

# Table of Contents

<b>Acknowledgments</b> .....	ix
<b>Introduction</b> .....	1
The scope of this report .....	3
Major findings .....	5
<b>Race Discrimination</b> .....	9
Introduction .....	9
Education .....	12
Segregation and resegregation in public schools .....	12
The Court's retreat from Brown .....	15
Housing .....	17
Redlining .....	21
Public housing .....	22
Employment discrimination .....	24
Voting .....	30
Recommendations .....	36
<b>Sex discrimination</b> .....	37
Employment .....	40
Title VII .....	40
Occupational segregation and pay equity .....	42
Discrimination on the basis of pregnancy .....	44
Damages for intentional discrimination .....	46
Education .....	47
Health .....	50
Recommendations .....	52
<b>Language Rights</b> .....	54
Introduction .....	54
Language rights in the United States .....	56
A historical perspective .....	56
American jurisprudence and language rights .....	59
Federal legislation and language rights .....	63
The importance of the ICCPR .....	70

Recommendations .....	72
<b>Immigrants' Rights</b> .....	74
Haitian refugee policy and treatment of unadmitted or excludable aliens .....	75
The Guantanamo detention camp .....	77
Interdiction and summary repatriation: the "Kennebunkport Order" .....	80
INS detention .....	88
Indefinite detention of Cuban "Marielitos" ...	89
Detention of juvenile aliens .....	90
Immigration law enforcement .....	91
Alienage discrimination and employer sanctions .....	93
Recommendations .....	95
<b>Prison Conditions</b> .....	98
Introduction .....	98
Conditions of confinement in U.S. prisons .....	101
Violence and personal safety .....	103
Human rights abuses in "supermax" facilities .....	108
Women prisoners .....	112
Recommendations .....	113
<b>Police Abuse</b> .....	115
The nature of the problem .....	117
Excessive force .....	118
Race and police abuse .....	121
The Covenant's requirements and existing U.S. law .....	122
Recommendations .....	126
<b>Death Penalty</b> .....	128
Introduction .....	128
Background and status of the death penalty in the United States .....	132
Methods of execution .....	134
Who may be punished by death .....	134
Race discrimination and the death penalty .....	135
The death penalty and juveniles .....	137

Mental illness and the death penalty . . . . .	138
Adequacy of legal representation . . . . .	140
Habeas corpus . . . . .	143
Conclusion . . . . .	147
Recommendations . . . . .	147
<b>Freedom of Expression . . . . .</b>	<b>149</b>
Introduction . . . . .	149
Free trade in ideas . . . . .	151
Visa denials . . . . .	152
Flow of information . . . . .	154
Economic embargo laws . . . . .	154
The Beirut Agreement . . . . .	156
Foreign Agents Registration Act . . . . .	157
Restrictions on international travel by U.S. citizens . . . . .	157
Curbs on press coverage of military operations . . . . .	158
Pool requirements . . . . .	160
Security review . . . . .	161
Legal challenges . . . . .	162
Recommendations . . . . .	163
<b>Religious Liberty . . . . .</b>	<b>165</b>
Introduction . . . . .	165
Protecting against coerced religious practice . . . . .	167
Breaches in the wall of separation . . . . .	169
The free exercise of religion . . . . .	171
Remaining issues . . . . .	176
Conclusion . . . . .	178
Recommendations . . . . .	178
<b>Appendices . . . . .</b>	<b>179</b>
A. International Covenant on Civil and Political Rights	
B. U.S. Reservations, Understandings, and Declarations to the ICCPR	
C. The U.S. Bill of Rights	