

Jewish Council for Public Affairs
PLENUM 2007

The Charlotte B. and Jack J. Spitzer
Hillel Forum on Social Justice

Capitol Hill Briefing Papers
Tuesday, February 27, 2007



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Dear Spitzer Participants,

The following is a briefing of the issues that will be addressed while Spitzer Forum and JCPA Plenum participants lobby on the hill Tuesday, February 27. Jewish Council for Public Affairs (JCPA) represents 13 national agencies and 125 local communities, creating a space for discussion and debate on relevant domestic and international issues. Over the years, JCPA has developed a policy on each of the issues below. Each policy is discussed, debated and voted on by JCPA members at each annual plenum, effectively creating a cohesive Jewish community agenda.

This year, Hillel has chosen for students to lobby on the issue of environment. While at the Spitzer Forum, students will participate in a lobbying workshop which will address best practices of lobbying and background on environmental issues. This, coupled with the knowledge participants will gain throughout the conference, will provide students a good foundation to be able to lobby their respective officials. While students will focus on environmental issues, they are not limited to discussing only those issues.

We encourage you to prepare for your lobbying experience by reading the enclosed and working closely with your local Jewish Community Relations Council (the local agencies of JCPA).

Sincerely,

Michelle Lackie
Director, Weinberg Tzedek Hillel

Tips for increasing your effectiveness when meeting with an elected official:

- **Plan ahead.** Familiarize yourself with the issue you'll be discussing as much as possible. Go in with a mental list of points to be covered, questions to be asked, and answers to be obtained. When in a group, decide who will be the first to speak, who will introduce the group and who will begin the discussion on each topic you want to bring up.
- **No Surprises!** This isn't a pop quiz. Be sure to tell the legislator's staff person the purpose of the meeting, the bills or issues you want to discuss, and the constituents who will be attending.
- **Limit your agenda.** Focus on just a few issues during the visit. Don't try to cover a long list.
- **Introduce yourself.** Identify yourself by name, where you live, and what you do for a living. Include pertinent information about your connection to or prior contacts with the legislator such as: previous meetings, mutual friends, and your participation as a campaign volunteer or contributor. If you are with your Community Relations Council, introduce the agency and who you represent.
- **Set the right atmosphere.** Be punctual, courteous, non-threatening, reasonable and friendly.
- **Begin with a question.** Ask the legislator to summarize briefly his/her current position on the bill. That will give you an indication of what points would be the most relevant for you to talk about.
- **Be clear and concise.** Legislators are subject to a tremendous amount of constituent opinion – usually on both sides of an issue. Therefore, it is important for you to be as effective as possible when you meet.
- **Make it a local issue.** Let your legislator know how the issue relates to his/her constituents.
- **Listen.** Listen carefully to the response. Did he/she say "I sympathize with your point of view" or "I will support your point of view"?
- **Focusing on developing long-term relationships.** Advocacy is like baseball – no one bats 1000. Even if you are unhappy with the final position the legislator took, don't feel that you were a failure. Invite him/her to speak to a meeting of your organization or group.
- **Be specific.** Ask the legislator to agree to do something specific: become a sponsor of the bill, support a specific amendment, talk to another legislator, attend on upcoming hearings, work for defeat/ passage, etc. Given the legislator's current position on the bill, ask for an action that brings him/her closer to your position.
- **Follow up.** After the meeting, review the major points of the conversation. Be sure to send a brief letter of thanks, referring to the most significant points covered in the conversation. Include any materials or information, which you had promised to send.

- **“Thank you” meetings.** It is also quite important to communicate with a legislator when s/he has done something that you agree with. This is critical in establishing a good relationship with your Legislator, on any level. If the legislator voted in a way you agree with or championed an issue you feel passionately about, it is important to let her/him know that. Whenever you set up a visit that will include multiple issues make sure you include at least one that shows your gratitude.
- **Don’t ignore the staff!** When the legislator is unavailable to speak with you, they will ask their staff to be their surrogate. Do not be upset, they will convey your messages to the Member of Congress. Use the opportunity to develop a relationship with the staff that allows you to call them in the future to discuss relevant issues.
- **Know your elected official.** A meeting can be changed from one that could be hostile to a pleasant, more productive environment just by knowing your legislator’s positions on the issues you are advocating for. Inevitably there will be those positions which you support and those which you have disagreements about. Knowing these positions before you go into the office will make the meeting more productive.
- **Getting more information.** If you are going to set up a meeting and would like more information about your legislator, start by going to your local Jewish Community Relations Council (JCRC or CRC). The internet also provides invaluable resources, especially for national legislators (the Congressional website, THOMAS, can be found at Thomas.loc.gov). You can also contact the JCPA Washington Office.

