

~ MIDDLE EAST ~

Palestinian Anti-Terrorism Act of 2006

Bill Number: S.2370 (Senate) • H.R.4681 (House)

Introduced: March 6, 2006 (Senate) • February 1, 2006 (House)

Sponsors: Senators Mitch McConnell (R-KY) • Joseph Biden (D-DE) •

Representatives Ileana Ros- Lehtinen (R-FL) • Tom Lantos (D-CA)

Cosponsors: 87 Senators • 278 Representatives

Current Status: Awaiting Committee Action (Senate) • Passed Committee April 6, 2006 (House)

AJC Position: **AJC supports the Palestinian Anti-Terrorism Act of 2006.**

Hamas—an Islamic extremist terror organization that seeks to eradicate Israel through violence and replace it with a militant Palestinian Islamic state—won a majority of seats in the January 2006 Palestinian Legislative Council elections. Since the election, Hamas' top leaders have emphatically re-affirmed their commitment to annihilating Israel. In a typical statement, Mahmud Al-Zahar—now the Palestinian Authority's Foreign Minister—declared: "Israel is not a legitimate entity, and no amount of pressure can force us to recognize its right to exist. Before Israel dies, it must be humiliated and degraded."

The Palestinian Anti-Terrorism Act of 2006 would restrict U.S. support to, or other engagement with, the Palestinian Authority (PA) while its leadership includes an unreformed Hamas. The restrictions would assure that our country does not prop up a Hamas-based regime or enable Hamas to advance its violent, fanatical agenda. The bill would allow continued basic food and health assistance for Palestinians, via Non-Governmental Organizations (NGOs). The legislation permits direct assistance to the PA only if the U.S. President certifies that the PA meets certain criteria: Terrorists are not part of the PA; the PA has taken effective steps to halt terrorism; and the PA and its controlling elements recognize Israel's right to exist and honor current agreements. The Palestinian Anti-Terrorism Act of 2006 passed the House International Relations Committee on April 6, 2006, by a 36-2 vote.

In related developments, on February 15, 2006, the President signed into law the No Assistance to Palestinian Authority Resolution, S.Con.Res.79. The resolution calls for the suspension of direct U.S. assistance to the PA as long as the political party holding a majority of seats in the Palestinian Legislative Council calls for the destruction of Israel. On April 7, 2006, the U.S. Administration announced the suspension of assistance to the Hamas-led PA, while increasing humanitarian aid to Palestinians through the United Nations and NGOs.

AJC strongly supports the Palestinian Anti-Terrorism Act of 2006 as well as the No Assistance to Palestinian Authority Resolution. AJC believes that the U.S. should not provide any direct assistance to the Palestinian Authority as long as the controlling party continues to call for destroying Israel.

In a February 2006 letter to Congress, AJC wrote: "Supporting a Palestinian Authority that includes Hamas, or otherwise carrying on business as usual, would violate core U.S. principles, and severely undercut our fight against terrorism. U.S. assistance, beyond essential humanitarian aid, would legitimize Hamas and help enable it to stay in power," increase its arms capability, and build up its military and civilian infrastructure. In

April, AJC wrote to President Bush expressing profound appreciation for the Administration's suspension of assistance to the PA.

Resolution on the State of Israel

Bill Number: H.Con.Res.392

Introduced: April 26, 2006

Sponsor: Representative Joe Wilson (R-SC)

Cosponsors: 97 Representatives

Current Status: Expected to reach the floor for a vote on May 2, 2006

AJC Position: **AJC supports the resolution recognizing Israel on its 58th anniversary.**

As Israel celebrates the 58th anniversary of its independence, the country thrives despite the reality that it has no Palestinian partner for peace and instead faces a Palestinian Authority (PA) controlled by Hamas.

In January 25 elections, the Palestinian people chose Hamas—a terrorist organization committed to destroying Israel—to control the Palestinian Legislative Council. Hamas' election followed earlier blows to Israel's hopes of a near-term peace agreement. Even after the death of Yasser Arafat, the PA failed to take basic steps to end terrorism, stop incitement, and enable progress on the Roadmap to Peace. Since Israel's disengagement from Gaza and parts of the West Bank, the PA has not stopped the terrorist bands and militias that threaten Palestinian and Israeli security, the lethal arms that cross into PA areas, or the terrorists who launch increasingly sophisticated rockets into Israel each day. The Israeli government seeks to isolate the Hamas-led PA while working to assure that basic Palestinian needs are met and a humanitarian crisis averted.

In November 2005, Israeli Prime Minister Ariel Sharon established Kadima, a centrist party committed to ensuring Israel's future as a Jewish democratic state with equal rights for minorities. After Sharon's massive stroke in January, acting Prime Minister Ehud Olmert ran in the March 28 elections on a Kadima platform dedicated to negotiating peace with the Palestinians, if possible, but otherwise implementing a "convergence" plan. Under his plan, Israel will evacuate most settlers from areas beyond the security fence, which will separate Israel and the main settlement blocks from the Palestinian territories. A plurality of Israelis voted for Kadima, while the left-leaning Labor party came in second, demonstrating continued strong support for withdrawing Israeli civilians from most Palestinian territories—even after the election of a Hamas-dominated PA.

In April, Congressman Joe Wilson (R-SC) circulated a resolution recognizing Israel on the 58th anniversary of its independence. The resolution emphasizes the U.S. bond with Israel, a free and democratic state that has been faced with repeated terrorist and military attacks since its independence. The resolution encourages continued cooperation between the United States and Israel in meeting mutual challenges, notably in defense, homeland security, and trade.

Israel's Magen David Adom Society

Sponsors: Representatives Gary Ackerman (D-NY) • Henry Waxman (D-CA) • Eliot Engel (D-NY) • Ileana Ros-Lehtinen (R-FL) • Dan Burton (R-IN) • Pete King (R-NY)

AJC Position: **AJC supports Magen David Adom's admission into the ICRC and Federation.**

Magen David Adom (MDA), Israel's equivalent to the American Red Cross, operates a full network of essential facilities and services and aids victims of terrorist attacks. MDA is world-renowned for providing assistance, including unique expertise and equipment, to other countries when disaster strikes. Nevertheless, the International Committee of the Red Cross (ICRC) has not recognized MDA and the International Federation of Red Cross and Red Crescent Societies (Federation) has denied it membership. They have failed to do so on grounds that the Geneva Conventions approve the Red Cross and Red Crescent emblems but not MDA's Red Shield of David.

The Swiss government—with active U.S. support—has taken steps to right this historic wrong. In December 2005, it convened a diplomatic conference of the states party to the Geneva Conventions, which authorized adoption of an additional emblem—the “red crystal,” a red diamond-shape on a white background. This neutral emblem would allow the Federation and the IRC to admit MDA and other societies that do not use the Red Cross or Red Crescent symbols.

In September 2005, Representatives Gary Ackerman (D-NY) and Henry Waxman (D-CA) circulated a sign-on letter to Swiss Ambassador Christian Blickenstorfer, urging his government to remain resolute in advancing the process. In November, Representatives Ackerman, Waxman, and Eliot Engel (D-NY), and over fifty colleagues, sent a letter thanking Secretary of State Condoleezza Rice for America's indispensable role in advancing the cause, and urging her to remain resolute despite predictable efforts to politicize and derail the process. In March, Representatives Ackerman, Waxman, Engel, and Ileana Ros-Lehtinen (R-FL), Dan Burton (R-IN) Pete King (R-NY) and thirty-nine colleagues again thanked Secretary Rice for the U.S. role, and asked her to remain personally involved though the June diplomatic meeting that could culminate in Israel's full and equal membership.

AJC has strongly and consistently supported Congress' efforts to promote MDA's membership in the international community of humanitarian aid societies. In supporting the November letter to Secretary Rice, AJC wrote: “The ICRC recognizes national societies in 181 countries; excluding Israel flouts the ICRC's fundamental principles of universality and impartiality. Israel's exclusion has deadly real-life consequences, because it denies MDA the protections that the Geneva conventions guarantee to recognized national societies.”

~ GLOBAL TERRORISM ~

Iran Freedom Support Act

Bill Number: S.333 • H.R.282

Introduced: February 9, 2005 (Senate) • January 6, 2005 (House)

Sponsors: Senators Rick Santorum (R-PA) • Evan Bayh (D-IN) • Representatives Ileana Ros-Lehtinen (R-FL) • Howard Berman (D-CA) • Tom Lantos (D-CA)

Cosponsors: 58 Senators • 354 Representatives

Current Status: Awaiting Committee action (Senate) • Passed April 26, 2006 (House)

AJC Position: **AJC supports the Iran Freedom Support Act.**

Unless stopped, Iran is likely to produce its own nuclear weapons within a few years. It already has the missiles to deliver such weapons across the Middle East and beyond. In February 2006, the International Atomic Energy Agency (IAEA) reported Iran's nuclear violations to the UN Security Council. Iran promptly expanded its illicit nuclear program and curtailed IAEA access to nuclear sites, exactly the opposite of the IAEA's requirement. A March UN Security Council Presidential statement called on Iran to take the measures required by the IAEA. Iran's heightened activities achieved unexpectedly rapid progress, concluding in the recent announcement that Iran had successfully enriched uranium. On April 28, IAEA Director General ElBaradei's reported that IAEA tests essentially confirmed Iran's enrichment claims.

As Iran moves closer to nuclear independence, President Mahmoud Ahmadinejad repeatedly calls for annihilating Israel and rails that "a world without the United States" is achievable. Meanwhile, Iran pursues an aggressive military-political agenda throughout the Middle East, exacerbating Arab-Israeli tensions, heightening violent conflict in Iraq, and destabilizing Lebanon. Iran stands as the world's premier state sponsor of international terrorism—continually using terrorist organizations to pursue its fanatical agenda.

The Iran Freedom Support Act (IFSA) renews and expands the Iran Libya Sanctions Act, which authorizes sanctions against companies that do massive business with Iran's oil industry. It also extends the sanctions to companies that help Iran with weapons of mass destruction and other advanced weapons. The bill encourages the Administration to pursue international sanctions against Iran, asks other countries to discourage Iran's nuclear advance, and supports pro-democracy forces.

AJC supports IFSA, and wrote to Congress: "Iran's proximity to nuclear autonomy—and the reign of a reckless and maniacal president—make effective action to stop Iran's nuclear drive imperative." In February, AJC published *Iran in its Own Words*, a collection of quotes from Iranian leaders, who, with chilling bluntness, discuss nuclear weapons, threaten Israel and the West, and deny the Holocaust. As the report demonstrates the policies of the current Iranian government pose a threat to international peace and security.

