

Resolutions proposed by members for the General Meeting of the DPCA, 15-16 October 2011 *FINAL VERSIONS AS ADOPTED ON OCTOBER 21, 2011*

Resolution on protecting the fundamental right to collective bargaining for public service employees

Resolution to modify the Foreign Bank Account and Financial Records (FBAR) requirement

Resolution on the Suspension of Benefits of Aliens Who Are Outside the United States and Residency Requirements for Dependents and Survivors

Resolution in Support of The Dream Act

Resolution in honor of Lisa Finerty

Resolution concerning changes to Form I-130 in the immigration process for family members of US citizens living abroad

Resolution to Stop the Keystone XL Tar Sands Pipeline

Resolution on protecting the fundamental right to collective bargaining for public service employees

Proposed by Maya Samara (Switzerland), based on the text adopted by Democrats Abroad Switzerland at its Annual General Meeting on 27 March 2011.

WHEREAS Freedom of Association and the Right to Collective Bargaining are Fundamental Rights according to the Universal Declaration of Human Rights and the 1998 International Labor Organization Declaration on Fundamental Principles and Rights at Work;

WHEREAS collective bargaining by and with public sector unions has functioned effectively in Wisconsin since 1959 (and in many other states where it is currently under threat) and has consistently served as an efficient tool for establishing and regulating terms and conditions of work;

WHEREAS considerable efforts have been made by public sector unions in Wisconsin and elsewhere to use collective bargaining as a means of addressing the budgetary crises facing their respective State and local governments;

WHEREAS public sector unions have been willing to make sacrifices in order to help their State and local governments meet the challenge of the budgetary shortfalls not of their making;

WHEREAS the ideologically driven efforts of numerous state Governors and state legislatures, the American Legislative Exchange Council and other special interest groups funded by the Koch Brothers, together with the Republican Party have created a budgetary crisis by slashing taxes on the rich while blaming the men and women who make our government work for budgetary shortfalls, with the ultimate goal of withdrawing a fundamental right and advancing a neo-liberal agenda aimed at privatization of public services;

WHEREAS the impact of the recall elections in Wisconsin, where, despite being out-spent by outside conservative groups (who do not report their spending publicly), efforts by the Republican party to impose, at considerable cost to the state, invalid primary elections, and Republican efforts using intimidation and misinformation to suppress voter turnout, the committed citizens of Wisconsin sent a clear signal of support for public service employees to the State capitol, to Washington, D.C. and to the world,;

BE IT RESOLVED that Democrats Abroad

- applaud the commitment and resolve of trade unionists, students and concerned citizens who have been peacefully protesting,
- express its solidarity with public service employees in Wisconsin and in a growing number of other States where workers' rights are under threat,
- support the 14 Wisconsin Democratic Legislators who took direct, principled action, and
- commend the grassroots effort to recall 8 Wisconsin Republican Legislators who had aligned themselves with an ideologically driven effort to violate fundamental human rights rather than respecting the trust placed in them by the Wisconsin voters;

AND LET IT BE FURTHER RESOLVED that Democrats Abroad support all efforts to mobilize ongoing support for public service employees, to expose the right-wing supporters of laws to restrain the fundamental right to collective bargaining, to persuade Governor Walker to take steps to reverse the ill-conceived and dangerous legislation passed by the Wisconsin State Assembly, and to persuade Governors of all states where this right is under threat to respect the rights of public service employees.

Resolution on FATCA (Foreign Account Tax Compliance Act)

Proposed by Allenna Leonard (Canada), Kenneth Sherman (Canada), and Joe Green (Canada).

