

Capital Alert

April 2009

AJC OFFICE OF GOVERNMENT AND INTERNATIONAL AFFAIRS



AJC American
Jewish
Committee
Global Jewish
Advocacy

American Jewish Committee Capital Alert

April 2009

American Jewish Committee, founded in 1906, gives voice to American Jewish community concerns, including its abiding commitments to Israel and to pluralism and intergroup understanding in the United States and around the world. In addition to its New York headquarters and Office of Government and International Affairs in Washington (OGIA), AJC today operates 28 U.S chapter offices, 8 offices overseas, and 28 international partnerships.

This publication is an overview of selected issues addressed by OGIA. For a fuller presentation of AJC's agenda, please review the memorandum on proposed policy recommendations submitted by AJC to the Office of the President-Elect during the transition period, to be found at <http://www.policyarchive.org/bitstream/handle/10207/14583/AJC%20Policy%20Recommendations.pdf?sequence=1>.

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Israel and Its Neighbors

KEY LEGISLATION

—Resolutions Supporting Israel's Right to Self-Defense

AJC SUMMARY

In the year since celebrating its momentous sixtieth anniversary, Israel has weathered a turbulent period. In the wake of these challenges, the bonds between Israel and the United States, Israel's friend and stalwart ally, are as strong now as ever.

Historic political transitions have characterized the past year in both the United States and Israel. New administrations are at the helm in Washington and Jerusalem, both of which are committed to strengthening the ties that bind the two democratic nations. In Israel, a lengthy coalition-forming process highlighted the complexities of the Israeli electoral system and showcased Israel as a vibrant democracy in which all voices are heard in free and open debate. Newly-elected Prime Minister Binyamin Netanyahu is certain to face challenges as he leads the country, but his expressed dedication to the unshakable relationship with the United States remains unquestioned, and is matched by the commitment of his American counterpart, President Barack Obama, and the United States Congress, which appropriated an impressive and essential package to Israel for FY2009, most of it in military aid, and is in the process of budgeting a similar package for FY2010.

Despite this, today Israel faces threats that are as dire as ever.

An emboldened Hamas remains in power in the Gaza Strip, tightening its iron grip on the people of Gaza. As Hamas carries out its policies of brutal repression against minorities and political opposition, that territory—from which Israel completely withdrew in 2005—continues to be a haven for terrorist activity and teeters on the brink of complete collapse, threatening to further enflame the region and rendering a negotiated settlement between Israel and a hypothetical unified Palestinian government nearly impossible. Illegal weapons shipments continue to flow from Iran across the Egyptian border into the Gaza Strip, as Hamas assembles an arsenal that far exceeds the image of a nascent liberation movement that many in the international community perceive, and is commensurate with that of a de facto army. As one of Iran's well-armed, trained, and funded proxy militias, Hamas, which has been responsible for the deaths of dozens of American citizens, poses a threat not only to Israel, but to the cause of peace and democracy globally.

Israel's actions to defend its citizens during the twenty-three-day Operation Cast Lead—commenced in response to intensified rocket fire directed into Israel from Gaza—severely degraded Hamas's capabilities, but did not wholly destroy the terrorist group or its infrastructure. Life in Southern Israel continues to be punctuated with the piercing “color red” warning siren, as parents are forced to hurriedly gather their children and abandon vehicles in search of the nearest bomb shelter or fortified structure. All Israelis living within range of the deadly rockets that rain from Gaza must plan their lives fifteen seconds in advance—the time that it takes from the first siren to sound to the crashing of the rocket into an Israeli home, school or hospital.

Under the bellicose leadership of the world's “racist in-chief,” Mahmoud Ahmadinejad, Iran endangers Israel and advances its dangerous quest for regional hegemony via its proxies based in Israel's backyard—omnipresent Hezbollah to the north and autocratic Hamas in the Gaza Strip. With those actions compounded by calls to “wipe Israel off the map,” Holocaust denial, and the anti-Semitic vitriol emanating from Ahmadinejad and his coterie, it is incumbent upon all peace-loving nations to deal effectively and quickly with the threat of Iran.

In the face of these perils, Israel continues to thrive, challenging all notions of the vibrancy of a country under constant existential threat—a testament to the remarkable vibrancy and character of the Israeli people.

LEGISLATION DETAILS

Resolution Recognizing Israel's Right to Defend Itself

H.Res.34 introduced January 8, 2009

Nancy Pelosi (D-CA)

116 Cosponsors

Passed January 9, 2009

S.Res.10 introduced January 8, 2009

Harry Reid (D-NV)

34 Cosponsors

Passed January 8, 2009

AJC UNEQUIVOCALLY SUPPORTS ISRAEL'S RIGHT TO SELF-DEFENSE.

The repeated rocket and mortar assaults that have battered Israeli towns and communities for over eight years continue to inflict death and injury, rendering life intolerable for nearly a million Israeli civilians living within the range of Palestinian rockets. In the twelve months preceding Israel's targeted military action alone, Hamas—an extremist jihadist group recognized as a terrorist organization by the United States, the European Union, Australia, Canada, the United Kingdom, and Japan—along with its terrorist allies, launched more than 3,200 rockets and mortars into Israel from the Gaza Strip. The territory, from which Israel withdrew in 2005 in the hope that the action would usher in an era of calm and reconciliation, was instead expropriated by Hamas, which took the

opportunity to transform Gaza into a terrorist launching pad. Hamas threatens not only Israelis, but innocent Palestinians as well, as terrorists deliberately situate themselves and their weapons in homes, schools, hospitals, and houses of worship, barbarically using civilians as human shields.

Israel's foremost duty, and unequivocal right under international law, is to protect its citizens and keep them safe. No democratic country in the world would allow its sovereignty to be violated and its citizens to be subjected to terror attacks on a daily basis. Only after repeated warnings to Hamas to stop attacking Israeli civilians went unheeded, and following Hamas's decision not to renew its truce with Israel, did Israel commence Operation Cast Lead. Israel used the military force necessary to achieve its legitimate goal of weakening Hamas's terrorist infrastructure, while taking extraordinary measures to avoid civilian casualties and maintaining the steady flow of humanitarian aid supplies into Gaza. Throughout the conflict, Congress expressed principled and unprecedented support for the State of Israel, and a lucid understanding of Israel's security concerns.