Treating Hezbollah's Television Station as a Global Terrorist Entity

AJC Position: **AJC supports the designation of Hezbollah's television station, Al-Manar, as a Specially Designated Global Terrorist Entity.**

In March 2006, the U.S. Treasury Department designated Hezbollah's TV station—al-Manar its radio station—al-Nour, and their parent company—the Lebanese Media Group, as Specially Designated Global Terrorist (SDGT) entities. The designations help ensure that Hezbollah's incitement of hatred and brutal violence are never again transmitted to audiences in the United States. They also prohibit Americans from engaging in any business transactions with Hezbollah's media subordinates and enable our government to freeze funds these organizations are holding under U.S. jurisdiction. The station is still viewed via satellite throughout the Muslim world.

The designation comes after significant advocacy by Members of Congress. A bipartisan group of 51 Senators, spearheaded by Senators Bill Nelson (D-FL) and Gordon Smith (R-OR), urged President Bush to place al-Manar on the Treasury Department's list of SDGT entities. In a

July 2005 letter, they stated: “Al-Manar promotes suicide attacks against American and Israeli targets and encourages Iraqi insurgents to attack U.S. troops.”

Previously, 24 Representatives joined Rep. Gary Ackerman (D-NY) in a letter asking President Bush to direct government officials to conduct the interagency review necessary to add al-Manar to the SDGT list. Representatives Ileana Ros-Lehtinen (R-FL), Tom Lantos (D-CA), and Robert Wexler (D-FL) also led the al-Manar effort. The Foreign Relations Authorization Act for FY 2006 and 2007 (H.R.2601) contains strong language against al-Manar. It asserts that all countries that broadcast al-Manar should cease that programming immediately, and urges the Arab States Broadcasting Union to revoke al-Manar’s membership status. On July 20, 2005, the House passed the authorization bill, but the Senate has not yet acted on the bill.

As a leading member of the Coalition Against Terrorist Media, AJC strongly urged the Treasury Department to designate Hezbollah’s TV station as an SDGT. AJC also strongly supported the congressional initiatives that helped bring about the designation.

On April 4, 2006, following al-Manar’s designation as an SDGT, AJC submitted proposed questions to the Senate Banking Committee Hearing, including inquires as to how the SDGT designation would be enforced. AJC will continue to work to ensure terrorist media does not have a platform in the United States.

~ FOREIGN AFFAIRS FUNDING ~

Fiscal Year 2006 Emergency Supplemental Appropriations Act

Bill Number: H.R.4939

Introduced: April 5, 2006 (Senate) • March 13, 2006 (House)

Sponsors: Senator Thad Cochran (R-MS) • Representative Jerry Lewis (R-CA)

Cosponsors: 0 Senators • 0 Representatives

Current Status: Awaiting Action (Senate) • Passed March 16, 2006 (House)

AJC Position: **AJC supports generous funding for 2006 Supplemental Appropriations.**

The Fiscal Year 2006 emergency supplemental budget proposed by President Bush on February 16, 2006 calls for \$92.2 billion additional funding for FY06, including \$4.2 billion in funding for foreign and State Department operations. The foreign affairs funding includes \$514 million designated for the humanitarian crisis in Sudan. The Supplemental budget also calls for \$19.8 billion for recovery and reconstruction activities in hurricane-affected Gulf Coast areas.

On March 16, the House of Representatives passed its version of supplemental appropriations, a total of \$91.9 billion that includes \$4.1 billion for foreign affairs, including \$564 million for Sudan—\$50 million more than the President’s request—and a total of \$19.1 million for hurricane relief. Other foreign policy efforts that are funded in the Supplemental include U.S. diplomacy in Iraq and Afghanistan, reconstruction aid for Afghanistan, Pakistan earthquake reconstruction, food aid for Africa, and democracy promotion programs for Iran.

On April 25, 2006, following Senate debate on the FY06 Emergency Supplemental, the Senate passed a \$106.5 billion supplemental, exceeding President Bush’s request by more than \$14

billion. The Office of Management and Budget said President Bush would veto the emergency spending measure if the Senate is unable to lower the total number.

In a March letter, AJC advocated full funding of the President's Fiscal Year 2006 Supplemental Appropriations budget proposal.

Budget for Fiscal Year 2007

Bill number: S.Con.Res.83 • H.Con.Res.376

Introduced: March 10, 2006 (Senate) • March 31, 2006 (House)

Sponsors: Senator Judd Gregg (R-NH) • Representative Jim Nussle (R-IA)

Current status: Passed March 16, 2006 (Senate) • Awaiting action (House)

AJC position: **AJC supports full and robust funding for the international affairs budget.**

The fiscal year 2007 budget that President Bush proposed on February 6, 2006 included \$35.1 billion for foreign affairs—\$3.5 billion more than the budget Congress enacted for FY 2006—covering both foreign operations and State Department operations. The increase was concentrated in three areas: the Millennium Challenge Corporation, the Global AIDS Initiative, and items for Iraq and Afghanistan. On March 16, the Senate passed a budget resolution with \$1.6 billion less in foreign affairs funding than the Administration request. The resolution reported out by the House Budget Committee would cut even more, \$2.1 billion, from the President's foreign affairs request.

Throughout Congress' appropriations cycle, AJC has advocated full funding of the President's FY 2007 international affairs budget. In December, AJC asked Senators to join a bipartisan letter—sponsored by Senators Mike DeWine (R-OH), Dianne Feinstein (D-CA), Gordon Smith (R-OR), and Richard Durbin (D-IL)—encouraging President Bush to request an international affairs increase for FY 2007. In a March 2006 letter to Congress, AJC called for robust international affairs funding that enables our country to confront national security threats, strengthen diplomatic ties with other countries, and help safeguard human rights. AJC urged Senators to maintain full funding for Israel.

~ THE UNITED NATIONS ~

United Nations Reform Act

Bill Number: S.1394 • H.R.2745

Introduced: July 13, 2005 (Senate) • June 7, 2005 (House)

Sponsors: Senator Gordon Smith (R-OR) • Representative Henry Hyde (R-IL)

Cosponsors: 5 Senators • 1 Representative

Current Status: Awaiting action (Senate) • Passed on June 17, 2005 (House)

AJC Position: **AJC supports United Nations Reform.**

The United Nations is an institution in desperate need of reform. Among the many issues that must be addressed is the UN's profound bias against Israel. Israel is the only UN member not granted permanent membership in the regional grouping system, which excludes the country from important decision-making processes and denies it critical rights and privileges that every other member nation enjoys, including the right to serve on a range of UN bodies. Each year, the UN censures Israel through numerous agenda items, resolutions, and other tactics while paying far less

attention to egregious human rights violators and genocide perpetrators. Further, the UN structure includes several bodies—in particular, the Division for Palestinian Rights of the Secretariat, the Committee on the Exercise of the Inalienable Rights of the Palestinians, and the Special Committee to Investigate Israeli Practices—devoted exclusively to promoting the Palestinian cause against Israel, thereby perpetuating the conflict and undermining peace-making efforts.

The United States must play a key role in UN reform. On June 17, 2005, the House of Representatives passed the Henry J. Hyde United Nations Reform Act of 2005 (H.R.2745), requiring the United States to withhold up to 50 percent of its UN contributions unless the UN meets reform criteria by late 2007. Representative Tom Lantos (D-CA) had proposed an alternative allowing the U.S. Secretary of State to determine whether to withhold UN dues. The Lantos amendment (H.Amdt.320) narrowly failed to win passage. The legislation has not moved in the Senate.

AJC strongly supports UN reform. In a June 2005 letter to the House of Representatives, AJC applauded Representative Hyde and Lantos' reform efforts.

In February 2006, AJC published *A Diminished World Body: An Overview of the UN and Israel*, a report providing details of the discrimination against Israel that permeates the UN. The publication urges the UN to reform, including ending its long-standing bias against Israel. Among other measures proposed in the report, AJC calls for Israel to be allowed all of the rights and responsibilities of a member state, and for the Commission on Human Rights to cease designating Israel as the perpetual and solitary item on its agenda.

~ AFRICA ~

Darfur Peace and Accountability Act of 2005

Bill Number: S.1462 • H.R.3127

Introduced: July 21, 2005 (Senate) • April 5, 2006 (House)

Sponsors: Senator Sam Brownback (R-KS) • Representatives Henry Hyde (R-IL) • Ed Royce (R-CA) • Christopher Smith (R-NJ) • Tom Tancredo (R-CO) • Frank Wolf (R-VA) • Michael E. Capuano (D-MA) • Sheila Jackson Lee (D-TX) • Tom Lantos (D-CA) • Donald Payne (D-NJ)

Cosponsors: 37 Senators • 162 Representatives

Current Status: Passed on November 18, 2005 (Senate) • Passed on April 5, 2006 (House)

AJC Position: **AJC supports the Darfur Peace and Accountability Act of 2005.**

Widespread human rights abuses, including systematic torture and rape, have become commonplace as the Sudanese government has conducted a scorched-earth offensive in the Western region of Darfur targeting black African Sudanese. The UN Office for the Coordination of Humanitarian Affairs estimates that the conflict has killed or displaced more than 2 million people.

The bipartisan Darfur Peace and Accountability Act (DPAA) authorizes sanctions against, and freezes the assets of, individuals responsible for war crimes, genocide, and crimes against humanity in the Darfur region of Sudan. In November 2005, the Senate passed by unanimous consent its version of the DPAA, including provisions calling for the use of U.S. forces in Darfur. The House bill passed on April 5 by a vote of 416 to 3. The House version seeks U.S. support for international and African Union humanitarian efforts to protect citizens, and, unlike the Senate version, is binding. The Senate and the House are now working to reconcile differences in the two bills.

In addition to the comprehensive legislation, the United States is committed to providing significant funding to Sudan. In his Fiscal Year 2006 Emergency Supplemental Budget request, President Bush asked for a total of \$514 million to respond to the humanitarian crisis in Sudan, with \$351 million specifically earmarked for aid to the Darfur region. Of the \$351 million, \$123 million was specifically designated for peacekeeping efforts in Darfur with the remainder going to humanitarian aid. In March, the full House of Representatives passed the supplemental budget, which included \$173 million for peacekeeping efforts, bringing the total funding for Sudan to \$564 million. The Senate Appropriations Committee has passed a bill including similar numbers for Sudan. As discussed earlier, the Emergency Supplemental is now pending on the Senate floor.

