confidence among black

Americans.<sup>256</sup> In fact, this historical example of selective treatment caused many black Americans to distrust the COVID-19 vaccine from the start,<sup>257</sup> resulting in lower vaccination rates among blacks during the pandemic.

On a larger scale, racializing medical treatments has been shown to alienate Americans and hinder efficient distribution of medical care. According to the *New England Journal of Medicine*, using race as one measure of morbidity or risk factor in patients with kidney or heart failure increases the likelihood that minority patients will not receive treatments that they might otherwise receive.<sup>258</sup>

Thankfully, public exposure and the resultant outrage over of this "social justice" strategy for distributing the COVID-19 vaccine led the CDC to step away from this unethical action that could have caused unnecessary loss of life.

Still, there remains a raging debate about the importance of prioritizing medical treatment according to race, with some policymakers continuing to advocate for the expansion of such policies.<sup>259</sup>

Unless a treatment specifically affects a racial group (e.g., sickle cell anemia), race should never be a factor in healthcare policy. Ever.



## *Introduce Medicaid Advantage*

Black Americans make up a disproportionately large number of Medicaid enrollees – 20% in 2019, despite making up only 13.4% of the overall population.<sup>260</sup> And black kids make up 57% of all children covered by the program.<sup>261</sup>

Unfortunately, those on Medicaid have limited options to see specialists. Because Medicaid has cumbersome reimbursement procedures, even eligible providers are less willing to participate in the Medicaid program.<sup>262</sup>

One recent study found a quarter of Medicaid claims had at least one item rejected for reimbursement upon initial submission – a rate far greater than through Medicare and private insurers.<sup>263</sup>

Ultimately, black families are inordinately reliant on a government program that ill-serves them. It's time to reform the system, and a working model already exists: Medicare Advantage.

Project 21 proposes Medicaid Advantage, which would operate much like Medicare Advantage. Medicare Advantage allows seniors to use their Medicare benefit to obtain services regular Medicare doesn't offer, and to have more choices as providers compete for customers by offering higher-quality services at lower fees.

Medicaid Advantage plans would be offered by private companies. The Medicaid program would pay a fixed amount for a patient's care each month to healthcare companies offering these plans.

With a Medicaid Advantage plan in place, a patient would be able to go to a doctor, specialist, facility or supplier that belongs to the plan's network and his or her services would be covered at lower cost.

Under such a plan, poor households would receive faster and higher-quality care. The plans would allow users to pick among multiple options to choose the services they value most. The program could use reimbursement policies that are similar to those used by the Medicare program to encourage a higher number of providers to participate.

Blacks would clearly benefit as they rely on Medicaid more than the population in general. Market forces and greater choice of providers for enrollees would likely lead to earlier diagnosis and treatment.

In today's world, it's clear that coverage doesn't equal quality. That must change. A market reform approach that allows people to control their benefits and use them in the way that best suits their needs is good for blacks – and for America as a whole.

## *Permit Families to Deduct Costs of In-Home Caretakers as Medical Expenses*

The U.S. tax code currently permits in-home health care to be tax-deductible, but only if it is provided by a nurse. This care is often considerably more expensive than care provided by family members or even paid caretakers with specialized training, such as those trained in Applied Behavioral Analysis.

Black Americans would greatly benefit from being able to deduct a broader spectrum of in-home caregiving costs from their taxes.

In-home care is often required for the medically or behaviorally fragile to prevent injury. Prevention has long been recognized as an important aspect of health care.

Unfortunately, according to IRS Publication 502, the costs of in-home care by trained family members or technicians, such as those trained to implement behavioral plans, are not tax-deductible.<sup>264</sup> On the other hand, the cost of a nurse – which would not only be more expensive, but inappropriate in many situations – would be tax-deductible.

And while many wealthy Americans can pay for nursing staff through their health insurance or out of pocket as needed, America's poorest citizens simply cannot. Blacks are far less likely to be able to afford the rates for skilled nurses out of pocket or to have the type of insurance that covers such costs outright.

To make such care more affordable, Congress should change the requirements for deducting in-home care to expand the number of individuals who may provide in-home care for the medically and behaviorally fragile.

### *Expand Direct Primary Care Options*

As government's role in individuals' medical decision-making has grown, the doctor-patient relationship has suffered. Blacks have been hit hardest, especially black men. As a group, black men have fewer primary care physicians than white men, and are consequently less likely to use a doctor and more likely to have poorer health outcomes.

As bureaucrats become increasingly involved in the relationship between practitioners and their patients, their complex processes to ensure coverage end up denying consumers the best options and most efficient care.

That's why direct primary care should be made more widely available. It would be a particularly helpful reform for the black community.

Direct primary care allows individuals to contract with medical practices outside of insurance providers to cover specified services for a monthly fee. This arrangement allows participants to enjoy a wide range of services – including routine medical checkups (both in-person and via telehealth), testing and even some medical procedures – for a single payment, typically priced by age.

