



Florida Minority Community Reinvestment Coalition
2302 W. St. Louis, Tampa FL 33607

October 26, 2010

U.S. Department of Justice
Office of the Attorney General
Mr. Thomas E. Perez
Assistant Attorney General
Civil Rights Division
950 Pennsylvania Avenue N.W.
Washington D.C. 20530-0001

**RE: Greenlining Institute and FMCRC:
Request for Department of Justice Investigation for Violation of Civil Rights-Title VI by
State of Florida: Florida S.B. 998** (sent via certified mail)

Dear Mr. Perez:

In your memorandum dated August 19, 2010 you stated that “Title VI has been called the Sleeping Giant of Civil Rights law. Title VI’s breadth of coverage is extensive and it can address a huge array of injustices”. FMCRC and Greenlining Institute are formally requesting an immediate investigation of Florida S.B. 998 that is in direct violation of the Civil Rights Act.

Florida’s S.B. 998, passed in May 2010, prohibits Florida government agencies and local governments from requiring non-profit tax deductible foundation not to disclose race and gender data (information) regarding their administrators, staff and grant recipients. The demographic data covered by the new law include “race, religion, gender, national origin, socioeconomic status, age, ethnicity, disability, marital status and sexual orientation of its employees, officers, directors, trustees, members or owners.

This Florida law allows for the circumvention of civil rights law that utilizes diversity data collection as the foundation to determine if discriminatory practices exist. Foundations receive Federal Tax exemptions that hold them accountable to Civil Rights Act provisions.

FMCRC and Greenling Institute published a Florida Philanthropic Study that found that minorities accounted for less than 5% of Florida based foundation boards and less than 2% of grants were directed to minority organizations. Florida minorities have disproportionately higher rates of unemployment, poverty, infant mortality and high school drop out rates. Florida Foundations have demonstrated a high rate of racial discrimination as outlined in the attached study. The passage of Florida S.B. 998 will cause increased harm to the health and well being of minority communities and families.

Title VI is the portion of the 1964 Civil Rights Act that bans discrimination on the basis of race, color, and national origin in programs and activities that receive federal funds or other forms of federal financial assistance. Specifically, Title VI provides that “[n]o person in the United States shall, on the ground 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.” 42 U.S.C. § 2000d.

Executive Order 12250

Department of Justice is charged with ensuring the consistent and effective implementation of Title VI and other civil rights laws “prohibiting discriminatory practices in Federal programs receiving Federal Financial assistance.

Executive Order 12898

Issued to address environmental justice in minority populations and Low-Income populations. This Order was designed to focus federal attention on the environmental and human health conditions in minority communities and low-income communities with the goal of achieving environmental justice. Also intended to provide minority communities and low-income community’s access to public information on, and an opportunity for public participation in, matters relating to human health or the environment.

The Office of Civil Rights enforces laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, and age in programs that receive federal financial assistance. Florida S.B. 998 will have an adverse impact that will lead to a disproportionately lack of access and participation in Florida Foundations for people of color if allowed to stay. There is no doubt that S.B. 998 is in direct conflict with Title VI, Executive Order 12250 and 12898. An investigation by the U.S. Department of Justice Civil Rights Division will ensure that such civil rights provisions are not violated by such laws.

Representatives from both Greenlining Institute and FMCRC would like to arrange a meeting in Washington D.C. to discuss this civil rights issue in more detail. We thank you for your insight into this very critical issue. Thank you for consideration on this issue. If there are any questions or concerns, please contact Al Pina directly at (813) 598-6361.

Cordially,

Al Pina
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