On April 27, 2006, President Bush issued an executive order under the International Emergency Economic Powers Act (IEEPA) freezing the assets of and prohibiting U.S. individuals and companies from engaging with those who contribute to the conflict in Darfur. The Executive Order also makes clear that the people responsible for the continuation of violence against civilians and sexual violence against women and girls will face severe consequences. That week, the President also met with advocates in advance of the April 30 Washington, D.C. rally to discuss the American response to the ongoing crisis.

AJC applauds the U.S. Government's efforts to stop the crisis in Sudan, but much more needs to be done. In addition to strongly supporting generous funding to deal with the crisis in the region, AJC believes the passage of the Darfur Peace and Accountability Act of 2005 is a crucial step in addressing the key issues of civilian protection and accountability while also working to end the violence in Darfur. On April 30, AJC held a Jewish community briefing in advance of the rally for Darfur on the Washington Mall. AJC Executive Director David A. Harris called on the community to declare, "Not on our watch."

~ LATIN AMERICA ~

Social Investment and Economic Development Fund for the Americas Act of 2005

Bill Number: S.682 • H.R.953

Introduced: March 17, 2005 (Senate) • February 17, 2005 (House)

Sponsors: Senators Christopher Dodd (D-CT) • Robert Menendez (D-NJ)

Cosponsors: 1 Senator • 30 Representatives

Current Status: Awaiting Committee action (Senate and House)

AJC Position: **AJC supports the Social Investment and Economic Development legislation.**

The Social Investment and Economic Development Fund for the Americas Act of 2005 would provide \$500 million per year in U.S. aid to Latin America—directed towards education, housing, health and disease prevention—and simultaneously encourage the countries of Latin America and the Caribbean to match U.S. funds.

The House version was originally introduced by then-Representative Robert Menendez. After Senator Jon Corzine (D-NJ) was sworn in as governor of New Jersey on January 17, 2006, Menendez was appointed to the Senate. Senator Menendez is expected to work with Senator Dodd to support S.682, and H.R.953 will be taken up by other House supporters.

AJC supports the Social Investment and Economic Development Fund for the Americas Act of 2005, which will allow the U.S. to play an important role in broadly reducing poverty in Latin America, specifically amongst indigenous groups, women, and people with disabilities. AJC has promoted democracy in Latin America for over half a century, speaking out against authoritarianism and defending human rights in the region.

~ IMMIGRATION ~

Comprehensive Immigration Reform

An estimated 12 million immigrants currently live in the shadows of our country without proper documentation. These illegal immigrants are unable to gain full access to fundamental needs such as health care and education. Moreover, our inability to know effectively who has entered our country poses obvious security risks. A comprehensive approach to immigration reform is the only effective way to fix our broken system. A workable immigration system should include legal channels for immigrants to enter the United States—including additional work and family unification visas—as well as enhanced border security and effective enforcement. By incorporating these principles, our immigration system can maintain our democratic values, contribute to the economic well-being of the United States, and bolster national security.

A number of bills aimed at mending our broken immigration system have been introduced in the 109th Congress. **AJC endorses a comprehensive approach that joins enforcement with a path to legalization, and ultimately citizenship for the undocumented, as opposed to proposals revolving solely around enhancing mechanisms to enforce current law.**

Comprehensive immigration reform legislation was introduced at the beginning of the 109th Congress, but instead, the House passed enforcement-only legislation on December 16, 2005. **In a December 13 letter, AJC wrote that it strongly opposed that legislation, entitled the Border Protection, Antiterrorism, and Illegal Immigration Control Act (H.R.4437) because it would “disrupt our economy, present new security concerns, and deny basic due process protections to both undocumented and documented immigrants, as well as asylum seekers.”** The letter went on to say that H.R.4437 “adopts a piecemeal, enforcement-only approach” and does not effectively address the millions of undocumented immigrants currently in this country.

In the meantime, the Senate has introduced and debated a number of different bills, including both comprehensive immigration reform and enforcement-only legislation.

Secure America and Orderly Immigration Act

Bill Number: S.1033 • H.R.2330

Introduced: May 12, 2005 (Senate and House)

Sponsors: Senators John McCain (R-AZ) • Edward Kennedy (D-MA) •

Representatives Jim Kolbe (R-AZ) • Luis Guittierrez (D-IL) • Jeff Flake (R-AZ)

Cosponsors: 9 Senators • 21 Representatives

Current Status: Shelved in favor of S.2611 (Senate) • Awaiting Subcommittee Action (House)

AJC Position: **AJC supports the Secure America and Orderly Immigration Act.**

The Secure America and Orderly Immigration Act is comprehensive legislation that would provide a path to legalization for undocumented aliens currently living in the United States. The bill would require illegal immigrants to pass background checks, pay back taxes and fines, and learn English and civics. Other provisions mandate a temporary worker program that would allow immigrants to enter the U.S. legally to pursue temporary employment. The legislation addresses national security through strong enforcement, including electronic employment verification and tough penalties for law breakers.

Another approach to immigration reform was introduced in July 2005, by Senators John Cornyn (R-TX) and Jon Kyl (R-AZ) entitled the Comprehensive Enforcement and Immigration Reform Act of 2005 (S.1438). Essentially an enforcement-only bill, S.1438 would require the estimated 12 million undocumented workers currently in the United States to return to their countries of origin and subsequently undergo expedited legal entrance procedures.

AJC supports the McCain-Kennedy legislation as an important effort for comprehensive reform directed at our inefficient and unjust immigration procedures. In a February 2006 letter to the Senate, AJC wrote that “a better organized immigration system that offers legal channels for immigrants to enter the United States, including more legal work visas and more visas for immigrant families, will be consistent with our democratic values as well as contribute to the economic well-being of the United States.”

Comprehensive Immigration Reform Act (CIRA) of 2006

Bill Number: S.2611

Introduced: April 7, 2006

Sponsors: Senator Arlen Specter (R-PA)

Cosponsors: 6 Senators

Current Status: Awaiting floor action

AJC Position: **AJC welcomes action on CIRA as a “work in progress.”**

In early March, the Senate Judiciary Committee commenced mark-up of the Comprehensive Immigration Reform Act (CIRA) of 2006, a bill brought forward by committee Chairman Arlen Specter (R-PA). Senator Specter's action followed Senate Majority Leader Bill Frist's announcement that he would bring enforcement-only legislation, the Securing America's Borders Act (S.2454), directly to the Senate floor if the committee did not report a bill by March 27, 2006.

While CIRA as originally introduced was gravely deficient, a vastly improved bill emerged from the Committee on March 27. By virtue of the amendment process, the bill includes many components of comprehensive reform. Specifically, the Path to Citizenship Amendment, a provision from S.1033 allowing immigrant workers in the U.S. to apply for a 6-year visa, was adopted by the Committee by a vote of 12-6. After applying for a visa, passing a background check, and paying a \$1000 fine, these workers could then apply for a green card. Similarly, the committee passed 11-6 Senator Kennedy's Temporary Guest Worker Amendment. Other positive amendments that passed include: an amendment to exempt charitable organizations from penalties for providing humanitarian assistance to illegal immigrants; an earned legalization agricultural worker program; the

Widows and Orphans Act; and the DREAM Act (see DREAM Act below). CIRA would also increase the total number of visas available.

In addition to the components of comprehensive reform incorporated into the Judiciary-committee-passed bill, the legislation maintained a number of severe measures similar to those found in the House enforcement-only bill. Provisions expanding the definition of aggravated felons, mandating detention and expedited removal, and otherwise eroding due process and judicial review remained in the Judiciary-passed version of CIRA.

On April 6, Senators Chuck Hagel (R-NE) and Mel Martinez (R-FL) proposed a compromise plan (S.2612) that would strengthen border security while creating a temporary guest worker program and a path to citizenship for illegal immigrants now in the United States. This compromise seemed to have the bipartisan support of nearly two-thirds of the Senate, but the deal collapsed when the Senate proved unable to agree on procedures that would govern the debate.

On April 7, none of the three bills on the floor (S.2611, S.2454, and S.2612) achieved the support necessary to pass the Senate.

On March 28, AJC praised the Judiciary Committee for reporting out S.2611, saying the bill “strikes the right note in striving for the appropriate balance of enhancing our national security while protecting those who are most vulnerable in our society through earned legalization and increased worker protections,” but noting the legislation was still “a work in progress.” AJC is troubled by certain severe measures included in the legislation and will support amendments to address these provisions as debate continues.

Development, Relief, and Education for Alien Minors (DREAM) Act

Bill Number: S.2075 • H.R.5131

Introduced: November 18, 2005 (Senate) • April 6, 2006 (House)

Sponsors: Senators Richard Durbin (D-IL) • Chuck Hagel (R-NE) • Richard Lugar (R-IN) • Representative Lincoln Diaz-Balart (R-FL) • Howard Berman (D-CA) • Lucille Roybal-Allard (D-CA)

Cosponsors: 20 Senators • 12 Representatives

Current Status: Awaiting Committee action (Senate and House)

AJC Position: **AJC supports the DREAM Act.**

The DREAM Act would provide paths to legal permanent residence or citizenship for an estimated 50,000 undocumented children. In addition, under this legislation, states would be able to determine whether students who are undocumented aliens would qualify as “state residents” and would therefore be eligible for in-state college tuition rates. Numerous states have already taken up the issue, most recently including Nebraska, which, on April 13, 2006, became the 10th state to provide in state tuition to undocumented students.

The DREAM Act was introduced as an amendment to the Comprehensive Immigration Reform Act (CIRA) of 2006, and passed by a voice vote in the Judiciary Committee. The DREAM Act will remain an active part of the discussion as the Senate debates immigration reform.

AJC continues to push for the passage of the DREAM Act. Children who were not old enough to make their own decisions when entering the United States should not be held responsible for their parents' actions, and should be able to live in and contribute to the country in which they have spent significant portions of their lives.

Agricultural Jobs, Opportunity, Benefits and Security Act (AgJOBS)

Bill Number: S.359 • H.R.884

Introduced: February 10, 2005 (Senate) • February 17, 2005 (House)

Sponsors: Senators Larry Craig (R-ID) • Edward Kennedy (D-MA) •

Representatives Chris Cannon (R-UT) • Howard Berman (D-CA)

Cosponsors: 48 Senators • 53 Representatives

Current Status: Awaiting Committee action (Senate and House)

AJC Position: **AJC supports AgJOBS.**

The Agricultural Jobs, Opportunity, Benefits and Security Act (AgJOBS) would enable an estimated 500,000 undocumented agricultural workers to earn legal status through past and future agricultural work in the United States. In order to balance national security concerns, the program would institute stringent safeguards. Applicants would undergo background checks, and would face denial of permanent resident status or removal if they fail to meet the work requirements, are inadmissible under immigration law, or have been convicted of a felony or three or more misdemeanors.