Because this arrangement removes insurance claims from the process – effectively eliminating the middleman – direct primary care-related expenses are much lower for both doctors and patients. Direct primary care can also mean more efficient care, as there's less red tape.

People are not excluded from direct primary care due to preexisting conditions and, because the arrangements are transparent, they have the additional advantage of largely eliminating the possibility of "surprise" bills.<sup>265</sup>

Direct primary care can play a vital role in ensuring proper treatment for chronic ailments affecting the black community, such as heart disease, diabetes, high blood pressure and stroke risk.<sup>266</sup>

A flat-fee system that offers increased access to pharmaceuticals and imaging and surgical services at a lower cost would ensure more Americans have access to preventative care. Greater access to medical care would also reduce emergency room visits that raise overall healthcare costs.

Direct primary care is also appealing to employers seeking to lower their own costs while increasing the health and productivity of their employees.<sup>267</sup>



A proposed rule by the Treasury Department during the Trump administration sought to treat direct primary care fees as eligible medical expenses under Section 213(d) of the Internal Revenue Code. The rule would also allow those with health savings accounts to participate in direct primary care service, which is barred under current law.<sup>268</sup>

The IRS should further clarify that direct primary care payments are not for “health insurance or a health plan,” and the Centers for Medicare and Medicaid Services should allow more flexibility for Medicare enrollees to participate in direct primary care.

Direct primary care is more efficient and cost-effective, and it reaffirms the sanctity of the relationship between doctor and patient. This reform is urgently needed by Black America.

### ***Repeal Certificate of Need Laws***

Certificate of need laws are yet another example of how government intervention in the American healthcare system has reduced access to care and has increased mortality in the black community.

Certificate of need laws are state laws that require healthcare providers to obtain

permission from regulators before they expand facilities, purchase new equipment or offer new services.

Their objective was to lower healthcare costs and increase medical care access to poor and minority communities.<sup>269</sup> But they've proven counterproductive and must now be repealed.

“Government regulations that undermine [the] socially beneficial competitive process without returning any offsetting benefits simply cannot be justified,” Maureen K. Ohlhausen, a former commissioner of the Federal Trade Commission, has aptly noted.<sup>270</sup>

For black Americans, who disproportionately live in the areas certificate of need laws were supposed to help, it's time for the laws to stop “helping.”

The growth of certificate of need laws can be traced to the passage of the National Health Planning and Resources Development Act in 1974, which required states to establish those laws in order to be eligible for some federal government programs. And, although the mandate was repealed in 1987,<sup>271</sup> 35 states and the District of Columbia continue to have certificate of need laws on the books.<sup>272</sup>

By making themselves the arbiters of need, bureaucrats gain significant power over access to care, and blacks lose in the process.

Instead of reducing harm, certificate of need laws are confounding care. According to Heritage Foundation Senior Fellow Robert E. Moffit, "Certificate of Need laws generally do not control costs, nor improve quality, and they restrain provider entry and innovation in healthcare delivery."<sup>273</sup>

The Mercatus Center found that certificate of need laws generally reduced access to specialty facilities for those dealing with substance abuse or intellectual disabilities.<sup>274</sup>

And a study by a group of economists reported that certificate of need laws, as applied to COVID-19 care, restricted access to beds, respirators, ambulatory services and CT/MRI imaging considered vital for COVID care.<sup>275</sup>

"Inefficient and burdensome regulations are costing American lives," said Sriparna Ghosh, one of the study's authors, who added that repealing certificate of need laws "can allow providers to stockpile crucial equipment they need for unexpected surges in demand for health care, minimizing additional lives lost through stressed markets and inefficient purchasing systems that require government permission to proceed."<sup>276</sup>

Certificate of need rules mean that blacks – particularly those in inner-city communities – have fewer medical treatment options and consequently less competition for service provisioning.

Certificate of need laws should be repealed to give black Americans more options and benefits through increased competition. New facilities should be allowed to open in inner-city

communities, and bureaucrats should no longer stand in the way of vital healthcare resources.

## *Ban Race- and Gender-Based Abortions*

Race-based abortion policies are devastating to the well-being of Black America.

Abortion affects the black community at a higher rate than any other group. According to a 2011 CDC report, a staggering 36% of all abortions were obtained by black women, who make up only 14% of the American childbearing population.<sup>277</sup>

Even Planned Parenthood has recognized that the movement for legalized abortion is rooted in racism, and is now taking steps to reverse its racist legacy.