WHEREAS part of the function of Democrats Abroad is to work to inform Americans living abroad of new and emerging situations and legal requirements that affect them;

WHEREAS the great majority of Americans living abroad are law-abiding citizens living ordinary lives;

WHEREAS the Foreign Account Tax Compliance Act (FATCA) legislation that passed in March of 2010 as part of the HIRE Act and is to come into effect in 2014 puts undue burdens on American citizens living abroad, on their business relationships and on the financial institutions serving their routine needs for bank accounts, insurance, pensions and investments;

WHEREAS costs to banks and other foreign financial institutions would be so high that it will discourage them from accepting American customers and already has done so;

WHEREAS FATCA also requires US citizens who have foreign financial assets in excess of \$50,000 in bank accounts, insurance, pensions and investments to report those assets to IRS on a new draft version of Form 8938 to be filed with the 1040 tax return starting fiscal year 2011;

WHEREAS it would be a disadvantage to the United States to provide disincentives to financial institutions and investors from investing in the United States and maintaining relations with US customers and businesses;

WHEREAS there are more direct and effective means of satisfying the purpose of the law to find tax evaders and capture unpaid taxes owed to the US Government;

BE IT RESOLVED that Democrats Abroad call upon the US Congress to repeal FATCA before further damage is done to the American reputation, to its citizens and the institutions that serve them in foreign countries;

AND LET IT BE FURTHER RESOLVED that Democrats Abroad call upon Treasury to ensure that current US banking laws and regulations do not prevent American abroad from accessing the same banking services that are available to all Americans.

Resolution to modify the Foreign Bank Account and Financial Records (FBAR) requirement

Proposed by Allenna Leonard (Canada), Ken Sherman (Canada), and Joe Green (Canada)

WHEREAS Democrats Abroad understands that the United States Government must pursue criminals, tax evaders and money-launderers;

WHEREAS there is at the same time a growing concern among US citizens abroad regarding the impact of current and proposed US financial disclosure regulations placed on them since the adoption of the Patriot Act;

WHEREAS the United States Government requires US citizens, in addition to the mandatory filing of a US tax return on their worldwide income regardless of residence, while most other countries tax their citizens by residence, also requires them to file annually a FBAR form with the Treasury Department for all assets they hold in foreign accounts (checking, savings, stocks, pensions, etc) in excess of an aggregate of \$10,000, against threat of a \$10,000 penalty for not filing;l

WHEREAS most Democrats Abroad have modest incomes and often have no income and no bank accounts in the US, but must keep abreast of their obligations to file with the US government;

BE IT RESOLVED that Democrats Abroad request that he Treasury Department extend reporting deadlines for submitting FBAR forms to August 31, 2012;

AND LET IT BE FURTHER RESOLVED that Democrats Abroad seek legislative support to raise the FBAR aggregate amount of personal holdings from \$10,000 to \$250,000.

Resolution on the Suspension of Benefits of Aliens Who Are Outside the United States and Residency Requirements for Dependents and Survivors

Proposed by Sandra Loridans (Mexico).

WHEREAS many American citizens living abroad have married citizens of countries other than the United States;

WHEREAS an American spouse married to another American citizen has the comfort of knowing that upon the death of the pensioner, the surviving spouse, and children, if applicable, become the beneficiaries of the earned payments of a Social Security pension;

WHEREAS Section 202(t) of the Social Security Act provides, with some exceptions, that when a United States Citizen who was receiving earned Social Security benefits dies, the surviving spouse cannot receive derivative benefits if the said spouse is not an American citizen and does not reside in the United States;

WHEREAS according to the exceptions to that Section, if the Surviving Spouse, or children, if applicable, reside in Austria, Belgium, Canada, Chile, Czech Republic, Finland, France, Germany, Greece, Ireland, Israel, Italy, Japan, South Korea, Luxembourg, Netherlands, Norway, Poland, Portugal, Spain, Sweden, Switzerland or the United Kingdom, Survivor's Benefits will be paid, no matter how long they stay outside of the United States, for as long as they are eligible for the payments;

WHEREAS there is no logical reason to deprive an American Citizen of the assurance of knowing that a surviving foreign spouse, or children, if applicable, will receive an income as security in advance age because the surviving foreign spouse resides in one of the aforementioned countries;

WHEREAS there is no principled reason to set apart, for the sake of survivor's benefits, American Citizens living in the countries mentioned as exceptions above, as opposed to American Citizens living abroad in the rest of the world;

BE IT RESOLVED that Democrats Abroad petition the United States Congress to repeal or amend those sections of Section 202 (t) of the Social Security Act so as to permit foreign citizens residing in any country not set forth as an exception to that Act, who are surviving spouses of American Citizens, and who would otherwise be entitled to derivative Social Security benefits, to receive said benefits in the same manner as any other Surviving Spouse without the requirement of being an American Citizen or living in the United States.