After passing the Judiciary Committee by a voice vote, AgJOBS was added as an amendment to the Comprehensive Immigration Reform Act (CIRA) of 2006. While CIRA has not yet passed the Senate, AgJOBS will likely remain a component of the comprehensive immigration reform debate.

Due to their migrant status, seasonal agricultural workers are highly vulnerable to economic exploitation and denial of civil rights, with little ability to defend themselves. AgJOBS would put these workers on the path to earned legal status and citizenship. AJC continues to push for the inclusion of AgJOBS in CIRA.

SSI Extension for Elderly and Disabled Refugees Act

Bill Number: S.453 • H.R.899

Introduced: February 17, 2005 (Senate and House)

Sponsors: Senators Gordon Smith (R-OR) • Herb Kohl (D-WI) •

Representatives Phil English (R-PA) • Benjamin Cardin (D-MD)

Cosponsors: 10 Senators • 11 Representatives

Current Status: Awaiting Committee action (Senate and House)

AJC Position: **AJC supports the SSI Extension for Elderly and Disabled Refugees Act.**

The SSI Extension for Elderly and Disabled Refugees Act would provide a two year extension—though fiscal year 2008—for refugees eligible to receive benefits under the Supplemental Security Income program, a need-based welfare program that provides a small monthly allowance to refugees who are over the age of 65, disabled, or blind. Under current SSI law, passed in 1996, refugees entering the country after August 22, 1996, are only eligible to receive benefits during their first seven years in the country. Seven years is often too short a period for

refugees to gain full citizenship, particularly after 9/11. Over 20,000 individuals are projected to lose their SSI benefits by 2010.

AJC supports the SSI Extension, which would continue America's role as a safe haven for those fleeing conflict and hardship. In a December 2005 letter to President Bush, a coalition of Jewish organizations, including AJC, wrote that the "inclusion of an SSI restoration proposal, and encouragement of Congress to address this pressing problem in the coming year, would help fulfill these refugees' dreams of a secure future." AJC will continue to support a full restoration of SSI eligibility in the FY2007 budget.

Clear Law Enforcement for Alien Removal (CLEAR) Act

Bill number: S.1362 • H.R.3137

Introduced: June 30, 2005 (Senate and House)

Sponsor: Senator Jeff Sessions (R-AL) • Representative Charlie Norwood (R-GA)

Co-sponsors: 3 Senators • 112 Representatives

Current status: Awaiting action (Senate and House)

AJC Position: **AJC opposes the CLEAR Act.**

The Clear Law Enforcement for Alien Removal (CLEAR) Act would expand the authority of state and local law enforcement officers to enforce not only criminal, but also civil, immigration laws. The legislation would require state and local jurisdictions to expressly authorize officers to enforce federal immigration law. Should these jurisdictions resist compliance, state and local authorities could ultimately be denied federal funding.

CLEAR-Act-type provisions are included in Comprehensive Immigration Reform Act (CIRA) of 2006, and in the House's enforcement-only immigration bill passed on December 16, 2005, and will continue to play a role in the ongoing immigration debate.

AJC is committed to increasing the security of our nation's borders and developing improvements in the system that tracks foreign nationals who enter the United States. AJC believes that the CLEAR Act poses significant security risks to the U.S. by encouraging undocumented immigrants to remain in hiding and establishing an environment where people feel they can not trust local law enforcement officials.

~ HOMELAND SECURITY ~

USA PATRIOT Improvement and Reauthorization Act of 2005

Bill Number: S.1389 • H.R.3199

Introduced: July 13, 2005 (Senate) • July 11, 2005 (House)

Sponsors: Senator Arlen Specter (R-PA) • Representative James Sensenbrenner (R-WI)

Cosponsors: 2 Senators • 0 Representatives

Current Status: Signed into law March 9, 2006

AJC Position: **AJC supported reauthorizing the USA PATRIOT Act with additional civil liberties and due process safeguards.**

The USA PATRIOT Act, originally introduced days after September 11, 2001, reflected the urgent need to enhance the ability of law enforcement and intelligence authorities to respond to terrorism with increased surveillance and investigative powers. At the end of 2005, Congress temporarily extended provisions of the original law that were then about to expire; reauthorization legislation was signed into law on March 9, 2006.

The PATRIOT Act Reauthorization makes permanent all but two of the PATRIOT Act's provisions. Those two provisions—allowing the FBI to conduct wiretaps on targets with multiple phones or e-mail devices and increasing the government's power to seize business records with the Foreign Intelligence Surveillance Act (FISA) court's approval—are now subject to four-year sunset.

On March 9, 2006, Congress also passed the USA PATRIOT Act Additional Reauthorizing Amendments Act of 2006 (S.2271) proposed by Senator John E. Sununu (R-NH). S.2271 provides that those who receive FISA orders can challenge the PATRIOT Act's requirement that they not disclose receipt of such an order, but on terms that may make this recourse virtually meaningless; that those who receive national security letters calling for institutional records and customer information are not obligated to disclose to authorities the name of their attorney; and that libraries are not wire or electronic communication service providers, a status that would impose certain disclosure requirements on them, unless they provide specific services.

The bipartisan Security and Freedom Ensured (SAFE) Act of 2005 (H.R.1526/S.737), introduced earlier in the 109th Congress, sought to amend the USA PATRIOT Act by addressing the standards for the issuance of national security letters, improving safeguards for “sneak-and-peek” search warrants, and outlining criteria for obtaining FISA record orders. The bill maintained the ability to delay notice of “sneak-and-peek” search warrants while establishing a reasonable time limit, subject to additional extensions, on the length of delay of notice. The reauthorization bill initially passed by the Senate addressed some of the same concerns. In the end, the reauthorized PATRIOT Act, by virtue of S.2771, addressed certain civil liberties concerns—but the issues that the SAFE Act and the Senate bill, as originally passed, sought to correct remain largely in place.

AJC supported the passage and the extension of the USA PATRIOT Act, while urging that the extension incorporate enhanced due process and privacy protections. Although some limited amendments were made in the reauthorization of the PATRIOT Act, AJC continues to view the SAFE Act—or an equivalent remedial measure—as an appropriate adjustment of the underlying legislation.

Protection of Lawful Commerce in Arms Act

Bill Number: S.397 • H.R.800

Introduced: February 16, 2005 (Senate) • February 15, 2005 (House)

Sponsors: Senator Larry E. Craig (R-ID) • Representative Cliff Stearns (R-FL)

Cosponsors: 61 Senators • 257 Representatives

Current Status: Signed into law October 26, 2005

AJC Position: **AJC opposed the Protection of Lawful Commerce in Arms Act.**

The Protection of Lawful Commerce in Arms Act shields manufacturers, distributors, dealers, and importers of firearms or ammunition from civil liability lawsuits stemming from gun-

related crimes by blocking suits filed by individual victims of gun violence. This includes suits filed because a gun manufacturer did not install a child safety device and suits resulting from reckless marketing, selling and supplying of guns to criminals. This legislation affords the gun industry a unique legal protection, setting a double standard regarding manufacturer accountability.

AJC opposed S.397 as it makes it more difficult to hold companies or employees responsible if they do not comply with applicable gun regulations. AJC supports reasonable gun-control measures, and opposes this legislation as an obstacle to keeping our communities safe and gun-sellers accountable.

~ HUMAN RIGHTS & THE WAR ON TERROR ~

Amendments Concerning the Treatment of Enemy Combatants

Bill Number: Amendments to H.R.2863 (Defense Appropriations) and S.1042 (Defense Authorization)

Sponsor: Senator John McCain (R-AZ)

Current Status: The Defense Appropriations bill, with the McCain amendment, signed into law December 30, 2005

AJC Position: **AJC supported the McCain amendments.**

Senator John McCain (R-AZ) offered amendments to the Defense Authorization and Defense Appropriations bills that would make the United States Army Field Manual on Intelligence Interrogation the uniform standard for interrogating Department of Defense (DOD) detainees. The manual prohibits the abuse of detainees by military personnel. The legislation further prohibits “cruel, inhuman, or degrading treatment or punishment” of detainees in U.S. custody. After initially opposing the McCain Amendments, on January 6, 2006, President Bush signed into law the Defense Authorization Bill, including these crucial human rights provisions. Thereafter, the White House released a statement stating that while the Administration considers the McCain Amendments prohibition of cruel, inhumane, and degrading punishment to be valid law, the President reserves the right to waive those provisions in situations involving national security.

By requiring that all interrogations occurring in DOD-operated facilities be conducted in compliance with the U.S. Army Field Manual on Intelligence Interrogation, the provisions provide necessary clarity and guidance to our personnel that will still allow them to employ vigorous and effective interrogation and intelligence-gathering techniques. In a December 2005 letter to the House of Representatives, AJC wrote that, “in prohibiting ‘cruel, inhuman and degrading’ treatment of detainees in U.S. custody, the provisions send a powerful message to the rest of the world regarding our respect for the rule of law.”

~ ANTI-DISCRIMINATION LEGISLATION ~

Hate Crimes Prevention Legislation

Bill Numbers: S.1145 (Local Law Enforcement Enhancement Act) •

H.R.2662 (Local Law Enforcement Hate Crimes Prevention Act)

Introduced: May 26, 2005 (Senate and House)

Sponsors: Senators Edward Kennedy (D-MA) • Gordon Smith (R-OR) • Representatives John Conyers, Jr. (D-MI) • Ileana Ros-Lehtinen (R-FL) • Christopher Shays (R-CT) • Barney Frank (D-MA) • Tammy Baldwin (D-WI) • Sheila Jackson Lee (D-TX)

Cosponsors: 43 Senators • 151 Representatives

Status: Awaiting Action (Senate) • Passed September 14, 2005 (House)

AJC Position: **AJC supports both hate crimes bills.**

The Local Law Enforcement Enhancement Act (LLEEA) and Local Law Enforcement Hate Crimes Prevention Act (LLHCPA) would both broaden federal hate crimes laws to include violent offenses motivated by a person's race, color, religion, national origin, sexual orientation, gender, or disability status. The House bill also explicitly encompasses transgendered persons within its scope. Either bill would increase the effectiveness of our law enforcement system by promoting increased cooperation between local, state and federal authorities to ensure that hate crimes offenders are brought to justice. Both bills punish bias-motivated violence, but the House bill provides additional First Amendment protections by stating that it does not seek to punish bias, speech, or association.