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Facing the Growing Crisis in Iran

Urge your Senators and Representatives to make addressing the growing crisis in Iran a top priority for 2007. Ask them to continue supporting meaningful economic and political sanctions on Iran until Tehran abandons its pursuit of nuclear weapons.

Issue: Iran's pursuit of nuclear weapons and their repeated calls for the destruction of both Israel and the United States make dealing with the Tehran regime an absolute top priority for 2007. The world cannot allow the Iran to achieve its goal of becoming a nuclear power. In 2006 The U.N. Security Council passed a resolution imposing sanctions on Iran for failing to end its enrichment of uranium. The Security Council, seriously concerned that the International Atomic Energy Agency (IAEA) was still unable to provide assurances about Iran's undeclared nuclear material and activities after more than three years, demanded that Iran suspend all enrichment-related and reprocessing activities, including research and development, and gave it one month to do so or face the possibility of economic and diplomatic sanctions to give effect to its decision. Since then, the Iranian government has confirmed that they have been enriching uranium, leading the International Atomic Energy Agency (IAEA) to report Iran to the United Nations Security Council for violation of non-proliferation agreements. Iran continues to defy the U.N. Security Council's demand that it suspend efforts to enrich uranium. In addition, Iran is preventing 28 International Atomic Energy Agency inspectors from entering the country and has kicked out the U.N. official overseeing inspections.

Iran has repeatedly and publicly stated its goal of obtaining nuclear weapons. At the same time, they have developed the long range Shihab-3 ballistic missile, capable of delivering a nuclear payload that could reach Israel, American interests in the Middle East, and much of Europe. Iranian President Mahmoud Ahmadinejad, continues to engage in anti-Semitic rhetoric, to deny the historic truth of the Holocaust, and to call for the immediate destruction of Israel. Iranian Ayatollah Ali Khamenei was recently quoted as calling "the destruction of the Jewish state as the only solution to the conflict in the Middle East".

Background: Since the Islamic Revolution in 1979, Iran's leaders have viewed the United States and Israel as enemies and have provided extensive financing, training and overall support to terrorist organizations, including Hezbollah, Hamas, Al Qaeda, and Islamic Jihad. The imminent threat of their nuclear program, their repeated calls for the destruction of Israel and their recent pledges of support to Hamas have only exacerbated the danger they pose to the national security interests of both Israel and the United States.

A 2005 JCPA resolution called for Iran to "abide by its commitment to grant IAEA inspectors full, unrestricted access and cooperate fully with the investigation of Iranian nuclear activities." With Iran having unquestionably failed to do so, it is now up to the United States and the international community to respond swiftly and decisively to ensure that Iran's nuclear ambitions are curtailed.

The Jewish Community Supports Economic and Political Sanctions on Iran because:

- The United States Department of the Treasury's campaign to convince international businesses of the risks of doing business with an Iran is having an effect. Iran's economy has

been on the decline since Ahmadinejad was elected but has continued to stay afloat mostly due to the high price of oil. However, Iran requires major investment in its oil industry to increase or maintain oil profits, and investors have become wary. Iran's deputy oil minister for international affairs recently stated that "if the government does not control the consumption of oil products in Iran and at the same time, if the projects for increasing the capacity of the oil and protection of the oil wells will not happen, within 10 years, there will not be any oil for export." The Iranian government has already cut its budget for next year to compensate for expected oil revenue losses.

- The recent economic push against Iran has produced tangible waves on the Iranian street. The prices of basic foods such as beef, poultry, fruits and bread have increased by 25 percent, and housing costs have risen 30 percent, leading average Iranians to lose patience with their leader's inability to improve the economy. Faced with economic difficulties, average Iranians have begun to lose patience with Ahmadinejad's propensity to provoke international outrage. Both reformists and traditional conservatives have repudiated the president's policies. In recent local elections, candidates affiliated with Ahmadinejad and his views lost an overwhelming 90 percent of their seats.
- Iran's Supreme Leader Ayatollah Ali Khamenei has for the first time allowed hard-line newspapers to run strongly worded editorials rebuking Ahmadinejad for his defiance of U.N. Security Council demands for an end to Iran's atomic program.
- The United States' campaign to economically isolate Iran is beginning to show results, bolstering the argument that strong sanctions could slow Tehran's pursuit of nuclear arms.