The American Jewish Committee profoundly appreciates congressional solidarity with our ally Israel and steadfast support for Israel in its struggle for survival. AJC sent letters to Congress in support of these resolutions and strongly lauds the Congress for affirming Israel's right to self-defense, recognizing that a sovereign nation such as Israel has the right and obligation to defend its citizens from attack.

Iran's Nuclear Threat

KEY LEGISLATION

- Iran Sanctions Enabling Act of 2009
- Iran Diplomatic Enhancement of 2009
- Iran Refined Petroleum Sanctions Act of 2009

AJC SUMMARY

In brazen defiance of the UN Security Council, Iran is on the verge of nuclear weapons capability, confronting the international community with crucial decisions as Iran's efforts reach a point of no return. The International Atomic Energy Agency—most recently in a February 2009 report—has expressed grave concern over Iran's nuclear program and its refusal to allow inspectors adequate access, defying four UN Security Council resolutions. Iran has solved earlier technical problems, accelerated its production of enriched uranium—the key part of a nuclear arms program—and made other significant advances. The IAEA's February report reveals that Iran has already crossed a significant threshold—amassing enough enriched uranium to make, with further enrichment, its first nuclear bomb. In fact, IAEA Director General Mohamed ElBaradei has said Iran could have a nuclear weapon within six months to a year—a scenario the international community cannot tolerate.

Iran has already developed the delivery system—a missile capable of firing nuclear weapons across the Middle East, to Europe and beyond—and it continues extending the range of its arsenal, posing an existential threat to Israel and more distant countries. Strong pressure on Iran—diplomatic, political, economic, and strategic—may be the best chance for the United States and our allies to address the Iranian nuclear threat peacefully, before it is too late.

The threat that a nuclear-armed Iran would pose is evident in its behavior today. Iran already pursues an aggressive expansionist agenda—partly through its Revolutionary Guard, its proxy Hezbollah, and other terrorist groups. It participates in and supports the Iraqi insurgency, obstructs the elected Lebanese government in an effort to garner influence, and fuels the Arab-Israeli conflict by providing increasingly sophisticated weaponry, training, and support to Israel's terrorist adversaries. Iran's government trains its youth for *jihād* against the West, especially the United States and Israel. President Mahmoud Ahmadinejad and other Iranian leaders preach anti-Semitic vitriol, repeatedly call for the

annihilation of Israel, and deny the Holocaust. Iran egregiously violates its own people's human rights through arbitrary arrests and detentions, torture, extra-judicial killings, and cruel and inhuman punishments such as public executions, hangings, and stonings. Women, religious and ethnic minorities, and opponents of the regime are especially vulnerable.

An Iranian nuclear weapon would destabilize the global and regional balance of power. Iran could use its enhanced regional power to establish hegemony over the Gulf—including dominance or disruption of vital energy supply routes through which 40 percent of the global supply of crude oil transits. In response to this threat, Arab regimes express grave alarm at Iran's nuclear drive. Over a dozen governments across the region have gone on record indicating their interest in initiating nuclear programs—in an effort to deter Iran and strengthen their strategic postures. The broad acquisition of nuclear weapons capability would undermine the international nonproliferation regime and the international order that regulates the use of nuclear energy for peaceful purposes.

A nuclear Iran would have other ominous regional implications, including an enhanced ability to strengthen its proxies, notably Hezbollah and Hamas, thus making the prospect of peace with Israel infinitely more complex. Iran could transfer—or threaten to transfer—weapons-grade material for use in “dirty bombs” by these or other terrorist groups.

In sum, allowing Iran to achieve military-nuclear capability would be intolerable, with dire consequences for U.S. interests and allies, and for international security. While AJC has not advocated military action, the credible threat of a military option must remain a component of U.S. and international leverage—as robust diplomatic and economic measures are employed to thwart Iran's nuclear ambitions.

While AJC supports diplomatic engagement with Iran under appropriate circumstances, we believe that any diplomatic engagement must have defined goalposts—and a timetable. We are mindful of past efforts by European governments and the IAEA to negotiate an end to the Iranian nuclear program—efforts that stretched over a period of years and ended in failure. This history, and Iran's continued noncompliance with nuclear-treaty obligations and defiance of UN Security Council resolutions, suggest that new negotiations are also likely to fail unless there is sufficient leverage—powerful “sticks” as well as “carrots.”

It must be clear that the objective of negotiations is not to find a way to live with a nuclear Iran but to put an end to Iran's nuclear weapons program, together with an end to its interference in Iraq, its close ties with terrorist organizations, and its threats and hostile actions against Israel. As long as Iran refuses to comply with UNSC resolutions, negotiations should be accompanied by a stringent tightening of the sanctions regime.

LEGISLATION DETAILS:

Iran Diplomatic Enhancement Act of 2009

H.R.1985 introduced April 21, 2009
Mark Kirk (R-IL)
Brad Sherman (D-CA)
Robert Andrews (D-NJ)
24 Cosponsors
Awaiting Committee Action

AJC SUPPORTS THE IRAN DIPLOMATIC ENHANCEMENT ACT OF 2009.

Iran Refined Petroleum Sanctions Act of 2009

S.908 introduced in the Senate April 28, 2009—House companion bill anticipated
Evan Bayh (D-IN)
Joseph Lieberman (I-CT)
Jon Kyl (R-AZ)
22 Cosponsors
Awaiting Committee Action

AJC SUPPORTS THE IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009.

Economic, political, and diplomatic sanctions are an essential element of a comprehensive strategy to combat Iran's nuclear program. Only tough, consistently applied sanctions will prevent Iran from seeing U.S. diplomatic overtures as a sign of weakness, motivate Iran to be forthcoming in negotiations, and prevent Iran from hiding behind negotiations to complete its quest for nuclear arms. Heightened sanctions would pressure Iran to accept the incentives that the U.S. and the international community are offering for it to suspend its nuclear program. In March 2009, President Obama extended existing sanctions against Iran for one year, noting that "the actions and policies of the government of Iran are contrary to the interests of the United States in the region." The U.S. government should also actively promote stopping the development of Iran's oil and gas resources, the export to Iran of refined petroleum products, and the supply of high-tech equipment and expertise; such sanctions would deal a major blow to Iran's energy sector.