In 2020, Planned Parenthood of Greater New York announced it would remove the name of Planned Parenthood founder Margaret Sanger from its Manhattan clinic, saying it was "reckoning with" history. It acknowledged Sanger's "harmful connection to the eugenics movement" and her connection with bigotry.<sup>278</sup>

Sanger wrote in 1938 that "[i]n a democratic society where the vote of one is as good as that of another, it is a dangerous procedure to accept a way of life where the poor, ignorant, diseased, and mentally and socially unfit maintain the stock of the population."<sup>279</sup>

When it came to blacks, she admitted in a letter that "[w]e do not want word to go out that we want to exterminate the Negro population."<sup>280</sup> But that's what is effectively happening right now.

Planned Parenthood clinics are predominantly located in minority neighborhoods.<sup>281</sup> While the group downplays its role in providing abortions





– citing services such as STD testing, cancer screenings and family planning<sup>282</sup> – it chose to withdraw from Title X funding of federal family planning assistance services rather than stop providing abortions or making abortion referrals. This cost the organization \$60 million in annual taxpayer subsidies.<sup>283</sup>

Clearly, abortion is integral to the operations of Planned Parenthood. That puts it at odds with the values of the communities in which it operates.

Supreme Court Justice Clarence Thomas wrote in an opinion for the court that “[w]hereas Sanger believed that birth control could prevent ‘unfit’ people from reproducing, abortion can prevent them from being born in the first place.” He continued: “Many eugenicists therefore supported legalizing abortion, and abortion advocates... endorsed the use of abortion for eugenic reasons.”<sup>284</sup>

One way to combat this racist abortion agenda is through the passage of a federal Prenatal Nondiscrimination Act (PRENDA).

A Family Research Council analysis says PRENDA laws are “essential for ensuring

unborn children are not aborted on account of an inherent characteristic or disability” because they prohibit abortions specifically related to an unborn baby’s immutable characteristics, such as race and gender.<sup>285</sup>

Eleven states have already passed laws prohibiting gender-specific abortions, and four states have outlawed race-specific abortions.<sup>286</sup>

A federal PRENDA has been introduced in previous sessions of Congress, and it must be introduced again until it passes and is signed into law.

### *Restore the Hyde Amendment to Affirm that “Black Babies’ Lives Matter”*

For 45 years, Congress has steadfastly adhered to what The Heritage Foundation calls an “important guardrail” that keeps “taxpayer dollars from being entangled with abortion.”<sup>287</sup> But last year, radical lawmakers – with the support of President Biden – insisted on omitting the Hyde Amendment from spending bills,<sup>288</sup> excluding it from these bills for the first time in decades.

**More than 19 million black children have been legally aborted since 1973. If those children had been born, today's black population would be 50% larger than it is today.**

It's time to make this commonsense provision the law of the land again. Providing abortions at taxpayer expense is wrong and could dramatically expand the number of black children aborted in inner cities.

More than 19 million black children have been legally aborted since 1973.<sup>289</sup> If those children had been born, today's black population would be 50% larger than it is today.

The Hyde Amendment was first attached to a federal spending bill by then-Representative Henry Hyde in 1976. It banned the use of taxpayer money to perform abortions, except when the life of the mother was endangered.<sup>290</sup>

Later versions added exceptions for rape and incest. This amendment – and others like it – are regular additions to healthcare spending for Medicare, Medicaid, the Children's Health Insurance Program (CHIP) and other programs.<sup>291</sup>

A January 2021 Marist poll found that 58% of Americans oppose the use of taxpayer money for abortions in the United States.<sup>292</sup> In the black community, only 32% of blacks surveyed in a 2020 Gallup poll thought abortion should be "legal under any circumstances." Less than

half – 46% – indicated that they found abortion morally acceptable.<sup>293</sup>

Yet the Biden administration and its congressional allies made sure the Hyde Amendment, an important tool for protecting the black community, lapsed.

"Without the Hyde Amendment, an additional 120,000 black babies would have been aborted every year since 1980," Frederick Douglass Foundation Chairman Dean Nelson has noted. "Over the 48 years since *Roe v. Wade* passed, that translates into an additional 5,760,000 black lives lost. It is clear that the abortion industry disproportionately targets black women and babies."<sup>294</sup> (*Roe* was overturned in 2022.)

"I cannot think of anything less racist," Nelson continued, "than protecting and preserving black lives for the future of our culture, communities, and families."

Congress should make the Hyde Amendment permanent. The No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act would stop the financing for abortion through federal funds and federally regulated insurance.<sup>295</sup>

### ***Reform Residential Services for Those With Disabilities or Substance Abuse Issues***

"Deinstitutionalization" of the mentally ill began in the late 1960s and early 1970s following public revelations of abuse at some of the nation's psychiatric institutions – Willowbrook in Staten Island, NY among them.