Continuing Crisis in Sudan

Ask your legislators to make ending the genocide in the Darfur region of Sudan a top priority for 2007. Urge your elected officials to support funding for Darfur in the budget process and to encourage the U.S. take an even stronger leadership role in galvanizing an international response to protect civilians. Urge them to create conditions for Darfurian refugees to safely return to their homes and bring the perpetrators of crimes to justice. Ask them to support legislation such as the Peace in Darfur Act that would address the mounting humanitarian crisis in region by authorizing an additional \$150 million for each of the fiscal years 2008 through 2012 to provide food, health, water, and other humanitarian assistance to the refugees and internally displaced persons of Darfur.

Issue: Since 2003, civil war has raged in Darfur. Four hundred thousand men, women and children have been murdered and more than 2.5 million have been displaced from their homes and left to starve. As violence in the region increases, humanitarian aid continues to dwindle and Darfurians continue to suffer at the hands of an abusive government.

The United States has taken more action than any other country to fight the genocide, and the JCPA acknowledges with appreciation the effort made by President Bush and his administration. President Bush's naming of Andrew Natsios as Special Envoy to Darfur was an important step and an indication of the commitment of this Administration to combating the genocide in Darfur. However, the war continues and more Darfurians die each day. As Americans and as Jews, it is our responsibility to ensure the unspeakable tragedy in Darfur comes to an end. This is now the third year in a row that we will speak to our elected officials on this issue. But the genocide is not over, the issue has not gone away, and neither will we.

More than two years ago the House and Senate voted unanimously to condemn the genocide in Darfur. We need to make sure that they are doing all they can not just to condemn the genocide, but to end it. Until that day comes, we must also work to minimize the humanitarian crisis caused by the lack of food, clean drinking water, and access to medicine.

The soon to be reintroduced Peace in Darfur Act authorizes \$150 million for each of the fiscal years 2008 through 2012 to provide food, health, water, and other humanitarian assistance to the refugees and internally displaced persons of Darfur.

Background: The conflict in Sudan's Darfur region began in February 2003 when the Sudanese government began to regulate rebel insurgency (Sudanese Liberation Army and the Justice and Equality Movement) in the area. The government's regulatory tactics included the use of ethnic militias (Janjaweed) and arbitrary bombing throughout the region. Janjaweed have eliminated entire communities of Darfurians. They have burned down villages, murdered men, women, and children, raped women and girls, and demolished food and water sources.

At least 400,000 people have died. Two million, five hundred thousand people have been displaced from their homes and more than 300,000 have fled across the border to Chad. Thousands of Darfurians are now living in displacement camps. The camps are unsanitary, the people inside are malnourished and lack proper shelter and medical attention. Women

and girls who leave the camps to collect firewood are constantly in danger of being assaulted and raped by Janjaweed.

The Sudanese government has failed to disarm or prosecute the Janjaweed for their crimes. The violence has not ceased and in recent months numerous relief organizations have pulled out of the region to ensure the safety of their staffs. The Sudanese government has halted attempts by the United Nations to assess the actual death toll in the region and, contrary to their signed agreements, the Khartoum government continues to keep reporters from seeing the crisis firsthand.

The JCPA believes that:

- The United States has taken the bold step forward of declaring the crisis a genocide – we should also take the initiative to provide protection for those still suffering;
- We applaud President Bush's leadership in appointing Andrew Natsios as Special Envoy for Sudan
- War crimes such as rape, murder and torture persist despite the international attention the crisis has received. Even when relief agencies were in the area, they were unable to protect civilians from the recurring violence;
- Relief agencies have been forced to make the difficult to decision to pull out of Darfur to protect the safety of their workers. This means that Darfurians are not receiving the humanitarian aid in the form of nourishment and medical care they so desperately need;
- At least 400,000 people have died, although the actual number cannot be assessed properly because Sudan is stalling efforts by the United Nations to calculate a death toll;
- 2.5 million people have been displaced from their homes and 300,000 people have fled over the border to Chad;
- Unsanitary conditions, lack of nourishment, improper shelter and insufficient medical attention in displacement camps are resulting in the death of more Darfurians each day;
- Six million Jews were murdered during the Holocaust. Another 800,000 lives were taken during the genocide in Rwanda. The world stood by and watched these atrocities occur without intervening until the last moment. This time we must not be indifferent and wait until the end to take action. It is our responsibly to prevent further deaths in Darfur. As Jews who have experienced the annihilation of six million of our people, we cannot stand idly by as so many others did in the face of our tragedy.