Though Iran is a top OPEC country, it does not possess the refinement capabilities required to meet its domestic petroleum demand. Forty percent of gasoline in Iran is imported, and in the past year, Iran purchased nearly all of this gasoline from only six companies—five of them European, and one Indian. Eighty percent of this supply comes from only two of these companies. An interruption to Iran's gasoline supply is sure to have a major impact on the Iranian economy and impel Iran's leadership to consider another course.

The Iran Diplomatic Enhancement Act of 2009 in the House of Representatives “aims to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran to include refined petroleum, and for other purposes.” The act proposes to extend current sanctions to any activity that contributes to Iran’s ability to import gasoline or refine petroleum domestically—including production, brokerage, insurance, and tanker delivery services.

Similarly, the Iran Refined Petroleum Sanctions Act of 2009 in the Senate serves to amend the Iran Sanctions Act of 1996, and aims to exert pressure on the Iranian regime by tightening the sanctions regime with a focus on “empowering the President with the explicit authority to target Iran’s dependence on imported gasoline and other refined petroleum products,” and a particular emphasis on “more powerful sanctions for violators of the Act” including “effectively a complete ban on conducting business in the United States.” AJC anticipates the introduction of a companion bill in the House of Representatives.

These pending and proposed bills enjoy broad bipartisan support. In 2008, then-Senator Obama suggested “banning the export of refined petroleum to Iran,” as such a restriction “starts changing their cost-benefit analysis” and “starts putting the squeeze on them.”

In the interest of pursuing a diplomatic solution to Iran’s dangerous pursuit of nuclear capabilities, economic sanctions should be adopted and enforced, and targeting its dependence on imported gasoline and other refined petroleum products is sure to have a significant impact on the calculus of Iran’s policy deliberations. AJC sent letters to Congress following the introduction of the Iran Diplomatic Enhancement Act of 2009, encouraging passage of this important bill. AJC strongly supports these efforts, with the firm belief that an effective and enforced sanctions policy is a key component in preventing Iran from achieving nuclear weapons capability.

Iran Sanctions Enabling Act of 2009

H.R.1327 introduced March 5, 2009

86 Cosponsors

Barney Frank (D-MA)

Awaiting Committee Action

AJC SUPPORTS THE IRAN SANCTIONS ENABLING ACT OF 2009.

On March 12, 2009, AJC’s Director of Government and International Affairs, Jason Isaacson, testified before the International Monetary Policy and Trade Subcommittee of the House Financial Services Committee on H.R.1327. Mr. Isaacson spoke about the importance of divesting from companies that are heavily involved in Iran’s energy sector. He

said: “Iran’s strained economy is the regime’s Achilles’ heel, and provides our most effective leverage—especially now, with oil prices sharply depressed.”

Iran continues to suffer an economic crisis, largely due to rampant corruption, poor economic policies, and international sanctions. While Iran is a major oil exporter, the Iranian regime has allowed its oil and gas infrastructure to deteriorate, making the country vitally dependent on foreign investment just to maintain the current inadequate flow of oil.

Iran’s national energy sector, the mainstay of its economy, sustains the country’s government, and funds the regime’s nuclear program and support for terrorism. Billions of dollars of U.S. public employee pension funds and other public funds are invested in the foreign corporations that most heavily engage in Iran’s oil sector—accounting for a significant portion of the investments in these corporations.

A movement is sweeping the country to divest public funds from such companies. Divestment laws and policies are already in place in many states and some local governments; AJC has been a leading advocate for divestment initiatives. The Iran Sanctions Enabling Act of 2009 would authorize state and local divestment decisions that meet the bill’s criteria, and would protect states, investment companies, pension fund managers, and their employees from legal claims that might arise from divestment within the scope of state and local divestment laws.

President Obama, then a U.S. Senator, sponsored similar legislation in 2007 with Senator Sam Brownback (R-KS); a parallel bill, sponsored by Representatives Barney Frank (D-MA) and the late Tom Lantos (D-CA), was introduced in the House, but neither bill moved to passage in the 110th Congress.

Stopping Iran’s nuclear program is a matter of the greatest urgency. Divesting from entities that invest heavily in Iran’s energy sector can significantly assist the overall effort to halt Iran’s nuclear program. AJC supports an end to “business as usual” with a regime that threatens peace and human rights.

Combating Anti-Semitism

KEY LEGISLATION

- House Resolution on the Durban Review Conference
- Pending Resolutions Condemning Anti-Semitism

AJC SUMMARY

Leading up to the 2009 Review Conference on the effective implementation of the findings of the World Conference Against Racism—which convened in Durban, South Africa, in 2001—AJC implemented a multipronged and interdepartmental initiative to urge the United States and the international community to act to ensure that the conference remained true to the cause of combating racism and racial discrimination, and that it not be subverted into another showcase of anti-Semitic and anti-Israel invective. For over a century, AJC has been working to promote equality. We are unalterably opposed to discrimination based on race, religion, ethnic group, gender, marital status, or sexual orientation, whether in employment, education, housing or public accommodations.

While casting a harsh light—through the efforts of AJC affiliate UN Watch, in particular—on attempts by conference organizers to introduce unacceptable language in the 2009 deliberations, AJC worked with the Obama Administration as the new government engaged with the UN in pursuit of a final document that would be true to the stated goal of the conference.

Earlier, in a September 23, 2008, letter to House Foreign Affairs Committee Chairman Howard Berman (D-CA), AJC expressed strong support for the United States to engage in a “high-level diplomatic effort to avert a hijacking and diversion of this conference.” The resolution passed, reinforcing the American position that the conference should serve only as a forum to review commitments to combat all forms of racism. AJC worked with the Leadership Conference on Civil Rights and the NAACP in the development and promotion of this resolution as part of a united effort to assure that the Durban Review Conference was devoted purely to the fight against racism and the mitigation of discrimination.