Willowbrook first came to the public's attention through an exposé by TV's Geraldo Rivera, who interviewed on camera a 21-year-old patient with cerebral palsy who said, "I got beaten with sticks, belt buckles.... Most of the kids sat in the day room naked, with no



clothes on. There was a lot of sexual abuse going on from staff to residents also.”<sup>296</sup>

In response, both state and local governments started shifting care away from institutions in favor of community-based options such as group homes. In 2014, 53% off all long-term care spending went toward in-home and community-based services.<sup>297</sup>

Community-based services are now not only the service of choice for the mentally ill, but also for those with other disabilities and substance abuse problems.

Although the shift toward home- and community-based services was made with the very best of intentions, it has harmed the people it intended to help, particularly the poor and minorities. And the range of services available in institutional settings has often not been accessible for patients in these other settings.<sup>298</sup>

The biggest problem facing home- and community-based services – which are often paid for through Medicaid waivers – is that they suffer from chronic underfunding and staff shortages. According to the Kaiser Family Foundation, there are more than 665,000 people currently on waiting lists for home- and community-based services waivers.<sup>299</sup>

But that's just the tip of the iceberg: That's only the waiting list for receiving the waiver. Once approved, most patients have to wait until there is availability for services – which could take months or even years.

While waiting for services, there often aren't any good options. Some patients end up on the streets, some end up in emergency rooms and some go home with family members who are ill-equipped to provide them with the care they need.

The shortage of home- and community-based services beds can cause a ripple effect throughout the healthcare system, creating shortages of other vital services for those in need.

“Four years ago, my autistic son became so violent that I had to rush him to the [emergency room]. The ER wasn't equipped to handle him either, as he needed acute care and crisis stabilization only available at a specialized hospital,” said David Ridenour, president of the National Center for Public Policy Research. “But he had to spend an excruciating seven days in the ER until a bed became available at the hospital. It took that long because patients that were ready for discharge for days had no other place to go.”

This is occurring all over the country, denying patients the treatment they need on a timely basis, preventing families from working to put food on the table and increasing healthcare costs.

Federal and state policies should either provide sufficient funding for home- and community-based services programs or shift back to more manageable institutionalized care. Institutional care is better than no care at all.

Providing a place for those with disabilities to stay is not only an appropriate function of government and the right thing to do, but the most cost-efficient way to provide help.

The poor, including many minority citizens, would benefit the most.

### *Oppose Marijuana Legalization*

It's time to end the folly of decriminalizing and mainstreaming marijuana sales and use. While some policymakers may think they are helping black communities by removing criminal penalties, they are simultaneously opening blacks to increased public health dangers.

The Marijuana Opportunity Reinvestment and Expungement Act (MORE Act) was passed by the U.S. House of Representatives in 2020 and 2022. It would remove cannabis/marijuana from the federal list of controlled substances, effectively making the drug legal at the federal level.<sup>300</sup>

It would also expunge certain marijuana-related convictions and impose federal taxes on sales. Pushing the bill as an equity initiative, MORE Act cosponsor Representative Barbara Lee promised it would "bring restorative justice to communities of color."<sup>301</sup>

Broader marijuana legalization would actually

exacerbate existing problems related to its use within the black community.

Following the science, marijuana is a gateway drug. The National Epidemiological Study of Alcohol Use and Related Disorders found marijuana users were most likely to develop addictions to alcohol and nicotine-related products, such as cigarettes. Laboratory research has found that cannabinoids affect young brains by altering dopamine levels, which can lead to more addictive behaviors.<sup>302</sup>

As more states have legalized medical and recreational uses of marijuana products, use by grade school and high school kids has increased. A California study found youth participation began rising in 2016 after years of decline, and attributed the rise to legalization.<sup>303</sup>

The risk of heart attack is 30% higher for young people using marijuana than those who abstain from it.<sup>304</sup> Like tobacco use, smoking marijuana can lead to emphysema.<sup>305</sup> And the immune-suppressing effect of the tetrahydrocannabinol in marijuana may also increase the chance of contracting pneumonia.<sup>306</sup>

For those who vape instead of smoke, THC-delivery vaping has been found responsible for 80% of the diagnoses of e-cigarette or vaping use-associated lung injury (aka "popcorn lung" disorder).<sup>307</sup>

There are many other costs to the black community with this legalization experiment.

Marijuana use is highly correlated with depression, primarily in black males.<sup>308</sup> Anxiety and elevated risk of stroke are also associated with chronic marijuana use.<sup>309</sup>

Psychosis is another danger.<sup>310</sup> Untreated mental health issues in the black community risk becoming worse and increase the potential for future incarceration. While proponents want to liberalize drugs as a means of keeping black men out of prison, making marijuana more plentiful and socially acceptable could have exactly the opposite result.