Embryonic Stem Cell Research

Ask your Senators to vote YES on HR 3, the bipartisan “Stem Cell Research Enhancement Act of 2007” and thank your Representative if he/she supported the bill. Ask your Senators and Representatives to vote to override a veto on this legislation (should it occur).

Issue: On January 11th, 2007, the House of Representatives passed HR 3, the **Stem Cell Research Enhancement Act of 2007**. Sponsored by Representatives Diana DeGette (D-CO) and Michael Castle (R-DE), the bill passed by 253-174, 34 votes shy of the 2/3 majority (287) needed to override a likely presidential veto. The Senate will be considering this bill in the near future.

The bill proposes to amend the Public Health Service Act to allow federal funding and oversight for the creation of and research on human embryonic stem cell lines. It authorizes the NIH to fund the research (according to their normal criteria) and to provide ethical and legal oversight over the use of the lines in medical research. The legislation, in effect, negates the executive order issued by President Bush, which limits federally funded research to be conducted on stem cell lines that existed before August 9th, 2001 (the date the order was issued.)

HR 3 contains strict ethical guidelines, limiting federally-funded stem cell research to 8 day old fertilized eggs created by IVF that would have otherwise been discarded by fertility clinics as medical waste. The bill contains rules mandating that donors to fertility clinics give their written consent and do not receive money or any other incentive in exchange for the fertilized eggs. The bill would also require the HHS Secretary to submit an annual report to Congress, detailing the embryonic stem cell research conducted and a description of how that research meets the bill’s ethical guidelines.

The Stem Cell Enhancement Act of 2005, H.R. 810, was passed by wide margins in both the House and Senate in the previous 109th Congress. However, President Bush made his first (and thus far only) veto and Congress was unable to override it.

Background: More than five years have passed since President Bush articulated the current federal policy in a nationally televised statement on August 9, 2001. Since then, we have learned much more about the medical research potential of human embryonic stem cells. The National Academy of Science and forty Nobel Laureates have said this research could be key to the creation of future therapies and cures that could save millions of lives that are today at risk from diseases and medical conditions including Alzheimer’s disease, cancer, juvenile diabetes, Parkinson’s, traumatic brain injury and spinal cord injuries. The limitations placed by the existing federal policy are consigning U.S. medical research to the sidelines even as other nations are hurrying to develop this field.

The Jewish Community has long supported human embryonic stem cell research, and in 2004 issued a consensus Resolution advocating policies that promote government funding of stem cell research, encourage the production of new lines, and mandate ethical guidelines to monitor such research. In February 2005, JCPA passed additional policy on stem cell research. This policy states that the Jewish community should “*Support appropriate legislative and executive actions..., including legislation that encourages the development of new stem cell lines, in addition to the existing stem cell lines already approved for funding by the federal government, the creation of a fully funded and empowered oversight body comprised of scientists and ethicists to monitor this*

research, paying special attention to ensuring that the research is restricted to embryos of very early embryonic development.”

The Jewish community supports HR 3 because:

- We believe that H.R.3 reflects the delicate balance of pursuing new technologies for saving lives and safeguarding the fundamental sanctity of human life that our faith demands.
- The Torah commands us to cure the ill and to defeat disease whenever possible, underlining that maximizing the potential to save and heal human lives is an integral part of valuing human life. Stem research embodies these values.
- The Jewish tradition states that an embryo *in vitro* does not enjoy the full status of humanhood and its attendant protections until the 40th day of the gestation period. Thus, if stem cell research advances our ability to heal humans with greater success, it ought to be pursued since it does not require or encourage the destruction of life in the process.
- Although President Bush’s executive order allows federally funded research on stem cell lines that existed prior to August 2001, most of those not useful for research. In fact, according to the NIH, only 22 out of the original 78 authorized lines are still available to scientists and of those 22, many are contaminated.
- Without federal legislation, there are no consistent ethical guidelines and oversight for embryonic stem cell research.
- Without federal funding, the nation's top academic researchers at universities, medical schools and teaching hospitals cannot easily join in the search for cures, which means much slower progress.
- Embryonic stem cells offer more promise than adult stem cells. Studies show that embryonic stem cells will likely be more effective in curing diseases because they can grow and differentiate into any of the body's cells and tissues and thus into different organs.
- The Jewish community is not alone in its support for stem cell research. Embryonic stem cell research is supported by more than 200 organizations, including the American Medical Association, AARP, Association of American Medical Colleges, Parkinson's Action Network, American Diabetes Association, Juvenile Diabetes Research Foundation, The Christopher Reeve Foundation and Paralyzed Veterans of America. In addition, according to the Opinion Research Corporation, 72 per cent of Americans support expanding embryonic stem cell research.