In the end, the draft slated to come before the Review Conference, by reaffirming the unacceptable 2001 Durban declaration and opening the door to suppression of free expression and freedom of religion, failed to meet criteria set by the U.S. government and advocated by AJC. Wisely, the Obama Administration, joined by nine other democratic nations, withdrew from the conference, taking the precise position AJC had urged: engagement, combined with a willingness to walk away from the table.

AJC Executive Director David Harris praised the Administration for its decision, saying, “The Obama Administration correctly concluded that the reaffirmation of the 2001 Durban Declaration in the final declaration effectively singles out Israel for condemnation. That is an outrage.” Mr. Harris added that “AJC stands solidly with the Administration in the fight against the scourge of racism.”

LEGISLATION DETAILS

House Resolution on the Durban Review Conference

H.Res.1361 introduced June 22, 2008
Howard Berman (D-CA)
24 Cosponsors
Passed on September 23, 2008

AJC SUPPORTED THE POSITION OF ENGAGEMENT COMBINED WITH A WILLINGNESS TO WALK AWAY FROM THE DURBAN REVIEW CONFERENCE.

This Congressional resolution states the sense of the House of Representatives that “the United States should lead a high-level diplomatic effort to ensure that the Durban Review Conference serves as a forum to review implementation of commitments the United Nations made at the 2001 Durban Conference to combat all forms of racism. In doing so, it is crucial that certain members of the Organization of the Islamic Conference be thwarted in their efforts to divert the Review Conference from an appraisal of problems in their own and other countries by attacking Israel, promoting anti-Semitism, and undermining the Universal Declaration of Human Rights.”

AJC profoundly appreciates the congressional solidarity—as well as the support of coalition partners such as the Leadership Conference on Civil Rights and the NAACP—with our position that the Durban Review Conference must accomplish its stated goal to combat all forms of racism, and not be used as a vehicle for singling out one particular nation, Israel, for censure. We maintain this appreciation even as we recognize that certain of our coalitional partners came to differing conclusions as to whether the U.S. should, in the end, have attended. The Berman resolution helped to set the stage for the United States to define stringent conditions for its participation in the Durban Review Conference. The conference was discredited when, ultimately, the United States and other nations either boycotted entirely or walked out of offensive sessions in protest.

Pending Resolution on Anti-Semitism

S.Con.Res.11 introduced March 19, 2009

Introduced

Susan Collins (R-Maine)

53 cosponsors

Awaiting Floor Action

AJC SUPPORTS RESOLUTIONS TO ACKNOWLEDGE AND CONDEMN ANTI-SEMITISM.

Anti-Semitism can be expressed through hate crimes or hate speech specifically aimed at Jews. S.Con.Res.11 condemns all forms of anti-Semitism as well as affirms support for a Congressional mandate for a special envoy to monitor anti-Semitism. In addition to these provisions, the concurrent resolution calls on leaders to speak out against anti-Semitic vocalizations that have entered public debate about the Middle East and praises foreign leaders who have denounced anti-Semitic acts.

AJC supports the resolution's condemnation of all forms of anti-Semitism as a response to the growing threat of anti-Semitism in South America, Europe, the Middle East, and elsewhere. AJC plays a leading role in the global efforts to combat anti-Semitism—fighting racism and discrimination are critical to the AJC mission. Integral to that is our commitment to monitor, analyze, and counter anti-Semitism wherever it appears.

Foreign Affairs

KEY LEGISLATION

- Omnibus Appropriations Act of 2009
- Fiscal Year 2010 Congressional Budget Resolution
- Resolution Commending the International Criminal Court for Issuing a Warrant for the Arrest of Omar Hassan Ahmad al-Bashir

AJC SUMMARY

International Affairs Budget

The International Affairs Budget comprises just over one percent of the entire Federal Budget, while providing America with the necessary tools to meet the global challenges of the twenty-first century. As a world leader, it is essential for the United States to maintain a robust international affairs budget, which includes programs to advance America's global economic, diplomatic, and humanitarian initiatives. AJC actively supports necessary increases in international affairs funding.

Darfur

America continues to play a leadership role in seeking to stop all forms of genocide. Appropriations legislation passed early in the 111th Congress provides funding to address the crisis in Darfur with peacekeeping and humanitarian efforts, economic support, and disaster assistance.

In addition to federal funding to address the crisis in Darfur, Congress is considering legislation that commends the International Criminal Court for issuing a warrant for the arrest of the Sudanese president, Omar al-Bashir. This is an important step toward pursuing justice amid the genocidal horrors of Darfur. As members of a community that has suffered persecution and genocide all too often in our history, AJC continues to work with Congress, the Administration, and international partners to help bring true meaning to the words "Never again."

AJC's commitment to the African continent, extends beyond Darfur and the implementation of Sudan's Comprehensive Peace Agreement. Increased attention to conflict mediation, economic development, and human rights throughout sub-Saharan Africa is vital to the region.

LEGISLATION DETAILS

Omnibus Appropriations Act of 2009

H.R.1105 introduced Feb. 25, 2009

Harry Reid (D-NV)

Passed March 10, 2009

Signed into Public Law on March 11, 2009

H.R. 1105 introduced February 23, 2009

David Obey(D-WI)

Passed February 25, 2009

AJC SUPPORTS INTERNATIONAL AFFAIRS FUNDING INCLUDED IN THE OMNIBUS APPROPRIATIONS ACT.

The Omnibus Appropriations Act of 2009 (H.R.1105), concluding the appropriations process for FY 2009, was passed by the House 245-178 on February 25, 2009, and subsequently passed the Senate by voice vote on March 10, 2009. The catchall spending bill includes federal funding for efforts to address the crisis in Darfur. Specifically, \$1.57 billion was allocated for the U.S. contribution to international peacekeeping, including the United Nations-African Union peacekeeping force in Darfur.

An additional \$620 million was provided for the training of African militaries, international disaster assistance, and economic support funds for southern Sudan.

AJC supports the use of foreign aid to help stop violence in Darfur.