In Colorado, a study published in the medical journal *BMJ Open* found that car accidents increased after the state legalized marijuana use.<sup>311</sup> Another highway safety study found that Colorado, Washington and Oregon saw a 5.2% increase in their combined crash rates after legalizing marijuana relative to neighboring states that did not legalize marijuana.<sup>312</sup>

Additionally, the psychoactive ingredients in marijuana process differently than alcohol, leading to possible long-term problems that can cause workplace injuries. As Robert Goldsmith, an occupational health expert, noted, "You can't assume that evening or off-shift use is not associated with residual impairment during the next shift."<sup>313</sup>

Black youth can ill afford the broad acceptance and mainstreaming of marijuana use by American society.

Jesse Jackson's "Up with Hope, Down with Dope" attitude is far better suited to the needs of black communities in the 21st century than the legalize-and-expunge approach offered by many policymakers today.

Black Americans need to see a lot less of the MORE Act. States where marijuana laws have been relaxed should seriously reassess their decision to ensure that the risks to the public – and to blacks in particular – do not outweigh the tax benefits, and reverse course if necessary.

### *Conclusion*

While the left declares health care to be a right, its agenda has made the goal of good health for black Americans more difficult.

The answer to every problem isn't the creation of a government program. A one-size-fits-all approach all too often allows those with real needs to fall through the cracks or limits care for them due to arbitrary rules.

At the same time, people need to be responsible for their personal choices.

We recommend that the health needs of Black America be prioritized using the strengths of America – markets, free choice and personal responsibility.



# Taxes and Spending

*Reward Achievement & Independence of Black Americans*



Today's federal tax code and social programs have combined to create a toxic brew that is poisonous to black Americans. Too often, they punish achievement and encourage government dependency instead of giving those in need the hand up they require to prosper.

They create perverse incentives that discourage marriage, punish savings and prevent many black Americans from achieving the American dream – with disastrous consequences that are felt for many generations. These policies all but ensure that many black families, who are already less likely to inherit wealth, also won't have sufficient wealth to pass on to successive generations.

Studies have found that when children are raised by married parents, they are more likely to avoid poverty, enjoy better economic outcomes and flourish educationally and socially.<sup>314</sup> Yet American tax policies discourage marriage.

Project 21 believes that federal tax and social policies should encourage marriage and homeownership, promote savings and incentivize active participation in the world's greatest private economy.

Black America would benefit most from policies that promote financial independence and prosperity, that encourage innovation and entrepreneurship and that reward – not punish – those who take risks and succeed. Policies

that contravene these objectives should be repealed or curtailed.

That's why Project 21 recommends the following, for reasons explained below:

- ▶ Repealing penalties for marriage and two incomes;
- ▶ Raising asset limits for social programs and indexing them to inflation;
- ▶ Reducing or repealing "sin taxes" that hurt blacks disproportionately;
- ▶ Rescinding and/or blocking new subsidies and transfers related to COVID-19 that fuel inflation and
- ▶ Maintaining and expanding the Trump small business tax cuts.

## *Repeal Penalties for Marriage and Two Incomes*

The U.S. has a wide range of federal and state tax and benefit programs, each with different work incentives and disincentives. These policies were created with no apparent regard for their collective impact on the people they were designed to help. As a result, they often discourage marriage and family formation while failing to acknowledge the importance of incentives.

Working hard to earn more, for example, can mean losing the right to participate in aid programs including the Supplemental Nutrition Assistance Program (SNAP), rental assistance and the Supplemental Security Income (SSI) program.



One-quarter of the poorest American households pay government between two-thirds and three-quarters when they earn \$1,000 more.<sup>315</sup> One in four of the lowest income Americans face effective marginal tax rates exceeding 70% while over half face effective marginal tax rates exceeding 45%.<sup>316</sup> Effective marginal tax rates are the combined impact of both the tax rates paid on the incremental income and the losses in government benefits that occur as a result of the additional earnings. These punishing tax rates lock the poor – disproportionately made up of black Americans – in poverty.<sup>317</sup>

Those receiving government assistance may also find that it is financially disadvantageous to be married. The Earned Income Tax Credit (EITC) program, which gives lower-income households a tax break, includes such a disincentive. In 2021, married couples filing jointly lost their EITC benefit when their adjusted gross income (AGI) exceeded \$27,380. Other tax filers – single, head of household and widows – didn't lose the benefit until their AGI exceeded \$21,430.

Thus, an unmarried couple could earn nearly 57% more than a married couple before losing their EITC benefits.<sup>318</sup>

President Biden's proposed Build Back Better (BBB) initiative seeks to create a similar marriage penalty.<sup>319</sup> An unmarried couple making a combined income of \$42,000 (in 2019 dollars) would see their tax bill rise by more than \$1,500 if they choose to get married.<sup>320</sup>

The child care subsidy in BBB's Section 23001 would also be negatively affected by marriage. *The Wall Street Journal* reports that a single mother earning 75% of the median income would receive a daycare subsidy over \$10,000 for two or more children under five years of age.<sup>321</sup> But, if a father's income is considered part of the family earnings, the family would be considered ineligible for the program.