Resolution in Support of The Dream Act

Proposed by Dee Dee Camhi (Mexico). Passed by DA-Mexico, written by Millard Mott (Mexico).

WHEREAS Democrats Abroad strongly supports the protection of each person's civil liberties, regardless of that individual's nationality, residency, or status;

WHEREAS America's immigrants are a strong and valuable part of the social fabric of this nation;

WHEREAS many immigrant children have been in the United States for so long that they have no memory of any other "homeland," learning of their undocumented status only when they apply for college or the military;

WHEREAS The DREAM Act aims to create pathways to citizenship for immigrant children who were brought to this country before age 16, are under 30 years of age, and have lived here for a minimum of five years, and wish to attend college or join the military;

WHEREAS having this education or military service will provide these individuals greater success in life through higher lifetime earnings, higher income tax contributions, greater contributions to the economy, and less reliance on government assistance

WHEREAS The Congressional Budget Office recently released a report scoring the latest version of the DREAM Act and found it would reduce deficits by \$1.4 billion between 2011 and 2020;

WHEREAS Homeland Security Secretary Janet Napolitano states that the DREAM Act would allow the Department of Homeland Security (DHS) to spend more enforcement resources removing undocumented immigrants with criminal records;

BE IT RESOLVED that Democrats Abroad

Urges members of the Congress of the United States to vote for the DREAM Act to provide green cards and then citizenship to immigrant children – brought to this country before age 16 and are under the age of 30 and have lived in the United States for five years – if they go to college or provide military service.

Resolution in honor of Lisa Finerty

Proposed by Kass Thomas (Italy). Passed unanimously by the Democrats Abroad Italy Committee on Sept 1, 2011.

WHEREAS Lisa Finerty was born in California and lived in Italy on and off over a period of 40 years;

WHEREAS Lisa Finerty was Chair of the Rome and Southern Italy Chapter from 2005 to 2008;

WHEREAS Lisa Finerty worked tirelessly during those years to revive a defunct chapter and sign up enough members to move Italy into the position of 5th largest country in terms of membership;

WHEREAS Lisa Finerty signed up more new voters than any Chair of Democrats Abroad Italy before or since her and her efforts were internationally recognized;

WHEREAS Lisa Finerty successfully organized and ran the first Overseas Primary voting station in Italy;

WHEREAS Lisa Finerty successfully galvanized voters and reached beyond the traditional means to stimulate interest and loyalty throughout Rome and Southern Italy;

WHEREAS Lisa Finerty worked tirelessly throughout her entire DA career to convince people, Dems and Republicans alike, about the importance of voting from abroad;

WHEREAS Lisa Finerty passed away at the end of July 2011,

BE IT RESOLVED that Democrats Abroad honor Lisa Finerty for her dedication to the party, to the organization and to the ideals of the organization and hereby name the Voter Registration Workshop Training Sessions in her name.

Resolution concerning changes to Form I-130 in the immigration process for family members of US citizens living abroad

Proposed by Peter Alegi (Italy), Wayne Weightman (Cambodia), Katie Solon (Austria), Gary Suwannarat (Indonesia) and Meredith Wheeler (France). Co-sponsored by Carmelan Polce (Australia), Connie Borde (France), Merrill Oates (Hungary) Dave van Rooy (Indonesia), Kass Corbelli (Italy), Albert Kang (ROK), Peter du Pont (Thailand), and Reno Domenico (Ukraine).