On September 14, 2005, LLHCPA passed as an amendment to the Children's Safety Act of 2005 (H.R.3132). S.1145 will likely be proposed as an amendment to the Sex Offender Registration and Notification Act (S.1086), introduced in the Senate in May 2005 by Senator Orrin Hatch (R-UT).

AJC strongly supports both versions of the hate crimes prevention legislation, as they would help keep our communities safe from the physically and psychologically devastating impact of hate crimes, while noting that the House bill is more explicitly inclusive. In a November 2005 letter to the Senate, AJC urged that the LLEEA be added as an amendment to the Sex Offender Registration and Notification Act.

Violence Against Women Act of 2005 (VAWA)

Bill Numbers: S.1197 • H.R.3402

Introduced: June 8, 2005 (Senate) • June 14, 2005 (House)

Sponsors: Senators Orrin Hatch (R-UT) • Arlen Specter (R-PA) • Joseph Biden (D-DE)
Representative Mark Green (R-WI) • John Conyers, Jr. (D-MI)

Cosponsors: 58 Senators • 108 Representatives

Current Status: Became law January 5, 2006

AJC Position: **AJC supported reauthorizing VAWA.**

When the Violence against Women Act first passed in 1994, it proved to be landmark civil rights legislation. VAWA ensures that crucial federal protections remain in place to protect women against domestic violence, dating violence, sexual assault, stalking, and other abuse. Further, it provides grants to encourage and enforce protection orders, which have historically helped to increase effective domestic violence prosecutions. In January 2006, following passage in both houses, President Bush signed the reauthorization of VAWA into law.

AJC believes that VAWA is essential to helping protect women against abuse and mistreatment, and applauds Congress and the President for passing the reauthorization.

Marriage Protection Amendment

Bill Number: S.J.Res.1 • H.J.Res.39

Introduced: January 24, 2005 (Senate) • March 17, 2005 (House)

Sponsors: Senator Wayne Allard (R-CO) • Representative Daniel E. Lungren (R-CA)

Cosponsors: 28 Senators • 20 Representatives

Current Status: Awaiting Committee action (Senate) • Awaiting Subcommittee action (House)

AJC Position: **AJC opposes the Marriage Protection Amendment.**

The Marriage Protection Amendment, commonly known as the Federal Marriage Amendment, would define marriage as the union between one man and one woman. This legislation would also prevent both federal and state constitutions from interpreting marriage as anything other than a union between a man and a woman. During the 108th Congress, the House Judiciary Subcommittee on the Constitution held hearings on similar legislation, which did not move forward before the session ended. In February, Senate Majority Leader Bill Frist announced that he would bring the Marriage Protection Amendment to the floor for debate in June, asserting that, “Today, the institution of marriage is under attack.”

In a February 2006 letter to the Senate, AJC wrote that “the Marriage Protection Amendment is a threat to the fundamental rights of many Americans.” AJC opposes the Marriage Protection Amendment as it would “enshrine discrimination into our social fabric,” according to a May 2004 statement by the Board of Governors.

College Access and Opportunity Act of 2006

Bill number: S.1614 • H.R.609

Introduced: September 9, 2005 • February 8, 2005 (House)

Sponsor: Senator Michael Enzi (R-WY) • Representative John Boehner (R-OH)

Co-sponsors: 1 Senator • 8 Representatives

Current status: Passed Committee February 28, 2006 (Senate) • Passed March 20, 2006 (House)

AJC Position: **AJC supports Title VI reform.**

Title VI of the Higher Education Act of 1965 provides federal funds to select international studies and foreign language centers at universities across the country. While the program is intended to train experts for national security and other government service and to educate the public on international affairs, it has largely failed to meet its objectives. Many Title VI centers politicize education and exclude scholars with alternative perspectives, particularly with respect to the Middle East. They also often discourage students from entering public service upon graduation.

In March, the House passed the College Access and Opportunity Act of 2006, which amends and re-authorizes the Higher Education Act. Provisions of that legislation seek to reform the Title VI program by promoting diversity of perspectives in Title VI funded centers and activities.

Those provisions would also establish an advisory board to review the Title VI program and make recommendations for improving it and enabling it to fulfill its purposes.

The Senate Higher Education Reauthorization bill, the Higher Education Amendments of 2005, takes a different approach to Title VI reform. Under the bill the Secretary of Education is responsible for assessing national needs for foreign language and international studies expertise. It further directs the Secretary to consider those needs in awarding Title VI funding and requires applicants to show how they will assure diverse perspectives and encourage government service. On February 28, 2006, the Senate Committee on Health, Education, Labor, and Pensions passed the legislation.

In a March 2006 letter to the House of Representatives, AJC commended the inclusion of Title VI provisions in H.R.609, stating that “reform is imperative if the Title VI program is to fulfill its fundamental purposes, namely to meet our government’s needs for experts in international affairs and foreign languages, and to educate the public on international affairs... [and] to preserve and enhance intellectual freedom and academic debate at the federally funded centers.”

While AJC strongly supports both versions of Title VI reform legislation, the Senate bill goes further in ensuring that Title VI funds serve the intended purpose of introducing accountability in the use of these public funds, and promoting greater intellectual diversity and academic freedom at centers that receive federal tax dollars.

~ VOTING RIGHTS LEGISLATION ~

The Voting Rights Act

AJC Position: **AJC supports reauthorizing the Voting Rights Act.**

The Voting Rights Act was passed in 1965 to address systemic disenfranchisement of African-American populations; the Act sought to clarify and expand upon the Constitution’s Fifteenth Amendment, which guarantees every American the right to vote. Some provisions are set to expire at the end of 2007, in particular, those that (i) require communities with large populations of non-English speakers to provide ballots and instructions in languages other than English, and (ii) require jurisdictions certified as having a history of voting discrimination to clear changes affecting minority voters with the Justice Department. The reauthorization will ensure that immigrants, and other populations that have been targets of disenfranchisement efforts, are afforded the same access to the voting booth as their fellow Americans. The reauthorizing legislation may also respond to judicial interpretations of concern to the civil rights community.

Although many earlier discriminatory practices have been abolished, the Voting Rights Act remains vitally important today as many Americans—particularly in urban centers—continue to encounter obstacles as they seek to vote. AJC supports the reauthorization of the Voting Rights Act.

D.C. Fairness in Representation Act

Bill Number: H.R.2043

Introduced: May 3, 2005

Sponsors: Representative Tom Davis (R-VA)

Cosponsors: 23 Representatives

Current Status: Awaiting action (House)

AJC Position: **AJC supports the D.C. Fairness in Representation Act.**

America remains the only democratic nation where the citizens of its capital lack voting representation in the national legislature. The absence of voting rights for the District of Columbia is yet another reminder that our nation has yet to fully attain “liberty and justice for all,” a situation the bipartisan D.C. Fairness in Representation Act seeks to alter.

Under H.R.2043, the District of Columbia would be represented by one seat in the House of Representatives. In order to make the initiative politically feasible, the bill would also grant an additional seat to Utah, which fell short by some 84 residents from gaining a seat following the 2000 census reapportionment. Utah’s seat would be temporary through the 2010 reapportionment.

In a February 2006 letter to the House of Representatives, AJC wrote that “the lack of D.C. voting representation is a fundamental civil rights measure, and this politically balanced approach pursues a sensible, fair resolution to a centuries-old issue.” AJC will continue to advocate for the passage of the D.C. Fairness in Representation Act.

~ CIVIL LIBERTIES ~

Flag Desecration Amendment

Bill Number: S.J.Res.12 • H.J.Res.10

Introduced: April 14, 2005 (Senate) • January 25, 2005 (House)

Sponsors: Senator Orrin Hatch (R-UT) • Representative Randy Cunningham (R-CA)

Cosponsors: 57 Senators • 196 Representatives

Current Status: Awaiting Committee action (Senate) • Passed June 22, 2005 (House)

AJC Position: **AJC opposes the Flag Desecration Amendment.**

The Flag Desecration Amendment to the United States Constitution would make it illegal to burn or physically desecrate the United States flag. The House has already passed its version of the Flag Desecration amendment, and on March 7, 2006, Senate Majority Leader Bill Frist announced that he would bring the bill up for debate in June 2006.

AJC opposes these amendments, as they threaten Americans’ First Amendment rights. While we would be appalled by the burning of the flag for political purposes, this initiative diminishes the freedom of expression and peaceful dissent that the flag represents.

Life Insurance Fairness for Travelers (LIFT) Act

Bill Number: H.R.3639

Introduced: July 27, 2005

Sponsors: Representatives Debbie Wasserman-Schultz (D-FL) • Ileana Ros-Lehtinen (R-FL)

Cosponsors: 52 Representatives

Current Status: Passed as part of S.467.

AJC Position: **AJC supports the LIFT Act.**

The LIFT Act would protect travelers to Israel, and other nations, who increasingly face denial of life insurance or significantly higher premiums on their policies. The LIFT Act would prohibit insurers from denying coverage based on intent to travel, and would bar them from charging rates disproportionate to the actual risk of traveling to any country. On December 7, 2005, the House passed the LIFT Act provisions as an amendment to the Terrorism Risk Insurance Revision Act (TRIA) of 2005, S.467.

On July 28, 2005, Representative Rahm Emanuel (D-IL) introduced the Life Insurance Anti-Discrimination in Travel Act, H.R.3504. Like the LIFT Act, it would protect travelers to Israel and other nations, who increasingly face denial of life insurance or significantly higher premiums. The bill would prevent life insurance companies from denying coverage based on previous lawful travel.

AJC does not believe that travelers to Israel, a U.S. ally, should be penalized for anti-Israel terrorist attacks, and considers the denial of life insurance to be a form of discrimination. By discriminating against those seeking to travel legally to Israel, insurance providers effectively reward those who strive to dismantle the Israeli state and derail Israel's push for peace and security. Statistically, Israel's international death rate (11 per 100,000) is lower than that of the United States (17 per 100,000). AJC supports the LIFT Act and the Life Insurance Anti-Discrimination in Travel Act.