In other words, BBB says to the unmarried: You can save up to \$10,000 annually in child-care costs so long as you remain unmarried. Quality day care at the cost of a live-in father is a raw deal for black families.

Studies have shown that being part of a two-parent family increases one's likelihood of wealth creation. The poverty rate among children in black two-parent households was 73% lower than black mother-only households and 67% below that of black father-only households.<sup>322</sup> We should do all we can to encourage intact families within the black community. A sensible tax policy would create a secondary-earner deduction for all low-to-moderate income families and avoid all instances of penalizing working class married couples.

### *Raise Asset Limits for Social Programs and Index Them to Inflation*

One way federal and state governments avoid “subsidizing the rich” is by requiring that aid recipients own very few assets. Owning a used car or having any degree of savings can disqualify needy families from receiving government assistance on their way to upward mobility.

The federal social safety net was never intended to provide poor families assistance

forever, but simply to help them get back on their feet. It is supposed to be a “hand up, not a handout.” Yet escaping government dependency is made more difficult by the strict asset limits placed on beneficiaries.

Here's the takeaway: Asset caps pressure black families to deplete savings and sell assets to qualify for assistance. This indirectly reinforces a message that spending is more rewarding than saving. Unfortunately, these restrictions discourage not only savings, but work as well.

Low-income blacks – especially males between the ages of 16 and 30 – shouldn't be forced to choose between taking on a part-time job and jeopardizing their family's eligibility for assistance. But that's what today's government assistance programs do.

It is certainly reasonable to place caps on assets to ensure that taxpayers are not subsidizing the wealthy. It is unreasonable, however, to keep them capped at the same level for nearly half a century.<sup>323</sup> This disincentivizes the discipline of saving money, something that is necessary to escape poverty and government dependency.





Today, if families own vehicles worth \$4,650 or more, they will lose their Temporary Assistance for Needy Families (TANF) benefits – which ironically are supposed to help recipients achieve self-sufficiency – and Supplemental Nutritional Assistance Program (SNAP) benefits.<sup>324</sup>

The cap is the same as it was in 1977 – that's 45 years ago. If it had been indexed to inflation, the current vehicle exemption would be nearly \$22,000.<sup>325</sup> Significantly, the current average price of a used car is nearly \$30,000.<sup>326</sup>

States are permitted to establish even lower limits for households, and 35 of them have done so.<sup>327</sup> In fact, a majority of states bar eligibility altogether if the family owns a vehicle of ANY value.<sup>328</sup> These auto ownership restrictions dramatically limit the ability of blacks to compete for better-paying jobs that may require distant travel, and hinder parents from easily being able to attend parent-teacher conferences, take their children to medical appointments or access higher-quality grocery stores.

SSI and Medicaid eligibility are also subject to asset caps. SSI, which provides \$750 a month to low-income seniors and other individuals to help them meet their basic living expenses, is especially important for those caring for family members with disabilities. Without it, many low-income Americans couldn't hire caretakers who make it possible for them to work. Medicaid pays health expenses for low-income Americans, allowing many of them to work when health issues may have otherwise prevented it.

The SSI asset cap was last updated in 1989, and is only \$2,000 per individual or \$3,000 per couple. More than 50% of states use the same asset ceiling for Medicaid eligibility. Connecticut

has a more restrictive cap, set at \$1,600 for individuals and \$2,400 for couples, while 14 states have more generous asset limits, up to \$15,100 in New York.<sup>329</sup>

Asset caps should be increased and indexed to inflation for all government assistance programs. Doing so would encourage black Americans to save money and make choices leading to economic independence.

Savings and independence for blacks will enhance access to education, training and jobs, and will lower administrative costs for states and social service agencies as these families no longer require public assistance.

### *Reduce or Repeal Sin Taxes That Hurt Black Americans Disproportionately*

Excise taxes are sometimes referred to as "sin taxes," but the real sin is the regressivity of these taxes. Black households often pay more in "sin" taxes than they do in income taxes. According to the National Bureau of Economic Research, sin taxes are most often paid by three groups: the elderly, the less educated and lower-income Americans.<sup>330</sup> Blacks are overrepresented in two of these groups.

The federal gas tax, for example, is one of the most regressive taxes on the books – and is particularly harmful to Black America.

Americans pay an average of 57.09 cents in state and federal taxes<sup>331</sup> for each gallon of gas, regardless of income level. Consequently, this amount represents a larger portion of the income of the poor than of the wealthy. Because most Americans – including the working poor – require gasoline to work, such taxes are also impossible to avoid.



In fact, low-income Americans may have to purchase more gasoline than the general population does. For one thing, they are more likely to live in communities with limited job opportunities, requiring them to travel further for work.