WHEREAS protecting the rights and promoting the interests of American citizens residing abroad has from our founding been one of the principal purposes of Democrats Abroad;
WHEREAS Democrats Abroad continues to represent such citizens to the American government, including Congressional and administrative levels, in particular by furnishing information on the concerns of its overseas constituency;

WHEREAS a change has been established, without adequate examination of those concerns, by the United States Citizenship and Immigration Service and the Department of State in the procedure for obtaining immigrant visas (Form I-130) for close relatives, eliminating the jurisdiction of the Department of State to receive and to process applications as well as other changes, for the reported purpose of preserving the financial claim of one federal agency;

WHEREAS the new procedure by requiring multiple mailings of the visa application and supporting documents to the US will significantly and adversely affect overseas citizens by seriously delaying the processing and granting of visas, resulting in separation of many families as one spouse is required to return to the United States for any one of many serious reasons without the other who is awaiting a visa;

WHEREAS the new rule will also adversely impact the ability for citizens to visit the US with their spouse and children due to the suspicion that they may be attempting to circumvent the long wait times inherent in the new process;

WHEREAS such separation is not in keeping with President Obama's 2008 campaign statement "Supporting Americans Living Abroad" which states his commitment to addressing issues related to immigration of family members;

WHEREAS the Platform of Democrats Abroad calls for simplifying and expediting visa and immigration processes for the immediate family of American citizens living abroad;

WHEREAS the effect of the new rule is a restriction of the citizen's right to freedom of movement;

WHEREAS the adoption of the changes occurred with no examination of the actual circumstances of the citizens residing overseas who would be impacted;

WHEREAS Democrats Abroad must act in fulfillment of its duty to guard the interests of citizens resident abroad, and wishes to assist the government with detailed and accurate information on this matter;

BE IT RESOLVED THAT Democrats Abroad continues to seek the retraction of the changed rule and reinstallation of the former one, by all legitimate means, including provision of information to American citizens, contacting the agencies concerned, alerting members of the House and Senate and otherwise vigorously advocating the withdrawal of the rule

Resolution calling for a modification of the application of "reciprocity schedules" by the United States Department of State to issuance of B-2 visitor visas to non-U.S. citizen spouses, significant others and children of US citizens living and working abroad

Proposed by Wayne Weightman (Cambodia).

WHEREAS protecting the rights and promoting the interests of American citizens residing abroad has been one of the principal purposes of Democrats Abroad, from our founding;

WHEREAS the purpose of U.S. immigration policy is to promote the welfare of the United States and its citizens, in contrast to the rote application of reciprocity schedules which are, in fact, based on the decisions, actions, and principles of foreign governments and as such varies from country to country;

WHEREAS family unity is a guiding principle in U.S. immigration policy, the proposed modification will promote harmonization of public policy with the Constitution's insistence that the rule of law requires the fair and equitable application of the law;

WHEREAS an overseas American's family is treated differently depending on where they live thereby inhibiting or limiting the American's freedom to travel to the U.S. as a family be it for pleasure or emergencies;

WHEREAS short U.S. visa validity times cause undue hardship for Americans living overseas because of the high emotional, financial and time costs incurred for repeated applications for U.S. visas so that Americans can easily and quickly visit the U.S. with their non-U.S. citizen family;

WHEREAS U.S. visa validity periods differ widely from country to country from as little as three months to as much as ten years, and therefore the costs to the American's family for a ten-year period will range from as little as \$140 to as much as \$5600 per person. With a family of four, the costs range from \$560 to as high as \$22,400 depending upon where the American's family has their citizenship or residence.

WHEREAS President Obama's 2008 campaign statement "Supporting Americans Living Abroad" states his commitment to addressing issues related to immigration of family members;

WHEREAS the 2008 Platform of Democrats Abroad calls for simplifying and expediting visa and immigration processes for the immediate family of American citizens living abroad and further specifically favors "providing the immediate family members of U.S. citizens living abroad who are seeking U.S. visitor visas (B-1 and B-2) the maximum validity (currently 10 years) irrespective of the reciprocity table applicable to the family members' country of residence";

WHEREAS Democrats Abroad continues to represent such citizens to the American government, including at the Congressional and administrative levels, in particular by furnishing information on the concerns of its overseas constituency;

BE IT RESOLVED that Democrats Abroad, in fulfillment of its duty to guard the interests of U.S. citizens residing abroad, and wishing to assist the government with detailed and accurate information on this matter, urge the Democratic Party, Congressional Members, and the President, to set policies regarding U.S. visitor visas according to American principles and

practices, and to the benefit of Americans living abroad;

AND LET IT BE FURTHER RESOLVED that Democrats Abroad seeks the modification of the reciprocity schedules, or the adoption of other means of unifying visa treatment of immediate foreign national family members and dependents of US citizens living abroad regardless of their country or origin or residence, and pursue by all available means of attaining this goal, including provision of information to American citizens, contacting the agencies concerned, informing the President and the White House staff, and members of the House and Senate, and otherwise vigorously advocating the modification of the application of the reciprocity schedules.