Fiscal 2010 Congressional Budget Resolution

S.Con.Res.13 introduced March 27, 2009

Kent Conrad (D-ND)

Passed April 2, 2009

Awaiting Conference Action

H.Con.Res.85 introduced March 27, 2009

John Spratt (D-SC)

Passed April 2, 2009

AJC SUPPORTS FULL FUNDING FOR THE FY 2010 INTERNATIONAL AFFAIRS BUDGET.

During the legislative year, both congressional chambers work to create a U.S. budget and appropriate funds to government agencies and programs for the next fiscal year. Budgeting and funding for international affairs are part of this process.

In April 2009, the Senate and the House each passed their own fiscal year 2010 budget resolution. The Senate resolution includes a total of \$53.8 billion for international affairs, the full amount that President Obama requested, as compared to \$39.8 billion in fiscal year 2009. The Senate Budget Committee originally cut \$4 billion from the international affairs budget, but the full Senate approved an amendment restoring the requested amount. The amendment, sponsored by Senators John Kerry (D-MA) and Richard Lugar (R-IN), was agreed to by unanimous consent.

The House budget resolution includes \$48.5 billion for international affairs, \$5.3 billion less than the president's request. A conference committee seeking to reconcile the overall Senate and House budget resolutions faces significant obstacles, even as attention turns to the appropriations process.

AJC supports full funding of the president's fiscal year 2010 international affairs budget request, and supports the Senate budget resolution insofar as it provides for that full amount. On March 12, 2009, AJC sent a letter urging senators to support the amendment restoring full funding for the international affairs account. The "relatively small international affairs account provides the resources for critical international efforts," AJC wrote. This amount can provide for critical assistance to Israel, humanitarian aid to the Darfur region of Sudan, and fund numerous other urgent international affairs priorities. Throughout the budget and appropriations cycles, AJC will continue to advocate full funding of the international affairs budget.

**Resolution Commending the International Criminal Court
for the Warrant for Arrest of Omar Hassan Ahmad al-Bashir**

H.Res.241 introduced March 12,2009
Alcee L. Hastings (D-FL)
19 cosponsors
Awaiting Committee Action

**AJC SUPPORTS THIS RESOLUTION COMMENDING THE INTERNATIONAL
CRIMINAL COURT FOR THE WARRANT FOR ARREST OF OMAR HASSAN
AHMAD AL-BASHIR.**

H.Res.241 seeks to commend the International Criminal Court for issuing a warrant for the arrest of the Sudanese president, Omar Hassan Ahmad al-Bashir. President Al-Bashir has committed war crimes and crimes against humanity in Sudan; his prosecution would advance the cause of justice and stability in Darfur. Further, this resolution condemns the expulsion of international aid agencies.

AJC supports this resolution and applauds its progress for recognizing the need to bring the perpetrators of genocide to justice.

Energy

KEY LEGISLATION

- Open Fuel Standard Act
- The Cantwell Amendment to the Stimulus Bill

AJC SUMMARY

America's reliance on foreign energy sources continues to threaten our national, environmental, and economic security. The United States consumes a quarter of the world's oil and uses more oil per capita than any other country in the world. Hundreds of billions of dollars leave the American economy each year in exchange for imported petroleum that supports regimes, such as Iran and Venezuela, which pose a strategic threat to America and the West. Moreover, petroleum usage is among the major contributors to greenhouse gas emissions, viewed as a leading cause of climate change.

Bipartisan groups in the Senate and House, as well as President Obama, have said that reducing dependence on foreign oil is a primary concern. Yet successive administrations have voiced similar sentiments for more than three decades, but our dependence has only grown. Last Congress, the Energy Independence and Security Act (H.R.6), was signed into law by President George W. Bush in December 2007, raising the Corporate Average Fuel Economy (CAFE) standards for vehicles for the first time in more than two decades, mandating alternative fuel usage, and creating a grant program for joint U.S.-Israeli research on alternative energy sources. We must build on this historic success in the 111th Congress, under the leadership of the Obama Administration.

In a January 26, 2009, memorandum, the Obama Administration addressed a key fuel-usage policy by instructing the Environmental Protection Agency to revisit the Bush Administration's denial of a waiver for the State of California to set more stringent auto emissions and fuel efficiency standards than those required by federal law. The presidential memo stated: "In order to ensure that the EPA carries out its responsibilities for improving air quality, you are hereby requested to assess whether the EPA's decision to deny a waiver based on California's application was appropriate in light of the Clean Air Act. I further request that, based on that assessment, the EPA initiate any appropriate action." In a press release issued that day, AJC's Director of National and Legislative Affairs Richard T. Foltin stated, "We are gratified that in setting the ground for a change in the course of national energy policy, President Obama explicitly indicated the need 'to reduce our dependence on foreign oil.'"

As AJC continues to work with the 111th Congress and the president, we will promote the significant work that remains to be done in reducing dependence on foreign oil

through providing incentives for public transportation, use of alternative fuels and development of alternative technologies, increasing fuel conservation, as well as enhancing domestic oil production and nuclear capability with vigorous environmental safeguards.

Project New Car

Since the early 1970s, AJC has been urging that this country reduce its dependence on foreign oil. AJC understands that dependence on foreign oil forces the U.S. to factor in demands of oil-producing countries into our foreign policy, provides a source of funding for terrorist organizations, and empowers countries like Iran in their quest for nuclear capability. In addition, our reliance on oil degrades our environment and the economy.

Last year AJC initiated Project New Car, a National–Chapter initiative to advocate for and promote high-mileage, flex-fuel, and plug-in hybrid cars at the national, state, and local levels. Responding to the fact that 50 percent of our nation’s petroleum is used by cars and light trucks, Project New Car seeks to change automobile policy in at least fifteen jurisdictions. Specific goals include the introduction and passage of legislation mandating the usage of high-mileage and flex-fuel government fleets; state-level monetary incentives for plug-in vehicles; and key support for such federal initiatives as the Open Fuel Standard Act, enhanced CAFÉ standards, and plug-in incentives.