For another, low-income blacks are less likely to own new, more fuel-efficient vehicles. In 2020, blacks made just four percent of all new car purchases.<sup>332</sup> New cars are more fuel-efficient and reliable than older vehicles.<sup>333</sup> The average fuel economy of the new car fleet sold in the U.S. in 2020 was 25.4 mpg.<sup>334</sup> In 2010 it was 23.5 mpg<sup>335</sup> and in 2000 it was 21.9.<sup>336</sup>

As a result, blacks shoulder a higher burden for highway and bridge maintenance than the rest of America. That isn't fair.

Tobacco taxes also hit people of color particularly hard. While Native Americans have the highest smoking rate of any ethnic group in America, blacks are in second place.<sup>337</sup> Tobacco is taxed at both the federal and state levels, and sometimes even at local levels. Tobacco is one of the few goods that have an inverse relationship with income, in that consumption increases as income decreases.<sup>338</sup>

Although President Biden pledged that he wouldn't raise taxes on anyone earning less than \$400,000, he violated that pledge when he proposed doubling cigarette taxes and dramatically increasing taxes on other tobacco products.

Such taxes would impose an especially costly burden on black Americans: According to the progressive Institute on Taxation and Economic Policy, the tobacco tax hike provision of President Biden's Build Back Better proposal would cost the poorest 20% of Americans \$50 in additional taxes and the richest one percent \$60 in new taxes. Because the poorest 20% earn an average of \$11,800 and the richest one percent an average of about \$2.2 million, the poor would be hit especially hard.<sup>339</sup> Blacks can ill afford this type of wealth transfer.

And despite these burdens, such tax hikes don't even achieve their health objectives.

Studies show that excise taxes on tobacco and alcohol don't reduce their use, but instead lead consumers to switch to other, less expensive and sometimes more harmful versions.<sup>340</sup> For example, heavy drinkers may switch from beer to liquor, and heavy smokers

may switch from cigarettes to pot. Either shift undermines the effort to discourage dependency and the use of habit-forming substances – which sin taxes are ostensibly designed to stop. “Sin taxes are blunt instruments which are more likely to deter moderate users than abusers,” notes the UK’s Adam Smith Institute. “Although the price elasticity of alcohol is  $-.044$ , for heavy drinkers it is more inelastic  $-.28$ . The same has been found true of heavy smokers and excessive eaters: the people who most need to reduce their consumption are least responsive to price rises.”<sup>341</sup>

Perhaps most importantly, the massive revenue generated from sin taxes – which on the federal level totaled \$83.8 billion in 2017 alone<sup>342</sup> – is typically used to fund general programs rather than the healthy-lifestyle programs for which it was ostensibly intended. In other words, blacks and the poor are forced to pay more than the wealthy for programs that serve all Americans.

Black Americans, with their tighter household budgets, shoulder an especially heavy burden from sin taxes that don’t seem to benefit them appreciably. Thus, these taxes represent a wealth transfer from blacks to the general population. Instead of raising or even maintaining excise taxes, Congress should lower excise taxes or eliminate them altogether.

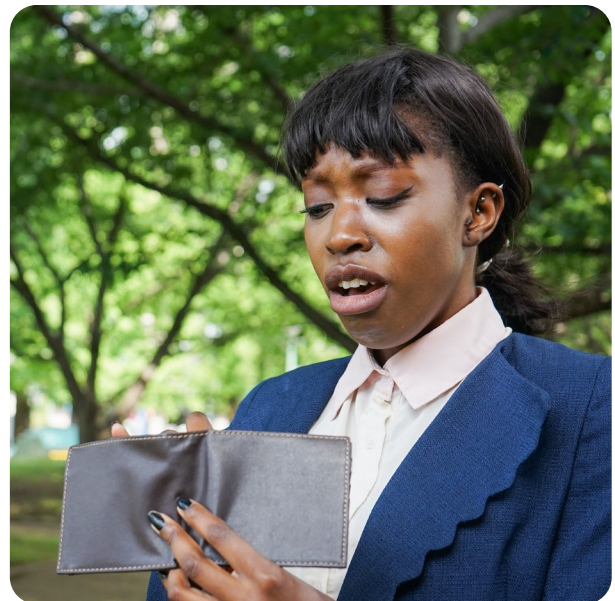
### *Rescind and/or Block New Subsidies and Transfers Related to COVID-19 That Fuel Inflation*

From March 2021 to March 2022, inflation jumped 8.5%<sup>343</sup> – the fastest rate in more than 40 years – and this is especially harmful to black Americans.

Inflation is often called a hidden tax, but in many states it yields a far more literal tax increase – a so-called “bracket creep” – as state income tax brackets fail to adjust for decreases in consumer purchasing power.<sup>344</sup> The present inflation rates are contributing to a “new and burgeoning form of economic inequality,” reports the Washington Center for Equitable Growth.<sup>345</sup> Workers at the lowest end of the rung – disproportionately black – suffer more from inflation.<sup>346</sup>

The asset restrictions mentioned in an earlier recommendation only make things worse in times of inflation, as benefit recipients have delayed accumulating savings and assets that could have helped their families weather inflationary periods.