Resolution to Stop the Keystone XL Tar Sands Pipeline

Submitted by David S. Miller, DA Denmark

WHEREAS the Keystone XL tar sands pipeline is designed to transport environmentally dirty oil extracted from Canadian tar sands to U.S. Gulf Coast refineries; and

WHEREAS the tar sands oil will not lessen U.S. dependence on foreign oil because it will be refined for a primarily non-U.S. export market; and

WHEREAS extracting tar sands oil uses massive amounts of water resources and climate-damaging energy, destroying in the process hundreds of thousands of acres of Alberta's wetlands and boreal forest which is an important carbon sink, and resulting in polluted wastewater pools that are dangerous for groundwater and wildlife including migrating birds; and

WHEREAS the Keystone XL tar sands pipeline will cross through America's agricultural heartland, the Missouri and Niobrara Rivers, the Ogallala aquifer, sage grouse habitat, walleye fisheries and more; and

WHEREAS there are unique safety concerns posed by the particularly corrosive properties of diluted bitumen (raw tar sand oil), and that the submitter of the permit TransCanada predicted that its Keystone I tar sands pipeline would see one spill in 7 years when in fact there have been 12 spills in 1 year; and

WHEREAS a rupture in the Keystone XL tar sands pipeline in America's heartland could threaten the source of fresh drinking water for 20 million people; and

WHEREAS the Amalgamated Transit Union (ATU) and the Transport Workers Union (TWU), which both oppose the pipeline, stated in August 2011: *"We need jobs, but not ones based on increasing our reliance on Tar Sands oil. [...] Many jobs could also be created in energy conservation, upgrading the grid, maintaining and expanding public transportation— jobs that can help us reduce air pollution, greenhouse gas emissions, and improve energy efficiency."*; and

WHEREAS climate scientists have been predicting for decades that global warming caused by human activity will lead to extreme weather events; and

WHEREAS in 2011 alone the United States has experienced the effects of climate change and natural variability in extreme weather events such as Hurricane Irene, Tropical Storm Lee, the numerous deadly tornadoes in the Southeast and Midwest, the flooding of the Missouri River, massive snowfalls on the East Coast, the drought in Texas with resulting deadly and destructive wildfires; and

WHEREAS extreme weather events related to climate change continue to take place around world such as the ongoing drought in Russia and recent massive flooding in Pakistan and China; and

WHEREAS the effects of climate change are expected to have major negative impacts on U.S. national security, food security and economic security, and that in 2011 the United States

reached an all time annual high of climate-related events costing more than \$1 billion each, with over 10 such events by September of that year; and

WHEREAS climate scientists predict that massive droughts exceeding Dust Bowl levels of the 1930's such as the drought currently being experienced in Texas will exist across much of the United States, including the breadbasket region, as soon as 2030; and

WHEREAS one of the world's leading climate scientists, NASA's top climate scientist Dr. James Hansen, says that fully developing the tar sands in Canada would add the equivalent of an additional 150 parts per million (ppm) of the greenhouse gas CO₂ into the atmosphere, adding to the current approximately 390 ppm, a figure that is rising without the addition of the CO₂ that would be generated by consequences of the Keystone XL tar sands pipeline; and

WHEREAS according to Dr. Hansen this additional CO₂ would essentially mean "Game Over" for the climate – in other words that it would become impossible to reduce rising CO₂ levels in the atmosphere to a safer 350 ppm and thus avoid a predicted collapse of civilization; and

WHEREAS building the pipeline would increase the likelihood that humans will not be able to reverse rising levels of greenhouse gases and the increasingly dangerous, violent and fatal effects of global warming,

LET IT THEREFORE BE RESOLVED that Democrats Abroad supports all efforts of fellow Democrats to prevent the Keystone XL tar sands pipeline from being built.

END