Global Warming and Energy Policy

Ask your Senators/Representatives to support legislation mandating an economy-wide cap on carbon emissions. Urge them to support actions that will move America towards reducing our carbon emissions by 2 per cent annually. Urge your Senators/Representatives to ensure that the U.S. provides global leadership to curb global climate change.

Issue: Overwhelming scientific evidence indicates that not only is global climate change a reality, but that the use of fossil fuels and the subsequent emission of carbon is the main cause of this crisis. On February 2nd, 2007, the Intergovernmental Panel on Climate Change (the world's most authoritative group of climate scientists, IPCC) released its latest report ascertaining that there was a 90 to 99 per cent probability that emissions of heat-trapping greenhouse gases were the foremost cause of global warming. This report is based upon scientific collaboration by more than 2,500 scientists around that world and relies on research published in peer-reviewed journals.

Scientists predict that if we do nothing to reduce carbon emissions, the earth will likely warm by 3 to 7 degree Fahrenheit by the end of the 21st century. The consequences of such a drastic increase in temperatures are grave and would have severe impacts on our environment, our health and the global economy. Some of the likely adverse effects include:

- Rising sea levels due to ocean heating and the melting of polar ice;
- Hunger and malnutrition due to impaired food production in many developing countries;
- Floods, droughts, and forest fires increasing due to climatic shifts (for example, the IPCC has reported that since 1970, there has been a trend of more intense hurricanes such as the ones that ravaged the Gulf Coast in 2005);
- Illness due to heat stress and air pollution;
- Species extinction due to the disruption and migration of ecosystems. (This would have a devastating impact on many of the plants that pharmaceutical companies use to produce life-saving medicines)

The United States must provide the global leadership necessary to solve this problem.

Background: The Torah teaches us that we have a responsibility for future generations (*Deuteronomy 30:20*) and that we must tend to the earth (*Genesis 2:15*). This obligation drives us to protect the integrity of ecological systems so that all creatures can thrive, now and in future generations. It is therefore no surprise that the Jewish community has been a leading voice on energy policy for many years and has long urged energy policy reform to reflect American values such as national security, economic development, and environmental conservation.

Currently, the U.S. has the highest per capita energy use in the world, and with less than 5 percent of the world's population, the U.S. releases 25 percent of the global carbon emissions. As industrializing countries such as India and China increase their use of fossil fuels, it becomes increasingly important that the US demonstrate global leadership in this arena.

Many members of the American industrial, labor, business, environmental and faith communities have already advocated for US leadership in combating global climate change. Leading American companies and major emitters of greenhouse gases such as GE, Alcoa, BP, DuPont, Duke Energy

and Caterpillar have recently come together to ask Congress to pass legislation to reduce global warming pollutions by 10-30 percent within 15 years.

Reducing carbon emissions is good for the US and global economy. Taking steps to clean up our environment creates opportunities for entrepreneurs, engineers and scientists. Today, America's environmental technology sector hosts 1.6 million jobs in more than 50,000 firms and generates \$220 billion annually for the US economy. Capping carbon emissions will incentivize industry to develop alternative fuels, fostering economic development and promoting energy security. The less the US depends on carbon-emitting fossil fuels, the less our foreign policy is subject to the will of nations who do not share our values.

Even before the Kyoto Protocol, the Jewish community passed a consensus resolution recognizing the problem of global climate change and encouraging action from government, business and civil society. The Resolution's message still rings true: "The leadership demonstrated by the United States in the coming months is critical to successful efforts to ... sufficiently to stabilize the climate". We urge you to show that leadership in supporting a mandatory, economy-wide cap on carbon emissions in the 110th Congress.