Charity Aid, Recovery, and Empowerment (CARE) Act

Bill Number: S.1780 • H.R.3908

Introduced: September 28, 2005 (Senate) • September 27, 2005 (House)

Sponsors: Senators Rick Santorum (R-PA) • Joseph Lieberman (D-CT) Representative Roy Blunt (R-MO)

Cosponsors: 13 Senators • 86 Representatives

Current Status: Awaiting action (Senate and House)

AJC Position: **AJC supports the CARE Act.**

The CARE Act, intended to support the work of charitable organizations, contains provisions that would allow taxpayers to receive charitable deductions even if they do not itemize deductions on their tax returns. A similar non-itemizer deduction was available from 1982-1986. Under the proposed legislation, single tax filers who use the standard deduction could also deduct \$250 to \$500 charitable contributions. Joint filers who use the standard deduction would be allowed to deduct contributions of \$500 through \$1000. The CARE Act also provides substantial new funding for the Social Services Block Grant (SSBG) program, a flexible source of resources for vulnerable populations. Unlike an earlier version of the CARE Act, this legislation does not include "charitable choice"-related provisions.

AJC supports the CARE Act, legislation that would reinstate the non-itemizer deduction and provide funding for vulnerable populations. These provisions are particularly important because lower to middle-class individuals are less likely to itemize their tax returns, and because they typically donate a greater percentage of their income to charity. According to the United Way of America, reinstating the non-itemizer deduction would “generate billions of dollars in increased giving to charities.”

~ RELIGIOUS LIBERTY ~

Workplace Religious Freedom Act (WRFA)

Bill Numbers: S.677 • H.R.1445

Introduced: March 17, 2005 (Senate and House)

Sponsors: Senators Rick Santorum (R-PA) • John Kerry (D-MA) •
Representatives Mark Souder (R-IN) • Carolyn McCarthy (D-NY)

Cosponsors: 15 Senators • 19 Representatives

Current Status: Awaiting Committee action (Senate and House)

AJC Position: **AJC supports WRFA.**

The bipartisan Workplace Religious Freedom Act (WRFA) clarifies a Title VII requirement of the Civil Rights Act of 1964 that employers must reasonably accommodate employees’ religious practices, unless doing so would cause an undue hardship to the employer. Unfortunately, the courts have vitiated the protection against religious discrimination that Congress initially intended, in a number of ways, including finding anything more than a *de minimis* expense or difficulty constitutes an “undue hardship.” WRFA would ensure that Title VII provides the protection against religious discrimination that Congress intended, by clarifying that an expense or difficulty must be significant in order to be considered an “undue hardship.”

Concerns that this bill would have an on-toward effect on civil rights and business interests do not give due regard to WRFA’s carefully crafted balancing test. WRFA affords crucially needed relief for religiously observant employees at the same time that its balancing test assures that due regard will be given to the legitimate needs of business and also that accommodation of those employees will not trample the rights of other employees and third parties.

AJC continues to play a leadership role in the WRFA coalition. On November 10, 2005, Richard T. Foltin, AJC’s Legislative Director and Counsel and co-chair of the coalition, testified in support of WRFA at a hearing of the House Education and the Workforce Subcommittee on Employer-Employee Relations.

In his testimony, Foltin stated that the “enactment of WRFA will constitute an important step towards ensuring that all members of society, whatever their religious beliefs and practices, will be protected from an invidious form of discrimination. The refusal of an employer, absent undue hardship, to provide reasonable accommodation of a religious practice should be seen as—and was intended by Congress in 1972 to be treated as—a form of religious discrimination.”

Religious Freedom and Discrimination in the Armed Forces

AJC Position: **AJC commends the Air Force on guidelines issued in response to reports of anti-Semitism, religious discrimination, and proselytizing at the Air Force Academy, while intending to monitor and provide input on implementation.**

Reports emerged in 2005 of complaints that cadets belonging to minority religions, including Judaism, at the United States Air Force Academy had been subjected to intimidation by some Christian cadets and officials. Minority-faith cadets alleged that high-ranking staff and officers, through statements and actions, cultivated a climate that made non-Christians feel disadvantaged. In response, in June 2005 the Air Force issued a report on the religious environment at the Academy, finding that the institution is not overtly discriminatory and has made improvements in recent months. On August 29, the Air Force issued an initial set of interim guidelines in response to the allegations of religious intimidation. Among other provisions, the guidelines cautioned against promoting any particular faith, discouraged public prayer at official events, and recommended that commanders abstain from publicly sharing their own religious beliefs. The guidelines also noted the obligation of commanders to accommodate the free exercise of religion.

A revised set of guidelines was issued by the Air Force on February 9, 2006. This greatly condensed document (one page, as compared to six-pages) continued to make clear the duty of chaplains to serve all members of the Air Force regardless of faith; warned against apparent official endorsement or disapproval of any faith belief, or absence of belief, and against undue influence on religious matters by persons in positions of authority; and emphasized the obligation of commanding officers to accommodate the religious practices of all faiths where possible, including, in a new provision, avoiding the compelling of chaplains to pray in a fashion inconsistent with their faith tradition. Nevertheless, the far shorter document, now without the explanatory material and examples found in the original, has lost some of the earlier version's clarity and has become more susceptible to misinterpretation by those who fail to understand the fundamental limits that the U.S. Constitution imposes on government officials, including chaplains in the armed services.

As it had done following the issuance of the original guidelines, AJC commended the Air Force on the revised interim guidelines. In a statement issued jointly with two other Jewish organizations on February 9, AJC said that the guidelines, “the product of an extensive consultative process, go far in addressing the unfortunate situation which prevailed at the Air Force Academy,” while expressing regret that the revised guidelines were less detailed than the predecessor document. AJC called on responsible authorities to see that the guidelines “are enforced according to their spirit,” and noted with approval the Air Force’s promise to consider comments on the revised document. The statement also praised the perseverance of the team that drafted the guidelines, including Rabbi Arnold Resnicoff, retained by the Air Force in June 2005 as a special assistant to the Secretary and Chief of Staff. Rabbi Resnicoff is a retired Navy chaplain and former U.S. Director of Interreligious Affairs of the American Jewish Committee.

Following through on the Air Force’s undertaking to proceed in a consultative fashion, on April 26, 2006, Air Force Secretary Michael Wynne convened a high-ranking assemblage of Air Force officials and Jewish organizational leaders, including AJC President E. Robert Goodkind, for a Pentagon meeting at which the Secretary and his colleagues emphasized the Air Force's commitment to instilling values of religious pluralism in its commanders and chaplaincy, and in the rank and file. They made the point that there had

been no intent to back off from the principles that the earlier guidelines encapsulated. Rather, the reduction of the guidelines to one page responded to an institutional imperative to have a document of not more than one page. In particular, these officials reinforced the mandate that any prayer in mandatory or official settings be nonsectarian, that commanders must be meticulous in avoiding any action that conveys to an airman a message of official religious preference, and that anonymous and meaningful redress be made available for any airman with a grievance. Assurances were also provided that the Jewish community would be afforded opportunity for input as the guidelines are implemented through instructional modules and other materials.

AJC appreciates the commitment of Secretary Wynne and other Air Force officials to the implement the revised guidelines in the spirit that informed the original iteration, as well as the Air Force's openness to input as that implementation takes place. AJC intends to take full advantage of that opportunity for input, as well as intends carefully to monitor the implementation process with a view to assuring that the armed forces, including the Air Force, continue to operate in a fashion that protects the religious liberty rights of all its members, including the right never to have one's status in the armed services dependent on holding a particular religious perspective.

Hurricane Katrina Elementary and Secondary Education Recovery Act

Bill Number: S.1904

Introduced: October 20, 2005

Sponsors: Senator Lamar Alexander (R-TN)

Cosponsors: 3 Senators

Current Status: Became law December 30, 2005, as an amendment to H.R.2863

AJC Position: **AJC opposed providing federal funding to religious and private schools.**

On December 30, 2005, the Hurricane Katrina Elementary and Secondary Education Recovery Act (S.1904) was signed into law as an amendment to the Department of Defense Appropriations Act of 2006 (H.R.2863). These provisions direct federal funding to public and private schools, including religious schools, providing education to students displaced by Hurricane Katrina.

The Hurricane Katrina legislation is the first national initiative enacted into law that allows federal taxpayer dollars to directly compensate private schools, including religious schools, for tuition and fees. This federal funding of private schools diverts urgently needed funds from the public schools, and poses dangers to both the separation of church and state and the autonomy of religious schools.

Advocates for S.1904 asserted that this initiative was a temporary response to a national disaster, however, in April 2006, Senators Kay Bailey Hutchinson (R-TX) and Mary Landrieu (D-LA) proposed that an additional \$350 million be included in the Emergency Supplemental Appropriations Act (H.R.4939), thereby expanding the program and extending it into another school year. At press time, reports emerged that these funds would instead be used for existing equitable participation program.

AJC supports providing aid to the hundreds of thousands displaced by Hurricane Katrina, and is well aware that hundreds of schools—private and public—have made their

facilities available to displaced students with no idea if or whether they will recuperate these extraordinary expenditures. Nevertheless, in a December 16, 2005 letter, AJC urged the Senate “to ensure that public funds are expended in an appropriate fashion by opposing attempts to divert federal funding from public schools and redirect it towards private institutions, even as we believe that private donors should be encouraged to direct their generous contributions to private schools that have put their resources on the line to deal with the Hurricane Katrina disaster.” The Senate should consider other options, AJC wrote, and “provide relief to private schools that have opened their doors within the framework of current law, examining options such as equitable participation that would allow schools and students to benefit from government assistance under mechanisms already in place.”

AJC believes that the extension of the program would act as a vehicle to institute a permanent voucher program that threatens America’s commitment to full funding and preservation of public education.

Houses of Worship Free Speech Restoration Act of 2005

Bill Number: H.R.235

Introduced: January 4, 2005

Sponsors: Representative Walter Jones (R-NC)

Cosponsors: 0 Representatives

Current Status: Awaiting Committee action (House)

AJC Position: **AJC opposes the Houses of Worship Free Speech Restoration Act.**

Under the current tax code, houses of worship are subject to the same regulations as other 501(c)(3) organizations, and cannot legally engage in partisan politicking while maintaining tax-exempt status. This unambiguous provision of federal tax law serves as a valuable safeguard for the integrity of both religious institutions and the political process.

The Houses of Worship Free Speech Restoration Act would alter the tax code and stipulate that presentations during religious services or gatherings at houses of worship could not serve as a basis for losing tax-deductible status. While the bill’s predecessor did not move in the 108th Congress, even though it had 167 cosponsors, pressure to pass that bill increased at the end of the session.