LEGISLATION DETAILS

Open Fuel Standard Act of 2009

S.835 introduced April 20, 2009	H.R.1476 introduced March 12, 2009
Sam Brownback (R-KS)	Elliot Engel (D-NY)
5 Cosponsors	8 cosponsors
Awaiting Committee Action	Awaiting Committee Action

AJC SUPPORTS MANDATING FLEXIBLE-FUEL TECHNOLOGY.

The Open Fuel Standard Act requires that, starting in 2012, 50 percent of new automobiles powered by an internal combustion engine, and, starting in 2015, 80 percent of such new automobiles must be flex-fuel vehicles warranted to operate on gasoline, ethanol, methanol, or biodiesel. The additional cost to the manufacturer of making a vehicle flex-fuel capable is approximately \$100 additional per vehicle.

Fuel flexibility is a simple and inexpensive feature that should be standard for all automobiles sold in the United States. The technology for producing these vehicles already exists, involving a slight alteration in the design of the internal combustion engine. The ability to choose an alternative fuel would afford consumers considerable savings, as flex fuels are substantially cheaper than pure petroleum fuel. At the same time, the increased use of these alternative fuels will have a salutary impact on our national securi-

ty interests by reducing our dependence on foreign oil, as well as benefit the environment and address climate-change concerns by reducing emissions of harmful greenhouse gases.

In a March 26, 2009, letter to the House of Representatives, AJC stated: “Flex-fuel vehicles are a viable path towards lowering our oil consumption, and thereby promoting our national security and bettering our environment. These vehicles are cost effective, and the technology is ready for implementation.”

The Cantwell Amendment to the Stimulus Bill

H.R.1 was introduced January 26, 2009
David Obey (D-WI)
9 cosponsors
Passed January 28, 2009

H.R.1 was introduced January 29, 2009
Harry Reid (D-NV)
0 cosponsors
Cantwell Amendment Offered Feb. 6, 2009
Amendment adopted Feb. 6, 2009
Passed February 10, 2009

Signed into Law on Feb 17, 2009

AJC SUPPORTS THE CANTWELL AMENDMENT.

AJC did not take a position on the overall economic stimulus package. However, a key amendment to the bill, proposed by Senator Maria Cantwell, introduced key energy provisions supported by AJC. In AJC’s view, it was essential that the stimulus bill, if passed, include a substantial energy component in the economic recover package.

The amendment as passed included three key provisions. First, the amendment greatly expanded existing consumer tax incentives for the purchase of two- and three-wheeled and neighborhood electric vehicles. Second, the amendment provided tax credits of up to \$4,000 for consumers who invest in equipment to convert a motor vehicle to a plug-in electric vehicle. Third, the legislation augments existing tax incentives for the installation of electric vehicle refueling stations. The final package failed to include language for the overhauling of government fleets and tax incentives for the manufacture of plug-in electric vehicles. AJC will continue to work with leaders in the Congress, as a part of its “Project New Car,” on additional incentives for the production, distribution, and implementation of plug-in hybrids.

Immigration

KEY LEGISLATION

- Comprehensive Immigration Reform
- DREAM Act
- Children’s Health Insurance Program Reauthorization Act of 2009
- Immigration Oversight and Fairness Act

AJC SUMMARY

AJC is a long-standing advocate of an immigration system that is consistent with both America’s pluralistic identity and homeland security. Against that background, comprehensive immigration reform should couple strong, fair, and effective enforcement with humane reforms that protect and reunite families, ensure workers’ rights, and end marginalization of immigrant communities. A comprehensive approach to immigration reform would allow undocumented immigrants to regularize their status after undergoing background checks, paying back taxes and fines, and learning to speak English. In addition, immigration reform should include targeted and effective—and humane—provisions directed at enforcement and securing America’s borders.

The 111th Congress opened with the hope that the time has finally come to address the immigration issue in a comprehensive fashion. President Obama recently reaffirmed his commitment to such comprehensive reform. AJC expects to see a comprehensive immigration reform bill introduced in the coming months.

AJC is a participant in a comprehensive immigration reform campaign organized by the Jewish community under the name of “Progress by Pesach,” now called “We Were Strangers Too.” The goal of this campaign is to encourage the new Administration and Congress to choose humanitarian immigration reform over the failed policy of exclusively relying on enforcement tactics as a means of controlling immigration.

One of the challenges to comprehensive immigration reform has been enforcement-only, stand-alone legislation. One prominent example is the effort to make permanent and mandatory the employer verification system E-Verify, which authenticates legal employment eligibility. A failed effort to move E-Verify forward already came up this year as an amendment to other legislation, and additional such efforts are expected. The current E-Verify system creates too many false positive results and will not resolve the problems it is intended to address; rather it will exacerbate them. The E-Verify program is a flawed system that relies on inaccurate records and will lead to wide-scale misidentification of workers as ineligible for employment.

AJC Director of National and Legislative Affairs Richard T. Foltin joined with representatives of other Jewish organizations in a White House meeting with Heather Higginbottom, deputy assistant to the president for domestic policy, and Joshua DuBois, head of the White House Office of Faith-Based and Neighborhood Partnerships, to discuss immigration reform. Mr. Foltin noted the importance of achieving a humane, comprehensive solution that will at the same time, address America's security needs.

LEGISLATION DETAILS

Comprehensive Immigration Reform

AJC expects introduction of a Comprehensive Immigration Reform Bill in the coming months

AJC SUPPORTS COMPREHENSIVE IMMIGRATION REFORM.

Comprehensive immigration reform (CIR) is the best approach to fixing our broken immigration system. CIR would address the up-to-12 million undocumented immigrants by creating a legal pathway to working status and ultimately citizenship, providing a legal pathway for future flows and, crucially, smarter border protection and enforcement policies. Additionally, CIR sets up pathways for integration and language acquisition. Taken together, these measures will provide for an immigration system that treats immigrants generously and humanely as well as enhances our national security by better enabling us to prevent people who mean to do us harm from entering the country.

In sum, America needs a holistic approach that establishes a real pathway to citizenship, and increases American security. According to Jewish tradition, "strangers" are to be welcomed and valued, as we were once "strangers in the land of Egypt."