The JCPA supports:

- A mandatory, but flexible policy that caps emissions from major carbon-releasing sources such as factories, transportation vehicles, and the power plants that provide the electricity used in commercial and residential buildings, etc... Congress must take a flexible approach since price signals for carbon may differ for each economic sector. Congress should use tools such as market-based incentives, performance standards, cap-and-trade, tax reform, incentives for technology research, development, and deployment and other suitable policies to encourage reduction of carbon emissions.
- A timely and responsible policy that implements emissions caps as soon as possible and incentivizes industry to comply and enforces repercussions when it does not.
- A policy that reflects both short-term and long-term goals. One specific goal would be to reduce emissions by 60-80% from current levels by 2050. However, we also recognize the need for short-term cost-effective steps that can be achieved in the near future to slow the process of global warming. Economic actors who voluntarily take early action to reduce carbon emissions should be rewarded as well.
- A policy that engages us with the international community, with the result that all major carbon-emitting countries take similar steps to reduce their emissions. Such an agreement would not only be more effective in curbing global warming, but would also protect US economic interests.
- A policy that mandates stronger energy efficiency codes and standards for buildings, equipment and appliances and incentivizes energy efficiency.
- A policy that establishes a stable, long-term source to support joint public sector/private sector research and development to drive the demand for energy efficient/low-carbon technology.
- A policy that serves the public rather than special interests, and generates revenues from polluters to financially assist the poor -- both in the United States and abroad -- so they can cope with the escalating impacts of global warming and have access to energy efficiency and clean energy opportunities.

Hate Crimes

Ask your legislator to vote YES on HR 1000, the Local Law Enforcement Hate Crimes Prevention Act of 2007 (LLEHCPA).

Issue: The Local Law Enforcement Hate Crimes Prevention Act of 2007 (HR 1000) would amend current federal hate crimes law to give the federal government the ability to investigate and prosecute more hate crimes. This bill expands the definition of hate crimes to include gender, gender-identity, sexual orientation, and disability in addition to the current categories of race, color, religion, or national origin. The addition of these categories would make the law consistent and protect all people against bias-motivated crimes.

Additionally, this bill would facilitate the involvement of the federal government in investigating and prosecuting more hate crimes. Currently, federal jurisdiction is limited to those bias crimes in which the victim is attacked because he/she was engaged in a federally protected activity, such as voting or attending a public school. Increasing the scope of the Department of Justice's possible involvement – to include cases in which state and local officials are unable or unwilling to act -- would more uniformly protect victims and serve justice.

Background: The Jewish community has long been involved in the fight against hate-motivated crime and violence. Our own historical experience has given us insight into this issue. This bill is an important step to building a more just, tolerant and lawful society.

The Local Law Enforcement Hate Crimes Prevention Act of 2007, formerly known as Local Law Enforcement Enhancement Act (LLEEA), has been debated in Congress several times over the last ten years. This bill has been supported by bipartisan majority votes by both chambers of Congress on several occasions since 2000. However, opposition by the House Republican leadership has prevented this bill from ever reaching the President.

During the 108th Congress, on June 15, 2004, the Senate approved the measure as an amendment to the National Defense Authorization Act for Fiscal Year 2005 (S. 2400) by a vote of 65-33. In September, 2004, the House approved a Motion to Instruct its conferees to retain this provision in conference by a vote of 213-186. Unfortunately, the House leadership stripped this language out of the bill in the House-Senate Conference Committee.

A year later, in the 109th Congress, the House of Representatives approved the text of the measure, HR 2662, as an amendment to the Children's Safety Act by a vote of 223-199. Again this language was removed from the final bill by the House leadership.

This year, LLEHCPA, HR 1000, is being sponsored by a bipartisan group of Senators and Representatives. In the House of Representatives, it is sponsored by Reps. John Conyers (D-MI), Barney Frank (D-MA), Ileana Ros-Lehtinen (R-FL), Christopher Shays (R-CT), Tammy Baldwin (D-WI) and Mark Kirk (R-IL), and Mary Bono (R-CA). In the Senate, this measure is sponsored by Senator Edward Kennedy (D-MA) and Senator Gordon Smith (R-OR). This measure has attracted the support of over 210 civil rights, professional, civic, and religious groups, thirty-one state Attorneys General, former US Attorney General Dick Thornburgh, and virtually every major national law enforcement organization in America.