AJC strongly opposes H.R.235, which would politicize houses of worship by injecting partisan campaigns into religious institutions, and continues to work as part of a coalition of civil rights and religious organizations to defeat the bill. The current tax code protects religious institutions from divisive pressure to become involved in partisan campaigning, while insulating the political process from inappropriate involvement by tax deductible entities, both religious and secular alike.

Religious Freedom Amendment

Bill Number: H.J.Res.57

Introduced: June 30, 2005

Sponsors: Representative Ernest Istook (R-OK)

Cosponsors: 116 (House)

Current Status: Awaiting Committee action (House)

AJC Position: **AJC opposes the Religious Freedom Amendment.**

The Religious Freedom Amendment to the United States Constitution would sanction officially sponsored religious expression on public property, effectively overturning the June 27, 2005 Supreme Court decision in *McCreary County v. American Civil Liberties Union of Kentucky*, which concluded that a Kentucky courthouse Ten Commandments display was unconstitutional on the grounds that it promoted a distinctly religious perspective. The Amendment would also authorize organized prayer in public schools, among other practices.

AJC opposes the Religious Freedom Amendment, which would breach the separation of church and state. AJC believes that by condoning prayer in public schools, allowing virtually unrestricted religious displays on public property, and permitting a variety of other government endorsements of religion, the Religious Freedom Amendment would undermine our vital First Amendment rights.

Faith-Based Initiatives and “Charitable Choice”

Under the structure established by “charitable choice” (otherwise known as the faith-based initiative), religious organizations that provide social services are eligible for government funds even if they are so pervasively religious that they cannot be expected to disassociate their religion-teaching missions from their provision of social services. Religiously affiliated organizations have long received government funds for the provisions of social services, but with safeguards and practices that make the funding appropriate. In contrast, “charitable choice” amounts to government funding of religion. Moreover, “charitable choice” places social service recipients in a position where they may be coerced—either explicitly or tacitly—to take part in religious activities in exchange for receiving assistance. Further, it allows religious organizations to make employment decisions on the basis of religion, with respect to federally-funded positions—going beyond the appropriate discretion afforded to religious organizations to make employment decisions on that basis when using their own funds.

The following bills either contain “charitable choice” language or may have such provisions added, reflecting the efforts of proponents to include “charitable choice” provisions in virtually every piece of social service legislation.

School Readiness Act of 2005 (Head Start Reauthorization Bill)

Bill Number: S.1107 • H.R.2123

Introduced: May 23, 2005 (Senate) • May 5, 2005 (House)

Sponsors: Senator Michael Enzi (R-WY) • Representative Michael Castle (R-DE)

Cosponsors: 3 Senators • 19 Representatives

Current Status: Awaiting action (Senate) • Passed September 22, 2005 (House)

AJC Position: **AJC opposes any “charitable choice” amendment to the Head Start bill.**

On September 22, 2005, the House passed the Head Start Reauthorization bill by a vote of 231-184. Before voting on final passage, the House approved, 220-196, an amendment to Head Start that would strip crucial civil rights protections that have long been part of that program’s authorizing legislation. The amendment would allow religious organizations to discriminate on the

basis of religion when hiring teachers and staff for federally funded positions. The bill, as passed by committee, had not included this amendment and until the amendment was adopted, enjoyed broad bipartisan support.

Since 1972, Head Start has protected teachers and staff against religious discrimination, as well as other forms of discrimination. The amendment to the House bill incorporates key aspects of “charitable choice” by seeking to repeal prohibitions on making employment decisions on the basis of religion in these federally-funded programs. While Congress has passed “charitable choice” provisions in the past, this marks the first time that a bill without these troubling provisions reached the House floor only to be amended there to include civil rights rollbacks.

AJC opposes all amendments that include “charitable choice” language, as they would lead to excessive entanglement of church and state and sanction inappropriate government funding of religion. Inclusion of this amendment is particularly offensive because it would introduce religious discrimination into a historically successful anti-poverty and pro-education program.

Job Training Improvement Act (Workforce Investment Act or “WIA”)

Bill Number: S.1021 • H.R.27

Introduced: May 12, 2005 (Senate) • January 4, 2005 (House)

Sponsors: Senators Michael Enzi (R-WY) • Edward Kennedy (D-MA) •

Representatives Howard P. “Buck” McKeon (R-CA) • John Boehner (R-OH)

Cosponsors: 0 Senators • 14 Representatives

Current Status: Awaiting action (Senate) • Passed March 2, 2005 (House)

AJC Position: **AJC opposed the “charitable choice” language in the House version of WIA and will oppose including these provisions in the Senate version.**

In March, 2005, the House passed, by a vote of 224-200, the Workforce Investment Act, including provisions that would roll back crucial civil rights protections for workers in federally-funded job training programs. As introduced, the Senate bill does not include this language, but an amendment including the provisions will likely be introduced.

Since 1982, Congress has protected workers in federally-funded job training programs against religious discrimination, as well as other forms of discrimination. If included in the Senate bill, the amendment’s language, which reflects a key aspect of “charitable choice,” would repeal prohibitions on making employment decisions on the basis of religion in these programs, insofar as they apply to religious organizations.

AJC will oppose any “charitable choice” provisions in the Senate version of WIA, as they would violate the separation of church and state by permitting government funding of religion. If an amendment including these provisions passes, AJC will oppose the bill. The introduction of religion-based job discrimination into the WIA bill would be particularly improper, as the bill directly pertains to job training.

Temporary Assistance to Needy Families (TANF) Extension

Bill Number: S.1932 (Deficit Reduction Act of 2005) • H.R.4241 (Deficit Reduction Act of 2005)

Introduced: October 27, 2005 (Senate) • November 7, 2005 (House)

Sponsors: Senator Judd Gregg (R-NH) • Representative Jim Nussle (R-IA)

Cosponsors: 0 Senators • 0 Representatives

Current Status: Became law February 8, 2006

AJC Position: **AJC opposes the inclusion of “charitable choice” provisions to the TANF Social Service Block Grant program.**

On February 8, 2006, President Bush signed into law the Deficit Reduction Act of 2005, which reauthorized the Temporary Assistance to Needy Families (TANF) Act of 2005, through September 30, 2010. In so doing, the Deficit Reduction Act also extended the “charitable choice” provisions of TANF.

AJC opposes the extension of “charitable choice” provisions on this, or any other bill, as these provisions lead to excessive entanglement of church and state and sanction inappropriate government funding of religion.

~ GOVERNMENT AFFAIRS ~

Lobbying Reform Legislation

Bill Number: S.2349 (Legislative Transparency and Accountability Act of 2006) (Senate) •

H.R.4975 (Lobbying Accountability and Transparency Act of 2006 (House)

Introduced: March 1, 2006 (Senate) • March 16, 2006 (House)

Sponsors: Senator Trent Lott (R-MS) • Representative David Dreier

Cosponsors: 0 Senators • 15 Representatives

Current Status: Passed on March 29, 2006 (Senate) • Awaiting Floor Action (House)

AJC Position: **AJC supports sensible lobby reform, but strongly opposes a ban on, or undue restriction of, privately funded Congressional travel.**

Early this year, as the Abramoff affair metastasized and other scandals came to light, Congressional leadership focused on the need for wide-ranging lobbying reforming. For the most part, the reform proposals proposed on both sides of the aisle have been directed at changing the way lobbyists interact with Members of Congress and their staffs. One area of concern has been proposals that would restrict, or even prohibit, Members and staff from participating in privately funded travel, either domestic and international. While mechanisms for monitoring, reporting and regulating privately sponsored trips can and must be strengthened, the trips that are organized, implemented, and funded by nonprofit organizations serve a clear and significant educational purpose, allowing Members of Congress and their staff to experience first-hand the global society their decisions affect each day.

The bills that emerged from the Senate committees of jurisdiction following mark-ups in late February and early March rejected sweeping restrictions on privately funded travel, looking instead to more and speedier disclosure about trips, as well as expanded pre- and post-trip review by ethics authorities. The composite bill (S.2349) passed by the full Senate 98-0 on March 29 largely followed

that course. However, just before passage, the Senate unanimously adopted Senator Russ Feingold's (D-WI) amendment barring participation in any privately funded trip by a registered lobbyist.

The House bill introduced in mid-March, H.R.4975, took a different approach, seeking to impose a "moratorium" on all privately funded travel through the end of the 109th Congress, with the House Ethics Committee to be charged with reporting recommendations on gifts and travel rules to the Rules Committee by December 15, 2006. While the provision survived mark-up in committees of jurisdiction in March and April (on April 5, the Rules Committee, on a party-line vote defeated, 8 to 3, an amendment proposed by Representative Alcee Hastings (D-FL) that would have removed the travel ban), concerns were raised both sides of the aisle that privately funded trips serve an important national interest and that it was a mistake to ban them entirely, even on a temporary basis.

On March 27, as the bill moved toward floor consideration, it was announced that a substitute amendment to the travel ban would be offered by Representatives Dan Lungren (R-CA), George Miller (D-CA), Doc Hastings (R-WA), Howard Berman (D-CA), and Tom Cole (R-OK), with the bipartisan support of House and pertinent committee leadership. The amendment would replace the temporary travel ban with a provision that would impose a moratorium on privately funded official travel unless the Ethics Committee issues a certification that the gift of travel complies with all House rules and standards of conduct. The committee would be required to have rules in place governing such travel by June 15, 2006. Later that day, the House adopted a rule governing debate on the overall bill, pursuant to which that amendment was made in order for consideration, with further action on the bill scheduled to take place the following week.

AJC believes that lobbying reform must not hinder Congress in the fulfillment of its Constitutional role in foreign-policymaking, nor should it hinder nonprofit organizations in their role of educating Members of Congress and their staff about some of the most critical issues of the day. While reform is very much in order, a complete ban, or onerous new restrictions, on privately funded travel paid for by nonprofit organizations would be harmful for Congress, and for the public it serves. The trips to Israel that AJC organizes through its Project Interchange institute are but one example of the invaluable first-hand experiences that nonprofit organizations provide to Members and staff so that they are educated as to the nuances of issues central to U.S. policy in the Middle East and elsewhere in the world.

In March 2006 letters to the Senate and the House Rules Committee, AJC urged Congress to "recognize the inherent value of educational trips organized and funded by nonprofit organizations, to refrain from overly restricting or completely banning these important trips, and to resist proposals that would—through a 'moratorium'—set in place policies that would hamstring Congress and prove difficult to reverse." On April 27, AJC wrote to the full House, urging support for the Lungren-Miller amendment as "an opportunity for Congress to strike that delicate balance" of reform that addresses abuses of the lobbying system with preservation of the ability of nonprofit groups to continue to serve the national interest in this fashion. The letter stated that "AJC strongly opposes... [a] temporary ban because it makes no distinction between problematic junkets and educational missions that serve important national interests, and because it could ultimately result in a permanent prohibition on all privately funded travel."