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

S.729 introduced March 26, 2009
Richard Durbin (D-IL)
20 cosponsors
Awaiting Committee Action

AJC SUPPORTS THE DREAM ACT AND FAIR ACCESS TO EDUCATION.

Each year, more than 50,000 undocumented students graduate from U.S. high schools, unable to access higher education or contribute to American society. The DREAM Act would conditionally grant legal permanent residence to undocumented immigrants who meet certain educational requirements, pass background checks, and entered the United States before they turned sixteen years old. These students would become eligible for in-

state tuition and could apply for full permanent residence if they pursue higher education or serve in the U.S. Armed Services.

AJC supports the DREAM Act. In a March 25, 2009, letter AJC wrote: “These students are an important part of America’s future, and we must give them the opportunity—consistent with the high standards and requirements established in the bill—to complete their education, earn permanent legal status, contribute back to society, and help build the American dream for future generations.” Giving these students the opportunity to succeed not only benefits them, but also allows their communities to flourish, levels the playing field for all children, enhances America’s rich, vibrant, and diverse culture, and bolsters America’s role as a leader in the competitive global economy.

**Children’s Health Insurance Program
Reauthorization Act of 2009 (SCHIP)**

H.R.2 introduced January 13, 2009
Frank Pallone (D-NJ)
43 Cosponsors
Passed on January 14, 2009

H.R.2 introduced January 26, 2009
John Rockefeller (D-WV)
Passed on January 29, 2009

Signed into Law on February 4, 2009

**AJC SUPPORTS HEALTH CARE FOR LEGAL IMMIGRANTS AT THE SAME
LEVELS AS OTHER LEGAL RESIDENTS.**

The passage of the Children’s Health Insurance Program Reauthorization Act of 2009 (SCHIP) addresses a critical health care coverage gap faced by children. This bill reauthorizes SCHIP for a period of four-and-a-half years. It allows \$32.8 billion in new spending between 2009 and 2013, covering children in households up to 300 percent of the federal poverty level. Funding for this reauthorization is derived from an increased tax on cigarettes.

The legislation also takes the important step of eliminating the five-year waiting period for legal immigrant children and pregnant women to obtain health care services through Medicaid and CHIP. The immigrant children and mothers who would no longer be required to wait five years for health care are all lawfully residing in the United States with permission to remain in the country permanently and are on a path to citizenship.

AJC welcomes the reauthorization of SCHIP, and applauds the inclusion of children born to legal immigrants.

Immigration Oversight and Fairness Act

H.R.1215 introduced February 26, 2009
Lucille Roybal-Allard (D-CA)
10 Cosponsors
Awaiting Committee Action

AJC SUPPORTS THE IMMIGRATION OVERSIGHT AND FAIRNESS ACT.

The Immigration Oversight and Fairness Act (H.R.1215) seeks to reform immigration detention procedures. Specifically, this bill will ensure that immigrant detainees receive humane treatment while in custody, and have access to legal representation and proper medical care. Additionally, this bill will promote the transfer of unaccompanied children to better-equipped facilities and support community-based programs that serve as alternatives to detention for immigrants who are not considered a flight risk. AJC believes in ensuring civil rights for immigrant communities, including the fair and humane treatment of immigrants in detention. Whatever detention and enforcement procedures may be in use, they should be consistent with fundamental standards of humanitarian treatment and due process.

Religious Liberty and Civil Rights

KEY LEGISLATION

- Local Law Enforcement Hate Crimes Act of 2009
- District of Columbia House Voting Rights Act of 2009

AJC SUMMARY

Faith-Based and Neighborhood Partnerships

In a meeting with the Rev. Joshua DuBois following his appointment as the director of the Office of Faith-Based and Neighborhood Partnerships, AJC Director of National and Legislative Affairs Richard T. Foltin conveyed AJC's commitment to the venerable partnership between religiously affiliated institutions and government in the provision of social services. Religious organizations, including Jewish agencies, have been among the main participants in innumerable publicly funded social service programs. Even as AJC is supportive of cooperation between government and faith-based social service providers, AJC has expressed appreciation for President Obama's commitment that the newly constituted White House Office for Faith-Based and Neighborhood Partnerships will be implemented "without blurring the line our founders wisely drew between church and state," and has expressed its hope that the president will stand by his campaign statement that faith-based organizations receiving federal funds should not "discriminate with respect to hiring for government funded social service programs."

In a February 12, 2009, letter to Rev. DuBois, Mr. Foltin explained the agency view that even as former President Bush erred in affording religious organizations carte blanche to make hiring decisions on the basis of religion in government funded programs, it is possible to err in the other direction by imposing anti-discrimination provisions on religious organizations that sweep so broadly as to make it unduly difficult for many such organizations to maintain their religious identity outside of a funded program. AJC respectfully proposes that one way to square the circle is to provide that there shall be no discrimination in hiring by partner religious organizations for positions directly funded by the government or with respect to those who directly provide services within a publicly funded program.

The hiring issue is not the only question to be addressed as the Obama Administration develops policy in this area. Government funds supporting social-service activities should not flow directly to houses of worship, such as synagogues, churches, and

mosques. Rather publicly-funded services should be provided through separately incorporated religiously affiliated organizations that clearly separate their religious activities from secular social services activities. Moreover, religiously affiliated organizations should, of course, not be permitted to use government grants to proselytize program beneficiaries or discriminate against beneficiaries on the basis of their religion.

Religious Freedom in the Workplace

American employees are all too often forced to choose between their faith and their livelihood. Statistics from the Equal Employment Opportunities Commission show that religious discrimination claims have steadily risen over the last decades. The bipartisan Workplace Religious Freedom Act (WRFA) would afford crucially needed protections to religiously observant employees. At the same time, the bill's balancing test would respect the legitimate needs of businesses and the rights of other employees and third parties.