The Jewish Community cares about this measure because:

- The federal government must have jurisdiction to address bias-motivated crimes in states in which current law is inadequate. Currently, only thirty-one states and the District of Columbia include sexual orientation-based crimes in their hate crimes statutes; twenty-seven states and the District of Columbia include coverage of gender-based crimes; and thirty-one states and the District of Columbia include coverage for disability-based crimes.
- This measure would give local law enforcement officials important tools to combat violent, bias-motivated crime. Federal support – through training or direct assistance – will help ensure that bias-motivated violence is effectively investigated and prosecuted. The legislation would also facilitate federal investigations and prosecutions when local authorities are unwilling or unable to achieve a just result.
- Passage of a federal law would increase public education and awareness, and encourage Americans to report hate crimes. The federal government must demonstrate its resolve to deal with violence based on prejudice.
- Bias-motivated crimes merit a priority response because of their special impact on the victims. These crimes – designed to intimidate whole communities on the basis of personal and immutable characteristics – can spark widespread neighborhood conflicts and damage the fabric of our society.
- State and local authorities investigate and prosecute the overwhelming majority of hate crime cases – and the federal government can be expected to continue to defer to state authorities under the LLEEA as well. Since 1991, for example, the FBI has documented almost 114,000 hate crimes. During that period, however, the Justice Department has brought fewer than 100 cases under 18 U.S.C. Sec. 245.

Torture and Detainee Abuse

Ask your Senators/Representatives to support legislation that would explicitly prohibit torture. This bill should include provisions that outlaw extraordinary rendition, secret detention and the use of “coerced” evidence, and enforce the United States’ treaty obligations without erroneously reinterpreting the Geneva Conventions and other laws.

Issue: For several years now, the United States has struggled with applying the Geneva Conventions and human rights laws in the War on Terror. The images of the treatment of detainees in Abu Ghraib and Guantanamo are deeply troubling. It is difficult to assess the current status of detainees held by the United States. Until 2002, the International Committee of the Red Cross (ICRC) was barred from visiting these detainees and currently, the ICRC’s reports are unpublished and confidential. Meanwhile, the United States continues to assert the right to interrogate people with secret methods, hold them indefinitely and without legal process, and to punish or even execute them based on evidence obtained through severe abuse. In order to prevent abuses, it is essential that the United States unambiguously prohibit any and all forms of torture, which is both immoral and ineffective.

Background: The War on Terror has created a new dynamic where the United States Military is fighting against a stateless, scattered force. However, the Geneva Conventions and the international treaties that govern the rules of war were designed for wars between two nation-states with organized armies. The applicability of the Geneva Conventions, our obligations to the enemy, and our commitment to civil liberties are being reexamined. We have witnessed the reinterpretation and redefinition of many regulations, laws and international treaties. These new interpretations have allowed for abusive interrogations of detainees captured during the War on Terror. In 2004, the first photos emerged of the treatment of detainees in Abu Ghraib. These photos were deeply disturbing, showing abusive treatment and vile interrogation methods.

More recently, we have learned about some of the abuse and violent interrogation methods taking place at the Guantanamo Bay Naval Base. FBI agents reported witnessing detainees being beaten, put in hypothermia chambers, and being deprived of sleep. In October, Vice President Cheney confirmed that the U.S. interrogators were simulating drowning detainees with the controversial water-boarding technique.

In the past several years, we have also learned of instances where detainees have been sent to countries that use torture in their interrogations. This process, known as extraordinary rendition, has been used for many years despite objections from many human rights advocates. These detainees are often tortured and held in violation of the Geneva Conventions, human rights laws and other US obligations.

Congress has considered several pieces of legislation over the past several years that address US interrogation procedures and torture. In 2005, Congress adopted the McCain Amendment to the Defense Authorization Bill which prevented the U.S. government from using “cruel, inhuman, and degrading” interrogation methods. However, last year Congress passed and the President signed the Military Commissions Act which allows for the use of “coerced” evidence during military tribunals. This bill also amended the War Crimes Act to redefine violations of the

Geneva Conventions and exonerated many from criminal liability for their abusive interrogation methods and tortuous treatment of detainees.

Last year, the Jewish Council for Public Affairs adopted a new policy on torture which opposes extraordinary rendition, the redefinition of torture, and the reinterpretation of the Geneva Conventions. “Judaism holds that every human being is B’tzelem Elokim (in the divine image) and, as such, is entitled to dignity and respect. Our government’s duty to protect the lives of our citizens must be balanced with the obligation to protect the precious rights guaranteed to each individual...[I]n Israel, which has faced the threat of terrorism since its founding, the Supreme Court has ruled that torture is illegal and unacceptable.”

The JCPA:

- Opposes the use of torture and affirms the continued validity and legal definitions present in the Geneva Conventions and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment;
- Opposes the practice of ‘extraordinary rendition’, which is commonly defined as an extrajudicial procedure that sends criminal suspects to other countries, specifically to those countries that are suspected of using torture during interrogation;
- Supports allowing all people in U.S. custody subject to the Geneva Conventions the right to be visited by the International Committee of the Red Cross;
- Supports efforts to examine past practices and ensure that interrogations by military and intelligence agencies comport with international conventions.