The “Nuclear Option,” the Filibuster, and Judicial Nominees

AJC Position: AJC opposes the “nuclear option.”

Amidst speculation over potential Supreme Court vacancies during 2005, Senate Republicans seemed prepared to employ a procedural maneuver to eliminate use of the filibuster with respect to judicial nominees. Dubbed the “nuclear option” because it was expected to bring the Senate to a virtual standstill, this stratagem would have entailed Senate Majority Leader Bill Frist (R-TN) asking for a procedural point of order that the filibuster is unconstitutional in the case of judicial nominees. In an effort to move the nominees forward, Vice President Dick Cheney, acting as Senate President, would then find for the point of order, with only a simple majority of 51 votes required to uphold his decision, instead of the 60-vote supermajority normally required to block a filibuster or the two-thirds majority required to change a rule.

Partisan gridlock was averted on May 23 when a group of 14 Senators—seven Democrats and seven Republicans— announced an agreement on the handling of judicial nominations that deferred, at least temporarily, any resort to the nuclear option.

Shortly thereafter, Associate Justice Sandra Day O’Connor announced her retirement and President Bush nominated then-Judge John Roberts to fill her post. When Chief Justice William Rehnquist passed away on September 3, 2005, President Bush nominated Roberts to the Chief Justice position instead, and subsequently nominated White House Counsel Harriet Miers to fill Justice O’Connor’s slot. The Miers nomination was withdrawn in favor of then-Judge Samuel Alito. Chief Justice Roberts was sworn in on September 29, 2005 and Justice Alito on January 31, 2006. The Democrats did not filibuster either nomination.

AJC opposed the “nuclear option,” which would have terminated the minority party’s ability to filibuster nominees. AJC believes the change would eliminate incentive for bipartisan cooperation; erode our constitutional system of check and balances; dilute the Senate’s role to provide advice and consent on the President’s judicial nominees; and set a dangerous precedent to end the filibuster altogether.

AJC maintained its traditional posture of not taking a position on judicial nominations with respect to the Roberts and Alito nominations. However, as it has done in the past, AJC wrote to the members of the Senate Judiciary Committee with suggested questions in areas of particular concern, particularly on civil rights and religious liberty issues, as the committee prepared for hearings on the nominations.

Pledge Protection Act of 2005

Bill Number: S.1046 (Senate) • H.R.2389 (House)

Introduced: May 17, 2005 (Senate and House)

Sponsors: Senator Jon Kyl (R-AZ) • Representative Todd Akin (R-MO)

Cosponsors: 12 Senators • 197 Representatives

Current Status: Awaiting Action (Senate and House)

AJC Position: AJC opposes the Pledge Protection Act.

In response to constitutional challenges to the inclusion of the phrase “under God” in the Pledge of Allegiance, Senator Jim Talent (R-MO) introduced a resolution (S.Res.243) expressing support for the Pledge of Allegiance, while also condemning a U.S. District Court ruling striking down the inclusion of the phrase. The Senate passed the resolution on September 15, 2005. The House passed a similar resolution, H.Res.453, introduced by Representative Thaddeus McCotter (R-MI) on September 20, 2005.

A related bill, the Pledge Protection Act, which would strip the federal courts, including the United States Supreme Court, of jurisdiction to hear First Amendment challenges to the Pledge of Allegiance was passed by the House in the 108th Congress, but has not yet been introduced in either house in the 109th Congress.

AJC opposes the Pledge Protection Act, because it would constitute a “court-stripping” measure. Although AJC has not taken a position in any case involving the use of the phrase “under God” in the Pledge of Allegiance, the Pledge Protection Act would have broader implications for the separation of powers and would seriously undermine the constitutional guarantees of freedom of speech and religion by denying access to federal courts. AJC will continue to oppose similar “court-stripping” legislation in the 109th Congress.

~ ENERGY ~

The Vehicle and Fuel Choices for American Security Act

Bill Number: S.2025 • H.R.4409

Introduced: November 16, 2005 (Senate) • November 18, 2005 (House)

Sponsors: Senators Sam Brownback (R-KS) • Evan Bayh (D-IN) •

Representatives Jack Kingston (R-GA) • Eliot Engel (D-NY)

Cosponsors: 15 Senators • 58 Representatives

Current Status: Awaiting Committee Action (Senate) • Awaiting Subcommittee action (House)

AJC Position: **AJC supports the Vehicle and Fuel Choices for American Security Act.**

The Vehicle and Fuel Choice for American Security Act is aimed at promoting national security and stability of the United States economy by reducing our dependence on oil through the use of alternative fuels and new technology. The bill aims to reduce our oil dependence by at least 2.5 million barrels per day within 10 years through improving energy efficiency, increasing the fuel economy of our cars and trucks, and developing homegrown bio-fuels and mass transit alternatives. The bill would establish measures to improve the fuel efficiency of vehicles, policies for renewable energy and alternative fuels, and national oil savings target and action plan.

The Vehicle and Fuel Choice Act does not, however, mandate stronger corporate average fuel economy (CAFE) standards. CAFE standards were first enacted in 1975 and exist to regulate and improve the average fuel economy of cars and trucks sold in the United States. Another energy initiative, the Energy for Our Future Act (H.R.4384), a bipartisan bill introduced on November 17, 2005, by Representatives Christopher Shays (R-CT) and Maurice Hinchey (D-NY), goes one step further, incorporating provisions for improving CAFE standards to save as much as 4 million barrels of oil a day.

Other bills directed at reducing foreign oil dependence include the Health Care for Hybrids Act (S.2045/H.R.4378), introduced by Senator Barack Obama (D-IL) and Representative Jay Inslee (D-WA) in November 2005, and the Advanced Research Energy Projects Act (S.2196), legislation introduced by Senator Hillary Clinton (D-NY) that would authorize the Department of Energy to fund innovative energy research.

On April 25, 2006, President Bush unveiled a four-part plan directed at high-gasoline prices, that called, in part, for promotion of greater fuel efficiency through encouraging use of hybrid and clean diesel vehicles, as well as through reform of CAFE standards.

AJC supports the Vehicle and Fuel Choice for American Security Act. AJC is a member of Set America Free—a coalition to reduce dependence on foreign oil—whose Blueprint for Energy Security provided the framework for the Vehicle and Fuel Choice for American Security Act. In addition, AJC believes CAFE standards are a crucial element of energy reform and continues to advocate for the adoption of mandatory enhanced CAFE standards.

The United States-Israel Energy Cooperation Act

Bill Number: S.1862 • H.R.2730

Introduced: October 7, 2005 • May 26, 2005

Sponsors: Senators Gordon Smith (R-OR) • Tim Johnson (D-SD) • Dianne Feinstein (D-CA) • Representatives John Shadegg (R-AZ) • Brad Sherman (D-CA)

Cosponsors: 2 Senators • 48 Representatives

Current Status: Awaiting Action (Senate) • Awaiting Subcommittee action (House)

AJC Position: **AJC supports the United States-Israel Energy Cooperation Act.**

The United States-Israel Energy Cooperation Act would create a \$20 million per year program, administered by the Department of Energy, to provide grants to joint U.S. and Israeli businesses and academic ventures on alternative energy projects. These grants would also fund projects that make traditional energy technologies more efficient.

Formalized cooperation between Israel and the United States will directly benefit our economy both by providing access to proprietary technology and granting the U.S. government the rights to any resulting technologies.

AJC supports the United States-Israel Energy Cooperation Act, as it would reduce our dependence on foreign petroleum while encouraging alternative energy research within Israel. By supporting this legislation, the United States would enhance Israel's economic stability and further reinforce our strong research partnership with Israel.

~ JEWISH HERITAGE ~

American Jewish History Month

Bill Number: S.Con.Res.73 • H.Con.Res.315

Introduced: December 16, 2005 (Senate) • December 14, 2005 (House)

Sponsors: Senator Arlen Specter (R-PA) • Representatives Debbie Wasserman Schultz (D-FL) • Henry Hyde (R-IL)

Cosponsors: 3 Senators • 250 Representatives

Current Status: Became law on February 14, 2006

AJC Position: **AJC supported the American Jewish History Month Resolution.**

On April 20, 2006, President Bush officially designated the month of May 2006, as Jewish American Heritage Month. This follows the passage of a resolution by Senator Arlen Specter (R-PA) and Representatives Henry Hyde (R-IL) and Debbie Wasserman Schultz (D-FL) calling for the permanent establishment of an American Jewish History Month. Previously, in June 2005, Representatives Hyde and Wasserman Schultz circulated a letter urging their colleagues to support permanently designating January as American Jewish History Month. This action, the letter said, would help “educate millions of Americans about the rich cultural traditions of the Jewish faith and people, whose contributions have shaped not just the fabric of American society but global history.”

AJC supported the efforts of Senator Specter and Representatives Wasserman Schultz and Hyde to designate an American Jewish History Month, and applauds President Bush for designating May 2006 as Jewish American Heritage Month.

Resolutions Commending the American Jewish Committee

Bill Number: S.Res.444 • H.Res.773

Introduced: April 25, 2006 (Senate and House)

Sponsors: Senators Gordon Smith (R-OR) • Dianne Feinstein (D-CA) • Representatives Pete Sessions (R-TX) • John Lewis (D-GA)

Cosponsors: 1 Senators • 23 Representatives

Current Status: Passed April 25, 2006 (Senate) • Awaiting Action (House)

AJC Position: **AJC is grateful for this recognition.**

In honor of AJC’s 100th Anniversary, Members of Congress in both the Senate and the House introduced resolutions congratulating AJC for a century of leadership. The bills both outline AJC’s contributions since the organization was founded in 1906, and highlight specific accomplishments. In particular, both resolutions mention AJC’s role as the first Jewish organization to establish a full-time office in Israel, as a contributor of research cited in the landmark Supreme Court case *Brown v. Board of Education*, as a key force behind the issuance of *Nostra Aetate*, as a supporter of the inclusion of human rights clauses in the Charter of the United Nations, and other contributions. “The American Jewish Committee, through a range of innovative projects and programs, seeks to build a more hopeful world by enlarging freedom, [and] enhancing mutual respect,” the resolutions read. Both resolutions go on to say “The American Jewish Committee, by choosing hope, inspires everyone as it marches into its second century of service.”