Many factors have contributed to the current record inflation rates including supply chain problems related to COVID-19, increased regulatory burdens, the Federal Reserve’s low benchmark federal funds rate and the unleashing of pent-up demand caused by COVID-19 lockdowns.



Inflation has also grown due to increases in federal transfers and subsidies.

Although the Biden administration inherited a strong economy that was well on its way to a complete recovery, it has nonetheless insisted that massive new spending programs are necessary to get the economy moving again. The resulting inflation has hurt low-income and minority citizens who must now pay more for their basic necessities.

The American Rescue Act (ARA) contributed to inflation in three ways. First, it put additional money into Americans' pockets at the very time COVID-19 lockdowns were ending – putting additional upward pressure on prices. Second, the ARA's cash payments gave the unemployed the luxury of postponing their return to the workforce, putting upward pressure on the labor market. And third, since the ARA's new spending was financed through deficit spending, and the Federal Reserve "purchased" this debt through the issuance of "digitally printed" money, the value of the dollar was diminished.<sup>348</sup>

The late economist Milton Friedman once famously said, "There's no such thing as a free lunch" – and black Americans now understand what he meant.

In order to limit inflation, Project 21 recommends that Congress rescind COVID-19-justified subsidies and transfer payments, and completely reject President Biden's proposed Build Back Better spending plan.

### *Maintain and Expand the Trump Small Business Tax Cuts*

Small businesses are a key driver of wealth and independence in the black community.

According to a 2020 study, blacks start their own businesses at higher rates than all other groups.<sup>349</sup> Nearly 20% of the black population in the U.S. has started or is running a business. This is far greater than the rate within the Hispanic/Latino population (13%) and the white population (12.2%).<sup>350</sup>

Thus, tax policies that harm small businesses hurt blacks disproportionately.

As a self-proclaimed friend to minorities, the Biden administration should be eagerly promoting small business creation. Unfortunately, its big-government policies are increasingly undermining this goal.

And black small business owners are taking notice. According to *Essence* magazine, black small business support for President Biden's policies has dropped from 65% to 43%.<sup>351</sup>

Now, congressional liberals are considering dramatic changes to a key component of President Trump's small business tax cuts – the 20% pass-through tax deduction. These changes would hurt black entrepreneurs disproportionately. Known as 199A, this Trump-era provision lets the owners of pass-through businesses – such as sole proprietors, partnerships and S corporations – write off 20% of their business income. More than 90% of all small businesses – including black-owned ones – are organized as pass-through businesses.<sup>352</sup> This provision should be made permanent and not be repealed.

Another Biden administration proposal would raise the top income tax rate on individually- and family-owned businesses from 37% to 39.6% – killing jobs and hurting black-owned businesses.

There should be more prosperity encouraged within the black community, not less. Instead of increasing the top rate for small business operators, Congress should consider lowering the rate to 30% or lower.

### *Conclusion*

Low-income and minority families are currently subjected to a tax system that punishes savings and investment and rewards dependency. Sin taxes, inflation, wealth taxes and other taxes harm the ability of black Americans to fully participate in the

world's greatest economic environment.

Current tax policies place harsh restrictions on long-range financial planning and wealth accumulation, which are key tools for building independence and self-determination.

America's commitment to assist those in need has always been predicated on giving the needy a hand up, not a handout. Project 21's recommendations offer an exit ramp to escape the poverty cycle.

*Programa de ensino de física, química, matemática e biologia, com ênfase em aplicações científicas e tecnológicas, visando a formação de profissionais com habilidades intelectuais e matemáticas.*



# Project 21 Leadership



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Project 21 was established in 1992 to increase the diversity of black opinion represented in the mainstream media by promoting black conservative and libertarian leaders. Project 21 participants have been quoted, interviewed and published in the media over 40,000 times since the program's inception, including in such outlets as the Fox News Channel, CNN, MSNBC, C-SPAN, Newsmax, One America News, PBS, BET, TVOne, the *New York Times*, *Washington Post*, *Wall Street Journal*, Westwood One and the Rush Limbaugh Show.

Project 21 participants are black leaders in business, politics, the clergy, the media and academia, and live all over the United States. They share a common desire to make America a better place for blacks, and all Americans, to live and work. Project 21 members do this in a variety of ways in their own communities, and, through the Project 21 organization, by writing commentaries for newspapers; participating in public policy discussions on radio and television; participating in policy panels; giving speeches before student, business and community groups and advising policymakers at the national, state and local levels.

Project 21 is a program of the National Center for Public Policy Research.

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