ADVOCACY REPORT FORM

Please take a moment to complete this form. With your help we will be able to use the information you have gathered to help get our various legislative priorities passed.

NAME: _____

COMMUNITY _____

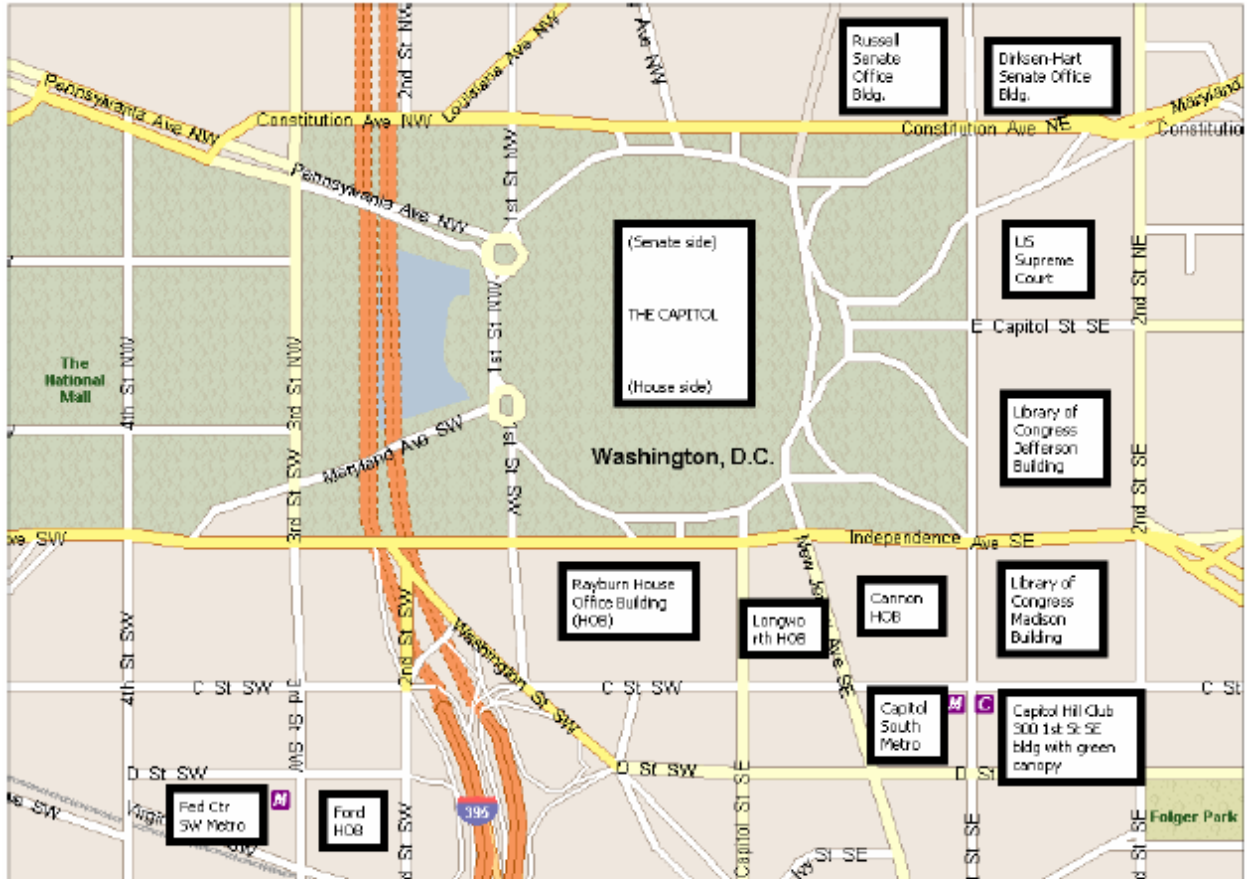
MEMBER OF CONGRESS MET WITH AND/OR NAME OF
STAFF _____

ISSUES DISCUSSED/ DID THE LEGISLATOR AGREE OR DISAGREE WITH YOUR
POSITIONS:

DOES THE LEGISLATOR NEED MORE INFORMATION ON ANY ISSUE?

PLEASE RETURN THIS FORM TO:
Hadar Susskind, JCPA Washington Director, 800 8th Street, NW Washington, DC 20001
Fax: 202.789.4344, E-mail: hsusskind@thejcpa.org

Map of Capitol Hill



North ↑