WRFA seeks to clarify a provision of Title VII of the 1964 Civil Rights Act that requires employers to reasonably accommodate employees' religious practices unless doing so would cause an undue hardship to the employer. Unfortunately, courts have vitiated the protection against religious discrimination by finding, among other things, that anything more than a *de minimis* expense or difficulty constitutes an "undue hardship." WRFA clarifies, in addition to addressing other concerns, that an expense or difficulty must be significant in order to be considered an "undue hardship," ensuring that Title VII provides the protection that Congress intended.

AJC continues to play a leadership role in the WRFA coalition. Richard T. Foltin, AJC's Director of National and Legislative Affairs, serves as co-chair of the coalition. At present, the coalition is strategizing on how best to move the initiative forward and looks toward working with key legislators in preparing a revised version of the bill for introduction in the 111th Congress.

Hate Crimes

Hate crimes pose a serious threat to our nation's security and the values upon which this country was founded. The Local Law Enforcement Hate Crimes Prevention Act, recently introduced by House Judiciary Committee Chairman John Conyers (D-MI), is legislation that would help curb the occurrence of hate crimes by broadening the law to cover incidents where the defendant causes or attempts to cause injury based on the victim's sexual orientation, gender, gender identity or disability status. Current federal law reaches only crimes based on the victim's race, color, religion, or national origin. Moreover, while we believe that states should continue to play the primary role in prosecuting violent hate crimes, this legislation will better position federal officials to assist state and local authorities in responding to all covered classes of hate-based offenses, through amending federal law to facilitate the investigation and prosecution of violent, bias-motivated crimes.

LEGISLATION DETAILS

Local Law Enforcement Hate Crimes Act of 2009

H.R.1913 introduced April 2, 2009
John Conyers Jr. (D-MI)
95 cosponsors
Awaiting Floor Action

AJC SUPPORTS THE LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT.

The Local Law Enforcement Hate Crimes Prevention Act would strengthen our law enforcement system by promoting increased cooperation between local, state, and federal authorities to ensure that hate crimes offenders are brought to justice. AJC believes that hate crimes pose a serious threat to our nation's security and the values upon which this country was founded. This bill would not only expand the range of protected classes but also strengthen the efficacy 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.

District of Columbia House Voting Rights Act of 2009

S.160 introduced January 6, 2009
Joseph Lieberman (I-CT)
Orrin Hatch (R-UT)
19 Cosponsors
Passed on February 26, 2009

H.R.157 introduced January 6, 2009
Eleanor Holmes Norton (D-D.C.)
3 cosponsors
Awaiting floor action

AJC SUPPORTS THE DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007.

As the political landscape in Washington has shifted, there is once again hope that the residents of the District of Columbia will be afforded voting representation in the United States Congress. Early in January 2009, a revived D.C. House Voting Rights Act was introduced in the 111th Congress. Under the bill, the District of Columbia would be represented by one permanent seat in the House of Representatives. To make the legislation "vote-neutral," the bill would also grant an additional House seat to Utah, which fell a mere 84 residents short of gaining another seat following the 2000 census reapportionment.

America remains the only democratic nation where the citizens of the capital city lack voting representation in the national legislature, and AJC has continued its unwavering support for this legislation, motivated by the belief that D.C. suffrage is a fundamental civil rights struggle. For years, AJC has been prominent voice in the D.C. Vote Coalition. Proudly joining over 80 organizations in the coalition, AJC has taken the message of suffrage for the 600,000 residents of D.C. to Capitol Hill.

The legislation, which quickly gained a tremendous amount of traction in the current session, passed the Senate on February 26, 2009, by a vote of 61-37—the most historic step for the D.C. voting rights movement in decades. The companion measure has stalled in the House of Representatives Rules Committee, due to an amendment that passed in the Senate (introduced by Senator John Ensign of Nevada) that would relax gun control laws in the District of Columbia. AJC opposes inclusion of this provision in the bill; the residents of D.C. deserve a “clean” bill, free from any political maneuvers that threaten the viability of the proposed legislation.

AJC supports granting the District of Columbia voting representation in the House of Representatives and rectifying the continued disenfranchisement of over half a million citizens. The District of Columbia House Voting Rights Act of 2009 is an opportunity to pursue a sensible, fair, and politically balanced resolution to a centuries-old issue.

National Service

KEY LEGISLATION

—The Edward M. Kennedy Serve America Act

AJC SUMMARY

AJC believes that voluntary national service can help meet critical social needs, such as protecting our environment and natural resources, bolstering our infrastructure and enhancing homeland security, and ensuring access to quality education for our young people. Just as importantly, we believe that, by enhancing the civic consciousness of young Americans, service will help build a stronger civil society characterized by understanding, respect, and lifelong engagement.

LEGISLATION DETAILS

The Edward M. Kennedy Serve America Act

S.277 introduced January 16, 2009

Edward Kennedy (D-MA)

42 Cosponsors

Passed March 26, 2009

Signed into Law by the President April 21, 2009

H.R.1388 introduced March 9, 2009

Carolyn McCarthy (D-NY)

37 Cosponsors

Passed March 18, 2009

AJC SUPPORTS THE SERVE AMERICA ACT.

The Edward M. Kennedy Serve America Act will recruit Americans of all ages to do volunteer work in health, education, environmental protection, and anti-poverty programs. The bill will expand opportunities for people to serve their communities at every stage of life, from students and working adults to retirees. It also creates new sources of support for effective and innovative social ventures that need capital to increase their impact.

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American Jewish Committee
Office of Government and International Affairs
1156 Fifteenth Street, N.W.
Washington, D.C. 20005
Phone: 202-785-4200; Fax: 202-659-9896
Email: advocacy@ajc.org; Website: www.ajc.org

Capital Alert is a publication of the American Jewish Committee
Office of Government and International Affairs.
Jason F. Isaacson, Director
Richard T. Foltin, Director of National and Legislative Affairs

Capital Alert is prepared by
Richard T. Foltin, Joshua Nadas, and Eli Wald.
Jason Isaacson, Debra Feuer, and Jessica L. Schumacher
contributed to this publication.

April 28, 2009

AJC

American Jewish Committee

Global Jewish
Advocacy

www.ajc.org

Office of Government
and International Affairs
American Jewish Committee

1156 15th Street, NW
Suite 1201
Washington, DC 20005

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